

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
JANUARY 22, 2019**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, January 22, 2019 at 5:45 pm with the following members present; Mayor Kevin Falconer, Mayor Pro Tem John Sutter, Deputy Mayor Pro Tem Young Sung, Councilmembers Glen Blanscet, Frances Cruz, Mike Hennefer, Pat Cochran and Steve Babick. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy, 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 convened the meeting at 5:48 pm and announced that Council would convene in Executive Session.

1. Receive information and discuss Agenda.

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

2. Council will convene in **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. Council did not convene in Executive Session.

*****WORKSESSION*****

4. Discuss **Proposed Charter Amendments**.
 - Proposition 1 – no changes
 - Proposition 2 – no changes
 - Proposition 3 – City Attorney distributed alternate language regarding partial terms that would prohibit anyone from holding an office for more than 10 consecutive years and she stressed that this was an item of importance to the Charter Review Commission. Mayor Falconer underscored that this proposition changes the length of the terms from 3 years to 4 years but does not change term limits meaning the members are still subject to 2 terms. He further added that it would take effect with the 2021 election. A lengthy discussion was held and a consensus was reached to move forward with the language distributed by the City Attorney.
 - Proposition 4 – change “qualified voter” to “registered voter”; and after a lengthy discussion, a consensus was reached to add a Proposition specific to voter registration status and length of residence of appointees to boards and commission. Ladd explained that the new proposition would be Proposition 5 and the remaining propositions would be renumbered accordingly.

- Proposition 5 – no changes
- Proposition 6 – no changes
- Proposition 7 – no changes
- Proposition 8 – no changes
- Proposition 9 – no changes
- Proposition 10 – no changes
- Proposition 11 – Strike
- Proposition 12 – no change to proposition and consider an ordinance to the same effect at the next meeting
- Proposition 13 – no change
- Proposition 14 – no change

Mayor Falconer recessed the Worksession at 7:17 pm to convene the Regular Meeting.

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

Mayor Falconer convened the Regular Meeting at 7:27 pm.

INVOCATION – Councilmember Pat Cochran

PLEDGE OF ALLEGIANCE – Mayor Pro Tem John Sutter

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 noted that Item 13 regarding a Charter Amendment Election was pulled.

Councilmember Babick moved approval of Consent Agenda Items 7-12 and 14-21; second by Mayor Pro Tem Sutter and the motion was approved with a unanimous 7-0 vote.

MINUTES

***7. Consider Approval Of The January 8, 2019 Regular Meeting Minutes.**

BIDS & PURCHASES

***8. Consider Approval Of Synthetic Turf And Installation From Hellas Construction Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$279,950.00.**

***9. Consider Approval Of An Award To RLM Earth Co., Pursuant to RFP #19-003 For Josey Ranch Field #6 Adaptive Sports Field Construction Services In An Amount Not To Exceed \$215,670.00.**

***10. Consider Approval Of Roof Replacement Services From Duro-Last Roofing Through An Interlocal Agreement With TIPS Purchasing Cooperative In An Amount Not To Exceed \$583,842.86.**

CONTRACTS & AGREEMENTS

***11. Consider Authorizing The City Manager To Approve A Contract With Waterloo Capital Public Affairs for Legislative Consultant Services, RFP#19-006 In An Annual Amount Not To Exceed \$70,000.00.**

ORDINANCE

***12. Consider An Ordinance Amending The Code Of Ordinances, Chapter 73, "Traffic Schedules," Schedule I (E) And (F), Establishing A Speed Limit Of 45 Miles Per Hour On Plano Parkway For All Portions Within The Carrollton City Limits; Providing For Penalty, Savings And Severability Clauses; And Establishing An Effective Date.**

~~***13. Consider An Ordinance Ordering An Election On May 4, 2019, To Submit To The Qualified Voters Of The City Of Carrollton Certain Proposed Amendments To The Existing City Charter.**~~

RESOLUTIONS

***14. Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Transystems Corporation DBA Transystems Corporation Consultants For Additional Professional Engineering Design Services Related To The Furneaux Creek Hike And Bike Trail Project In The Amount Of \$56,407.00, Increasing The Total Contract To An Amount Not To Exceed \$213,111.00.**

***15. Consider A Resolution Authorizing The Execution Of Documents For The Acquisition Of Certain Property Necessary For The Construction Of The Furneaux Creek Hike And Bike Trail From Old Denton Road To Trinity Mills Station; Declaring A Public Need And Necessity; Authorizing The City Manager To Take All Necessary Actions For The Acquisition Of Certain Property For Public Purposes; And Providing An Effective Date.**

***16. Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Birkhoff, Hendricks And Carter, LLP For Professional Engineering Design Services Related To The Josey Lane Elevated Water Storage Tank Project In The Amount Of \$31,500.00, For A Total Contract Amount Not To Exceed \$328,800.00.**

***17. 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 \$11,391.30.**

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

***19. Consider A Resolution Appointing A Member To The Neighborhood Advisory Commission.**

***20. Consider A Resolution Appointing A Member To The Library Board.**

***21. Consider A Resolution Approving An Amendment To Section 4.02 Of The Consolidated Public Safety Communications And Dispatch Operations Agreement Regarding Cost Allocations For The Operation Of The North Texas Communication Center.**

PUBLIC FORUM

22. 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.

Bob McCranie, 2108 Stein Way, member of Carrollton Pride, urged the Council to have inclusive language with regard to discrimination by Ordinance and by Charter.

Armin Salehi, 4682 C, Dozier Road, Mustang Park HOA President, addressed traffic concerns on Dozier Road and spoke in favor of a traffic stop at Plano Parkway and Dozier Road. He also voiced concern that kids were getting dropped off and picked up from the Mustang Park amenity center parking lot and requested help from the City to address the problem.

Shirley Tarpley, 1507 Milam Way, cautioned the Council about changing term limitations and recall elections. She suggested a committee research the history of it and asked for the names of the committee members. She spoke strongly in favor of term limits.

Barbara Vibbert, 2417 Via Del Sur, thanked the Council for giving her the opportunity to serve on the Charter Review Committee. She voiced her appreciation for hearing the Council discuss the need for diversity and acknowledging the need to protect diverse classes. She reminded the Council that gender presentation, gender identity and sexual orientation are not protected classes in the State and added that this makes companies very wary of coming to Texas but those cities that have broader protections overcome that barrier.

Rev. Colleen Darraugh, 7494 Pudon Hill, Aubrey, stated she represents past and present congregants who live, work and shop in Carrollton noting the rise in hate crimes with transgender people bearing much of the brunt of those crimes. She urged the Council to include gender expression and gender presentation in the language in protecting classes and groups of people. She urged the Council to be as expansive and inclusive as possible, particularly regarding the LGBTQ community.

Rhonda Miller, 3822 Hollow Way, commended the Council's discussion pertaining to the Charter propositions. She felt that citizens who sit on the boards and commissions should be registered voters, particularly the Planning & Zoning Commission because she felt registered voters have a much stronger stake in what happens in the City. She felt the Council needs to encourage participation of citizens as voters particularly when planning the future of the City. With regard to diversity, she encouraged the Council to be careful to define what they mean to avoid confusion and to make it clear that discrimination against any person will not be tolerated.

Leslie McMurray, 588 Parkway Bl, Coppell, stated that as a transgender woman, she is an advocate for the transgender community as well as a frequent golfer at Indian Creek. She suggested that Carrollton tell other communities that Carrollton is the type of place that recognizes the importance of equality and backs it up with language that prohibits discrimination based upon sexual orientation, gender identity and expression. She encouraged the Council to revisit the original language and include employment, housing and public accommodation protections.

Jan McDowell, 2904 Panorama Drive, stated she wants to live in a city that includes everyone and excludes no one. She felt the generic wording about non-discrimination was insufficient and felt it shouldn't be hard to specify the different classes. She felt the LGBTQ community have real reason to be concerned about discrimination and felt Carrollton needs to stand up and be part of the solution and not part of the problem.

Lora Brandis, 4420 Windhaven Lane, Dallas, Horizon Unitarian Universalist Church in Carrollton, spoke in support of the LGBTQ community as a person of faith stating her faith promotes the dignity and worth of every individual. She urged the Council to do both an ordinance and a modification to the Charter.

Mayor Falconer recognized a card submitted by Laurie Foster, 1806 Crestview Drive, in support of Charter modification to enumerate groups that will not be discriminated against; not an ordinance.

Trent Teague, 2372 Mare Road, spoke in opposition to the proposed Charter amendment and in favor of a more detailed and explicit Charter amendment and an ordinance that would follow. He stated there is a need for local anti-discrimination ordinances, economic development and the legacy of the Council's administration. He stated the patchwork system of protections that exists further highlights the need for local and city-level protections. He urged the Council to think about Carrollton 20 years from now noting this decision would be a statement to everyone around this area.

Julio Acosta, 1644 Blackstone, echoed comments regarding anti-discrimination; asked the Council to consider 8 or 10 year limitation on service for a move from 3 year terms to 4 year terms; did not believe that only citizens could be great board members; and suggested requiring notice to residents before a building could be developed.

Fawaz Anwar, 4057 Legacy Tr, spoke in support of amending the Charter and adopting an ordinance regarding anti-discrimination and protecting classes of people such as LGBTQ individuals.

Suzanna Dooling, 1406 Overture Way, talked about the need to use correct language in the Charter and ordinances and spoke in favor of 3-year terms to allow for conversations about non-partisanship in local elections.

Sharon Lang, 2118 E. Peters Colony Road, stated that being inclusive was very important to her and her employees. She supported language in the Charter feeling that it was more powerful than an ordinance.

Mayor Falconer adjourned the Regular Meeting at 8:14 pm and announced the Council would reconvene in Worksession in the Council Briefing Room.

*****WORKSESSION*****


Mayor Falconer reconvened the Worksession at 8:23 pm.

5. Discuss Implementation Of Phase 3 Of The Bridge Retrofit Program.

Director of Engineering Cesar Molina stated that staff began working on bridge retrofits in 2008, completing the first project on Dickerson Parkway in 2010. He provided a history of the program and presented photos of the retrofitted bridges. He provided a list of projects that the Redevelopment Subcommittee considered noting the total program cost was estimated at \$3M. He noted that Council allocated \$500,000 for Phase III and explained that staff has developed construction plans and a detailed cost estimate for the bridge at Hebron Parkway over Indian Creek, between Eisenhower and Creek Valley noting that the project is “shovel ready” and appears to be within the allotted budget. He advised that the Subcommittee recommended implementing the Hebron at Indian Creek bridge project and request that an additional \$150,000 be made available for a rail painting project. Councilmember Blanscet advised that the committee had a very thorough discussion about all of the options and felt the recommended location would make a big impact as well as be the best use of the funds. No objections were raised and a consensus was reached in favor of the recommendation of the bridge retrofit and funding for painting.

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

Mayor Falconer adjourned the meeting at 8:41 pm.

ATTEST:
Laurie Garber, City Secretary
Kevin W. Falconer, Mayor