

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
APRIL 2, 2024**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, April 2, 2024 at 5:45 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Nancy Cline, Deputy Mayor Pro Tem H.A. “Rusty” Pendleton, Councilmembers Christopher Axberg, Jason Carpenter, Richard Fleming, Andrew Palacios, and Daisy Palomo (arrived 5:56 p.m.). Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

5:45 P.M. – COUNCIL BRIEFING ROOM

*****PRE-MEETING *****

Mayor Babick called the meeting to order at 5:45 p.m.

1. Receive information and discuss Agenda.

Agenda items were reviewed. Staff responded to Council’s questions.

City Secretary Chloe Sawatzky stated that some additional clarification text will be added to the meeting minutes for March 5th, Worksession Item 4, last paragraph.

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

2. Council will convene into 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.

Executive Session was not convened.

*****WORKSESSION*****

4. Receive An Update From The Trinity River Authority.

Melissa Everett, Finance Director, stated that she and Councilmember Cline regularly attend meetings of the Trinity River Authority (TRA.) She explained that the City of Carrollton contracts with TRA for treatment of the city’s wastewater. Ms. Everett introduced Matthew Jalbert, Executive Manager of TRA’s Northern Region, to provide an update on TRA’s activity.

Mr. Jalbert stated that the TRA provides water and/or wastewater services to 21 customers (entities) in the Central Regional Wastewater System (CRWS) and has been in existence since 1956. Carrollton

is in the Elm Fork portion of the system. Mr. Jalbert noted that TRA has not had a permit violation since early 1960s and has received awards and accolades.

Mr. Jalbert stated that the CRWS Treatment Plant is located at 6500 W. Singleton Boulevard. It has an annual average flow of 189 MGD (million gallons per day), with a two-hour peak flow of 409 MGD. He noted that once annual average flows reach 75 percent of the system's capacity, planning for expansion begins, and once 90 percent is reached, construction must be underway. A graph reflecting projected versus actual flows over the past years was reviewed.

Mr. Jalbert advised that the CRWS includes 209 miles of pipeline, 128 metering stations, and four (4) lift stations. He provided an overview of capital projects that includes odor control improvements, rehabilitation of aging infrastructure, and methane gas reduction efforts. It was noted that the Elm Fork Collection System is undergoing rehabilitation and replacement of 13 miles of 36 inch to 72 inch pipelines. This is being done in seven (7) phases, with Phase I and Phase II being partially complete. A handout was provided to councilmembers explaining more of the capital projects.

Mr. Jalbert provided an overview of TRA's 2025-2029 Capital Financial Outlay and Capital Improvements for the Plant and Collection System. These are funded in the short-term with extendable commercial paper and in the long-term with debt issuances. TRA's bond rating is AAA. The total debt services for Fiscal Year 2024 is \$120 million, and this year's Operations and Maintenance budget is \$71 million. Mr. Jalbert explained that Carrollton's portion of this expense is approximately 8.5 percent.

In response to questions raised by Mayor Babick, Mr. Jalbert added that debt is issued with 20 year terms. He also explained that the Board of Directors for the TRA has 25 members who are appointed by the Governor. The Board meets every other month and approves expenses and projects over \$150,000 and interlocal agreements.

Mayor Pro Tem Cline inquired about potential cost increases for Carrollton. Mr. Jalbert stated that operating costs, including employment expenses, are increasing. It anticipated that in the future Carrollton's expense portion will increase by 7-9 percent.

5. Mayor And Council Reports And Information Sharing.

Council reviewed their recent activities and upcoming events.

Worksession recessed at 6:42 p.m. and promptly reconvened in the Council Chambers.

At this time, Mayor Babick recognized the Creekview High School Wind Symphony and Percussion Ensemble who recently participated in the *Music For All National Concert Festival and Percussion Festival* in Indianapolis, Indiana. He presented those in attendance with a Proclamation Proclaiming April 2nd, 2024 as:

“Creekview High School Wind Symphony and Percussion Ensemble Day”

Creekview High School Band Director offered his appreciation to all who support these two programs.

Worksession concluded at 7:00 p.m.

*****REGULAR MEETING 7:00 P.M.*****

Mayor Babick called the Regular meeting to order at 7:05 p.m.

