

City of Carrollton

1945 E. Jackson Road
Carrollton, TX 75006



REGULAR WORKSESSION & MEETING

Tuesday, January 22, 2019

5:45 PM

CITY HALL, 2nd Floor

City Council

Mayor Kevin Falconer
Mayor Pro Tem John Sutter
Deputy Mayor Pro Tem Young Sung
Councilmember Steve Babick
Councilmember Mike Hennefer
Councilmember Pat Cochran
Councilmember Frances Cruz
Councilmember Glen Blanscet

*****PRE-MEETING / EXECUTIVE SESSION*******5:45 P.M. – COUNCIL BRIEFING ROOM**

1. Receive **information and discuss Agenda.**
2. Council will convene in **Executive Session** pursuant to Texas Government Code:
 - **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
3. Council will **reconvene in open session** to consider action, if any, on matters discussed in the Executive Session.

*****WORKSESSION*****

4. Discuss **Proposed Charter Amendments.**
5. Discuss **Implementation Of Phase 3 Of The Bridge Retrofit Program.**
6. Mayor and Council reports and information sharing.

*****REGULAR MEETING 7:00 PM*******INVOCATION****PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

*(*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)*

MINUTES

- *7. Consider **Approval Of The January 8, 2019 Regular Meeting Minutes.**

BIDS & PURCHASES

- *8. Consider **Approval Of Synthetic Turf And Installation From Hellas Construction Through An Inter-Local Agreement With BuyBoard** In An Amount Not To Exceed \$279,950.00.

- *9. Consider Approval Of An Award To RLM Earth Co., Pursuant to RFP #19-003 For Josey Ranch Field #6 Adaptive Sports Field Construction Services In An Amount Not To Exceed \$215,670.00.
- *10. Consider Approval Of Roof Replacement Services From Duro-Last Roofing Through An Interlocal Agreement With TIPS Purchasing Cooperative In An Amount Not To Exceed \$583,842.86.

CONTRACTS & AGREEMENTS

- *11. Consider Authorizing The City Manager To Approve A Contract With Waterloo Capital Public Affairs for Legislative Consultant Services, RFP#19-006 In An Annual Amount Not To Exceed \$70,000.00.

ORDINANCE

- *12. Consider An Ordinance Amending The Code Of Ordinances, Chapter 73, "Traffic Schedules," Schedule I (E) And (F), Establishing A Speed Limit Of 45 Miles Per Hour On Plano Parkway For All Portions Within The Carrollton City Limits; Providing For Penalty, Savings And Severability Clauses; And Establishing An Effective Date.
- *13. Consider An Ordinance Ordering An Election On May 4, 2019, To Submit To The Qualified Voters Of The City Of Carrollton Certain Proposed Amendments To The Existing City Charter.

RESOLUTIONS

- *14. Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Transystems Corporation DBA Transystems Corporation Consultants For Additional Professional Engineering Design Services Related To The Furneaux Creek Hike And Bike Trail Project In The Amount Of \$56,407.00, Increasing The Total Contract To An Amount Not To Exceed \$213,111.00.
- *15. Consider A Resolution Authorizing The Execution Of Documents For The Acquisition Of Certain Property Necessary For The Construction Of The Furneaux Creek Hike And Bike Trail From Old Denton Road To Trinity Mills Station; Declaring A Public Need And Necessity; Authorizing The City Manager To Take All Necessary Actions For The Acquisition Of Certain Property For Public Purposes; And Providing An Effective Date.

- *16. Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Birkhoff, Hendricks And Carter, LLP For Professional Engineering Design Services Related To The Josey Lane Elevated Water Storage Tank Project In The Amount Of \$31,500.00, For A Total Contract Amount Not To Exceed \$328,800.00.
- *17. Consider A Resolution Authorizing The City Manager To Enter Into Single-Family Rehabilitation Grant Incentive Agreements On Three Eligible Properties Located Within Neighborhood Empowerment Zones, In A Total Grant Amount Not To Exceed \$11,391.30.
- *18. Consider A Resolution Ratifying A Member To Serve On The Civil Service Commission.
- *19. Consider A Resolution Appointing A Member To The Neighborhood Advisory Commission.
- *20. Consider A Resolution Appointing A Member To The Library Board.
- *21. Consider A Resolution Approving An Amendment To Section 4.02 Of The Consolidated Public Safety Communications And Dispatch Operations Agreement Regarding Cost Allocations For The Operation Of The North Texas Communication Center.

PUBLIC FORUM

22. **Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.**
- Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

ADJOURNMENT

CERTIFICATE - I certify that the above agenda giving notice of meeting was posted on the bulletin board at the City Hall of Carrollton, Texas on the 18th day of January 2019 at 12:00pm.

Jacqueline Williams

Jacqueline Williams, Deputy City Secretary

This building is wheelchair accessible. For accommodations or sign interpretive services, please contact City Secretary's Office at least 72 hours in advance at 972-466-3005. Opportunities and services are offered by the City of Carrollton without regard to race, color, age, national origin, religion, sex or disability.

Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda. Further, the Texas Open Meetings Act, codified in Chapter 551 of the Texas Government Code, does not require an agenda posting where there is a gathering of a quorum of the City Council at a regional, state or national convention or workshop, social function, convention, workshop, ceremonial event or press conference. The City Secretary's Office may occasionally post agendas for social functions, conventions, workshops, ceremonial events or press conference; however, there is no legal requirement to do so and in the event a social function, convention, workshop, ceremonial event or press conference is not posted by the City Secretary's Office, nothing shall preclude a quorum of the City Council from gathering as long as "deliberations" within the meaning of the Texas Open Meetings Act do not occur.

FIREARMS PROHIBITED at City Council meetings pursuant to Texas Penal Code Sections 46.035(c) and 30.05.



City of Carrollton

Agenda Memo

File Number: 4147

Agenda Date: 1/22/2019

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 4.

CC MEETING: January 22, 2019

DATE: January 15, 2019

TO: Mayor and City Council

FROM: Meredith A. Ladd, City Attorney

Discuss Proposed Charter Amendments.

BACKGROUND:

On August 21, 2018, the City Council created a Charter Review Commission (“CRC”) to review the City Charter and make recommendations based upon Council guidelines. These guidelines were later expanded. The CRC met throughout the fall and discussed the Council recommended guidelines. After numerous meetings, the CRC voted to recommend 13 propositions for Council review to be presented to Carrollton voters for adoption. Council reviewed the propositions at the January 8, 2019 Council Meeting and asked staff to further research and amend propositions. Due to some of the requested revisions, the propositions have been renumbered.

The attached documentation sets forth the propositions, as they would be on the ballot for adoption, should Council decide that each of the propositions should be approved for the ballot consideration.

OFFICIAL BALLOT

Proposition No. 1:

Shall the City Charter be amended throughout to correct non-substantive errors such as: misspellings, punctuation, grammar, and sentence structure; revise and update references to obsolete or amended provisions of state law; and conform notice and publication requirements to state law?

YES

NO

Proposition No. 2:

Shall the City Charter be amended to delete provisions, practices, and policies that are no longer employed by the City of Carrollton?

YES

NO

Proposition No. 3:

Shall Sections 2.01, 2.02, and 7.04(4) of the City Charter be amended to provide that beginning with the election in 2021, the term of office for elected officials shall be four (4) years?

YES

NO

Proposition No. 4:

Shall Sections 2.02, 2.09, and 7.03 of the City Charter be amended to provide that candidates for an election to the City Council or appointees to Boards and Commissions be a qualified voter of the City not less than twelve (12) months prior to filing or appointment?

YES

NO

Proposition No. 5:

Shall Section 2.02 of the City Charter be amended to provide that only partial terms of less than two (2) years will not count towards term limits?

YES

NO

Proposition No. 6:

Shall Section 2.04 of the City Charter be amended to adopt the state law removal requirements for members of City Council?

YES

NO

Proposition No. 7:

Shall Section 2.04(I) of the City Charter be amended to provide that beginning with the election in 2021, no member of City Council shall be eligible for election after resignation, after a specified term of service remains, or removal from office for a period equal to the length of a term?

YES

NO

Proposition No. 8:

Shall Sections 2.04(K), 7.01 and 9.08 of the City Charter be amended to provide for all elections to be held on a uniform election date?

YES

NO

Proposition No. 9:

Shall Section 2.13 of the City Charter be amended to provide for revision of duties for and requirements of the City Attorney?

YES

NO

Proposition No. 10:

Shall Section 7.04(5) of the City Charter be amended to provide that Places 1, 3, 5, and 7 shall be reviewed not less than every five (5) years?

YES

NO

Proposition No. 11:

Shall Sections 9.01 and 9.02 of the City Charter be amended to provide for one (1) or more reasons for a recall of a City Council member?

YES

NO

Proposition No. 12:

Shall Section 10.02 of the City Charter be amended to prohibit discrimination in compliance with federal, state, and local law?

YES

NO

Proposition No. 13:

Shall Section 10.13 of the City Charter be amended to provide for a charter review committee and qualifications of members thereof?

YES

NO

Proposition No. 14:

Shall the City Charter be amended by adding Section 10.16 to provide for the prohibition of the sale of liquor in residential districts of the City if so established by the City Council by Ordinance?

YES

NO



City of Carrollton

Agenda Memo

File Number: 4154

Agenda Date: 1/22/2019

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 5.

CC MEETING: January 22, 2019

DATE: January 16, 2019

TO: Erin Rinehart, City Manager

FROM: Cesar J. Molina, Jr., P.E., Director of Engineering

Discuss **Implementation Of Phase 3 Of The Bridge Retrofit Program.**

BACKGROUND:

Staff will brief City Council on the recommendations from the Re-Development Sub-Committee regarding implementation of Phase 3 of the Bridge Retrofit Program.



City of Carrollton

Agenda Memo

File Number: 4159

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Minutes

Agenda Number: *7.

CC MEETING: January 22, 2019

DATE: January 17, 2019

TO: Erin Rinehart, City Manager

FROM: Laurie Garber, City Secretary/Admin. Services Director

Consider Approval Of The January 8, 2019 Regular Meeting Minutes.

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
JANUARY 8, 2019**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, January 8, 2019 at 5:45 pm with the following members present; Mayor Kevin Falconer, Mayor Pro Tem John Sutter, Deputy Mayor Pro Tem Young Sung, Councilmembers Glen Blanscet, Frances Cruz, Mike Hennefer, Pat Cochran and Steve Babick. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy, Chrystal Davis and Bob Scott, City Attorney Meredith Ladd and City Secretary Laurie Garber.

5:45 P.M. – COUNCIL BRIEFING ROOM

*****PRE-MEETING/EXECUTIVE SESSION *****

Mayor Falconer convened the meeting at 5:48 pm.

1. Receive **information and discuss Agenda.**

*****WORKSESSION*****

4. Discuss **Proposed Charter Amendments.**

Mayor Falconer recognized the members of the Charter Review Commission chaired by Roy Atwood and thanked them for their time and work.

City Attorney Meredith Ladd reviewed each of the 13 proposed propositions.

- Proposition No. 1 – no objections or suggestions for change
- Proposition No. 2 – no changes
- Proposition No. 3 – discussion regarding the length of term, partial terms and with regard to elections in an even or odd year as well as with regard to using the November Uniform Election date for City elections. Ladd will review alternative language with regard to partial terms and City Secretary Laurie Garber will provide benchmark information regarding term lengths. A general consensus was reached in favor of holding elections in odd years and four year term lengths.
- Proposition No. 4 – no change
- Proposition No. 5 – tracks State law for General Law cities – no changes
- Proposition No. 6 – discussion regarding the term “re-election” as opposed to “election” – no change recommended
- Proposition No. 7 – no change
- Proposition No. 8 – keep the second paragraph
- Proposition No. 9 – no change
- Proposition No. 10 – no change
- Proposition No. 11 – consensus to state the City shall not discriminate rather than listing a basis such as age, etc.
- Proposition No. 12 – a consensus was reached to add language providing eligibility to serve on the Charter Review Commission
- Proposition No. 13 – no change

Ladd stated she would make the suggested changes and send out to the Council. Mayor Falconer stated an item would be on the next meeting agenda for further review.

Mayor Falconer recessed the Worksession at 7:15 pm to convene the Regular Meeting.

*****REGULAR MEETING 7:00 PM*****

Mayor Falconer convened the Regular Meeting at 7:29 pm.

INVOCATION – Councilmember Steve Babick

PLEDGE OF ALLEGIANCE – Pack 735

CONSENT AGENDA

*(*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary’s Office.)*

Councilmember Blanscet moved approval of Consent Agenda Items 7-10; second by Councilmember Babick and the motion was approved with a unanimous 7-0 vote,

MINUTES

***7. Consider Approval Of The December 11, 2018 Regular Meeting Minutes.**

BIDS & PURCHASES

***8. Consider Approval Of The Purchase Of Travel Services For The Carrollton Senior Center From Cruise One In An Amount Not To Exceed \$85,000.00.**

RESOLUTIONS

***9. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With Teague, Nall & Perkins, Inc. For Engineering Design Services For The A.W. Perry NOTICE And Monetary Lane Street Reconstruction Projects In An Amount Not To Exceed \$235,650.00.**

***10. Consider A Resolution Authorizing The City Manager To Enter Into A Single-Family Rehabilitation Grant Incentive Agreement On An Eligible Property Located Within A Neighborhood Empowerment Zone, In A Total Grant Amount Not To Exceed \$800.00.**

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

11. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit For Indoor Used Car Sales On An Approximately 2.2085 Acre Tract Zoned To The (FWY) Freeway District And Located At 1330 Capital Parkway; And Amending The Official Zoning Map Accordingly. Case No. 12-18SUP3 1330 Capital Parkway.

Chief Planner Loren Shapiro presented the case to use an existing building for indoor sales of automobiles. He stated that the Freeway District, along with the Comprehensive Zoning Ordinance, was recently amended to limit certain uses in the Freeway District including any type of used car sales.

