

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
FEBRUARY 7, 2023**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, February 7, 2023 at 5:45 pm with the following members present; Mayor Steve Babick, Mayor Pro Tem Andrew Palacios, Deputy Mayor Pro Tem Nancy Cline, Councilmembers Christopher Axberg, Adam Polter, Richard Fleming, Young Sung and H.A. "Rusty" Pendleton. 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 pm.

1. Receive information and discuss Agenda.

*****WORKSESSION*****

4. Present An Overview Of The Annual Financial Comprehensive Report For Fiscal Year Ending September 30, 2022.

Diana Vaughn, Chief Financial Officer, provided a short presentation regarding the Annual Financial Comprehensive Report (ACFR) for FY ending September 30, 2022. She talked about the new GASB standard that was implemented and will be implemented as well as peculiarities of government finance. She talked about how the City uses the information, stressing the importance of the document. She reported that the unrestricted net position increased for both Governmental (GA) and Business-Type (BTA) activities. Liquidity is strong and increased during the year and the current ratio (assets/liabilities) is strong. Also, the total GA and BTA revenues are increasing. She referred to statistical tables, particularly Financial Trends, Revenue Capacity and Debt Capacity, that provide multi-year perspective on key financial indicators.

Biggest Financial Threats

While the biggest financial threat to the city may be proposed legislation limiting financial flexibility, creating unfunded mandates or limiting the city's ability to raise revenue is not discussed in the ACFR, several areas are highlighted:

- Health Care expense
- Sales Tax

Vaughn continued the presentation talking about whether or not the City was pushing current obligations on to future generations. She referred to Pensions Note 7 and RSI stating that Carrollton does not have a pension liability as of this year. She stated that this is not something that can be spent, but it is reflected in the Financial Statement. She added that the OPEB (Other Post Employment Benefits) Note reflects that the unfunded liability decreased from \$18.3M down to \$3.2M and emphasized that this cannot be spent. She also referred to Debt Note 5 and Statistical tables.

Summary

- Overall, the city performed remarkably well given the impact of the pandemic on many areas of the Country with improving financial position.

- The City continues to maintain and grow adequate cash reserves as a buffer from economic downturn and help it accomplish city council strategic goals.
- ARPA Funds allow the City to “recognize” lost revenue, but December Federal guidance resulted in the \$11.9M in ARPA revenue being recognized in the General Fund in 2022.
- Compliance with GASB standards required that the City recognize 60 days of sales tax receivable after the year end. The financial records will show revenue recognition in November through September, with September having 2 months of receipts; 2021-\$46M and 2022-\$48M.

Vaughn stated that finishing the ACFR is essential to begin the next year’s budget and bond sales, and she reviewed key dates starting in March.

Mayor Babick referred to the chart comparing debt rate as well as the positive nature of the policies set by Council such as use of sales tax. He also noted that the terms of financing debt have gotten more conservative. Vaughn stated that the investments by Council with the pay-as-you-go funds and sales tax are considered heavily by the bond rating agencies and helps to maintain the AAA rating.

5. Mayor And Council Reports And Information Sharing.

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

2. Council convened in Executive Session at 6:30 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.
- Civil Action Under Chapter 54 of the Texas Local Government Code to remedy violations of municipal health and safety ordinances against two properties located in Carrollton, Denton County

3. Council reconvened in Open Session at 6:50 pm to consider action, if any, on matters discussed in the Executive Session. No action taken.

Mayor Babick adjourned the Worksession at 6:50 pm to convene the Regular Meeting.

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

Mayor Babick called the meeting to order at 7:00 pm.

INVOCATION – Councilmember Young Sung

PLEDGE OF ALLEGIANCE – Councilmember Adam Polter

PRESENTATIONS

6. Presentation Honoring Commissioner Ron Marchant For His Service To Carrollton And Denton County.

PUBLIC COMMENT

7. **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.

There were no speakers.

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.)*

Deputy Mayor Pro Tem Cline moved approval of Consent Agenda Items 8-23 with the note on Item 22 that Scott Windrow is named as Chair; second by Councilmember Polter. The motion was approved with a unanimous 7-0 vote.

BIDS & PURCHASES

- *8. Consider Approval Of The Purchase Of One (1) Stryker Power-LOAD System And One (1) Stryker Power Pro 2 Patient Cot Along With Associated Installation Equipment Through The Stryker Medical Corporation As A Sole Source Provider In An Amount To Not Exceed \$66,000.00.**
- *9. Consider Approval Of A Synthetic Turf Surface For Various Playgrounds By AstroTurf Through An Inter-Local Agreement With OMNIA Partners In An Amount Not To Exceed \$190,313.89.**
- *10. Consider Approval To Purchase Digital Materials From Sole Source Vendor Bibliotheca In An Amount Not To Exceed \$115,500.**
- *11. Consider Approval Of Changing The Vendor For The Purchase Of Four (4) Frazer LTD Ambulances To Rush Truck Centers Through An Interlocal Agreement With BuyBoard In An Amount Not To Exceed \$1,198,184.50.**
- *12. Consider Authorizing The City Manager To Purchase IT Products And Services From Freeit Data Solutions Through A Cooperative Purchasing Program With Texas DIR In An Amount Not To Exceed \$150,000.00.**

