

**CARROLLTON CITY COUNCIL  
REGULAR MEETING AND WORKSESSION  
JULY 9, 2019**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, July 9, 2019 at 5:45 pm with the following members present; Mayor Kevin Falconer, Mayor Pro Tem Young Sung, Deputy Mayor Pro Tem Frances Cruz, Councilmembers John Sutter, Glen Blanscet, Mike Hennefer, Pat Cochran and Steve Babick. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy, Bob Scott and Chrystal Davis, City Attorney Meredith Ladd and City Secretary/Admin Services Director Laurie Garber.

**5:45 P.M. – COUNCIL BRIEFING ROOM**

**\*\*\* PRE-MEETING/**

Mayor Falconer convened the meeting at 5:50 pm.

- 1. Receive information and discuss Agenda.**

Mayor Falconer recessed the Worksession at 7:03 pm to convene in Regular Meeting.

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

Mayor Falconer convened the Regular Meeting at 7:13 pm.

**INVOCATION** – Councilmember Steve Babick

**PLEDGE OF ALLEGIANCE** – Scout Troops 753 and 119

**PRESENTATIONS**

- 9. Present A Proclamation Declaring July Parks & Recreation Month.**

**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 10-19 and 21-25; second by Councilmember Babick and the motion was approved with a unanimous 7-0 vote.**

**MINUTES**

- \*10. Consider Approval Of The June 18, 2019 Regular Meeting Minutes.**
- \*11. Consider Approval Of The June 14 & 15, 2019 Strategic Planning Session Minutes.**

**BIDS & PURCHASES**

**\*12. Consider Approval Of The Purchase Of Six (6) Dump Trucks For Various City Departments From Roush Truck Center Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$826,328.00.**

**\*13. Consider Approval Of The Purchase Of One (1) Case 590SN Backhoe From Associated Supply Company Inc. Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$120,082.00.**

**\*14. Consider Approval Of The Purchase Of One (1) Ford Cargo Transit Van From Sam Pack's Five Star Ford Through An Inter-Local Agreement With Tarrant County In An Amount Not To Exceed \$25,508.00.**

**\*15. Consider Approval Of The Purchase Of One (1) Chevrolet Colorado For Building Inspection From Reliable Chevrolet Through An Inter-Local Agreement With Tarrant County In An Amount Not To Exceed \$22,853.00.**

**\*16. Consider Approval Of The Purchase Of A Pre-Fabricated Restroom For Josey Ranch Sports Complex From Public Restroom Company Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$467,375.00.**

**\*17. Consider Approval Of RFP #19-025 For Nursery Stock For The Parks Department To A Primary And Secondary Vendor In An Amount Not To Exceed \$83,000.00.**

#### **CONTRACTS & AGREEMENTS**

**\*18. Consider Approval Of Waiver Of Penalty And Interest On Property Account #121488DEN, In Accordance With Recommendation Of Denton County Tax Assessor/Collector And The Court Of County Commissioners.**

**\*19. Consider Authorizing The City Manager To Approve A Contract With Rumsey Construction, LLC For The Country Place Pond Improvements Project In An Amount Not To Exceed \$470,265.00.**

#### **ORDINANCE**

~~**\*20. Consider An Ordinance Granting To Oneor Electric Delivery Company LLC, A Franchise To Construct, Extend, Maintain And Operate In, Along, Under And Across The Present And Future Streets, Alleys, Highways, Public Ways And Other Public Property Of Carrollton, Texas An Electric Transmission And Distribution System.**~~

**\*21. Consider An Ordinance Amending The Operating And Capital Budget For The Fiscal Year October 1, 2018 Through September 30, 2019.**

**\*22. Consider An Ordinance Repealing Ordinance 3200 Regarding A Public/Private Agreement Incentive Program For Transit-Oriented Development.**