He advised that due to that change, staff did not support the recommendation to approve the Special Use Permit. He advised that should the Council choose to support the request, staff and the Planning & Zoning Commission, provided stipulations.

The applicant did not give a presentation.

Mayor Falconer opened the public hearing and invited speakers to address the Council.

Nolan Adams encouraged the Council consider gas, oil and other chemicals that would come from the vehicles if the property was in or near the floodplain.

John Martini, Real Estate Broker representing the buyer, encouraged Council to grant the SUP. He stated the request was submitted prior to the changes to the Freeway District. He stated he understood the reason for the change was to improve the appearance of the “front door” and felt the use would not change the appearance because the cars would all be inside the facility. He felt any change would be an improvement through painting, awnings, windows; stating there wouldn’t be any difference from the existing appearance.

Councilmember Blanscet asked about the purpose for the request to allow ornamental security fencing around the perimeter of the property. Mr. Martini noted that staff had stipulated no fencing would be allowed and the applicant asked for the ability to have some fencing due to the need to secure transport trucks. He stated that he did not know the number of trucks and felt there wouldn’t be many because there wasn’t much gated area. With regard to the type of hauler, he stated it could be an 18-wheeler but probably not; could be a truck that could haul 3 or 4 at a time or it could be a truck with a trailer to haul one vehicle. He stated it would depend on what was needed.

Councilmember Hennefer asked about the terms in the lease for the type of use and Mr. Martini replied that it would be a purchase dependent on approval of the zoning.

There being no other speakers, Mayor Falconer closed the public hearing and opened the floor for discussion or a motion.

Councilmember Cruz moved to deny Item 11; second by Councilmember Cochran. Councilmember Babick stated he was in favor of the motion to deny the request because he did not believe the site was the appropriate place for the use. He voiced concern that vehicles would be stored outside that would become a burden of enforcement. **The motion was approved with a unanimous 7-0 vote.** The request was denied.

12. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 3.265 Acre Tract Located At 1700 South Josey Lane From the (SF-7/14) Single-Family Residential District To The (O-2) Office District; Amending The Official Zoning Map Accordingly. Case No.12-18Z2 North Dallas Family Church.

13. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit For A Child Day Care Center On An Approximately 3.265 Acre Tract Located At 1700 South Josey Lane; Amending The Official Zoning Map Accordingly. Case No. 12-18SUP2 North Dallas Family Church.

Mayor Falconer stated that Items 12 and 13 were companion items that would be heard simultaneously and acted on separately.

Shapiro presented the request advising that Item 12 is the request to change the zoning from Single Family Residential to Office 2 because child day care use is not allowed in SF Residential. Item 13 is the request for a SUP for a child day care center with a maximum of 84 children. Staff felt the zoning and child care use was compatible with the surrounding uses. He stated that access would be internal on Cox Street which doesn't go into any residential area. Staff recommended the drop-off and pick-up times be limited and close the driveway along Josey Lane for those times so that traffic goes to Cox Street to limit the stacking on southbound Josey Lane.

Dick Calvert, Calvert Co. Architects, 1001 W Main Street, stated that his client would like to have the flexibility to stay open until 8:00 or 9:00pm and underscored that it would not be 24 hours. He stated they don't currently expect to be open that late, but would like the flexibility based on the students.

Councilmember Babick asked about the number of bedrooms and Mr. Calvert stated there were no bedrooms but there could be some cribs and confirmed there would not be a garage. Councilmember Babick noted there were a large number of classrooms and felt the site was suitable for the proposed use.

Mayor Falconer opened the public hearing and invited speakers to address the Council.

The following individuals submitted cards in support of the requests:

Jo Jarkin; Veronica Jarkin; Vonett Hewitt; Steve and Susan Stevens; Daisy Palomar; and Vincent Gonzales

There being no other cards or speakers on the matter, Mayor Falconer closed the public hearing and opened the floor for motions on each case.

Councilmember Babick moved to approve Item 12 amending the zoning on an approximately 3.265 acre tract located at 1700 South Josey Lane from the (SF-7/14) Single-Family Residential District to the (O-2) Office District; amending the Official Zoning Map accordingly; second by Councilmember Cruz. Councilmember Cruz thanked the church for seeing the need and offering the service. Councilmember Babick expressed his feeling that this was a meaningful step in the redevelopment of the area. Mayor Falconer also noted that it seemed like a very appropriate use. **The motion was approved with a unanimous 7-0 vote.**

Councilmember Cruz moved approval of Item 13 with the stipulation of making the operating hours 5:30 am to 9:00 pm to allow flexibility; second by Mayor Pro Tem Sutter and the motion was approved with a unanimous 7-0 vote.

14. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On A 1.48-Acre Tract Zoned (LR-1) Local Retail And Located On The Northeast Corner Of Marsh Ridge Road And East Hebron Parkway To Amend Planned Development District 91 (PD-91) To Allow For Indoor Veterinarian Services; Amending The Official Zoning Map Accordingly. Case No. 12-18Z1 2501 E. Hebron Parkway.

Shapiro advised that veterinarian service is a use that is not currently allowed and approval of the request would allow it on Tract 2 of the development. He noted that there is a similar use next to it on Tract 6. Staff recommended approval.

The applicant did not offer a presentation but was available to answer questions.

Mayor Falconer opened the public hearing; there being no speakers, Mayor Falconer closed the public hearing and opened the floor for discussion or a motion.

Mayor Pro Tem Sutter moved approval of the ordinance amending the zoning on this tract; second by Councilmember Babick and the motion was approved with a unanimous 7-0 vote.

PUBLIC FORUM

15. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Nolan Adams addressed the Council regarding violations of the Open Meetings Act by the Museum Board; played a short audio and questioned if it is widespread. He suggested the need for an audit of the Museum budget. He encouraged open dialogue with constituents with different opinions. Mayor Falconer thanked him for bringing it to the Council's attention and stated they take transparency very seriously. He further noted that the two people he referred to were no longer members of the Museum Board.

Al Overholt, 2216 Ridgeview, addressed the Council about the 13 proposed Charter revisions. He voiced concern about going to 4-year terms and was opposed to the Council election being held in November with the Federal election due to partisan politics; he was also opposed to limiting the types of things allowed for recall. Mayor Falconer clarified that with regard to liquor in residential areas, the proposition would give the Council the authority to prohibit liquor sales in residential areas; with regard to the time of elections, the consensus was to hold elections in odd years so it wouldn't be during the Federal election years. He further clarified that moving to 4-year terms would not be self-serving because it would not affect current members.

Nolan Adams stated that recall was the last line of defense against a corrupt, non-transparent government and spoke against increasing the line of defense.

Shirley Tarpley, 1507 Milam Way, strongly opposed any changes to term limits.

Mayor Falconer adjourned the Regular Meeting at 8:11 pm and announced the Council would reconvene in Worksession in the Council Briefing Room.

*****WORKSESSION*****

Mayor Falconer reconvened the Worksession at 8:15 pm.

5. Discuss Community Services Funding Process.

Scott Hudson, Environmental Services Director, provided an overview of the process followed by the Neighborhood Advisory Commission as they considered funding for community service organizations noting higher priority on services with broad community outreach or impact as well as fiscal self sufficiency. He stated the importance of the applicant to include full explanation of services with the completed application and noted a submission deadline of June 15. He advised that the Commission opted to consider the requests on the face of the application without applicant presentation. He concluded the presentation noting the funding allocations as follows:

APPLICANT	REQUESTED FUNDING	ALLOCATED FUNDING
WOVEN Clinic	\$20,000	\$19,750
Carrollton Wind Symphony	\$10,000	\$ 7,000
Old Downtown Carrollton Assoc	\$10,000	\$ 7,000
CASA of Denton County	\$ 6,750	\$ 6,750
Bea’s Kids	\$ 3,000	\$ 3,000
Total	\$49,750	\$43,500

Councilmember Cruz asked if there was an expectation that more organizations would apply. Hudson replied that he wouldn’t be surprised if there were new applicants since the information is available on the website although not marketed. Councilmember Babick stated he would encourage NAC to invite the applicants to make presentations. Councilmember Blanscet echoed the thought of giving the applicants an opportunity to speak or make a presentation. He also supported an expectation that the NAC would provide a report, not for approval, to Council after the determination was complete. Councilmember Cruz also supported the suggestion that the applicants be notified and allowed to make comment.

Scott Windrow, NAC Chair, noted that the discussion was held during an open meeting so the applicants could have attended. He stated that all board members participated in the discussion and reviewed all aspects of the applications. He referred to the summary sheet developed by staff after their review of the applications that really helped the Commission. He stated the Commission members were able to review the applications objectively based on the responses to the criteria for funding. Hudson stated that the list of criteria is published online with the application.

Mayor Falconer expressed the Council’s appreciation for the NAC’s review and work.

6. Mayor and Council reports and information sharing.

Mayor Falconer adjourned the Worksession at 8:47 pm and announced Executive Session.

***** EXECUTIVE SESSION *****

2. Council convened in **Executive Session at 8:47 pm** pursuant to Texas Government Code:
 - **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
 - **Section 551.072** to discuss certain matters regarding real property

3. Council **reconvened in open session at 8:54 pm** to consider action, if any, on matters discussed in the Executive Session. No action taken.

ADJOURNMENT

Mayor Falconer adjourned the meeting at 8:54 pm.

ATTEST:

Laurie Garber, City Secretary

Kevin W. Falconer, Mayor



City of Carrollton

Agenda Memo

File Number: 4151

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *8.

CC MEETING: January 22, 2019

DATE: January 15, 2019

TO: Erin Rinehart, City Manager

FROM: Scott Whitaker, Director of Parks and Recreation & Kim Bybee, Parks Manager

Consider Approval Of Synthetic Turf And Installation From Hellas Construction Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$279,950.00.

BACKGROUND:

During our annual Parks Amenity Fund discussions in Fall 2017, the Parks & Recreation Department was approved to convert the Josey #6 baseball field to an adaptive sports field. As part of the upgrade, the existing infield at Josey #6 will be converted to Hellas’ Realgrass, a low pile synthetic turf that not only provides a more desirable surface for wheelchairs or individuals with special needs but also has a natural turf aesthetic. Many synthetic turf surfaces include a fill material, similar to a crumb rubber or sand, which can be difficult for wheelchairs to traverse. Hellas Construction uses Cushdrain Shock Pads which increase shock absorption to reduce concussions while also improving the drainage of the field. This same combination of Realgrass and Cushdrain is also installed on the field in front of The Star in Frisco.

FINANCIAL IMPLICATIONS:

The synthetic turf and installation is budgeted and available in a capital fund account. Hellas Construction is a reputable company that is known to provide a quality product nationwide. While we have not used Hellas Construction before, references were checked and were very favorable.

ACCTG UNIT	ACCOUNT	BUDGET AMOUNT
854360	119000399 (Josey Ranch Field 6)	\$279,950.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval of the purchase of synthetic turf and installation services from Hellas Construction for an amount not to exceed \$279,950.00 using the City’s existing agreement with BuyBoard. Included in this amount is a **10%** contingency.



City of Carrollton

Agenda Memo File Number: 4156

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *9.

CC MEETING: January 22, 2019

DATE: January 16, 2019

TO: Erin Rinehart, City Manager

FROM: Scott Whitaker, Director of Parks and Recreation & Kim Bybee, Parks Manager

Consider Approval Of An Award To RLM Earth Co., Pursuant to RFP #19-003 For Josey Ranch Field #6 Adaptive Sports Field Construction Services In An Amount Not To Exceed \$215,670.00.

BACKGROUND:

During our annual Parks Amenity Fund discussions in Fall 2017, the Parks & Recreation Department was approved to convert the Josey #6 baseball field to an adaptive sports field. As part of the upgrade, the existing infield at Josey #6 will be converted to a low pile synthetic turf that provides a more desirable surface for wheelchairs or individuals with special needs. New fencing, drainage and wider, ADA compliant dugouts will also be installed as part of this project. This field will provide a space for children, seniors, wounded warriors, and other individuals that may need accommodations, an adaptive surface to participate in programs or leagues.

FINANCIAL IMPLICATIONS:

The construction services for this project are budgeted and available in a capital fund account. While we have not used RLM Earth Co before, references were checked and we found they have a reputation for providing quality work on similar projects.

ACCTG UNIT	ACCOUNT	BUDGET AMOUNT
854360	119000399 (Josey Ranch Field 6)	\$215,670.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the best value bid for construction services be awarded to RLM Earth Co in an amount not to exceed \$215,670.00. The alternate for a brick veneer backstop was included in the 10% contingency.

RFP #19-003 Josey Ranch Field #6 Adaptive Sports Field		
	RLM Earth Co	Hellas Construction
Base Bid*	\$192,270.20	\$255,880.00
10% Contingency	\$19,227.02	\$25,588.00
Alternate #2 – Brick veneer backstop	\$4,173.00	\$12,205.00

*Includes construction costs for demo, concrete, fencing and sod (synthetic turf and drainage not included).



City of Carrollton

Agenda Memo

File Number: 4157

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *10.

CC MEETING: January 22, 2019

DATE: January 16, 2019

TO: Erin Rinehart, City Manager

FROM: Dwayne Bianco, Fleet and Facilities Director & Patty Helms, Purchasing Manager

Consider Approval Of Roof Replacement Services From Duro-Last Roofing Through An Interlocal Agreement With TIPS Purchasing Cooperative In An Amount Not To Exceed \$583,842.86.

BACKGROUND:

A hail storm that passed through the area mid-2018 caused quite a bit of damage to a number of roofs at city facilities. This project will replace three roofs at the Indian Creek Golf Course and seven roofs at the Central Service Center. All replacement roofs will have a 20-year manufacturer's warranty.

The roofs were evaluated by TMLIRP, the City of Carrollton's insurance provider. The cost to have TIPS (a cooperative purchasing agency) repair the roofs, was vetted by TMLIRP's roofing consultant. Duro-Last Roofing of Carrollton will be the contractor who will perform the work to replace the roofs under the TIPS Cooperative Purchasing Agreement. Use of cooperative purchasing agreements is allowed under state law and allows for more timely selection of vendors.

