

**CARROLLTON CITY COUNCIL  
REGULAR WORKSESSION AND MEETING  
JANUARY 19, 2016**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, January 19, 2016 at 5:45 p.m. with the following members present; Mayor Matthew Marchant, Mayor Pro Tem Anthony Wilder, Deputy Mayor Pro Tem Doug Hrbacek, Councilmembers Bob Garza, Steve Babick, John Sutter, James Lawrence and Glen Blanscet. Also present were City Manager Leonard Martin, Assistant City Managers Marc Guy, Bob Scott, and Erin Rinehart, City Attorney Meredith A. Ladd and City Secretary Laurie Garber.

**5:45 P.M. – COUNCIL BRIEFING ROOM**

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

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

**4. Discuss CFBISD Cumulative Voting Education Program.**

Mayor Marchant introduced Carrollton Farmers Branch Independent School District Vice President Frank Shor who played a video about the new voting system of cumulative voting that would be used by Carrollton Farmers Branch Independent School District.

**\*\*\*EXECUTIVE SESSION \*\*\***

**2. Council convened in Executive Session at 5:51 p.m.** 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.
  - Hamrla, et al, v. City of Carrollton

**3. Council reconvened in **open session** at 6:31 p.m.** to consider action, if any, on matters discussed in the Executive Session. No action taken.

**\*\*\*WORKSESSION\*\*\***

Mayor Marchant convened the Worksession at 6:31 p.m.

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

**5. Discuss Appointment Of Council Liaison To Dallas Regional Mobility Coalition.**

Mayor Marchant stated that his schedule would not allow him to attend the meetings that were generally held one Friday a month from 10 a.m. to 12:30 p.m. at the NTTA building. Deputy Mayor Pro Tem Hrbacek volunteered to serve and Mayor Marchant stated he would still attend when possible. Mayor Pro Tem Wilder suggested direction be given for Deputy Mayor Pro Tem

Hrbacek to also be appointed to the Legislative Committee and Deputy Mayor Pro Tem Hrbacek agreed to pursue appointment.

**6. Mayor and Council reports and information sharing.**

Mayor Marchant recessed the Worksession at 7:07 pm to convene the Regular Meeting.

**\*\*\*REGULAR MEETING\*\*\***

Mayor Marchant called the Regular Meeting to order at 7:12 p.m.

**INVOCATION – Mayor Pro Tem Anthony Wilder**

**PLEDGE OF ALLEGIANCE – Boy Scout Troop 787**

**PUBLIC FORUM**

**7. 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.

**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 Marchant advised that Item 19 and 26 were being pulled for separate vote.

**Councilmember Babick moved approval of Consent Agenda Items 8-25 pulling Item 19 for separate consideration; second by Mayor Pro Tem Wilder.** Deputy Mayor Pro Tem Hrbacek stated that growing up in Carrollton, he and his friends did everything with people in Farmers Branch and noted that with regard to Item 24, the last several years have been trying and the position on the part of the Farmers Branch leadership has been less than neighborly and disappointing. He stated that with the action this evening, he looked forward to a prosperous neighborly relationship with Farmers Branch. **The motion was approved with a unanimous 7-0 vote.**

**MINUTES**

- \*8. Consider Approval Of The January 5, 2016 Regular Meeting Minutes.**

**BIDS & PURCHASES**

- \*9. Consider Approval Of A TASER Replacement Purchase For The Police Department From TASER International In An Amount Not To Exceed \$75,389.70.**

- \*10. Consider Approval Of The Purchase Of A Stationary Self-Contained Breathing Apparatus Air Compressor And Fill Station Unit For Carrollton Fire Rescue From August Industries, Inc. In An Amount Not To Exceed \$38,000.00.**

- \*11. Consider Approval Of The Replacement Of One (1) Fifteen Yard Dump Truck From Rush Peterbilt of Dallas Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$127,944.32.**

- \*12. Consider Approval Of The Purchase Of Travel Services For The Carrollton Senior Center From Premier World Discovery In An Amount Not To Exceed \$49,200.00.**

- \*13. Consider Approval Of The Purchase Of Two (2) Workman MD Utility Vehicles, Two (2) Triflex Hydraulic Greens Mowers, And One (1) Reelmaster Fairway Mower Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$126,550.56.**

**CONTRACTS & AGREEMENTS**

- \*14. Consider Authorizing The City Manager To Pay Ben Sanford And Associates For Telephone Bill Auditing Services In An Amount Not To Exceed \$38,000.**

- \*15. Consider Authorizing The City Manager To Approve A Contract With RKM Utility Services, Inc. For The Carrollton Downs Street Reconstruction, Phase II Project In The Amount Not To Exceed \$2,288,775.00.**

- \*16. Consider Authorizing The City Manager To Approve Change Order No. 1 With Tiseo Paving Company For Additional Drilled Shaft Costs And Add A \$1,000.00 Per Day Completion Incentive For Every Day The Old Denton Road Pavement Replacement Project Is Completed Before 440 Days In An Amount Of \$106,823.93 For A Revised Contract Amount Not To Exceed \$7,090,690.93.**

**ORDINANCE**

- \*17. Consider An Ordinance Amending Title III- Administration, Chapter 35 - Municipal Departments And Chapter 36-Municipal Court To Remove Surety Bonding Requirements For The Director Of Library Services And City Marshals, Effective Upon Passage.**

- \*18. Consider An Ordinance To Establish A Planned Development District For The (SF-5/12) Single-Family Residential District On An Approximately 94.4-Acre Tract Of Land Located On The East Side Of Old Denton Road, North Of Indian Creek; Amending**

Accordingly The Official Zoning Map. The Site Is Currently Zoned For The (LI) Light Industrial District. Case No 11-15Z2 Singer Ranch (Zoning)/Bright Realty, LLC. Case Coordinator: Christopher Barton.