INVOCATION – Mayor Pro Tem Nancy Cline

PLEDGE OF ALLEGIANCE – Councilmember Christopher Axberg

PRESENTATIONS

6. Present A **Proclamation to Denton County CASA in Recognition of Child Abuse Awareness Month.**

Mayor Babick read a Proclamation recognizing the Denton County CASA organization for its work and declaring April as:

“Child Abuse Prevention Month”

The Proclamation was presented to a representative of CASA. She spoke of children advocacy opportunities through this organization.

7. Present **Street Signs to Newman Smith High School.**

Mayor Babick presented City of Carrollton street signs to student athletes to denote the north and south entries into the Newman Smith campus. Those entrances are now named “Zaks Place” and “Trojan Way”. Athletic Coordinator Robert Boone offered comments of appreciation.

8. Present A **Proclamation In Recognition of Women’s 1st Responder Day.**

Mayor Babick read a Proclamation recognizing April 20th as:

“Women’s 1st Responder Day”

The City of Carrollton’s female first responders including Police, Fire, and Emergency Medical Technicians were present for this recognition. Members of Carrollton Farmers Branch ISD, as well as female members of the City of Carrollton’s leadership were included in the recognition.

PUBLIC COMMENT

9. **Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.**

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.

Mayor Babick opened and closed the public comment period with no one wishing to speak.

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.)*

Mayor Babick advised that Item 15 would be pulled from the Consent Agenda for separate consideration.

Councilmember Palomo moved to approve Consent Agenda Items 10-14 (10 as stipulated) and 16-21; second by Mayor Pro Tem Cline. Item 15 pulled for individual consideration. The motion was approved with a unanimous 7-0 vote.

MINUTES

***10. Consider Approval Of The March 5, 2024 Regular Meeting Minutes.**

***11. Consider Approval Of The March 19, 2024 Regular Meeting Minutes.**

BIDS & PURCHASES

***12. Consider Authorizing The City Manager To Execute A Contract With DataVox, Inc., Through The TIPS Purchasing Cooperative For IP Camera Equipment And Installation Services To Be Located At 17 Public Facilities And Water Towers In An Amount Not To Exceed \$758,615.26.**

***13. Consider Approval Of BID #24-008 For Irrigation Supplies From Multiple Vendors In An Amount Not To Exceed \$73,000.00, Annually, For A Three-Year Total Not To Exceed \$219,000.00.**

***14. Consider Approval Of RFQ #24-010 For Fiduciary Consultant Services To Hyas Group In An Annual Amount Of \$45,000.00, For A Three-Year Contract Total Amount Not To Exceed \$135,000.00.**

Item 15 was pulled from the Consent Agenda for separate consideration.

15. Consider Approval Of RFQ #24-004 For Legislative Consultant Services To Waterloo Capitol In The Amount Of \$78,000.00 Annually, For A Five-Year Total Not To Exceed \$390,000.00.

Mayor Pro Tem Cline moved to approve Item 15; second by Councilmember Palacios. The motion was approved with a 6-1 vote. Councilmember Fleming voted in opposition.

***16. Consider Approval Of The Purchase Of SWAT Team Body Armor And Helmets From GT Distributors, Inc. Through The BuyBoard Purchasing Cooperative In An Amount Not To Exceed \$121,842.46.**

CONTRACTS & AGREEMENTS

- *17. Consider Authorizing The City Manager To Approve A Construction Contract With 3D Paving And Contracting, LLC For The Ridgecrest Estates Phase 2 Paving And Utility Improvements Project In An Amount Not To Exceed \$6,069,897.00.**
- *18. Consider Authorizing The City Manager To Execute Change Order No. 2 With KIK Underground, LLC For Additional Work As Part Of The Northland Estates Paving And Utility Improvements Project In An Amount Not To Exceed \$50,849.00, Increasing The Total Project Contract To An Amount Not To Exceed \$5,320,873.04.**