FINANCIAL IMPLICATIONS:

The roof replacements will be funded using insurance claim funds already received from TMLIRP. The insurance funds will cover the cost of all above listed replacements. We have not used Duro-Last Roofing of Carrollton in the past but their references have been checked and are favorable.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval to replace three roofs at Indian Creek and seven roofs at Central Service Center using Duro-Last Roofing of Carrollton to complete the work, through the TIPS cooperative purchasing program, in an amount not to exceed \$583,842.86. The budgeted amount includes a 10% contingency for any unforeseen damage/repairs.

Roof Repair Pricing**Hail Damage**

Building	Roof Type	TIPS Vetted Price
Central Service Center		
Main Building	Built Up	\$183,845.50
Rear Canopy	Metal	\$6,200.00
Welding Shop Fascade	Built Up	\$46,744.81
Fuel Station	Built Up	\$3,876.76
Wash Bay	Built Up	\$39,180.19
Storage Building	Built Up	\$45,207.91
Warming Building	Metal	\$38,767.66
Indian Creek Golf Course		
Cart Barn	Built Up	\$74,765.83
Maintenance Barn	Built Up	\$72,109.05
Pavilion	Metal	\$20,068.53
Contingency 10%		\$53,076.62
Total		\$583,842.86



City of Carrollton

Agenda Memo

File Number: 4155

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *11.

CC MEETING: January 22, 2019

DATE: January 16, 2019

TO: Erin Rinehart, City Manager

FROM: Robert B. Scott, CFO/ACM

Consider Authorizing The City Manager To Approve A Contract With Waterloo Capital Public Affairs for Legislative Consultant Services, RFP#19-006 In An Annual Amount Not To Exceed \$70,000.00.

BACKGROUND:

With the beginning of the 86th Texas legislature there will be many proposed bills with significant impacts to local government. However sifting through the thousands of bills that will be filed to determine those that most affect the city and then determining the best strategy for communicating the city's position can be a daunting task. Accordingly, the city desires the advice and assistance of a qualified and knowledgeable consultant to assist us in the monitoring of proposed bills or other regulatory proposals and the development of communication strategies regarding the potential impacts to the city.

For competitive purposes an RFP was issued and advertised and we received two bid responses.

FINANCIAL IMPLICATIONS:

The monthly retainer of \$5,500 will be using the General Fund-Non Departmental, Professional Services account.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends award of an annual contract with Waterloo Capital Public Affairs for an a monthly retainer of \$5,500 (\$66,000 annually) plus out of pocket expenses capped at \$4,000 with the option for the City to extend the contract for up to two (2) additional one-year periods, provided both parties agree.

RFP# 19-006 for Legislative Consultant Services

Company	Location	Representative	Annual	Monthly
Waterloo Capital Public Affairs	Austin, TX	Robert S. Howden	\$66,000.00	\$5,500
R. Cain Law Firm	Austin, TX	Randy C. Cain	\$54,000.00	\$4,500

Additional out of pocket expenses capped at \$4000 annually.



City of Carrollton

Agenda Memo

File Number: 4143

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinance

Agenda Number: *12.

CC MEETING: January 22, 2019

DATE: January 14, 2019

TO: Erin Rinehart, City Manager

FROM: Cesar J. Molina, Jr., P.E., Director of Engineering

Consider An Ordinance Amending The Code Of Ordinances, Chapter 73, "Traffic Schedules," Schedule I (E) And (F), Establishing A Speed Limit Of 45 Miles Per Hour On Plano Parkway For All Portions Within The Carrollton City Limits; Providing For Penalty, Savings And Severability Clauses; And Establishing An Effective Date.

BACKGROUND:

Currently, the section of Plano Parkway from the north city limits to 1,000 feet west of the BNSF railroad tracks has a posted speed limit of 50 mph. Based on a recent speed study, staff is recommending that the existing posted speed limit be reduced to a 45 mph speed limit. This will make the entirety of Plano Parkway a 45 mph speed limit within the Carrollton city limits.

FINANCIAL IMPLICATIONS:

Funding for the required speed limit signage replacement has been allocated in the annual budget.

IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council's strategic objectives and vision of building a community that families and businesses want to call home by setting a reasonable and safe maximum speed limit to control the operation of motor vehicles on Plano Parkway.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the City Council adopt the attached ordinance establishing a 45 mph speed limit on Plano Parkway for all portions within the Carrollton city limits.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING THE CODE OF ORDINANCES CHAPTER 73, “TRAFFIC SCHEDULES,” SCHEDULE I (E) AND (F), ESTABLISHING A SPEED LIMIT OF 45 MILES PER HOUR ON PLANO PARKWAY FOR ALL PORTIONS WITHIN THE CITY LIMITS; PROVIDING FOR PENALTY, SAVINGS AND SEVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Carrollton, Texas (the “City”) is a Home Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter;

WHEREAS, Chapter 545, and particularly Section 545.356 of the Texas Transportation Code, as amended, grants municipalities the authority to prescribe by ordinance reasonable and safe prima facie maximum speed limits to control the operation of motor vehicles;

WHEREAS, Plano Parkway from 1000 feet west of the Burlington Northern railroad tracks to the north city limits currently has a speed limit of 50 miles per hour as established by Ordinance No. 3511;

WHEREAS, the City Engineering Department conducted a speed study and determined a reduction of the speed limit will increase the safety along that portion of the roadway.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS THAT:

Section 1

Chapter 73 Schedule I (F) of the Carrollton City Code is hereby amended by deleting the following:

Plano Parkway: From 1000 feet west of BNSF Railroad to Parker Road (FM 544)

Section 2

Chapter 73 Schedule I (E) of the Carrollton City Code is hereby amended by deleting the following:

FM 544, also known as Plano Parkway: From the west city limits or approximately 1,000 feet west of the Burlington Northern railroad tracks to the east city limits or a distance of approximately 2,090 feet east of the Burlington Northern railroad tracks

Section 3

Chapter 73 Schedule I (E) of the Carrollton City Code is hereby amended by adding the following:

Plano Parkway: All portions within city limits

Section 4

All other provisions of Chapter 73 Schedule I not expressly amended as stated herein shall remain in full force and effect.

Section 5

A conviction of a violation of the terms of this ordinance shall be a misdemeanor punishable in accordance with Section 10.99 of the Carrollton City Code, as amended.

Section 6

Allegation and evidence of a culpable mental state is not required for the proof of an offense defined in Chapter 73 Schedule I Speed Limits.

Section 7

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 8

This Ordinance shall be cumulative of all other ordinances of the City, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that any complaint, notice, action, cause of action or claim which prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to such other ordinance(s) shall continue to be governed by the provision of that ordinance or those ordinances, and for that purpose that ordinance or those ordinances shall be deemed to remain and shall continue in full force and effect.

Section 9

This ordinance shall take effect immediately from and after its adoption and publication as required by law.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 22nd DAY OF JANUARY 2019.

ATTEST:

Laurie Garber, City Secretary

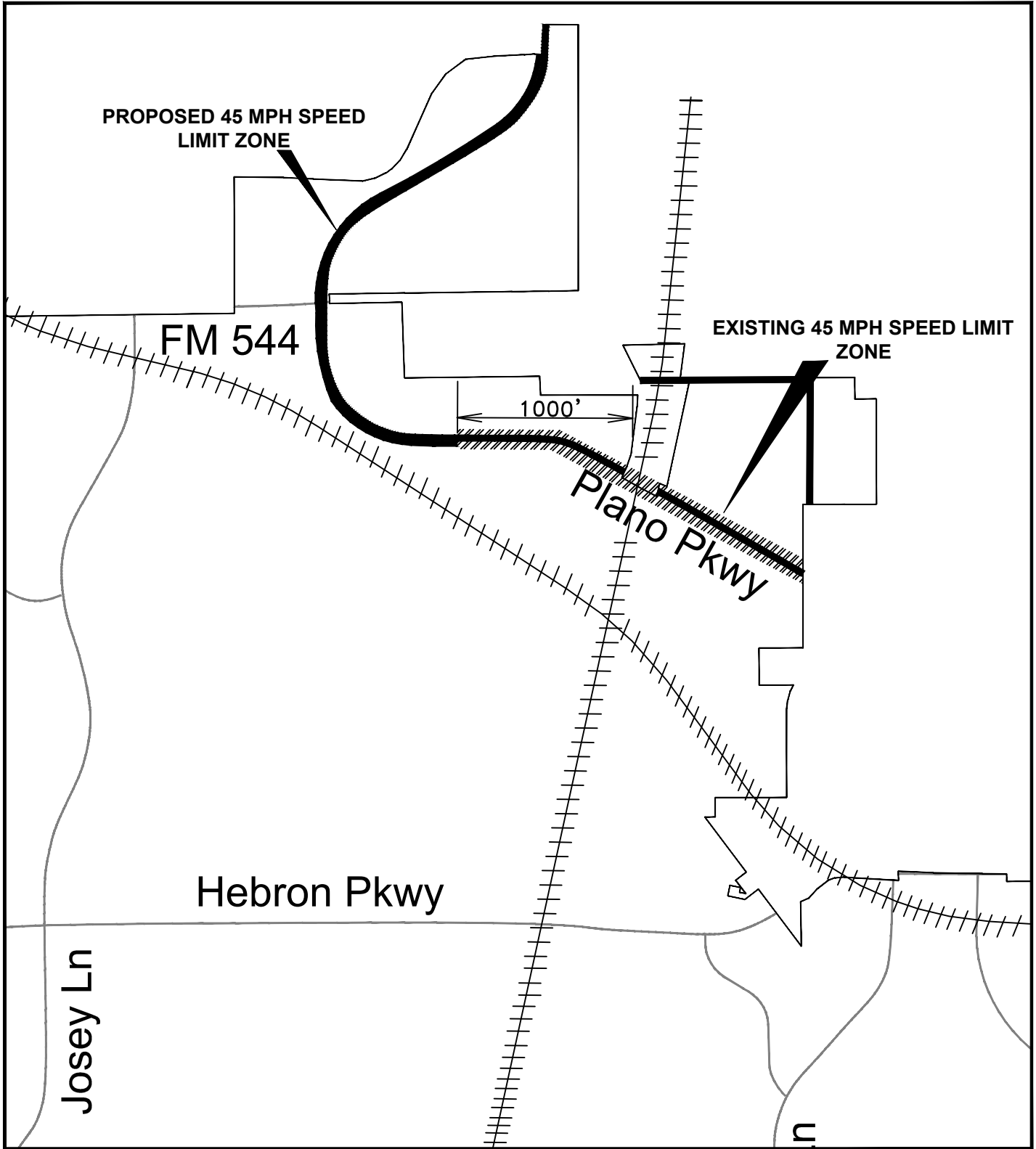
APPROVED AS TO FORM:

Susan Keller, Assistant City Attorney

Kevin W. Falconer, Mayor

APPROVED AS TO CONTENT:

Tom R. Hammons, P.E.
Transportation Engineering
Division Manager




CARROLLTON
TEXAS
Where Connections Happen

**Plano Parkway 45 MPH
SPEED LIMIT ZONE**

ENGINEERING DEPARTMENT



SCALE: N.T.S.

DATE: 01/19



City of Carrollton

Agenda Memo

File Number: 4152

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinance

Agenda Number: *13.

CC MEETING: January 22, 2019

DATE: January 14, 2019

TO: Erin Rinehart, City Manager

FROM: Laurie Garber, City Secretary/Admin. Services Director

Consider An **Ordinance Ordering An Election On May 4, 2019, To Submit To The Qualified Voters Of The City Of Carrollton Certain Proposed Amendments To The Existing City Charter.**

BACKGROUND:

In accordance with the State Election Code, the General Election will be held on Saturday, May 4, 2019. The Carrollton City Charter was reviewed by the Charter Review Committee as established per Resolutions 4198 and 4199. The propositions in the attached ordinance shall be brought to the voters at the May 4, 2019 Election and each measure shall be voted on separately.

During the 2015 General Election, Rosemeade Recreation Center was added as an Election Day polling location in Denton County. During the 2017 General Election, Crosby Recreation Center was added as an Election Day polling location in Dallas County. Other polling locations include the Carrollton Library at Hebron and Josey, and the Josey Ranch Lake Library.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval of the attached ordinance calling the May 4, 2019 General Election to submit to the voters Propositions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 for consideration; setting Election Day polling locations; and establishing the Early Voting period.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CARROLLTON, TEXAS, ORDERING AN ELECTION TO BE HELD IN SAID CITY ON THE NEXT UNIFORM ELECTION DATE, THE SAME BEING MAY 4, 2019, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF CARROLLTON, TEXAS, CERTAIN PROPOSED AMENDMENTS TO THE EXISTING CITY CHARTER; DESIGNATING THE PLACE AT WHICH SAID ELECTION IS TO BE HELD; MAKING PROVISIONS FOR THE CONDUCT OF THAT ELECTION AND OTHER PROVISIONS AND RELATING TO THE PURPOSE OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Carrollton, Texas (“City”) has, on its own motion, determined to submit to the qualified voters of said City for their adoption or rejection thereof certain proposed amendments to the existing Home Rule Charter of said City (“City Charter”), pursuant to the provisions of Section 9.004 of the Texas Local Government Code; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Section 551.043 of the Texas Government Code;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1.

An election is hereby ordered to be held on the next uniform election date, to be participated in by the qualified voters of the City of Carrollton, Texas, to be held on the 4th day of May, 2019, which is not less than eighty-eight days from the date of this ordinance, between the hours of 7:00 a.m. and 7:00 p.m., at the voting places hereafter named, for the purpose of submitting to the qualified voters of City of Carrollton, Texas, certain proposed amendments to the existing City Charter.

SECTION 2.

