

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
NOVEMBER 21, 2023**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, November 21, 2023 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 (present remotely via video conference), Andrew Palacios, and Daisy Palomo. 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.

*****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.

The Executive Session was not convened.

*****WORKSESSION*****

4. Discuss The Utility Fund, Water And Wastewater Rates.

Diana Vaughn, Chief Financial Officer, presented this item. She reviewed that the City’s Utility fund is an Enterprise Fund. She advised the City purchases water from Dallas Water Utilities and Wastewater treatment from the Trinity River Authority. The City generates funding to pay utility operating, capital and debt service expenses via user fees. Additionally, the City adopted a financial policy that requires the utility fund to maintain cash reserve balances equal to or greater than 90 days of expenditures.

Due to the seasonality of significant water sales occurring in the final (July-September) quarter of fiscal year, the City waits until after the fiscal year ends to determine the amount of rate increase required in the next fiscal year. Staff provided an overview to the Audit, Finance, and Governance Committee on November 6.

Ms. Vaughn advised that a water and wastewater rate study was conducted in 2023. While the results were well-proportioned, the study did indicate the need for a residential water rate increase of 3 percent, an irrigation water rate increase of 5 percent, and a wastewater rate increase of 5 percent. Ms. Vaughn reviewed the effects of these increases on a typical household bill. She noted that the City usually applies rate increases gradually based on 5-year need projections; over the next five years, TRA rates will increase approximately 50 percent. The City will issue debt in 2024 and 2026 as a result. It was also noted that Carrollton’s benchmark/comparison cities are also implementing utility rate increases.

Discussion followed as to ways the City might lessen the impact of future rate increases on the residents.

5. Discuss February Through June 2023 Council Meeting Dates.

City Secretary, Chloe Sawatzky provided an overview of proposed Council meeting dates for the months of February through June, 2024 as follows:

February 6 and 20
March 5 and 19
April 2 and 16
May 14 and 21
June 4 and 25

Ms. Sawatzky also stated December 5th is the next upcoming meeting, asking whether Council wants to cancel the December 19th meeting. Mayor Babick advised that will be determined at a later date.

6. Mayor And Council Reports And Information Sharing.

Council reviewed their recent activities and upcoming events.

Mayor Babick adjourned the Worksession at 6:40 p.m.

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

Mayor Babick called the Regular meeting to order at 7:00 p.m.

INVOCATION – Councilmember Andrew Palacios

PLEDGE OF ALLEGIANCE – Councilmember Daisy Palomo

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.

Mayor Babick opened the floor for public comment with no speakers. The public comment period was closed.

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.)*

During the Worksession review of Agenda items, City Secretary Sawatzky advised that on all meeting minutes included on the Consent Agenda, Councilmember Palacios' name was inadvertently omitted for attendance. She requested approval as amended in order to include his name. Mayor Babick also requested a review of the information included for October 24, 2023 minutes, Agenda Item No. 9. Approval as amended was requested in order to verify the information.

Mayor Babick advised that Consent Item 21 is being pulled for separate consideration.

Councilmember Palacios moved to approve Consent Agenda Items 8-20 (as stipulated); and Items 22-28; second by Mayor Pro Tem Cline. The motion was approved with a unanimous 7-0 vote. (Councilmember Fleming voted remotely.)

MINUTES

- *8. Consider Approval Of The October 10, 2023 Regular Meeting Minutes.**
- *9. Consider Approval Of The October 24, 2023 Regular Meeting Minutes.**
- *10. Consider Approval Of The November 7, 2023 Regular Meeting Minutes.**

BIDS & PURCHASES

- *11. Consider Approval Of RFP #24-003 For City Hall Pond Dredge Project #2 For The Parks Department From HK Dredging LLC In An Amount Not To Exceed \$113,132.25.**
- *12. Consider Approval Of The Purchase Of Sand Filters From Sunbelt Pools Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$194,547.10.**
- *13. Consider Award Of RFP #23-042 For The 90/10 Matching Grant Sidewalk Replacement Program To Talbert Companies, LLC As The Primary Vendor And To B&E Concrete Paving, LLC As The Secondary Vendor In An Amount Not To Exceed \$300,000.00 Annually, For A Total Three-Year Contract Amount Not To Exceed \$900,000.00.**

- *14. Consider Approval Of RFQ #23-027 For A Vision Planning Facilitator For The City From Gensler, In An Amount Not To Exceed \$142,500.00.

CONTRACTS & AGREEMENTS

- *15. Consider Authorizing The City Manager To Enter Into An Agreement With MHC Software Services Through A Cooperative Purchasing Agreement With SHI Government Solutions In An Amount Not To Exceed \$41,250 For The First Year, And A Five Year Total Contract Amount Not To Exceed \$179,260.