#### **RESOLUTIONS**

**\*23. Consider A Resolution Adopting A Public/Private Agreement Incentive Program for Transit-Oriented Development.**

**\*24. Consider A Resolution Authorizing The City Manager 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.**

**\*25. 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 \$6,565.51.**

#### **PUBLIC HEARING - INDIVIDUAL CONSIDERATION**

**26. Hold A Public Hearing And Consider An Ordinance** Amending The Zoning On An 8.5-Acre Tract Zoned PD-102 For The (SF-12/20) Single-Family Residential District And Located At 2121 North Denton Drive To Amend PD-102 To Amend Development Regulations And Update The Conceptual Site, Landscape, And Building Elevation Plans; Amending The Official Zoning Map Accordingly. **Case No. PLZ2019-042 Sacred Heart Of Jesus.**

Chief Planner Loren Shapiro presented the case to redevelop and expand an existing church located between Denton Drive and Old Denton Road. He advised that the applicant proposed to replace an existing church with two buildings; a 20,000 sq ft church building and a pastoral building to the north of it. Additionally, they would provide a 3,000 sq ft storage building on the south side. He described the proposed landscaping along Old Denton and Denton Drive as well as landscaping along the south property line where there is an existing wood fence. The applicant requested to amend the PD to remove the requirement for a masonry wall along the south property line and along the peninsula portion. He explained that the current PD requires the masonry wall due to the single family zoning to the south and southeast. Staff recommended that the requirement be removed. He described the church exterior as brick with a clay or concrete roof for the church and pastoral building. He stated that the building on the west side would not change. The proposed storage building would consist of 70% brick on three sides and a metal material on the south façade with evergreen ornamental trees adjacent to the existing wood fence. Staff recommended approval.

Mark Mortimor, VAI Architects was present on behalf of the Sacred Heart of Jesus Christ to answer any questions.

Councilmember Hennefer complimented the proposed facility.

Councilmember Blanscet asked about the eastern elevation that runs parallel to North Denton Drive noting it would be the most traffic portion of the facility. Mr. Mortimor stated that while it is the back of the church, it would have some articulation and explained that the church is designed with a campus style so it faces into the existing building. He stated they intend to have it dressed up as much as possible but there wouldn't be as many openings as there are on the front. He added that the landscaping would help it not be as stark as it looks in the elevation exhibit.

Councilmember Babick acknowledged the need for the expansion and thanked the applicant.

Mayor Falconer opened the public hearing; there being no speakers, he closed the public hearing.

**Councilmember Babick moved approval of Item 26 as stated in the agenda; second by Councilmember Sutter and the motion was approved with a unanimous 7-0 vote.**

**27. Hold A Public Hearing And Consider A Resolution Amending The Comprehensive Plan And The Future Land Use Map To Change An Approximately 3.1-Acre Site Located On The Northwest Corner Of Plano Parkway And Charles Road From Medium Intensity Office To Single-Family Attached Residential. Case No. 05-19MD1 Charles Ridge (Comprehensive Plan).**

**28. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 3.1-Acre Tract Zoned PD-158 For The (CC) Corporate Commercial District Located On The Northwest Corner Of Plano Parkway And Charles Road To Amend Planned Development District 158 To Allow For The (SF-TH) Single-Family Townhouse Residential District With Development Standards; Amending The Official Zoning Map Accordingly. Case No. 05-19Z1 Charles Ridge (Zoning).**

Mayor Falconer noted that Items 27 and 28 were companion items and would be heard simultaneously with separate action.

Mr. Shapiro presented Item 27 to change the Future Land Use Map from Medium Density Office to Single Family Attached for Townhome PD zoning. With regard to Item 28, the applicant requests to rezone the 3-acre property from corporate commercial planned development to allow a 24-unit townhome development. He described the proposed landscaping along the periphery of the property, especially along Charles Road where there would be canopy trees along the right-of-way and within the right-of-way with a license agreement. He noted that canopy trees would also be required in the rear yards of Building 1 as well as a screening of canopy trees along the north property line where there is an existing masonry wall. Additionally, there would be street trees on the front loaded lots; the masonry wall along Charles would continue southward along the east property line; enhanced landscaping on the corner; and ornamental metal fencing along Plano Parkway with brick or stone columns with ground cover and ornamental trees. He noted that the metal fence would not line up with the existing masonry wall to the north of the site at the far west end of the property because there is a right turn lane that goes onto Warmington Drive. Mr. Shapiro also talked about the request to reduce the right-of-way width from the required 50 ft to 45 ft and would maintain the standard 30 ft for pavement to allow circulation and access as well as on-street parking. Further he noted there would be on-site parking for guests on the west side. Mr. Shapiro stated there would be a single point of access and according to the Fire Department it would provide sufficient service because it would be two parallel 24 ft wide driveways.