The City election precincts for this election shall consist of the territory located within the corporate limits of the City bearing the following county precinct numbers, and the polling places at said election shall be as follows, to wit:

POLLING PLACES

Dallas County, Precincts 2408, 2409, 2411
Crosby Recreation Center
1610 E. Crosby Rd

Dallas County, Precincts 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2410

Josey Ranch Lake Library
1700 N. Keller Springs Rd

Denton County, Precincts 2003, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018
Carrollton Public Library @ Hebron & Josey
4220 N. Josey Lane

Denton County, Precincts 2004, 2005, 2006, 2007, 2008, 2009, 2033
Rosemeade Recreation Center
1330 E. Rosemeade Parkway

SECTION 3.

Toni Pippins-Poole, Dallas County Elections Administrator, is hereby appointed as Early Voting Clerk. Early voting shall be conducted by the Dallas County Elections Administrator, Toni-Pippins-Poole, to be conducted in the Office of the Elections Department, First Floor, 509 Main Street, Dallas, Texas 75202. Early Voting in the City of Carrollton will be conducted at the Josey Ranch Lake Library, 1700 N. Keller Springs Road, Carrollton, TX 75006, and the Carrollton Public Library at Hebron & Josey, 4220 N. Josey Lane, and all other locations as designated by the Dallas County Elections Administrator. The early voting period of said election is established by law, and the Clerk shall keep the office open for early voting from April 22, 2019 through May 04, 2019, in accordance with the provisions of the Texas Election Code and as listed below:

April 22 (Monday – Friday)	April 26	8am to 5pm
April 27 (Saturday)		8am to 5pm
April 28 (Sunday)		1pm to 6pm
April 29 (Monday – Tuesday)	April 30	7am to 7pm

SECTION 4.

At the election, the following amendments to the City Charter shall be submitted to the qualified voters of the City of Carrollton, Texas:

Proposition No. 1

Shall the City Charter be amended throughout to correct non-substantive errors such as: misspellings, punctuation, grammar, and sentence structure; revise and update references to obsolete or amended provisions of state law; and conform notice and publication requirements to state law?

Proposition No. 2

Shall the City Charter be amended to delete provisions, practices, and policies that are no longer employed by the City of Carrollton?

Proposition No. 3

Shall Sections 2.01, 2.02, 2.04(B), 2.04(C), 2.04(I), 2.04(K), 2.09(1), 2.13, 7.01, 7.03, 7.04(4), 7.04(5), 9.01, 9.02, 9.08, 10.02, and 10.13 of the Charter be amended to read as follows:

“Sec. 2.01. Number, selection and term.

The council shall consist of a mayor and seven (7) council members elected from the city in the manner provided in Article VII. Beginning in 2021, the term of the mayor and each council member shall be four (4) years or until their successors have been elected and inducted.”

“Sec. 2.02. Qualifications.

The members of the council shall be qualified voters of the City of Carrollton who have been residents of the State of Texas for at least one (1) year and residents of said city or residents of an area now within the corporate limits of said city for at least twelve (12) months prior to filing, shall hold no other public office except that of notary public or member of the National Guard or armed services, and not in arrears in the payment of any taxes or other liability due the city. If a member of the council shall cease to possess any of these qualifications or shall be convicted, including the entering of any plea and receiving deferred adjudication, of a felony or a crime involving moral turpitude, his or her office shall immediately become vacant.

If a member of the council shall announce his or her candidacy, in any general, special or primary election, for any office of profit or trust under the laws of this state or the United States other than the office then held, at any time when the unexpired term of the office then held shall exceed one (1) year, such announcement or such candidacy shall constitute an automatic resignation of the office then held. Such resignation shall become effective on the date of the next regular municipal general election or the election for which such candidacy is announced, whichever occurs first.

A person who has served as a member of the city council in any place, other than mayor, for two (2) consecutive terms, shall not again be eligible for election in

any place on the city council except mayor, until at least one term approximating four (4) years has elapsed. A person who has served two (2) consecutive terms as mayor shall not again be eligible for election as mayor until at least one term approximating four (4) years has elapsed, but shall be eligible for election as a member of the city council in any place, other than mayor. A “term” as used in this paragraph, is that period of time beginning with the taking of the oath of office and running through the oath of office following the next election for that office. Partial terms, of less than two (2) years, will not be counted when determining term limits.”

“Sec. 2.04. Vacancies in council, forfeiture of office, filling of vacancies.

* * *

(B) The mayor or a councilmember may be removed from office for:

- (1) Incompetency;
- (2) Corruption;
- (3) Official Misconduct;
- (4) Malfeasance; or
- (5) Lack of confidence.

(C) In this section:

- (1) “Incompetency” means:
 - (a) gross ignorance of official duties;
 - (b) gross carelessness in the discharge of official duties; or
 - (c) inability or unfitness to promptly and properly discharge official duties because of a serious mental or physical defect that did not exist at the time of the officer’s election.
- (2) “Official misconduct” means intentional unlawful behavior relating to official duties by the councilmember. The term includes an intentional or corrupt failure, refusal, or neglect of a councilmember to perform a duty imposed by law or under this Charter.

* * *

(I) A councilmember who resigns, with one (1) year or less remaining in the term of office, or is removed under this section is not eligible for election to the same office for a period equal to the length of a term, as set forth in Section 2.01, after the date of the removal or resignation.

* * *

(K) In the event a vacancy occurs in the office of mayor or council member from any cause whatsoever the council shall, as soon as practicable, order an election to be held on the next uniform election date authorized by state law for the purpose of filling such office for the remainder of the unexpired term.

* * *

“Sec. 2.09. Appointive boards and commissions.

(1) *Qualifications.* The council may appoint members of its boards and commissions, who shall be qualified voters of the City of Carrollton who have been residents of the State of Texas for at least one (1) year and residents of the city, or an area now within the corporate limits, for at least twelve (12) months; and hold no other public office except that of notary public or member of the national guard or armed services; and not in arrears in the payment of any taxes or other liability due the city.

* * *

“Sec. 2.13. City attorney.

The council shall appoint a city attorney, chosen on the basis of his/her qualifications as a competent and practicing attorney. The city attorney shall be an active member of the State Bar of Texas. The city attorney shall receive such compensation as may be fixed by the council. The council may remove the city attorney, upon the affirmative vote of a majority of full membership of the council. The action of the council in suspending or removing the city attorney shall be final, it being the intention of the Charter to vest all authority and fix all responsibility for such suspension or removal in the council.

There shall exist an attorney-client relationship between the city attorney and the city of Carrollton, Texas, and the city council of the city of Carrollton, Texas. The privileged nature of communications between attorney and client as established and recognized by the common law, statutes and rules of the State Bar of Texas shall apply.

The city attorney shall appoint such assistants as shall be provided for in the budget. Any such assistant may be discharged at any time by the city attorney. All responsibilities imposed on the city attorney may be performed by any assistant city attorney, as designated by the city attorney.”

“Sec. 7.01. Election.

The regular city election shall be held on a uniform election day, as specified by the council, at which time, officers will be elected to fill those offices that become vacant that year. The council may order a special election on a uniform election day and provide all means for holding such special election.”

“Sec. 7.03. Nominations.

Any person having the qualifications required by the Charter may place his/her own name in nomination as a candidate for mayor or council member by filing with the city secretary an application in accordance with the Texas Election Code, accompanied by a nonrefundable filing fee of \$250, or in lieu of a filing fee, a petition signed by a minimum number of 100 qualified voters, or one-half of one percent of the total vote received in the city by all candidates for mayor in the most recent mayoral general election, whichever is greater. No voter shall sign more than one (1) petition for a candidate for a specific position or office and should a voter do so, the signature shall be void except as to the petition first filed.

Any person who has placed his/her own name in nomination shall take the following oath:

“I hereby declare and accept the nomination for the position of _____, and agree to serve if elected. I am eighteen (18) years of age or older, a qualified voter of the City of Carrollton, a resident of the State of Texas for at least one (1) year and of the City of Carrollton or an area now within the corporate limits of the City of Carrollton for at least twelve (12) months. I am not in arrears in payment of any taxes or other liability due city. At the present time, I reside at _____ in the City of Carrollton.”

Signature of Candidate: _____

Date and hour of filing:

Received by: (Signature of City Secretary)

The above statement will contain the following notarization:

“State of Texas County of _____

Before me, the undersigned authority, on this day personally appeared_____, known to me to be the person whose name is subscribed to the foregoing

instrument and who acknowledged to me that the same was subscribed as his/her free act and deed for the purposes and consideration therein expressed.

Given Under My Hand and Seal of Office this _____ day of _____, 20____.””

“Sec. 7.04. Number, selection, and term of council.

The council shall be composed of a mayor and seven (7) council members who shall be elected and serve in the following manner:

* * *

- (4) Beginning with the election of 2023, councilmembers for places 2, 4, 6 and the mayor shall be elected for a four-(4) year term and an election shall be held for those places thereafter every four (4) years. Beginning with the election of 2021 councilmembers for places 1, 3, 5 and 7 shall be elected for a four-(4) year term and an election shall be held for those places thereafter every four (4) years.
- (5) The city is hereby divided into four places, known as Places 1, 3, 5, and 7. The four places shall be described with particularity by ordinance.

Any territory hereafter annexed to the city shall upon annexation become a part of that place situated adjacent and contiguous to it, as may be determined by the council.

The city council shall review such places not less than every five (5) years and shall by ordinance set the boundaries of any or all to maintain a substantial equality of population between places 1, 3, 5 and 7.

- (a) Place No. 1 shall be generally described as the northeast quadrant of the city.
- (b) Place No. 3 shall be generally described as the southwest quadrant of the city.
- (c) Place No. 5 shall be generally described as the northwest quadrant of the city.
- (d) Place No. 7 shall be generally described as the southeast quadrant of the city.

* * *”

“Sec. 9.01. Scope of recall.

Any elected city official shall be subject to recall and removal from office by the qualified voters of the city for any of the following reasons:

- (1) Incompetency;
- (2) Official Misconduct; or
- (3) Malfeasance.”

“Sec. 9.02. Petitions for recall.

Before the question of recall of such officer shall be submitted to the voters, a petition setting forth the reason for recall, as provided in Section 9.01, shall first be filed with the city secretary. The petition shall be signed by registered voters of the city equal in number to at least thirty percent (30%) of the number of votes cast in the last regular municipal election of the city, but in no event less than 500 such petitioners.

For a petition signature to be valid, a petition shall contain the signer’s personal signature in ink or indelible pencil; the signer's printed name; the signer's voter registration number and county of registration; the signer's residence address; the date of signing; and date of birth.”

“Sec. 9.08. Election to be called.

If the officer whose removal is sought does not resign, then it shall become the duty of the council to order an election on the next uniform Election Day.”

“Sec. 10.02. Discrimination prohibited.

No person shall be favored or discriminated against, with respect to any city appointment, employment, contract or privilege, in violation of any federal, state, or local law.”

“Sec. 10.13. Right to amend the Charter.

This Charter may be amended no more than once every two (2) years as provided by the laws of the State of Texas.

A Charter review committee, consisting of at least eight (8) members, each of whom shall be qualified voters of the City of Carrollton, may be selected by the council, in compliance with Section 10.10.”

Proposition No. 4

Shall a new Section 10.16 be added to the City Charter to read as follows:

“Sec. 10.16. Regulation of Liquor.

The council may, by ordinance, prohibit the sale of liquor in all or part of the residential sections of the city.”

SECTION 5.

The method of voting to be used shall be in accordance with the Texas Election Code, as amended, so as to permit the electors to vote “Yes” or “No” on each of the individual Propositions. Said ballots shall have such provisions, marking, and language as made be required by law, and a summary of the Propositions shall be set forth on said ballots in substantially the following form and language:

OFFICIAL BALLOT

Proposition No. 1:

Shall the City Charter be amended throughout to correct non-substantive errors such as: misspellings, punctuation, grammar, and sentence structure; revise and update references to obsolete or amended provisions of state law; and conform notice and publication requirements to state law?

YES
NO

Proposition No. 2:

Shall the City Charter be amended to delete provisions, practices, and policies that are no longer employed by the City of Carrollton?

YES
NO

Proposition No. 3:

Shall Sections 2.01, 2.02, and 7.04(4) of the City Charter be amended to provide that beginning with the election in 2021, the term of office for elected officials shall be four (4) years?

YES
NO

Proposition No. 4:

Shall Sections 2.02, 2.09, and 7.03 of the City Charter be amended to provide that candidates for an election to the City Council or appointees to Boards and Commissions be a qualified voter of the City not less than twelve (12) months prior to filing or appointment?

YES
NO

Proposition No. 5:

Shall Section 2.02 of the City Charter be amended to provide that only partial terms of less than two (2) years will not count towards term limits?

YES
NO

Proposition No. 6:

Shall Section 2.04 of the City Charter be amended to adopt the state law removal requirements for members of City Council?

YES
NO

Proposition No. 7:

Shall Section 2.04(I) of the City Charter be amended to provide that beginning with the election in 2021, no member of City Council shall be eligible for election after resignation, after a specified term of service remains, or removal from office for a period equal to the length of a term?

YES
NO

Proposition No. 8:

Shall Sections 2.04(K), 7.01 and 9.08 of the City Charter be amended to provide for all elections to be held on a uniform election date?

YES
NO

Proposition No. 9:

Shall Section 2.13 of the City Charter be amended to provide for revision of duties for and requirements of the City Attorney?

YES
NO

Proposition No. 10:

Shall Section 7.04(5) of the City Charter be amended to provide that Places 1, 3, 5, and 7 shall be reviewed not less than every five (5) years?

YES
NO

Proposition No. 11:

Shall Sections 9.01 and 9.02 of the City Charter be amended to provide for one (1) or more reasons for a recall of a City Council member?

YES
NO

Proposition No. 12:

Shall Section 10.02 of the City Charter be amended to prohibit discrimination in compliance with federal, state, and local law?

YES
NO

Proposition No. 13:

Shall Section 10.13 of the City Charter be amended to provide for a charter review committee and qualifications of members thereof?

YES
NO

Proposition No. 14:

Shall the City Charter be amended by adding Section 10.16 to provide for the prohibition of the sale of liquor in residential districts of the City if so established by the City Council by Ordinance?

YES
NO

SECTION 6.