ORDINANCES

- *16. Consider An Ordinance Amending Chapter 31, The Comprehensive Fee Schedule.
- *17. Consider An Ordinance Amending The Operating Budgets And Capital Budgets For Fiscal Year October 1, 2023, Through September 30, 2024.

RESOLUTIONS

- *18. Consider A Resolution Declaring The Necessity To Acquire Certain Real Properties For Right-Of-Way And Drainage Easements For The Carrollton Heights NOTICE Reconstruction Project; Determining The Public Use And Necessity For Such Acquisition; Authorizing The Acquisition Of Property Rights Necessary For Said Project; Appointing An Appraiser And Negotiator As Necessary; Authorizing The City Manager Of The City Of Carrollton, Texas To Establish Just Compensation For The Property Rights To Be Acquired; Authorizing The City Manager To Take All Steps Necessary To Acquire The Needed Property Rights In Compliance With All Applicable Laws And Resolutions; And Authorizing The City Attorney To Institute Condemnation Proceedings To Acquire The Property If Purchase Negotiations Are Not Successful.
- *19. Consider A Resolution Casting Its Vote For A Member Of The Board Of Directors For The Collin Central Appraisal District.
- *20. Consider A Resolution Casting Its Vote For Michael Hurtt To Be The Fourth Member Of The Board Of Directors For The Dallas Central Appraisal District.
- *21. Consider A Resolution Casting Its Vote For Roy Atwood To Be A Member Of The Board Of Directors For The Denton Central Appraisal District.

Councilmember Fleming requested separate discussion on this item. He inquired why there was only one nominee for this item. Mayor Babick responded that this item is a vote for the selected nominee, who was selected at a previous Council meeting.

Deputy Mayor Pro Tem Pendleton moved to approve Consent Agenda Item No. 21; second by Councilmember Palacios. The motion was approved with a 6-1 vote. Councilmember Fleming voted in opposition. (Councilmember Fleming voted remotely.)

- *22. Consider A Resolution Supporting A Municipal Setting Designation For Property Located At 2710, 2784, 2783, 2807 Valwood Parkway And 14055, 14065 And 14067 Dennis Lane In The City Of Farmers Branch.**
- *23. Consider A Resolution Authorizing The City Manager To Enter Into An Agreement With Dallas Area Rapid Transit (DART) To Sell An Approximately 42,216 Square Feet Parcel Of City-Owned Land To DART, Which Is Part Of A Tract Of Land Located At 2415 Country Club Drive, And Authorizing The City Manager To Take All Actions Necessary To Effectuate The Intent Of This Resolution.**
- *24. Consider A Resolution In Support Of Dallas Area Rapid Transit (DART) Resolution No. 230038 Related To Right-Of-Way Requirements For The Silver Line Project; Providing For Authorization To Exercise Eminent Domain To Acquire Right-Of-Way Within The Carrollton Corporate Limits.**
- *25. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Cooperation Agreement With Denton County For The Reconstruction Of Hebron Parkway Between Hamilton Drive And Sam Rayburn Tollway (SH 121) In An Amount Not To Exceed \$4,350,000.00.**
- *26. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Cooperation Agreement With Denton County For The Repair Of The Eastbound Frankford Road Bridge At Furneaux Creek, West of Josey Lane, In An Amount Not To Exceed \$255,000.00.**
- *27. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Cooperation Agreement With Denton County For The Reconstruction Of Frankford Road Between Commodore Drive and Eisenhower Street In An Amount Not To Exceed \$1,500,000.00.**
- *28. Consider A Resolution Of The City Council Of The City Of Carrollton, Texas, Finding That Coserv Gas, LTD.'S Statement Of Intent To Increase Rates Within The City Should Be Denied; Finding That The City's Reasonable Rate Case Expenses Shall Be Reimbursed By The Company; Finding That The Meeting At Which This Resolution Is Passed Is Open To The Public As Required By Law; And Requiring Notice Of This Resolution To The Company And The City's Legal Counsel.**

PUBLIC FORUM

- 29. 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

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Mayor Babick opened the public forum.

Kate Hughey, 2311 Green Meadow Dr., announced a December 8th donation collection benefitting Operation Kindness. The Leadership Metrocrest is organizing the drive on behalf of Metrocrest Services.

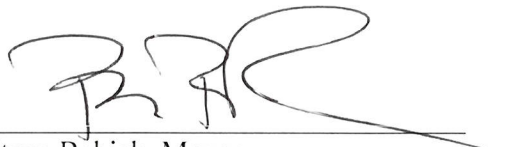
Arthur Handscomb, 4221 Old Denton Rd., spoke regarding the targeting of senior citizens by scam artists.

ADJOURNMENT - Mayor Babick adjourned the meeting at 7:12 p.m.

ATTEST:


Chloe Sawatzky, City Secretary




Steve Babick, Mayor