~~\*19. Consider An Ordinance Amending The Operating And Capital Budget For The Fiscal Year October 1, 2015 Through September 30, 2016.~~

\*20. Consider An Ordinance Amending The City Of Carrollton Code Of Ordinances By Repealing Ordinance Number 3663 In Its Entirety; Amending Title V, Chapter 54; Adopting The 2016 Edition Of The General Design Standards; Providing For Penalty, Savings, And Severability Clauses; And Establishing An Effective Date On And After Its Adoption And Publication.

## **RESOLUTIONS**

\*21. Consider A Resolution Accepting The Investment Officer's Fourth Quarter And Annual Report For Period Ended September 30, 2015.

\*22. Consider A Resolution Adopting The Investment Policy As A Fulfillment Of The Public Funds Investment Act Section 2256.005(e).

\*23. Consider A Resolution Receiving The Preliminary Service And Assessment Plan And Assessment Roll And Calling A Public Hearing On The Preliminary Service And Assessment Plan And Assessment Roll For The Carrollton Castle Hills PID No. 1, Located At The Southeast Corner Of Windhaven Parkway And Old Denton Road.

\*24. Consider A Resolution Authorizing The City Manager To Take All Steps Necessary To Settle The City Of Carrollton's Claims And Request For A Contested Case Hearing With The Texas Commission On Environmental Quality Relating To The Farmers Branch Municipal Solid Waste Permit Amendment, Proposed Permit Number 1312B.

\*25. Consider A Resolution Adopting The 2015 Dallas County Hazard Mitigation Action Plan.

~~\*26. Consider A Resolution Authorizing The City Manager To Enter Into An Incentive Agreement With Josey/Trinity Mills, Ltd. To Demolish The Former Target Store At 2620 North Josey Lane.~~

## **CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION.**

\*19. Consider An Ordinance Amending The Operating And Capital Budget For The Fiscal Year October 1, 2015 Through September 30, 2016.

Mayor Marchant stated the amendments are related to some of the decisions made recently with regard to the Indian Creek Golf Course.

**Councilmember Garza moved approval of Item 19; second by Councilmember Blanscet.**

Mayor Pro Tem Wilder stated he would not be voting on the amendment stating he disagreed with the reasons for the budget change in the previous meeting.

**The motion was approved with a 5-2 vote, Mayor Pro Tem Wilder and Councilmember Lawrence opposed.**

**\*26. Consider A Resolution Authorizing The City Manager To Enter Into An Incentive Agreement With Josey/Trinity Mills, Ltd. To Demolish The Former Target Store At 2620 North Josey Lane.**

Mayor Marchant explained that the item was related to the demolition of the current building and the construction of a grocery store called WinCo.

**Deputy Mayor Pro Tem Hrbacek moved approval of Item 26; second by Councilmember Babick.**

Councilmember Babick stated he felt the staff has done a wonderful job trying to attract a viable occupant for the center as an anchor tenant. He talked about WinCo grocery stating it would provide good alternative competition in the area and would bring vitality back to the center. He stated that even without WinCo moving to the site, he would probably be in favor of demolishing the old Target store because it removes blight in the City and WinCo and Weitzman would pay the other 50% of the cost. He felt it was a testament to a true public/private partnership.

Councilmember Lawrence stated that he initially had concerns but since he and his wife have shopped at the Lewisville store twice, he no longer had those concerns. He noted the danger of losing other stores in the center if an anchor was not found.

**The motion was approved with a 6-1 vote, Mayor Pro Tem Wilder opposed.**

## **PUBLIC HEARING - INDIVIDUAL CONSIDERATION**

**27. Hold A Public Hearing And Consider An Ordinance To Participate In The Texas Enterprise Zone Program And Nominate Thomson Reuters (Tax & Accounting) Inc.**

Economic Development Manager Andrea Roy explained that Thomson Reuters was seeking assistance through the State Enterprise Zone Program to expand its current facility. She stated that the project would bring another 250 professional jobs to the area. The proposed ordinance would nominate the project as well as acknowledge the fact that Carrollton was participating by using one of its six allocations. There are no City obligations and the annual reporting would happen directly between the company and the State.

Mayor Marchant opened the public hearing and there being no speakers, he closed the public hearing and opened the floor for a motion.

**Councilmember Sutter moved approval of an Ordinance to participate in the Texas Enterprise Zone Program and nominate Thomson Reuters (Tax & Accounting) Inc., and amend the ordinance to include the word “not” in front of “located” in the second Whereas so that the second Whereas now would read, “Whereas the project activity is not located in**

**an area designated as an Enterprise Zone and”; second by Deputy Mayor Pro Tem Hrbacek.**

Councilmember Babick stated Carrollton would be exercising a Governor’s Program designed to compete in a global society to bring jobs to Texas and to Carrollton. He felt it was a wonderful opportunity to leverage a State program by nominating a Carrollton company to receive State level dollars for their benefit.

**The motion was approved with a unanimous 7-0 vote.**

**ADJOURNMENT**

Mayor Marchant adjourned the meeting at 7:31 p.m.

**ATTEST:**

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Laurie Garber, City Secretary

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Matthew Marchant, Mayor