RESOLUTIONS

- *19. Consider A Resolution Authorizing The Mayor To Amend The Individuals Authorized To Invest Funds And Make Withdrawals From The Public Funds Investment Pool Known As “TexPool,” On Behalf Of The City.**
- *20. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A License Agreement With Dallas Area Rapid Transit (DART) Related To Drainage Improvements Under And Along The Dallas, Garland, & Northeastern Railroad (DG&NO) Rail Line For The Duncan Heights NOTICE Street Replacement And Drainage Improvements Project, In An Amount Not To Exceed \$10.00.**
- *21. Consider A Resolution Authorizing The City Manager To Execute A Contract With Garrett Demolition, Inc. For The Asbestos Abatement And Demolition Of The Structure Located At 1301 South IH-35E, In An Amount Not To Exceed \$153,547.00.**

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

- 22. Hold A Public Hearing And Consider An Ordinance Amending The Zoning For An Approximately 10-Acre Tract Zoned Planned Development District 132 (PD-132) For The (O-4) Office District And Located At The Northwest Corner Of Josey Lane And Arbor Creek Drive, To Repeal And Re-establish PD-132 To Allow Additional Covered Parking, To Modify Conceptual Plans And To Revise Development Standards; Amending The Official Zoning Map Accordingly. Case No. PLZ 2024-010 Avenida Carrollton Covered Parking.**

Loren Shapiro, Planning Manager, presented this item. He stated that this is a request to amend an existing PD, adding three (3) covered carports to the site. He provided a conceptual site plan that reflected the locations for the additional carports. He also provided a depiction of landscaping that will be added between the parking areas and Josey Lane. Staff is recommending approval. Stipulations remain as they are in the current PD.

Mayor Babick opened the public hearing. There being no speakers, he closed the public hearing.

Deputy Mayor Pro Tem Pendleton moved to approve Item 22; second by Mayor Pro Tem Cline. The motion was approved with a unanimous 7-0 vote.

- 23. Hold A Public Hearing And Consider A Resolution Amending The Transportation Plan And The Transportation Plan Map Of The Comprehensive Plan To Change The Roadway Designation Of Broadway Between Jackson Road And Whitlock Lane From A (C4U) 4-Lane Undivided Collector Street To A (C3SD) 3-Lane Special Design Collector Street. Case No. PLTRA 2023-134 Broadway Street (Jackson Road to Whitlock Lane).**

Mayor Babick announced that the public hearings for Items 23 and 24 will be considered as a single public hearing.

Loren Shapiro advised that Broadway Street is currently a four-lane undivided collector street. A traffic study for Broadway was completed and supports a three-lane special design collector street that will have one lane northbound, one lane southbound, and one center lane for turning.

Councilmember Axberg asked what a “collector” street is, and whether there will be additional shoulder due to there being fewer lanes. Mr. Shapiro advised a collector is a lesser major street. He said that it will not have additional shoulder space but will have what is considered a parkway that includes a 10-12 foot hike and bike trail on the west side.

- 24. Hold A Public Hearing And Consider An Ordinance Amending the Zoning On A 17.4-Acre Tract Zoned To The (FWY) Freeway District And Located On The Southeast Corner Of IH-35E And Jackson Road, To Establish A Planned Development District To Allow For Residential Multi-Family Uses, To Create Development Standards And Provide Concept Plans; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-133 Broadway - IH-35E - Jackson.**

Mr. Shapiro stated that the City’s Transportation Plan supports more urban-type development. The area under consideration in this item is currently zoned Freeway District and the applicant is requesting to establish a PD with three tracts, A, B, and C, along Broadway that will include retail, multi-family, and mixed use. A conceptual site plan was reviewed with plans for multi-family on Tract B. Plans are to include a hike and bike trail, streetscaping, and decorative pavers. Conceptual building elevations were reviewed that reflected urban-type development. It was noted that the city’s tree preservation regulations will be enacted during the development stage for this PD. Future development plans for Tract A and Tract C will be brought before the Planning and Zoning Commission and the City Council.

Councilmember Carpenter inquired whether the stipulated traffic impact analysis has been done. Mr. Shapiro advised that it has been done.

Councilmember Axberg inquired whether a speed limit for Broadway has been established. Mr. Shapiro responded not at this time, however there will be a speed limit established.

At this time Mayor Babick opened the public hearing for Item 23 and Item 24.