Ari Moradi, Urban Corp., stated he was under contract to purchase the property and was available to answer questions.

Councilmember Hennefer asked the applicant the purpose for changing the land use. Mr. Moradi felt it is the best use for the neighborhood. He stated he met with the HOA on two occasions and they also felt the proposal was the best use rather than having a gas station on the corner or an office. Councilmember Hennefer noted his concern with the proposed ornamental metal fencing and asked the applicant for his thoughts. Mr. Moradi stated he was open to using either metal or masonry but felt the ornamental metal fence fit better along Plano Parkway noting the development on the east side of Charles Street. He also felt that having masonry on all three sides of the small property would make it look like a fortress for those living in the development.

Deputy Mayor Pro Tem Cruz agreed with the applicant that the proposed use flows with what is happening in the general area. She stated that her one concern was the single point of entry and asked if he had considered an entry from Plano Parkway. Mr. Moradi noted that traffic on Plano Parkway

rips through the area pretty fast and voiced concern with a second entrance. He also felt that due to the low number of units, one entry would accommodate the residents.

Mayor Falconer opened the public hearing and invited speakers to the podium.

Susan Hedberg, 2632 Rolling Meadow, stated she was concerned with maintaining the value of their homes. She talked about privacy needs as well as concerns with traffic flow and lighting. Mayor Falconer stated that the townhouse that is immediately adjacent to the single family cannot have windows on the second floor. He also noted that putting the entry closer to Plano Parkway would not be appropriate for stacking of the light.

There being no other speakers, Mayor Falconer closed the public hearing.

**Councilmember Hennefer moved approval of Item 27; second by Mayor Pro Tem Sung.** Councilmember Babick felt that from a land use perspective, the request was a good use of the land and felt it was appropriate for the adjoining neighborhoods. He acknowledged concern with the single point of entry noting the mitigating factors and stated he would vote in favor of the request. **The motion was approved with a unanimous 7-0 vote.**

**Councilmember Babick moved approval of Item 28.** Councilmember Hennefer asked that the motion be amended to require a masonry wall along Plano Parkway. Councilmember Babick stated he appreciates what the applicant was trying to attain and preferred to stand with his motion. **Motion seconded by Councilmember Sutter as submitted.**

Councilmember Blanscet asked about the proposed landscaping along the ornamental fence. Mr. Shapiro replied that it would be ornamental style trees and explained that there was a sanitary sewer easement just to the north and overhead power lines that would impact taller trees. Councilmember Blanscet discussed a need to address visibility of parked cars and walls. Mr. Shapiro suggested evergreen shrubs in addition to the ornamental trees for additional screening. Councilmember Blanscet agreed that the proposal was a far better use than what could be there as currently zoned. Councilmember Hennefer noted that the applicant is okay with a masonry wall proposed and encouraged the Council vote against the motion followed by a motion to approve with a masonry wall.

**Councilmember Hennefer moved to amend the motion to include a masonry wall; second by Councilmember Blanscet.** Councilmember Babick noted that his motion was considerate of staff's work and the consideration and comments of the Planning Commission. He stated the he chose the ornamental fence because of the open feeling it would provide and encouraged Council to consider that and to vote to decline the amendment. Deputy Mayor Pro Tem Cruz asked how a wall, which would be bigger than an ornamental metal fence, would affect the landscape buffer. Mr. Shapiro replied that the buffer would probably be narrower and it would be necessary to consider the location of the sanitary sewer easement, but staff could find a way to make it work. Deputy Mayor Pro Tem Cruz noted that the wall could provide privacy to the homes against the traffic along Plano Parkway and as long as the landscape buffer would remain, she would be inclined to approve the amendment. Councilmember Sutter spoke in favor of the ornamental fence stating that the wall would provide privacy to the side of a building and wasn't sure it would be as important as the sense of space the ornamental fence would provide. He made a couple of other points and spoke in favor of defeating the amendment. Mayor Falconer stated that a great case could be made for either type of fence. Councilmember Cochran stated she is not in favor of a solid wall and that she was also concerned about the visibility aspect, and suggested a combination. Mayor Pro Tem Sung addressed the noise aspect of the traffic along Plano Parkway. Mr. Moradi felt it was a good point, but did not feel a 6 ft wall

would provide much noise reduction noting it would not be a sound barrier. He stated the townhomes face inward and there wouldn't be much view out to Plano Parkway. Mr. Shapiro clarified that in reviewing the documents, there would be very little room between the 15 ft sanitary sewer easement and the property line to have the masonry wall and he noted the challenge if work was needed on the sewer line. He added that staff is okay with the brick columns because those would not be a solid wall.

Mayor Falconer stated the amendment to the original motion is to require a solid masonry wall along Plano Parkway rather than an ornamental metal fence and called the question. **The motion to amend failed with a 2-5 vote, Babick, Cochran, Cruz, Sung and Sutter opposed.**

Deputy Mayor Pro Tem Cruz stated that whether there is a wall or an ornamental fence, the project would look fabulous. She felt the landscaping would make it pop and felt it was very important that Plano Parkway have a nice visual impact.

Mayor Falconer called for the vote on the original motion to approve. **The motion was approved with a unanimous 7-0 vote.**

**29. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Five Special Use Permits (SUP-54, SUP-115, SUP-212, SUP-251 And SUP-387); Amending The Official Zoning Map Accordingly. The Total Area Of The SUP Sites Is Approximately 7.7 Acres, Located At 1837 Hood Street; 2770 East Trinity Mills Road; 1720 North Josey Lane, Suite 106; 1200 Metrocrest Drive And 1200 North Josey Lane. Case No. PLSUP201900046 Repeal 5 SUPs.**

Mr. Shapiro stated staff was requesting to remove the five SUPs because they are no longer in use and haven't been in many years.

Mayor Falconer opened the public hearing; there being no speakers, he closed the public hearing.

**Deputy Mayor Pro Tem Cruz moved approval of Item 29; second by Councilmember Babick noting the importance to repeal unused special use permits, and the motion was approved with a unanimous 7-0 vote.**

## **PUBLIC FORUM**

**30. 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.*

No speakers.

Mayor Falconer adjourned the Regular Meeting at 8:21 pm and announced that the Council would reconvene in Worksession.

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

Mayor Falconer convened the Worksession at 8:25 pm.

**6. Receive An Update From Gold Medal Pools, LLC Regarding The Rosemeade Aquatic Center Project.**

Mayor Falconer noted that the completion deadline was missed again.

Parks & Recreation Director Scott Whitaker provided an update to the report provided a month ago. With regard to the partnership with Farmers Branch, he stated there have been 3,161 Carrollton visits and 37 season passes sold. Mayor Falconer noted that the missed deadlines have now affected the Farmers Branch residents as well as Carrollton residents.

With regard to the 45 lifeguards hired, Mr. Whitaker explained that they have helped with summer camps and various departments but causing concerns about the impact this year and next year. He noted the lifeguards are not drawing the expected income and could affect return hires. He provided an updated financial impact of an expected August 2 opening and revenue loss. He stated the updated Gold Medal Pools expected completion date is July 26.

Josh Sandler, President and Craig Kuda, VP of Commercial Construction were present to provide an update and answer questions.

Mayor Falconer noted that the continued delay with opening has become a huge problem. He explained that he is an architect with an understanding of construction and stated this was a total failure on the part of Gold Medal Pools. He asked about their confidence level of reaching the new completion date. Mr. Kuda stated that with the tasks that are left, he felt it was attainable. He stated they are working long hours seven days a week. Mayor Falconer noted that the City is being penalized more than twice what Gold Medal Pools are being penalized and doesn't take into account the loss of credibility and the impact on the City of Farmers Branch who were gracious enough to open their pool to Carrollton residents. Mr. Kuda stated they are confident they will be done in a few weeks and offered to host the grand opening. He stated they would like to talk with the Council about other things they could do and noted they have the ability to make arrangements for residents to use Hawaiian Falls. Mayor Falconer stated he would like to see something that would not include a cost to the residents and asked if that was something that could happen before the Rosemeade complex is opened. ACM Chrystal Davis stated staff has contacted Hawaiian Falls and was advised that there are evenings available for group events. Mr. Kuda stated they would be willing to host something.

Mayor Pro Tem Sung asked for an explanation for the delays. Mr. Kuda stated it stems back to the start of the project with the amount of rain which caused delays with going vertical. He stated rain was the number 1 reason and also noted the challenge of hiring skilled workers.

Deputy Mayor Pro Tem Cruz addressed the impact to the residents of the pool not being open including swim meets and even choices made to not join swim teams because of the problem with where to practice. She stressed that the project was one of the big highlights of the Bond program that received excitement among the residents and due to Gold Medal Pools not being able to meet the deadlines,

caused the City to underperform. She felt that they need to provide more than one day at Hawaiian Falls at no cost to the residents to express their remorse.

Councilmember Blanscet stated that it hasn't rained as much since the last completion date was given and asked what the cause was for this deadline miss. Mr. Kuda stated that many things have to occur in a certain order and he explained there was a problem with the roofing contractor which compounded the delay with inside work. Mr. Sandler stated he has run construction for 30+ years and has focused on the Carrollton project exclusively reiterating that they have been working seven days a week. He apologized and stated he did not think it would take this long to get the job done and for failing to meet the City's expectations. He stated they will finish in two weeks and would finish strong. Mayor Falconer stated he defended Gold Medal Pools to the staff which made him look bad because they didn't perform. He expressed his skepticism that the project would be completed in two weeks. He agreed that Gold Medal Pools needs to host two special events for residents and do it fast.

Councilmember Sutter stated he was as upset as the other Council members and expressed his aggravation that the project is still not finished. He questioned if they have doubled the crew because of the problems and noted the blame on other contractors, trades and weather. He stated his lack of confidence that they will complete the project.

Councilmember Babick suggested it was up to Gold Medal Pools to let staff know what they would do to compensate the residents because how they end this relationship is going to be a function of that. He underscored that this is a business deal and at this point the type of reference they receive from the City is what they are working for. He agreed with earlier comments and stated that he hopes they find it in themselves to propose something that wows the City in the end.

Deputy Mayor Pro Tem Cruz talked about the costs of staff time and also voiced concern about quality control. Mr. Kuda referred to the checks and balances in place by the City and Mr. Sandler stated they perform quality work and if something is not right, they fix it; it's what we've always done. He humbly apologized again, stated he understands the City is upset with him as they should be and stated he is upset with himself. Deputy Mayor Pro Tem Cruz stated she appreciates them being at the meeting knowing it is not easy to hear the City's dissatisfaction and stated it is now their opportunity to end well or with a bad reference.

Councilmember Hennefer asked if they were using subs or their own employees and Mr. Sandler replied that about 80% were their employees. Councilmember Hennefer stated he is angry and stated the City and the staff looks incompetent because of Gold Medal Pools. He stated he would not be agreeable to allowing them to host an event to promote themselves. He felt the City needs to protect its interest, protect its image and seek remedies as listed in the contract.

Mayor Falconer closed the discussion and thanked Mr. Kuda and Mr. Sandler for attending.

## **5. Discuss The Information Technology Department's Proposed Adjustments To The Base Budget For Fiscal Year 2020 And Their Relation To Ongoing Major Projects.**

Andy Horn, Interim Director of Information Technology provided a briefing regarding the FY 20 budget request. He stated that the IT function was first outsourced in 1996 but as things have evolved staff is looking at bringing key areas of responsibility back inside and utilizing contract work when appropriate to help find the right fit. He explained that the City partners with a group called Gartner, a well respected source of information and talked about key rules and roles. He addressed the need for additional contract and full time personnel, and specifically discussed the role of a Project Manager,



Business Analyst, Financial and Management Analyst, and a Risk and Security Engineer. Mr. Horn stated that the IT field has changed; the City was structured in a way that worked at that time and now there are some places we can grow and be a better organization for future success.

Mayor Falconer agreed that the City needs to be more proactive about the technology piece rather than reactive. Discussion was held and caution was encouraged with regard to hiring a large number of full time employees. ACM/CFO Bob Scott stated that the contract term ends in 2023 and when the contract was awarded in 2016, the Council mandated the desire for competition during the next contract opportunity. He stated that staff is trying to structure enough capacity in-house that the City can avoid one huge contractor if that's the way the Council wants to go. A huge in-house department is not the goal but there is a need for enough contract administrators to control the outsourcing so that it benefits the City. Mr. Horn stated that there are certain aspects of the industry that as a City, we could never do as well, but there are some, with oversight, that staff could do. He stated we can make sure that the outsource environment is a truly well-integrated solution that serves everyone here and the public to the best that we can.

Mayor Falconer thanked him for the presentation.

**4. Discuss Council Liaison And Sub-Committee Appointments.**

Mayor Falconer referred to the discussion during the Strategic Planning Session of moving away from Board Liaisons and moving to observers. With regard to Sub-Committee appointments, he asked for patience because there were some other things he was looking at and asked that they only discuss the Board Observers. After a brief discussion, City Secretary Laurie Garber stated she could develop a rotation for the year. Mayor Falconer stated an item would be scheduled on a future agenda to discuss sub-committee appointments.

**7. Receive Briefing On A Water Line Flushing Pilot Program.**

Jody Byerly, Director of Public Works, presented a pilot program proposal to proactively address concerns related to water quality issues on dead end water mains. He explained that the Texas Commission on Environmental Quality (TCEQ) requires utilities to flush every dead-end main once a month which equals to about a million gallons a day. He advised that one employee is dedicated to this work with help from other public works staff equaling 2 full time employees. He stated that the number of locations requiring flushing has grown to about 430 as consumption dropped. He suggested partnering with residents who have sprinkler systems to draw stale water from the very end of the line throughout the month. Doing so would reduce the amount of water flushed, maintain a consistent water quality throughout the month and eliminate pressure drops during monthly flushing.

**Proposed Pilot Program**

- Contacting 2 or 3 residents at the end of the cul de sacs to participate
- Each resident would be asked to run their system a few times a week
- They would be reimbursed for additional water used and provided a free irrigation system audit by a licensed irrigator
- Public Works would monitor water quality during the test and tweak amounts if needed
- The pilot would last six months to monitor quality during varying weather conditions

Mayor Falconer commended the staff for working to develop a possible solution. Mr. Byerly stated the proposed program would go through February to assess the program in colder months when people generally don't use as much water.

No objections were raised and the Council voiced enthusiasm about the pilot program.

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

Mayor Falconer adjourned the Worksession at 9:32 pm and announced that Council would move into Executive Session.

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

2. Council convened in **Executive Session at 9:35 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.
    - Zoning And Takings Claim
  - **Section 551.087** to discuss Economic Development.
3. Council **reconvened in Open session at 10:00 pm** to consider action, if any, on matters discussed in the Executive Session. No action taken.

Mayor Falconer noted that the previously scheduled meeting dates for September and October would be moved to September 3<sup>rd</sup> and 17<sup>th</sup>, and October 15<sup>th</sup>, 2019.

**ADJOURNMENT** - Mayor Falconer adjourned the meeting at 10:00 pm.

**ATTEST:**

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Laurie Garber, City Secretary

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Kevin W. Falconer, Mayor