CONTRACTS & AGREEMENTS

- *13. Consider Authorizing The City Manager To Execute Change Order No. 2 With 3D Paving And Contracting, LLC For Additional Work On Greenwood Road And Greenwood Circle, Scott Mill Road, Brentwood Lane And Wedgewood Lane As Part Of The Northcrest Estates Street**

Reconstruction Section 2 NOTICE Project, In An Amount Not To Exceed \$81,392.90, Increasing The Total Project Contract To An Amount Not To Exceed \$3,217,538.90.

ORDINANCE

***14. Consider An Ordinance Amending The Capital Budgets For Fiscal Year October 1, 2022 Through September 30, 2023.**

RESOLUTIONS

***15. Consider A Resolution Accepting The Investment Officer's Quarterly Report For First Quarter Ended December 31, 2022.**

***16. Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Teague, Nall, & Perkins, Inc. For Engineering Design Services Related To The Perry Road And Country Club Drive Street Reconstruction Projects In An Amount Not To Exceed \$86,600.00 For a Revised Contract Amount Not To Exceed \$847,900.00.**

***17. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With O'Brien Engineering, Inc. For Engineering Design Services Related To The McInnish Park Concessions And Parking 2022 Project In An Amount Not To Exceed \$99,804.00.**

***18. Consider A Resolution Authorizing The City Manager To Renew A Lease Agreement With Buckeye Capital Investments, LLC For The Employee Health And Wellness Center.**

***19. Consider A Resolution Authorizing The City Manager To Execute A Contract With SA Benefits Services, Medical Risk Managers and Zurich To Provide And Receive Payment For Stop Loss Coverage And Premiums For The City's Benefit Plan In An Amount Not To Exceed \$105 Per Employee Per Month.**

***20. Consider A Resolution Acknowledging Receipt Of The Annual Comprehensive Financial Report For The Fiscal Year Ending September 30, 2022.**

***21. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Cooperation Agreement With Dallas Area Rapid Transit Regarding The Allocation Of Funds For Public Transportation System Or Complementary Transportation Services.**

***22. Consider A Resolution Appointing A Member To The Planning And Zoning Commission And Naming a Chair.**

***23. Consider A Resolution Authorizing The City Manager To Enter Into An Agreement With Twin City Security, Inc. Through An Interlocal Agreement With Jefferson County Colorado For Court Security Services In An Annual Amount of \$64,087.86 For Three Years In A Total Amount Not To Exceed \$192,203.57.**

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

24. Hold A Public Hearing And Consider An Ordinance Amending The Text Of Various Articles Of The Comprehensive Zoning Ordinance To Amend Article V 'Use Of Land And Structures' To Revise The Land Use Matrix To Modify The Term "Bed And Breakfast Inn" To

“Short-Term Rental”; To Allow “Short-Term Rental” In All (SF) Single-Family Detached Residential Districts, All (SF) Single-Family Attached Residential Districts And (D) Duplex Residential District; To Modify The Term “Bed And Breakfast Home” To “Bed And Breakfast”; To Allow “Bed And Breakfast” In The (D) Duplex Residential District And To Prohibit “Bed And Breakfast” In All Multi-Family Residential Districts; To Amend Article XXI ‘Special Use Permits’, Section D, ‘Special Conditions’, 2(F) Hotel And Transient Lodging; And To Amend Article XXXIV ‘Definitions’ To Add Definitions For “Bed And Breakfast,” “Booking Service,” And “Short-Term Rental.” Case No. PLZT 2022-187 CZO Text Amendment Short-Term Rental.

Loren Shapiro, Planning Manager, stated that the item before the City Council would amend the Comprehensive Zoning Ordinance to be consistent with Council’s action taken on December 6, 2022. He stated that the Planning & Zoning Commission recommended approval of the proposed changes and reviewed the changes in detail.

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

Councilmember Sung moved approval of Item 24; second by Mayor Pro Tem Palacios. The motion was approved with a unanimous 7-0 vote.

PUBLIC FORUM

- 25. 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.**

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Becky Miller, former Carrollton Mayor, praised the Police Department for the job they did in assisting the DEA in the fentanyl arrests. She encouraged the Council and the Police Department to continue its fight against drugs.


Terence Vidovic mentioned his recent conviction and complained about the proceedings as well as the Carrollton Police Department.

ADJOURNMENT - Mayor Babick adjourned the meeting at 7:30 pm.

ATTEST:


Chloe Sawatzky, City Secretary




Steve Babick, Mayor