This Ordinance shall become effective from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas, this 22nd day of January, 2019.

CITY OF CARROLLTON, TEXAS

Kevin W. Falconer, Mayor

ATTEST:

APPROVED AS TO FORM:

Laurie Garber, City Secretary

Meredith A. Ladd, City Attorney



City of Carrollton

Agenda Memo File Number: 4141

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *14.

CC MEETING: January 22, 2019

DATE: January 10, 2019

TO: Erin Rinehart, City Manager

FROM: Cesar J. Molina, Jr., P.E., Director of Engineering

Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Transystems Corporation DBA Transystems Corporation Consultants For Additional Professional Engineering Design Services Related To The Furneaux Creek Hike And Bike Trail Project In The Amount Of \$56,407.00, Increasing The Total Contract To An Amount Not To Exceed \$213,111.00.

BACKGROUND:

On October 18, 2016 City Council approved a contract in the amount of \$156,704 for the design to extend the Blue Trail along Furneaux Creek from Old Denton Road to the DART Trinity Mills Station. Contract amendment No. 1 is needed to fund the costs for additional design work, survey work, and parcel documents in order to avoid flooding issues, as well as the costs for trail re-alignment design work and survey work required to avoid property acquisition at 1448 and 1458 MacArthur Drive.

The initial trail alignment was located along the toe of the slope within the channel between Trinity Mills and Dickerson Parkway. Maintenance staff began having issues with the existing trail at Old Denton Road due to periodic flooding. As a result, the trail will be re-aligned to the top of the slope to avoid continued maintenance due to flooding. Also, while reviewing the initial alignment, it was determined that a trail access will be added at Dickerson Parkway and the trail is to be continued further south to the bike racks at Trinity Mills Station. Additional design, survey, and parcel documents are required to address these elements.

The current alignment requires a public use easement along the western side of 1448 MacArthur Drive and additional right-of-way along the frontage of 1458 MacArthur Drive. City Council was previously briefed on the cost to acquire the needed easement and determined that the cost was excessive. Since the property acquisition cost could far exceed the redesign cost, the best course of action is to seek an alternate route. The trail is to be re-aligned to continue along Furneaux Creek to the PGBT frontage road, then follow Trinity Mills East to MacArthur Drive to bypass the properties at 1448 and 1458 MacArthur Drive. This route requires additional design and survey work.

FINANCIAL IMPLICATIONS:

Transystems Corporation Consultants has submitted a proposal to the City to perform the additional engineering design services in an amount not to exceed \$56,407.00. Funding is available from Parks Consolidated General Obligation Bond Funds.

IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council’s strategic objectives and vision of building a community that families and businesses want to call home by:

- Promoting a healthy, pleasant alternative to motorized travel.
- Providing a safe and continuous connection between neighborhoods in Carrollton and DART’s Trinity Mills Station.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approve a resolution authorizing the City Manager to enter into contract amendment no. 1 for the additional design services for the Furneaux Creek Hike and Bike Trail project with Transystems Corporation in the amount of \$56,407.00, increasing the total contract amount to an amount not to exceed \$213,111.00.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT AMENDMENT WITH TRANSYSTEMS CORPORATION DBA TRANSYSTEMS CORPORATION CONSULTANTS FOR PROFESSIONAL ENGINEERING SERVICES; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1:

The City Manager is authorized to negotiate and execute a contract amendment with TranSystems Corporation dba TranSystems Corporation Consultants for engineering services in an amount not to exceed \$56,407.00 for a total contract amount not to exceed \$213,111.00.

SECTION 2:

The City Manager, or designee, is authorized to take those steps reasonable and necessary to comply with the intent and purpose of this Resolution.

SECTION 3:

This Resolution shall take effect immediately from and after its passage.

PASSED and APPROVED on this 22nd day of January, 2019.

CITY OF CARROLLTON, TEXAS

By: _____
Kevin W. Falconer, Mayor

ATTEST:

Laurie Garber, City Secretary

Approved as to form:

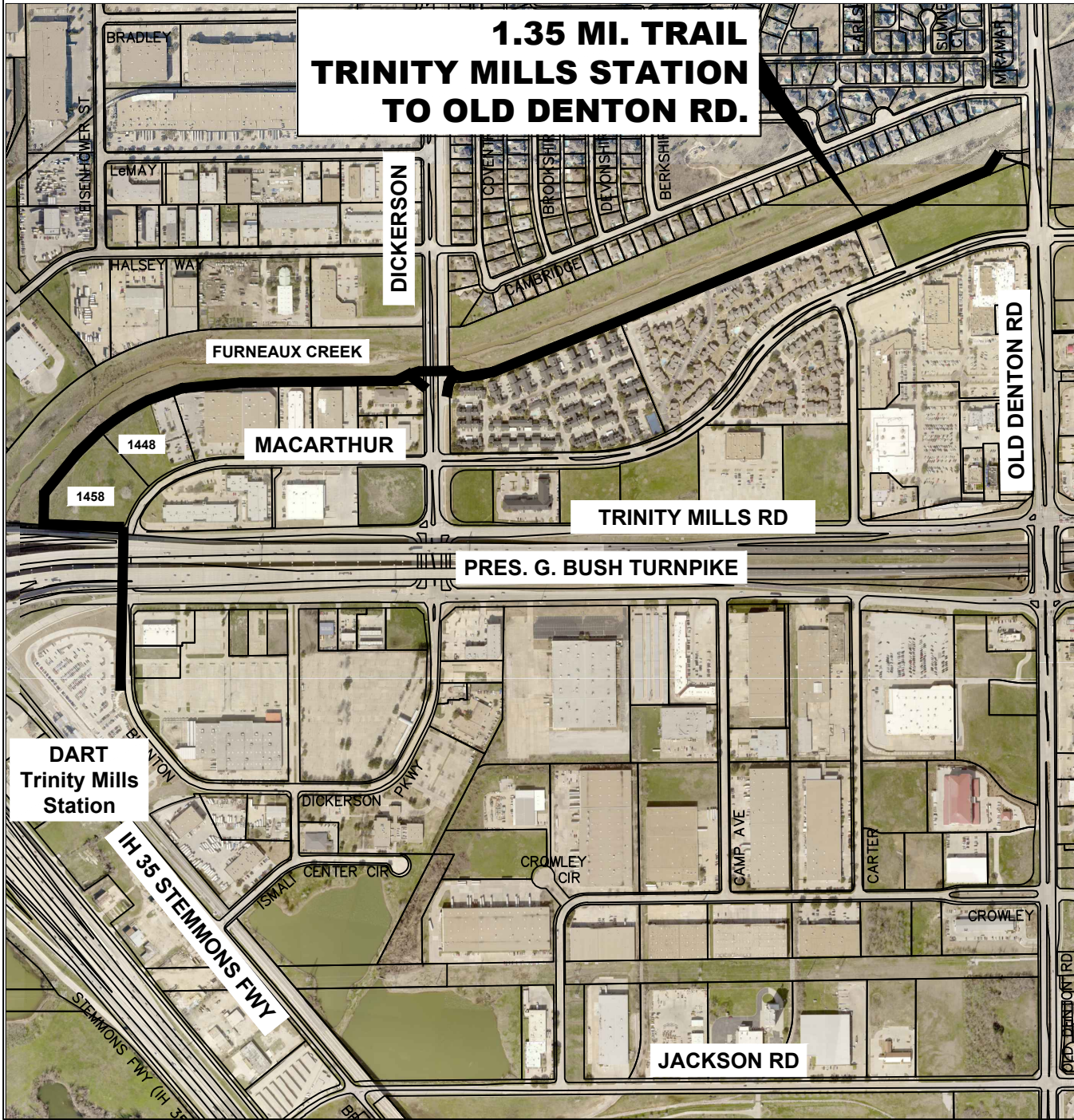
Approved as to content:

Meredith A. Ladd, City Attorney

Cesar J. Molina, Jr., P.E.,
Director of Engineering



**1.35 MI. TRAIL
TRINITY MILLS STATION
TO OLD DENTON RD.**



Attachment A - Location Map
Furneaux Hike & Bike Trail
DART Trinity Mills Station To Old Denton Rd.



SCALE: N.T.S. DATE: 11/2018
SHEET NUMBER: 1 OF 1 SHEETS

FILENAME:



City of Carrollton

Agenda Memo

File Number: 4144

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *15.

CC MEETING: January 22, 2019

DATE: January 14, 2019

TO: Erin Rinehart, City Manager

FROM: Cesar J. Molina, Jr., P.E., Director of Engineering

Consider A **Resolution Authorizing The Execution Of Documents For The Acquisition Of Certain Property Necessary For The Construction Of The Furneaux Creek Hike And Bike Trail From Old Denton Road To Trinity Mills Station; Declaring A Public Need And Necessity; Authorizing The City Manager To Take All Necessary Actions For The Acquisition Of Certain Property For Public Purposes; And Providing An Effective Date.**

BACKGROUND:

In 2006, City Council adopted the Trail Master Plan, which focused on the implementation of hike and bike trails along the Hutton Branch, Furneaux Creek, and Dudley Branch corridors. In the November 2013 bond referendum, the Furneaux Creek Hike and Bike Trail, from Old Denton Road to the DART Trinity Mills Station, was approved for local funding. This portion of the project represents the section of trail that will connect to the Trinity Mills Station area.

Acquisition of property is needed to complete the trail from Old Denton Road to Trinity Mills Station. A single parcel has been identified as needed for the construction of this section of trail, and negotiations with the property owner for acquisition have been completed.

FINANCIAL IMPLICATIONS:

Funding is available from the Parks Consolidated General Obligation Bond Funds.

IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council's strategic objectives and vision of building a community that families and businesses want to call home by:

- Promoting a healthy, pleasant alternative to motorized travel;
- Providing a safe and continuous biking and pedestrian connection between neighborhoods and DART's Trinity Mills Light Rail Station.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of the attached resolution authorizing the City Manager to take the actions necessary for the acquisition of property needed for the construction of the Furneaux Creek Hike and Bike Trail.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE EXECUTION OF DOCUMENTS FOR THE ACQUISITION OF CERTAIN PROPERTY RIGHTS NECESSARY FOR THE CONSTRUCTION OF FURNEAUX CREEK HIKE AND BIKE TRAIL LOCATED IN THE CITY OF CARROLLTON; DECLARING A PUBLIC NEED AND NECESSITY; AUTHORIZING THE CITY MANAGER OF THE CITY OF CARROLLTON TO TAKE ALL NECESSARY ACTION FOR THE ACQUISITION OF CERTAIN PROPERTY RIGHTS FOR PUBLIC PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Carrollton, Texas, has determined that a public need and necessity exists for the construction of the Furneaux Creek Hike and Bike Trail, which is a public use trail;

WHEREAS, the construction of this public project that is part of the Furneaux Creek Hike and Bike Trail project will require the acquisition of certain property interests including easements and right-of-way; and

WHEREAS, the City Council has considered this project and has determined that a public need and necessity exists for this project and that this project is necessary and in the best interests of the residents of the City of Carrollton.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1.

All of the above premises are true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2.

The City Council hereby finds and determines that a public need and necessity exists for the City of Carrollton to acquire the necessary property rights for the construction and use of a public access trail, and other public uses incidental thereto, in those certain tracts of land necessary to complete the Furneaux Creek Hike and Bike Trail Project.

SECTION 3.

The City Council hereby authorizes the City Manager to determine value of certain property rights, to negotiate compensation for such rights, and to execute documents, as needed, to acquire necessary property rights to complete construction of the Furneaux Creek Hike and Bike Trail Project.

SECTION 4.

The City Manager, or her designee, is authorized and directed to do each and every act necessary to acquire the needed property rights for the Furneaux Creek Hike and Bike Trail Project and to effectuate the intent and purposes of this resolution in compliance with State and Federal law.

SECTION 5.

This resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas, this 22th day of January, 2019

CITY OF CARROLLTON, TEXAS

Kevin W. Falconer, Mayor

ATTEST:

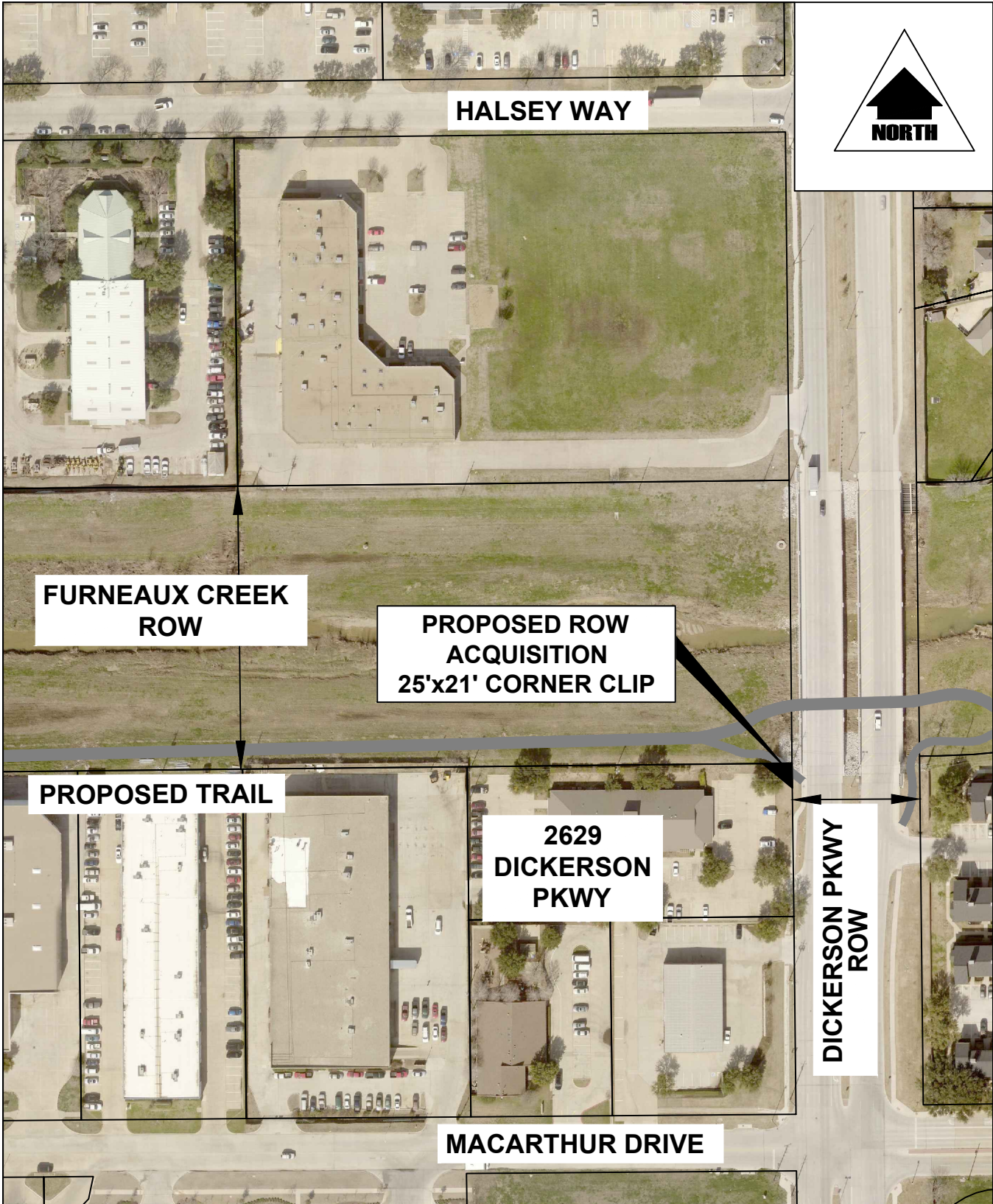
Laurie Garber, City Secretary

APPROVED AS TO FORM:

Susan Keller, Assistant City Attorney

APPROVED AS TO CONTENT:

Cesar Molina, Director of Engineering



FILENAME: U:\Trail System\Furneaux Trail - DART Trinity Mills Station to Old Denton (Blue line)\Parks - 2628 Dickerson\map

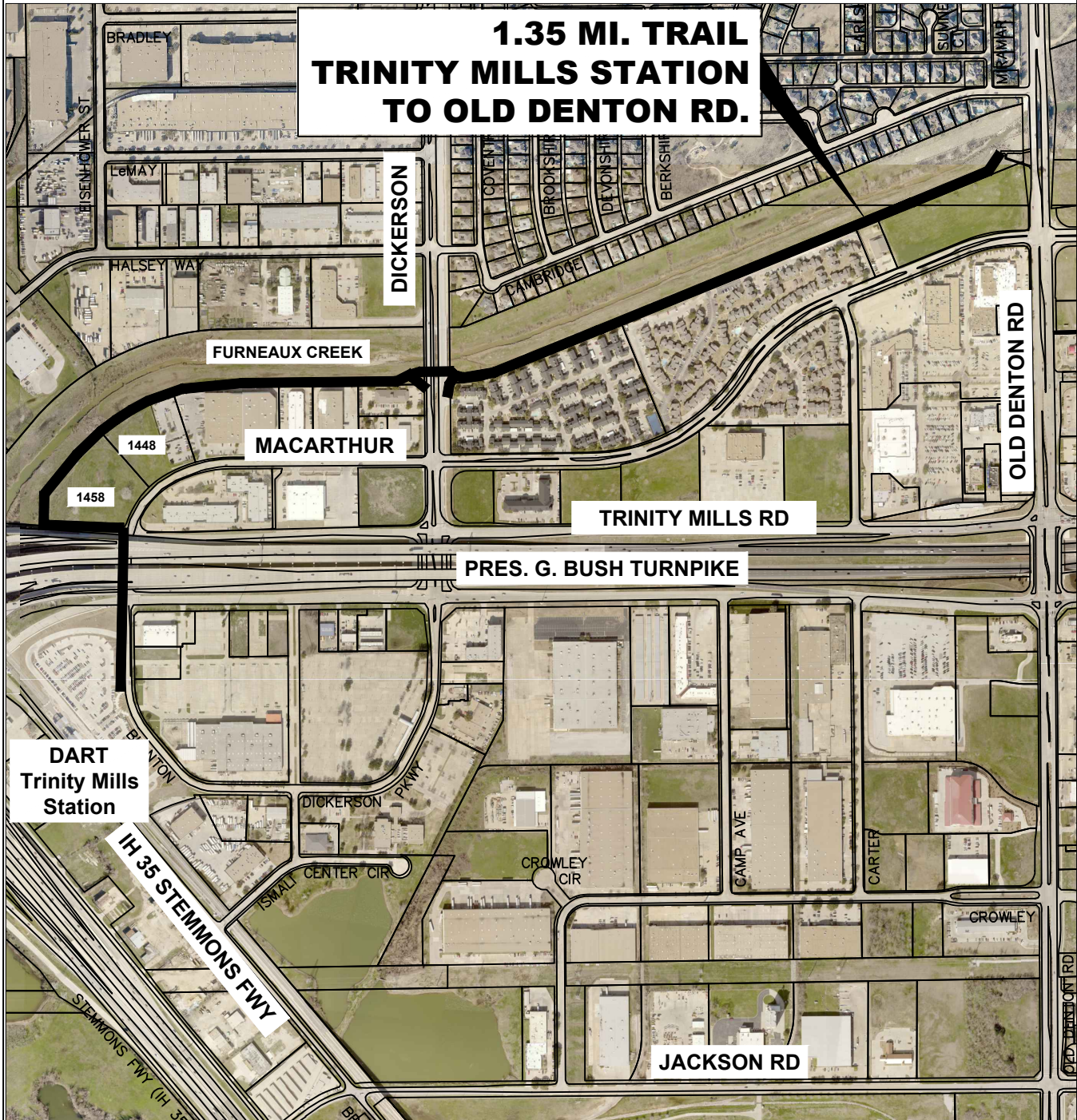
FURNEAUX CREEK HIKE AND BIKE TRAIL PARCEL ACQUISITION LOCATION MAP



SCALE: N.T.S. DATE: 1/2019
SHEET NUMBER: 1 OF 1 SHEETS



**1.35 MI. TRAIL
TRINITY MILLS STATION
TO OLD DENTON RD.**



Attachment A - Location Map
Furneaux Hike & Bike Trail
DART Trinity Mills Station To Old Denton Rd.



SCALE: N.T.S. DATE: 11/2018
SHEET NUMBER: 1 OF 1 SHEETS

FILENAME:



City of Carrollton

Agenda Memo

File Number: 4145

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *16.

CC MEETING: January 22, 2019

DATE: January 14, 2019

TO: Erin Rinehart, City Manager

FROM: Cesar J. Molina, Jr., P.E., Director of Engineering

Consider A **Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Birkhoff, Hendricks And Carter, LLP For Professional Engineering Design Services Related To The Josey Lane Elevated Water Storage Tank Project** In The Amount Of \$31,500.00, For A Total Contract Amount Not To Exceed \$328,800.00.

BACKGROUND:

This contract was approved by the City Council on November 3, 2015 in the amount of \$297,300.00. It provided for the design of a new 2 million gallon elevated water storage tank to replace the current water tower on Josey Lane adjacent to Newman Smith High School. Since the design was initiated, several options have been considered regarding the location of the new water tower and how to handle the communications equipment that is located on the existing water tower. This equipment is essential to the City's traffic management systems, water and sewer communications (SCADA), regional dispatch, 911 communications and other IT functions.

After considerable discussions with IT, the Fire Department and the Public Works Department, it was determined that the best course of action is to demolish the fire training facility (formerly Fire Station #2), construct the new water tower in front of the existing water tower, relocate the communications equipment to the new water tower, and then demolish the existing water tower. The new water tower will be constructed with a concrete column like the other water towers in the City, and the bowl will be painted similar to the Hutton and Marsh South water towers using the blue Carrollton logo swirl. The existing water tower is in need of repainting and miscellaneous repairs at an estimated cost of over \$1 million, so this cost will be avoided by the construction of the new water tower. The new water tower will provide additional elevated water storage capacity that is needed to support future development in the Downtown TOD area.

FINANCIAL IMPLICATIONS:

Birkhoff, Hendricks and Carter has submitted a proposal to the City to perform the engineering design

services for contract amendment no. 1 in the amount of \$31,500.00. Funding for this design is available in the Utility Consolidated Fund.

IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council's strategic objectives and vision of building a community that families and businesses want to call home by:

Sustaining quality of life - The new water tower will ensure that sufficient potable water capacity is available for future peak water demand periods;

Sustaining day-to-day operations - The replacement of the existing water tower will reduce the need for non-scheduled repairs as is required on an older tank.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to enter into contract amendment no. 1 with Birkhoff, Hendricks and Carter for the additional design services for the Josey Lane Elevated Water Storage Tank in the amount of \$31,500.00 for an adjusted total contract amount not to exceed \$328,800.00.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A SERVICES CONTRACT AMENDMENT WITH BIRKHOFF, HENDRICKS & CARTER, LLP FOR PROFESSIONAL ENGINEERING SERVICES; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1:

The City Manager is authorized to negotiate and execute services contracts with Birkhoff, Hendricks & Carter, LLP for engineering services in an amount not to exceed \$31,500.00 for a total contract amount not to exceed \$328,800.00.

SECTION 2:

The City Manager, or designee, is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution.

SECTION 3:

This Resolution shall take effect immediately from and after its passage.

PASSED and APPROVED on this 22nd day of January, 2019.

CITY OF CARROLLTON, TEXAS

By: _____
Kevin W. Falconer, Mayor

ATTEST:

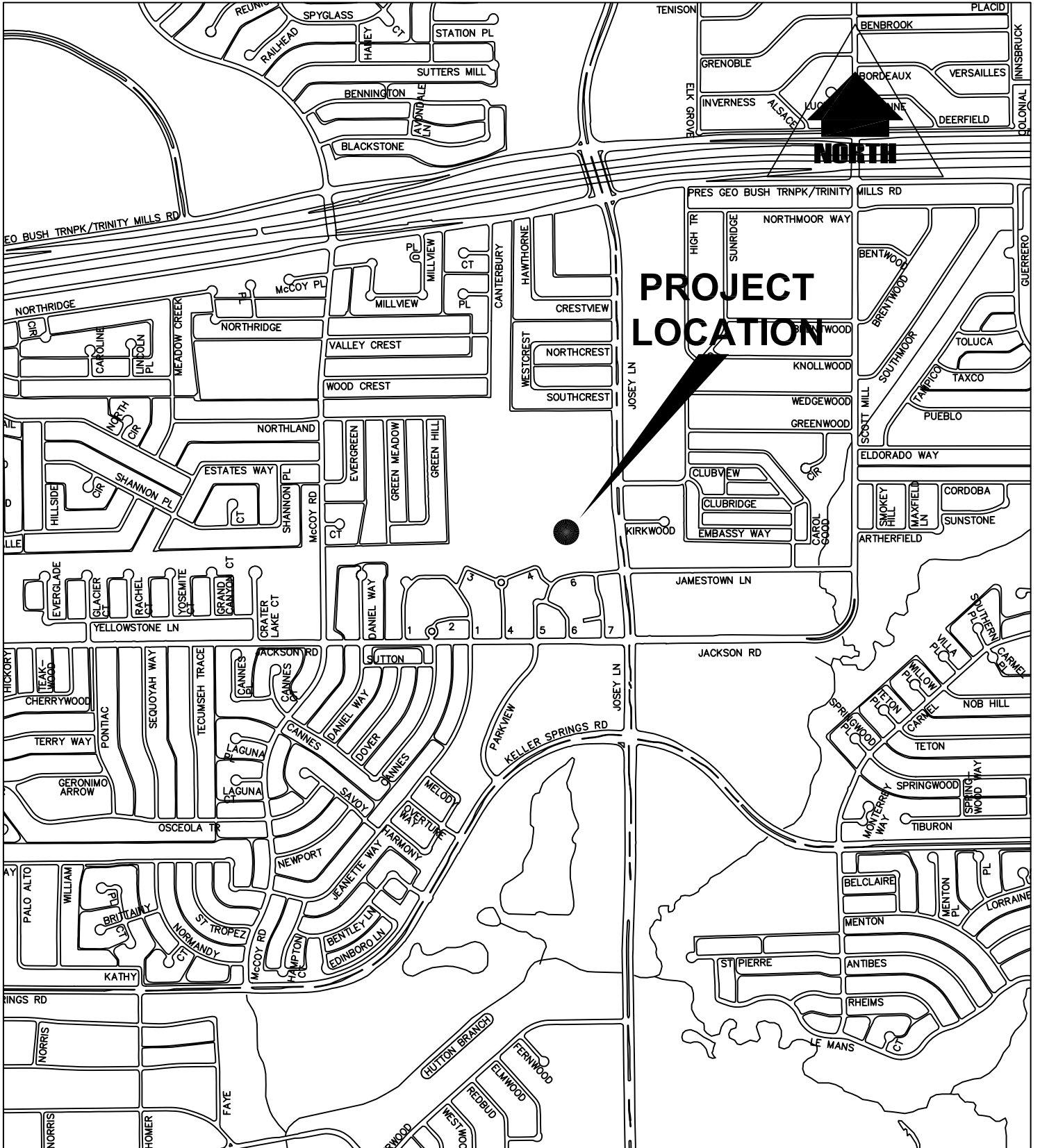
Laurie Garber, City Secretary

Approved as to form:

Approved as to content:

Meredith A. Ladd, City Attorney

Cesar J. Molina, Jr., P.E.,
Director of Engineering



JOSEY ELEVATED STORAGE TANK REPLACEMENT.DWG



JOSEY ELEVATED STORAGE TANK REPLACEMENT

SCALE: NTS DATE: 10/15

ENGINEERING DEPARTMENT

Where Connections Happen



City of Carrollton

Agenda Memo File Number: 4153

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *17.