Applicant Alena Savera with The NRP Group reviewed the proposed development and described planned amenities for the multi-family in Tract B.

Tim House, 240 McMacon Road, Double Oak, Texas stated he is part owner of the property under consideration for a zoning change. He spoke in support of the developer and plans for this property.

Mayor Babick closed the public hearing for Item 23 and Item 24. He called for motions on these items.

Deputy Mayor Pro Tem Pendleton moved to approve Item 23; Councilmember Palacios seconded the motion. Motion was approved with a unanimous 7-0 vote.

Councilmember Palacios moved to approve Item 24; Councilmember Palomo seconded the motion. Motion was approved with a unanimous 7-0 vote.

25. Hold A Public Hearing And Consider An Ordinance Amending Section 52.020 Of The Carrollton City Code By Adopting An Amended Water Conservation and Drought Contingency Plan.

Cory Heiple, Environmental Services Director, presented this item. He advised that this item is to conduct a public hearing and adopt by ordinance an amended Water Conservation and Drought Contingency Plan as required every five years by the Texas Commission on Environmental Quality and the Texas Water Development Board. The deadline for this action is May 1st.

Mr. Heiple reviewed that the Water Conservation Plan is a strategic plan designed to reduce water consumption, reduce water loss and waste, and extend the life of current water supplies. The Drought Contingency Plan is designed to encourage water conservation during drought and emergency, maintain supply, preserve public health and safety, and minimize the impacts of supply shortages. He reviewed that in 2022, the City of Carrollton enacted Stage 1 of the Drought Contingency Plan. Stage 1 includes a reduction in landscape watering to twice per week and only on assigned days. He noted that last year, 2023, was Texas' second hottest year on record. Mr. Heiple provided a graph reflecting demand projections and shortages expected for the region through the year 2070. It was noted that Carrollton is located in Region C of the Texas Water Development Board.

Mr. Heiple provided a review of proposed changes in the Water Conservation Plan. Included are updated definitions and tables, updated utility rates (adopted 2023), and new Best Management Practices. Current Best Management Practices were reviewed and new proposed Best Management Practices targets were explained including:

- Conservation Analysis and Planning
- Financial Measures
- Landscaping Measures
- Public Education and Awareness Outreach
- Rebate, Retrofit, and Incentive Programs
- Regulation and enforcement

Mr. Heiple stated that the Landscaping Measures include an analysis of twice weekly watering during 2024 and 2025, and in 2026 staff will recommend adopting this watering schedule. He stated that several other north Texas cities have adopted twice weekly watering schedules.

Mr. Heiple stated that there are no proposed changes to the Drought Contingency Plan.

Mayor Babick confirmed with Mr. Heiple that this action is to consider adopting the plans and does not include adopting water rates or establishing twice weekly watering.

Mayor Babick opened the public hearing.

Suzanna Dooling (address on file) - spoke in support of adopting the plans and spoke in favor of future conservation measures.

Mayor Babick closed the public hearing.

Councilmember Carpenter made a motion to approve Item 25; Councilmember Axberg seconded the motion. Motion was approved with a unanimous 7-0 vote.

- 26. Hold A Public Hearing And Consider An Ordinance Annexing Approximately 2.719 Acres Of Land Located Entirely Within The Right-Of-Way Of West Plano Parkway, West Of The Intersection Of Charles Street And West Plano Parkway, To And Including The Intersection Of Warmington Drive And West Plano Parkway. Case No. PLANX 2024-032 West Plano Parkway Annexation.**

Loren Shapiro presented this item. He provided a map reflecting the location of the property in question. He stated that it is a TxDOT right-of-way. In the early 1980's during an annexation process, this property was inadvertently left out of the area for annexation. Staff would like to remedy this oversight. Mr. Shapiro advised that two public hearings are required, with the second public hearing and final action planned for May 21st.

Mayor Babick opened the public hearing. There being no speakers, the public hearing was closed.

No action was taken on this item.

PUBLIC FORUM

- 27. 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.

Huong Gilmer - Expressed concerns regarding citations she recently received and the process surrounding them.

ADJOURNMENT - Mayor Babick adjourned the meeting at 8:15 p.m.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor