

**CARROLLTON CITY COUNCIL
REGULAR WORKSESSION AND MEETING
JULY 11, 2017**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, July 11, 2017 at 5:45 p.m. with the following members present; Mayor Kevin Falconer, Mayor Pro Tem Glen Blanscet, Deputy Mayor Pro Tem John Sutter, Councilmembers Mike Hennefer, James Lawrence, Frances Cruz, Young Sung and Doug Hrbacek. Also present were City Manager Erin Rinehart, Assistant City Managers Chrystal Davis and Bob Scott, City Attorney Meredith Ladd and City Secretary Laurie Garber.

5:45 P.M. – COUNCIL BRIEFING ROOM

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

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

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

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

2. Council convened in **Executive Session at 6:00 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.
 - **Section 551.072** to discuss certain matters regarding real property.
 - **Section 551.076** to discuss security matters.
3. Council **reconvened in open session at 6:40 pm** to consider action, if any, on matters discussed in the Executive Session.

*****WORKSESSION*****

Mayor Falconer reconvened the Worksession at 6:41 pm.

4. Receive **Briefing On Dallas Area Rapid Transit.**

Tim Hayden began the presentation with a very brief history of his service. The presentation included a DART overview, ridership in Carrollton, comparisons of sales tax and populations of DART cities; current events included Cotton Belt Rail Corridor, D2-Downtown Dallas Second Alignment, TOD @ Trinity Mills Station; and concluded with the DART 2040 plan.

5. Receive **An Overview Of Ambulance Coverage And Utilization.**

Postponed to a future meeting

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

*****REGULAR MEETING*****

Mayor Falconer called the Regular Meeting to order at 7:14 p.m.

INVOCATION – Councilmember James Lawrence

PLEDGE OF ALLEGIANCE and TEXAS PLEDGE – Councilmember Frances Cruz

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 Falconer opened the floor for a motion on the Consent Agenda.

Councilmember Hrbacek moved approval of Consent Agenda Items 8-16 inserting the name of Chrystal Davis for Item 16; second by Mayor Pro Tem Blanscet and the motion was approved with a unanimous 7-0 vote.

MINUTES

***8. Consider Approval Of The June 20, 2017 Special Meeting Minutes.**

***9. Consider Approval Of The June 27, 2017 Regular Meeting Minutes.**

BIDS & PURCHASES

***10. Consider Approval Of RFP #17-038 For The Gravley Center Roof Replacement To Nations Renovations In An Amount Not To Exceed \$196,844.55.**

***11. Consider Approval Of The Purchase Of One (1) Concrete Saw From ASCO Through An Inter-Local Agreement In An Amount Not To Exceed \$29,700.00.**

CONTRACTS & AGREEMENTS

***12. Consider Approval Of A Development And Transfer Agreement With Tri-Star Construction, Inc.**

RESOLUTIONS

***13. Consider A Resolution Finding That Oncor Electric Delivery Company LLC's Application To Change 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; Requiring Notice Of This Resolution To The Company And Legal Counsel.**

***14. Consider A Resolution Authorizing The City Manager To Negotiate And Execute An Economic Development Incentive Agreement With A-S 122 Carrollton Town Center, LP At 2540 Old Denton Road, Suite 154 In An Amount Not To Exceed \$55,000.00.**

***15. Consider A Resolution Ratifying A Member To Serve On The Civil Service Commission.**

***16. Consider A Resolution Appointing One Member To The Board Of Managers Of The Denco Area 9-1-1 District.**

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

Mayor Falconer advised that Items 17 & 18 were companion items so the public hearings would be held simultaneously but action would be taken with separate votes.

17. Hold A Public Hearing And Consider A Resolution To Amend The Comprehensive Plan And Future Land Use Map To Change An Approximately 11-Acre Site Located At The Northwest Corner Of Dozier Road And Plano Parkway From Medium Intensity Commercial And Medium Intensity Office Uses To Single-Family Detached Residential Uses. Case No. 04-17MD1 Mustang Park, Phase 10 (Comprehensive Plan). Case Coordinator: Michael McCauley.

18. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning On An Approximately 11-Acre Tract Zoned (CC) Corporate Commercial District And PD-175 For The (LR-2) Local Retail District, Located At The Northwest Corner Of Dozier Road And Plano Parkway To PD-175 To Allow For The (SF-5/12) Single-Family Residential District; Amending The Official Zoning Map Accordingly. Case No. 04-17Z1 Mustang Park, Phase 10 (Zoning). Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, presented the two items noting the proposal would allow a 55 lot subdivision to move forward. He advised that the developer was asked for relief from some of the City's standards such as reduction in lot width and depth; increase in lot coverage as well as encroachment into the setbacks. The Planning & Zoning Commission unanimously recommended approval for the Comprehensive Plan Amendment as well as amendment to PD 175 to change the base zoning with the stipulations outlined in the case report.

Casey Ross, Kimley Horn, 5705 Genesis Court, Frisco, did not make a formal presentation but was available to answer questions regarding the request.

With regard to a separation wall, Councilmember Hrbacek asked what was proposed along the northern part of the project. Mr. Ross stated they proposed a board on board wood fence. Councilmember Hrbacek suggested a masonry wall in the area not adjacent to the residential area and Mr. Ross stated they would prefer to build the board on board fence because of the residential.

Deputy Mayor Pro Tem Sutter moved to approve the amendment to the Comprehensive Plan and future land use as indicated.

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

Michelle Beckley, 3206 Sugarbush Drive, questioned if the City developed an estimate on the amount of loss revenue by changing the zoning from business to residential. Mayor Falconer explained that the public hearing was not a question and answer forum and that the Council reviews the request based on the highest and best use of the land. Ms. Beckley stated she would prefer the developer install a masonry fence rather than a wood fence.

There being no other speakers, Mayor Falconer closed the public hearings and asked if there was a second to the motion offered by Deputy Mayor Pro Tem Sutter. **Mayor Pro Tem Blanscet seconded the motion.**

Deputy Mayor Pro Tem Sutter explained that the Council looks at the use in the area and noted that residential was the prevalent use in the area and was why he made the motion to approve changing the Comp Plan.

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

Deputy Mayor Pro Tem Sutter moved to approve the ordinance to amend the zoning on that 11-acre tract to go from Corporate Commercial in the Local Retail District to SF5/12 Single Family Residential; second by Councilmember Cruz and the motion was approved with a unanimous 7-0 vote.

19. Hold A Public Hearing And Consider A Resolution Adopting The Program Year 2017 Community Development Block Grant One-Year Plan Of Action And Budget.

Scott Hudson, Environmental Services Director, stated the purpose of the public hearing was to review the plan of action and budget for Program Year 2017; to receive any public comments; and to request that Council approve a resolution to adopt the plan. He stated that in the Fall, the City would receive \$722,379 from the USDHUD. He stated that the proposed budget includes approximately \$566,000 for reconstruction of streets and sidewalks in the Woodcrest Estates neighborhood; \$79,000 for housing rehabilitation and repair; \$62,000 for Code enforcement and \$15,000 to be supplemented with other funds for the Crosby Recreation toddler playground area. The funds primarily benefit low and moderate income families. He advised that the Neighborhood Advisory Commission reviewed the document and recommended approval with a unanimous vote.

Deputy Mayor Pro Tem Sutter asked Mr. Hudson to describe some of the projects addressed with the funds received in the past. Mr. Hudson stated that the majority of the funding is used in areas in the Notice Program which would be a defined neighborhood to rebuild or recondition infrastructure that needs attention. In some neighborhoods it could be sewer lines, water lines, alleys, sidewalks or streets and he noted that other City funds is used with the HUD funds to effect the improvements. Housing rehabilitation could be things like roofs, siding and some interior or emergency repairs such as air conditioning. Extra code enforcement is included to address any blight in the Notice Program areas and he noted that the Crosby Recreation Toddler playground would be paired with other City funds to update the playground.

Mayor Falconer opened the public hearing.

Nicholas Brown, 2304 Lakeland Place, stated that during last year's CDBG upgrades for his neighborhood he experienced serious destruction of his property with replacements that were not true indemnifications by the construction company as well as littering by employees of the construction company. He asked that the City address those things with the companies contracted with in the future. He also voiced concern about the increased code enforcement.

There being no other speakers, Mayor Falconer closed the public hearing and opened the floor for a motion.

Deputy Mayor Pro Tem Sutter moved to adopt the Program Year 2017 Community Development Block Grant one year plan of action and the budget; second by Councilmember Lawrence and the motion was approved with a unanimous 7-0 vote.

PUBLIC FORUM

20. 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.

The following individuals voiced concerns about 287g:

Salvador G Sarmiento, National Day Labor Organizing Network; Chuck Chiles, 2716 Wagonwheel Drive; Marco Mejia, 1601 Deleford Dr, representing the JOLT program; Martha Trevizo, 3321 Woodland Lane, Dallas; Candace Valenzuela, 3925 Christopher Lane, Dallas; Elaine Harrison, 2800 Leisure Lane; Alejandro Mendoza, 2533 Windsor Castle, Lewisville, President of Metrocrest LULAC; Juan Gomez, 1509 Dakota Drive; Kristian Hernandez, 3634 Rockdale Drive, Dallas, Vice President of North Texas Dream Team; Nolan Adams, Quetzalli Gonzalez, 1917 Kentwood; Carolyn Hockley, 2102 Belclaire Drive; Marjorie Nichols, 2815 Raintree Drive; Michelle Beckley, 3206 Sugarbush; Julio Acosta; Robert Torres, 2011 Brentwood Lane; Austin Stroh, 2119 Via Estrada; Nicolas Brown, 2304 Lakeland Pl; Shirley Tarpley, 1507 Milam Way; Oscar Cardona, 2250 Marsh Lane; Carlos Quintanilla, 421 S Dwight, Dallas; Ruben Salinas, Dallas; Margarita Alvarez, 336 Brookview, Garland; Kendall Kindred, 2807 Marquis Cir, Arlington; David Villalobos, 1551 Oak Lawn, Dallas; Andy Goldsmith, address unknown, Dallas; Amy Schuh, 745 Woodway, Coppell; Eliseo Vasquez, 5616 Spring Valley Rd, Dallas; Myrna Mendez, 3032 Woodland Lane, Dallas; Zachory Kolodry, 6905 Beeman Dr, Plano; Elvia Orozco, 2005 Wedgewood Lane; Genoveva Castella, 976 Webb Chapel; Joel Gallegos; Summer Gonzales, 451 Wilson Creek, McKinney; Ron Unger, 5902 Morningside, Dallas; Benigno de la Vega, 3322 Pine Tree Cir, Farmers Branch; Brenda Cecena, 1814 Foxcroft Lane; Ralph Hockley, 2102 Belclaire; Sandra Torres; Chavez, Lancaster; Marta Motontez, 1814 Foxcroft Lane; Gladys Lopez Salinas, Irving; Carmen; Jasmine Hemenz, 9916 Bruton Drive; Dallas; Elaina Sanchez, address unknown, Garland; Ashley Hidebrect, 3750 Rosemeade Pkwy; Judy Clay, 2022 Warberry Road; Cantana; Maria Hernandez, Brookshell;

The following individuals submitted a card in opposition to 287g:

Sandra Orozco, 2628 Greenbelt; Sylvia Magdalusto, no address; Yuri Moreno, 2313 Greenhill; Susie Chiles, 2716 Wagonwheel Drive; Kim Morris; Jan McDowell, address unknown; Nicolas Hernandez, 7619 Maxwell Ave., Dallas; Janet Martinez, 814 Avenue C, Duncanville; Yessica Hernandez, 645 Pleasant Meadows Lane, Dallas; Megan Wilson; Erik Soto; Joe Posada, 735 Dover Street, Dallas; Maria Mejia; Vanjie Rios, 3737, Carrollton; Stephanie Laredo, 17811 Vail St, Dallas; Juanita Grace Knott, 14000 Noel Road, Dallas; Claudia Gonzalez, 1971 Kentwood; Evangelina Guzman; Howard Townsend, 1622 Sutters Mill Drive; Roberta Stavely, 2707 Spyglass Drive; Pablo Garcia, 1809 Haley Cir; Pat Shine, 2718 Lakeridge Lane; Hector Flores, 1030 Tracy Ave,

Duncanville; Delhi Ekanbo, 4407 Ranier, Irving; Vanessa Guzman; Liliana Cecena, 2009 Northmoor Way; Alejandro Barreto, 2307 Briarwood Lane; Stephanie Cecena, 2009 Northmoor Way; Fabiola Barreto, 2009 Northmor Way; Horacio Monsivais, 723 San Juan Dr, Duncanville; Chloe Barrera, 1409 N Zang Blvd, Dallas; San Juan Veloz, 1409 N Zang Blvd, Dallas; Gabriel Amora;

The following individuals submitted a card but did not list a position and/or topic:

Angelica Andrade, 2023 Archer Drive, Grand Prairie; Francisco Hernandez, 2508 Brooke Trail; Luis Fernando, 2508 Brooke Trail; Civera Carcino, 2508 Brooke Trail; Cliff Benton; Zoila Chaver;

The following individuals spoke or submitted a card in support of 287g:

Mary Ellen Skaski 2652 Via Catalina; Tom Mayfield, 1805 Glengerry Dr; Elizabeth Laird, 2205 Yosemite Ct; William Collier, 1913 Crestside Dr;

Pat Malone, 2505 Canterbury Place, owner of Ten of Arts Gifts, spoke in favor of Nicole and the bicycle officers for Downtown Carrollton.

Ron Branson, 1406 Charlotte Way, addressed the Council about a Veterans Memorial.

Mayor Falconer thanked everyone for their comments and gave assurance that the Council was listening although it was not a time for discussion.

Mayor Falconer adjourned the Regular Meeting at 10:05 pm and announced that Council would reconvene in Worksession.

*****WORKSESSION*****

Mayor Falconer reconvened the Worksession at 10:15 pm

6. Discuss Indian Creek Golf Course.

Scott Whitaker, Director of Parks & Recreation, provided a review of what has happened at Indian Creek in the past and provided an update of the current status. He specifically talked about the 2015 flooding using aerial views and photographs. He noted that the course was closed from May 2015 to April 2016 and provided a document showing the estimated costs to rebuild and the actual costs to rebuild of \$961,895 which was approximately \$600,000 less than estimated. He felt that the course would not need to be subsidized by the City with the budget starting in October 2018 and part of the reason is the last debt payment will be made in August 2017. He also provided pictures of the courses as they look today and provided a few testimonials from people who have played the course over the years. He provided a slide listing the top 5 tournaments held since the re-opening and top 5 tournaments already booked. He provided a video presentation of the course, club house and staff for marketing purposes. He concluded the presentation with a FEMA update showing a potential reimbursement up to \$550,000. With regard to decision points, he advised that there is \$630,000 in capital funds available and explained the current roof leaks into the kitchen area when it rains and noted that the A/C unit has reached his life cycle. The costs for both would be \$120,000 for the roof and \$100,000 for the A/C unit. He also suggested creating a "rainy day" fund.

Councilmember Cruz asked if there was anything that could be done to avoid another flooding event and Scott Whitaker replied that staff and engineers looked at some things such as raising the fairways but the cost was prohibitive so have only made some minor changes. City Manager Erin Rinehart

also noted that a large majority of the course is located in the floodway which limits what can be done.

Councilmember Sung asked about insurance and Whitaker responded that it was cost prohibitive because the course is in the floodway. With regard to ranking, he felt it was as good as some of the privately owned public courses but not as good as Cowboys. Councilmember Sung noted cracks in the cart path, bald spots on the course and stated he was not impressed with the club house. Whitaker stated the staff's goal is to get the players back and to make revenue in order to be able to upgrade the club house. He felt that irrigation for the course would be a priority after the two items mentioned earlier. Councilmember Sung compared the club house to the Coyote Ridge club house and felt Indian Creek club house should be improved. Erin Rinehart explained that past Council felt that improvements would come from revenue made but this Council has the discretion to dedicate general fund dollars or issue debt. She felt that for a municipal course, Indian Creek would be a solid A and compared to courses around the Metroplex including private, it would be rated a B.

Councilmember Hennefer asked about projections for revenue and Whitaker stated that in very general numbers, it could be around \$350,000. More projections would be available during the budget process.

Mayor Pro Tem Blanscet felt the roof and the A/C unit should be repaired and also stated he felt it would a mistake to try to compete with private golf courses noting the other needs of the City.

Councilmember Lawrence felt there was no question that the roof repair and A/C unit should be addressed but the level of competition was a larger discussion.


Mayor Falconer felt the best way to approach it was to balance it with other needs of the City. Whitaker stated that staff could provide a list of other items to consider. Mayor Falconer summarized there was agreement to take care of the roof and A/C unit and discuss other improvement options at a later date.

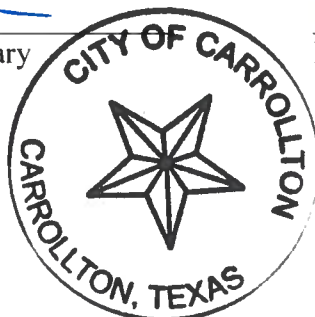
7. Mayor and Council reports and information sharing.


ADJOURNMENT

Mayor Falconer adjourned the meeting at 11:12 pm.

ATTEST:


Laurie Garber, City Secretary




Kevin W. Falconer, Mayor