CC MEETING: January 22, 2019

DATE: January 16, 2019

TO: Erin Rinehart, City Manager

FROM: Scott Hudson, Environmental Services Director

Consider A **Resolution Authorizing The City Manager To Enter Into Single-Family Rehabilitation Grant Incentive Agreements On Three Eligible Properties Located Within Neighborhood Empowerment Zones.** In A Total Grant Amount Not To Exceed \$11,391.30.

BACKGROUND:

In April of 2018 City Council adopted the revised Single-Family Rehabilitation Grant Incentive program. This program provides a monetary grant of up to 25% of certain exterior repair expenses for eligible properties located in a Neighborhood Empowerment Zone. This program has been marketed throughout the qualifying zones with special outreach focused on NOTICE neighborhoods.

Mr. and Mrs. Criswell have applied for a rehabilitation incentive grant for replacement of their fence and installation of gutters. Mrs. Brenda Reynolds applied for an incentive to replace her fence. Ms. Jordan Mason applied for an incentive to replace her windows, roof, fence, driveway, garage door, and repaint the exterior of the home. All of the properties are located in a Neighborhood Empowerment Zone and meet the eligibility requirements of the incentive grant program.

On January 9, 2019 the City Council Re-Development Sub-Committee reviewed and unanimously recommended approval of these three applications.

FINANCIAL IMPLICATIONS:

These rehabilitation incentives are funded through the Neighborhood Partnership Fund. Since April of 2018, when the program incentive cap was increased to 25%, a total of 16 projects have been approved by City Council, representing \$169,091 in private investment and \$42,272 in public incentives.

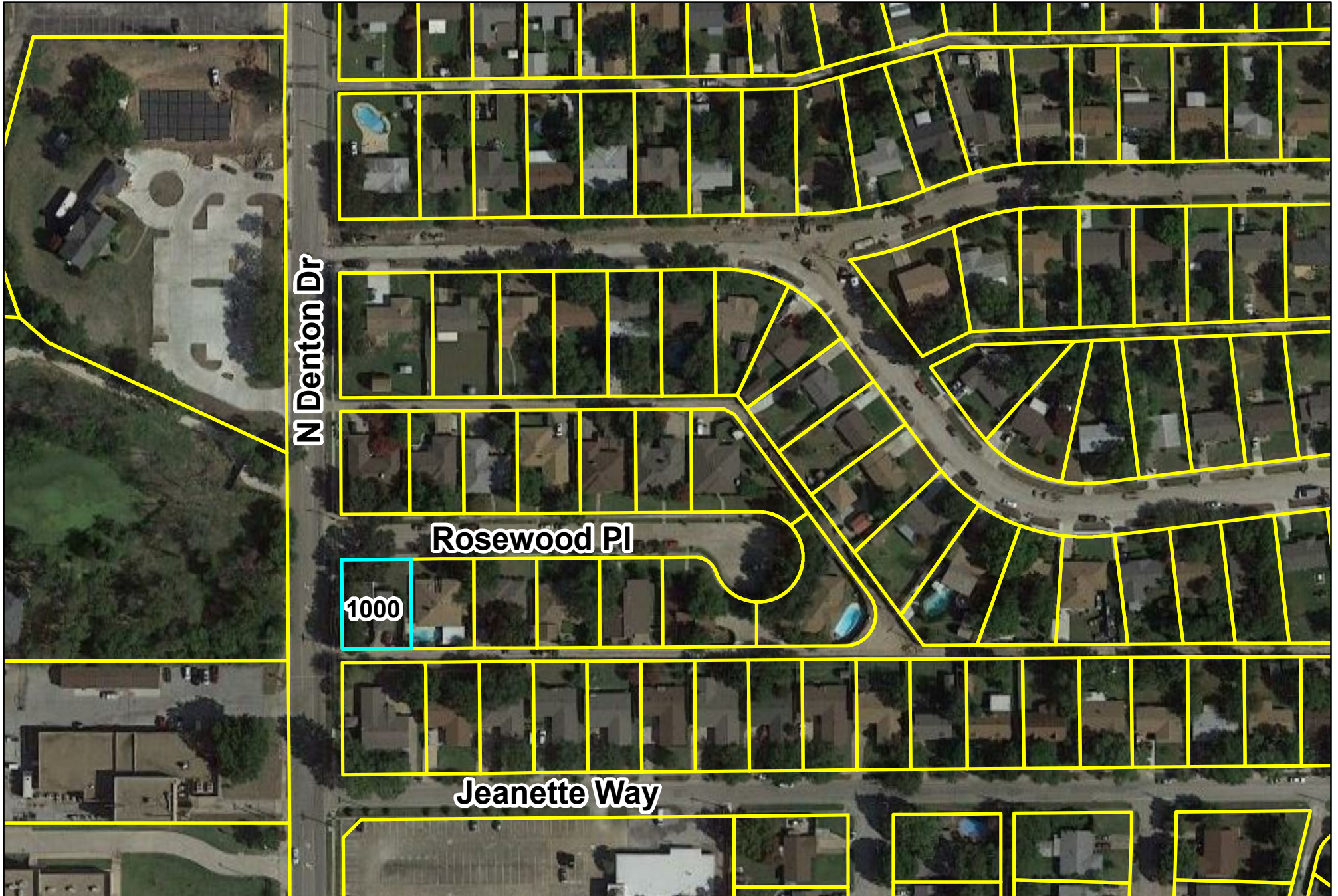
IMPACT ON COMMUNITY SUSTAINABILITY:

The rehabilitation incentives offer significant tools to prevent blight in Carrollton's older neighborhoods. Revitalizing affordable housing is a key component of the rehabilitation grant program and City Council's community sustainability goals.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a resolution authorizing the City Manager to enter into Single-Family Rehabilitation Program Agreements with Mr. and Mrs. Criswell, Mrs. Brenda Reynolds, and Ms. Jordan Mason.

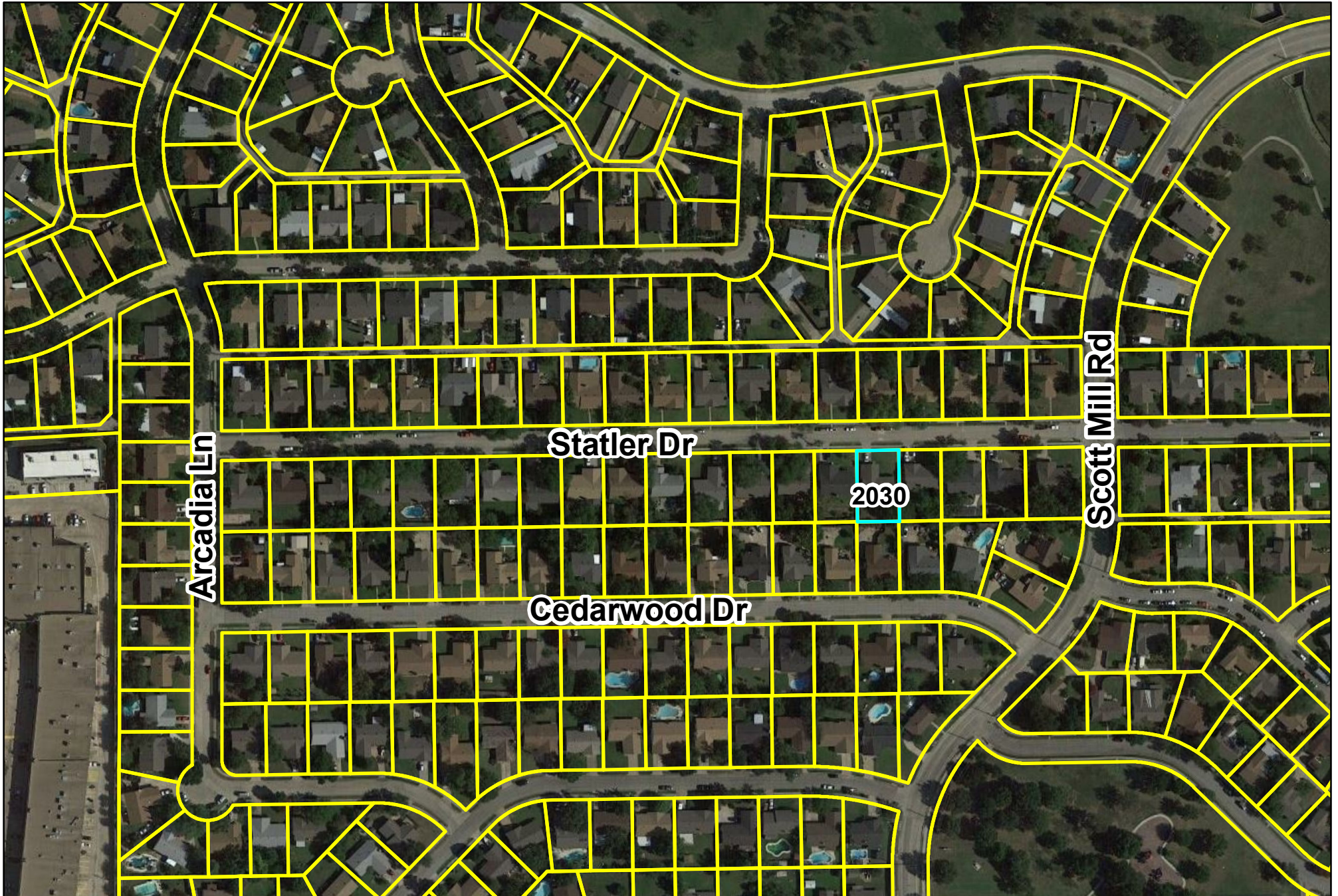
Single-Family Rehab Incentive Location Map - 1000 Rosewood Place



Single-Family Rehab Incentive Location Map - 2222 Big Bend Drive



Single-Family Rehab Incentive Location Map - 2030 Statler Drive



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, APPROVING A SINGLE-FAMILY REHABILITATION INCENTIVE PROGRAM AGREEMENT TO BE EXECUTED BY AND BETWEEN THE CITY OF CARROLLTON AND THE OWNERS OF 1000 ROSEWOOD PLACE, 2222 BIG BEND DRIVE AND 2030 STATLER DRIVE TO PROMOTE LOCAL ECONOMIC DEVELOPMENT; AUTHORIZING THE CITY MANAGER TO TAKE THE NECESSARY ACTIONS TO NEGOTIATE AND ENTER INTO THE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Local Government Code Chapters 378 and 380 provide statutory authority for establishing and administering the Single-Family Rehabilitation Incentive Program, including making loans and grants of money;

WHEREAS, on November 4, 2014 the City Council of the City of Carrollton, Texas (“City Council”), adopted the Rehabilitation Incentive Program (“Program”) in order to promote local economic development within designated areas in the City of Carrollton, Texas (“City”);

WHEREAS, on April 3, 2018, City Council adopted the revised Rehabilitation Incentive Policy under the program. The Program provides payment of an incentive of 25% of eligible repairs to property owners for exterior improvements;

WHEREAS, the City has received a request for a Rehabilitation Incentive from the property owners, James and Rose Criswell (“Owners”) of 1000 Rosewood Place (“Property”), which has been reviewed by the Re-Development Sub-Committee and the Environmental Services Department and approved for consideration by City Council for an amount not to exceed \$2,637.55;

WHEREAS, the City has received a request for a Rehabilitation Incentive from the property owner, Brenda Reynolds (“Owners”) of 2222 Big Bend Drive (“Property”), which has been reviewed by the Re-Development Sub-Committee and the Environmental Services Department and approved for consideration by City Council for an amount not to exceed \$2,475;

WHEREAS, the City has received a request for a Rehabilitation Incentive from the property owner, Jordan Mason (“Owners”) of 2030 Statler Drive (“Property”), which has been reviewed by the Re-Development Sub-Committee and the Environmental Services Department and approved for consideration by City Council for an amount not to exceed \$6,278.75;

WHEREAS, upon consideration, the City Council determines the Program contains sufficient controls to ensure public purposes of the Program are preserved, and further determines the Property satisfies the criteria of the program; and

WHEREAS, upon review and consideration of the Owners’ request and all matters attendant and related thereto, the City Council finds that entering into the agreement pursuant to the policies of the Program is in the interests of the health, safety and welfare of the citizens of Carrollton and should be approved, and the City Manager shall be authorized to negotiate, execute documents, and take those actions necessary to effectuate the intents and purposes of this Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

Section 2

The City Manager is hereby authorized to negotiate and execute the Single-Family Rehabilitation incentive agreement for a maximum in an amount not to exceed \$2,637.55, \$2,475 and \$6,278.75 for the reconstruction on the Properties in accordance with this Resolution, and to take all other action necessary to effectuate the intents and purposes of this Resolution.

Section 3

This Resolution shall take effect upon passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 22nd day of January, 2019.

CITY OF CARROLLTON, TEXAS

Kevin W. Falconer, Mayor

ATTEST:

Laurie Garber, City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Meredith A. Ladd
City Attorney

Scott Hudson
Environmental Services Director

1000 Rosewood Place
Application Summary and Property Description

Homeowner: James and Rose Criswell

Legal Description: CARROLLTON PLACE 2
BLK 1 LT 14
INT201300032443 DD01312013 CO-DC
0167000101400 2CC01670001

Description:
Replacement of fence and installation of gutters

Project Value:
\$10,550.20

Incentive Amount:
\$2,637.55

2222 Big Bend Drive
Application Summary and Property Description

Homeowner: Brenda Reynolds

Legal Description: MORNINGSIDE
BLK 1 LOT 24
BIG BEND DR
INT20080240448 DD07172008 CO-DC
0617000102400 2CC06170001

Description: Remove and replace fence

Project Value:
\$9,900

Incentive Amount:
\$2,475.00

2030 Statler Drive
Application Summary and Property Description

Homeowner: Jordan Mason

Legal Description: ROLLINGWOOD ESTATES 3
BLK R LOT 10
VOL5329/1176 DD04302003
1364200R01000 1801364200R

Description:
Remove and replace windows, fence, roof, driveway and paint exterior of house.

Project Value:
\$25,115.00

Incentive Amount:
\$6,278.75



City of Carrollton

Agenda Memo

File Number: 4150

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *18.

CC MEETING: January 22, 2019

DATE: January 15, 2019

TO: Erin Rinehart, City Manager

FROM: Laurie Garber, City Secretary/Admin. Services Director

Consider A **Resolution Ratifying A Member To Serve On The Civil Service Commission.**

BACKGROUND:

Civil Service Commissioner Ed Bowen is nearing the end of his second term. The City Manager is responsible for appointing members to the Civil Service Commission and as such, she has decided to re-appoint Commissioner Bowen.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval of the attached Resolution ratifying the appointment made by the City Manager.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF CITY OF CARROLLTON, TEXAS, RATIFYING A MEMBER TO SERVE ON THE CIVIL SERVICE COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1

The following is appointed to serve on the Civil Service Commission by the City Manager for the term specified or from the date of their qualification to serve until their successor is appointed and qualified to serve.

Ed Bowen October 31, 2021

SECTION 2

This resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 22nd day of January, 2019.

CITY OF CARROLLTON, TEXAS

Kevin W. Falconer, Mayor

ATTEST:

APPROVED AS TO FORM:

Laurie Garber, City Secretary

Meredith A. Ladd, City Attorney



City of Carrollton

Agenda Memo

File Number: 4148

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *19.

CC MEETING: January 22, 2019

DATE: January 14, 2019

TO: Erin Rinehart, City Manager

FROM: Laurie Garber, City Secretary/Admin. Services Director

Consider A **Resolution Appointing A Member To The Neighborhood Advisory Commission.**

BACKGROUND:

Neighborhood Advisory Commissioner Brian Doherty has resigned. At an October 2018 meeting, Council named Darby Merriman to serve as an alternate to the Neighborhood Advisory Commission. Staff is requesting Council pass the attached resolution appointing Darby Merriman as a member of the Neighborhood Advisory Commission.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF CITY OF CARROLLTON, TEXAS, APPOINTING A MEMBER TO SERVE ON THE NEIGHBORHOOD ADVISORY COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1

The following is appointed to serve on the Neighborhood Advisory Commission at the pleasure of the City Council for the term specified or from the date of their qualification to serve until their successor is appointed and qualified to serve.

Darby Merriman

October 31, 2019

SECTION 2

This resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 22nd day of January, 2019.

CITY OF CARROLLTON, TEXAS

Kevin W. Falconer, Mayor

ATTEST:

APPROVED AS TO FORM:

Laurie Garber, City Secretary

Meredith A. Ladd, City Attorney



City of Carrollton

Agenda Memo

File Number: 4149

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *20.

CC MEETING: January 22, 2019

DATE: January 14, 2019

TO: Erin Rinehart, City Manager

FROM: Laurie Garber, City Secretary/Admin. Services Director

Consider A **Resolution Appointing A Member To The Library Board.**

BACKGROUND:

Library Board member Lisa Smith resigned. At an October 2018 meeting, Council named Rene Barta to serve as an alternate to the Board. Staff recommends Council approve the attached resolution appointing Rene Barta as a member of the Library Board.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF CITY OF CARROLLTON, TEXAS, APPOINTING A MEMBER TO SERVE ON THE LIBRARY BOARD; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1

The following resident is appointed to serve on the Library Board at the pleasure of the City Council for the term specified or from the date of their qualification to serve until their successor is appointed and qualified to serve.

Rene Barta

October 31, 2020

SECTION 2

This resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 22nd day of January, 2019.

CITY OF CARROLLTON, TEXAS

Kevin. W. Falconer, Mayor

ATTEST:

APPROVED AS TO FORM:

Laurie Garber, City Secretary

Meredith A. Ladd, City Attorney



City of Carrollton

Agenda Memo

File Number: 4142

Agenda Date: 1/22/2019

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *21.

CC MEETING: January 22, 2019

DATE: January 14, 2019

TO: Erin Rinehart, City Manager

FROM: Rex D. Redden, Executive Director of Public Safety

Consider A **Resolution Approving An Amendment To Section 4.02 Of The Consolidated Public Safety Communications And Dispatch Operations Agreement Regarding Cost Allocations For The Operation Of The North Texas Communication Center.**

BACKGROUND:

The cities of Addison, Carrollton, Coppell, and Farmers Branch entered into the Consolidated *Public Safety Communications and Dispatch Operations Agreement* in January 2015. The North Texas Communication Center, Inc. (NTECC) became operational in April 2016 and hosts dispatch services for each of the four cities' police and fire departments. Section 4.02 of the agreement sets agreed upon cost allocations for the operation of NTECC in which each city pays a specific percentage of the operational costs based on their respective workload. This amendment ensures the original intent of the Agreement is reflected and that a continuation of the cost allocation continues through 2019 and will be revisited in 2020.

FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this resolution.

IMPACT ON COMMUNITY SUSTAINABILITY:

The approval of this resolution will ensure the continued service of effective dispatch services for the cities of Carrollton, Addison, Coppell and Farmers Branch.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of the resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, APPROVING THE FIRST AMENDMENT TO CONSOLIDATED PUBLIC SAFETY COMMUNICATIONS AND DISPATCH OPERATIONS AGREEMENT WITH THE CITY OF COPPELL, THE TOWN OF ADDISON, THE CITY OF FARMERS BRANCH, AND NORTH TEXAS EMERGENCY COMMUNICATIONS CENTER, INC. (“NTECC”) RELATING TO OPERATIONS AND FUNDING OF THE NTECC CONSOLIDATED PUBLIC SAFETY COMMUNICATIONS CENTER; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE CITY MANAGER; AUTHORIZING ADDITIONAL ACTS TO CARRY OUT THE CITY’S OBLIGATIONS UNDER THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, effective on January 1, 2015, the City of Carrollton (“Carrollton”), Town of Addison (“Addison”), City of Coppel (“Coppel”) and the City of Farmers Branch (“Farmers Branch”)(collectively, “the Cities”) and the North Texas Emergency Communications Center, Inc. (“NTECC”) entered into that certain *Consolidated Public Safety Communications and Dispatch Operations Agreement* (“the Agreement”) setting forth the terms and conditions pursuant to which NTECC owns, manages, operates, and maintains the Facilities (as defined in the Agreement) for the benefit of the Cities, provides Public Safety Communications Services, and provides Radio System Services to the Cities in consideration of the Cities’ obligation to pay for same; and

WHEREAS, Section 4.02 of the Agreement provides for the allocation of the Cities’ shares for funding NTECC’s Annual Expense Budget and the periodic adjustment of that allocation; and

WHEREAS, unanticipated delays in the date on which NTECC’s operations commenced has resulted in a conflict in the literal reading of Section 4.02 of the Agreement and the Parties’ original intent relating to the operation of the language in Section 4.02 with respect to the periodic adjustment of the cost allocation amongst the Cities; and

WHEREAS, NTECC’s board of directors, consisting of the Cities’ city managers, has requested that Section 4.02 of the Agreement be amended to reflect the Cities’ original intent; and

WHEREAS, the City Council of the City of Carrollton, Texas, finds it to be in the public interest to approve such amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1.

All of the above premises are found to be true and correct legislative and factual finding of the City Council, and they are hereby approved, ratified, and incorporated into the body of the Resolution as if copied in their entirety.

SECTION 2.

The City Manager is hereby authorized to execute the *First Amendment to Consolidated Public Safety Communications and Dispatch Operations Agreement* with the Town of Addison, City of Coppell, City of Farmers Branch, and North Texas Emergency Communications Center, Inc., containing substantially the terms and provisions attached hereto as Exhibit "A" and incorporated herein by reference and to take such steps that are reasonable and necessary to comply with the intent of this Resolution and said agreement.

SECTION 3.

This Resolution shall become effective immediately upon approval.

DULY PASSED and approved by the City Council of the City of Carrollton, Texas, on this the ___ day of January 2019.

Kevin W. Falconer, Mayor

ATTEST:

Laurie Garber, City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT

Meredith A. Ladd, City Attorney

Rex Redden, Director of Public Safety

**FIRST AMENDMENT TO
CONSOLIDATED PUBLIC SAFETY COMMUNICATIONS AND
DISPATCH OPERATIONS AGREEMENT**

THIS FIRST AMENDMENT TO CONSOLIDATED PUBLIC SAFETY COMMUNICATIONS AND DISPATCH OPERATIONS AGREEMENT ("First Amendment") is dated and entered into as of the Effective Date by and among the **TOWN OF ADDISON, TEXAS**, ("Addison"), the **CITY OF CARROLLTON, TEXAS** ("Carrollton"), the **CITY OF COPPELL, TEXAS** ("Coppell"), and the **CITY OF FARMERS BRANCH, TEXAS**, ("Farmers Branch"), all of whom are Texas home rule municipalities operating under the authority of their respective governing bodies (Addison, Carrollton, Coppell, and Farmers Branch, are hereinafter sometimes referred to collectively as "the Cities"), and the **NORTH TEXAS EMERGENCY COMMUNICATIONS CENTER, INC.** ("NTECC"), a Texas non-profit local government corporation created pursuant to Subchapter D of Chapter 431, Texas Transportation Code, as amended and Chapter 394, Texas Local Government, as amended. The Cities and NTECC are hereafter collectively referred to as the "Parties" or individually as a "Party".

RECITALS

WHEREAS, effective on January 1, 2015, the Parties entered into that certain *Consolidated Public Safety Communications and Dispatch Operations Agreement* ("the Agreement") setting forth the terms and conditions pursuant to which NTECC owns, manages, operates, and maintains the Facilities (as defined in the Agreement) for the benefit of the Cities, provides Public Safety Communications Services, and provides Radio System Services to the Cities, in consideration of the Cities' obligations to pay for same; and

WHEREAS, Section 4.02 of the Agreement provides for the allocation of the Cities' shares for funding NTECC's Annual Expense Budget and the periodic adjustment of that allocation; and

WHEREAS, unanticipated delays in the date on which NTECC's operations commenced has resulted in a conflict in the literal reading of Section 4.02 of the Agreement and the Parties' original intent relating to the operation of the language in Section 4.02 with respect to the periodic adjustment of the cost allocation amongst the Cities; and

WHEREAS, the Parties desire to amend Section 4.02 of the Agreement to reflect the Parties' original intent.

NOW, THEREFORE, the Parties agree as follow:

1. Section 4.02 of the Agreement is amended to read in its entirety as follows:

4.02 Cities' Share of Annual Expense Budget. For providing Public Safety Communications Services to the Cities by NTECC under this Agreement, each City agrees to pay NTECC an amount equal to a portion of NTECC's Annual Expense Budget determined as follows:

Exhibit “A” to Resolution No. _____

(a) **Years 0 through 4:** For the period commencing on April 1, 2014 (notwithstanding that such date precedes the Effective Date of this Agreement), and ending on the last day of the fourth (4th) complete Fiscal Year following the date NTECC commences providing Public Safety Communications Services to the Cities, the Cities’ agree to pay NTECC an amount equal to the following percentages of NTECC’s Annual Expense Budget (excluding the Radio System Service Charges and the Denco PSAP Charges):

(1)	Addison:	19%
(2)	Carrollton:	36%
(3)	Coppell:	21%
(4)	Farmers Branch:	24%

(b) **Years 5 and After:** Commencing with the fifth (5th) complete Fiscal Year following the date NTECC commences providing Public Safety Communications Services to the Cities and for each Fiscal Year thereafter, the Cities’ share of the percentage of NTECC’s Annual Expense Budget (excluding the Radio System Service Charges and the Denco PSAP Charges) shall be adjusted based on the percentage of each City’s Workflow during the three (3) most recent calendar years in relation to the total Workflow for all of the Cities for the same three (3) calendar years. By way of example, for the Fiscal Year beginning October 1, 2020, the percentage share of the Annual Expense Budget for the City of “A” (excluding the Radio System Service Charges and the Denco PSAP Charges) will be City A’s Workflow for calendar years 2017, 2018 and 2019 divided by the total Workflow for all of the Cities for calendar years 2017, 2018, and 2019.

2. The defined words and phrases set forth in this First Amendment shall have the same meanings as set forth in the Agreement.
3. Except as amended by this First Amendment, the Parties acknowledge and agree the Agreement remains in full force and effect.
4. This First Amendment shall be effective and enforceable on the date it is signed by authorized representatives of all of the Parties (“Effective Date”).

(Signatures on following pages)

Exhibit "A" to Resolution No. _____

Town of Addison Signature Page

SIGNED AND AGREED this _____ day of _____, 2019.

TOWN OF ADDISON

By: _____
Wesley Pierson, City Manager

ATTEST:

Irma Parker, City Secretary

APPROVED AS TO FORM:

Brenda McDonald, City Attorney

Exhibit "A" to Resolution No. _____

City of Carrollton Signature Page

SIGNED AND AGREED this _____ day of _____, 2019.

CITY OF CARROLLTON

By: _____
Erin Rinehart, City Manager

ATTEST:

Laurie Garber, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd, City Attorney

Exhibit "A" to Resolution No. _____

City of Coppell Signature Page

SIGNED AND AGREED this _____ day of _____, 2019.

CITY OF COPPELL

By: _____
Michael Land, City Manager

ATTEST:

Christel Pettinos, City Secretary

APPROVED AS TO FORM:

City Attorney

Exhibit "A" to Resolution No. _____

City of Farmers Branch Signature Page

SIGNED AND AGREED this _____ day of _____, 2019.

CITY OF FARMERS BRANCH

By: _____
Charles S. Cox, City Manager

ATTEST:

Amy Piukana, City Secretary

APPROVED AS TO FORM:

Peter G. Smith, City Attorney

Exhibit "A" to Resolution No. _____

NTECC Signature Page

SIGNED AND AGREED this _____ day of _____, 2019.

**NORTH TEXAS EMERGENCY
COMMUNICATIONS CENTER, INC.**

By: _____
Terry Goswick, Executive Director

APPROVED AS TO FORM:

Kevin B. Laughlin, General Counsel