

ALLEN CITY COUNCIL

REGULAR MEETING

SEPTEMBER 10, 2019

Present:

Stephen Terrell, Mayor

Councilmembers:

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich

Lauren Doherty

Chris Schulmeister

Baine Brooks

City Staff:

Eric Ellwanger, City Manager

Tim Dentler, Assistant City Manager

Rebecca Vice, Assistant City Manager

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations Office

Lauren Field, Deputy City Secretary

Pete Smith, City Attorney

Workshop Session

With a quorum of the Councilmembers present, the Workshop Session of the Allen City Council was called to order by Mayor Terrell at 6:24 p.m. on Tuesday, September 10, 2019, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update Regarding Public Art at the Allen Event Center.**
- 2. Update Regarding the New City-Wide Trail Plan.**
- 3. Committee Updates from City Council Liaisons.**
- 4. Questions on Current Agenda.**

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 6:58 p.m. on Tuesday, September 10, 2019.

Call to Order and Announce a Quorum is Present

With a quorum of the Councilmembers present, the Regular Meeting of the Allen City Council was called to order by Mayor Terrell at 7:04 p.m. on Tuesday, September 10, 2019, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

1. Citizen Comments.

Dave Cornett, 310 Willow Brook Drive, Allen, Texas, spoke in regards to the Central Business District and the tax rate.

Lexi Hendricks, 805 Rushcreek Drive, Allen, Texas, spoke in support of designating the last Saturday in October as “trick-or-treat” day.

Alex Evans, 1823 Lake Travis Drive, Allen, Texas, thanked the Council and staff for their work on the budget and tax rate.

Consent Agenda

MOTION: Upon a motion made by Councilmember Doherty and a second by Mayor Pro Tem Caplinger, the Council voted seven (7) for and none (0) opposed to adopt all items on the Consent Agenda as follows:

2. Approve Minutes of the August 27, 2019, Regular City Council Meeting.

3. Adopt an Ordinance Amending the Code of Ordinances, Chapter 9, 'Motor Vehicles and Traffic,' Amending the Maximum Prima Facie Speed Limit on Station Park Drive, Victorian Drive, Stacy Road, Angel Parkway, State Highway 121 South Frontage Road, FM 1378, FM 2551, and FM 2786 Within the Corporate Limits of the City.

ORDINANCE NO. 3698-9-19: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, “MOTOR VEHICLES AND TRAFFIC,” ARTICLE V, “OPERATION OF VEHICLES,” DIVISION 2, “SPEED REGULATIONS,” SECTION 9-135(a) TO AMEND THE MAXIMUM PRIMA FACIE SPEED LIMIT ON STATION PARK DRIVE, VICTORIAN DRIVE, STACY ROAD, ANGEL PARKWAY, S.H. 121 SOUTH FRONTAGE ROAD, FARM-TO-MARKET ROAD 1378, FARM-TO-MARKET ROAD 2551, FM 2786 (STACY ROAD) AND AMEND SECTION 9-136, TO AMEND THE MAXIMUM PRIMA FACIE SPEED LIMIT FOR S.H. 121 SOUTH FRONTAGE ROAD, FARM-TO-MARKET ROAD 1378, FARM-TO-MARKET ROAD 2551, FM 2786 (STACY ROAD)S WITHIN THE CORPORATE LIMITS OF THE CITY OF ALLEN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Adopt an Ordinance Approving a Negotiated Settlement Between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division Regarding the Company's 2019 Rate Review Mechanism (RRM) Filing.

ORDINANCE NO. 3699-9-19: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-

TEX DIVISION REGARDING THE COMPANY'S 2019 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

5. **Adopt a Resolution Designating The Allen American and The Dallas Morning News as Official Newspapers of the City of Allen for Fiscal Year 2019-2020.**

RESOLUTION NO. 3700-9-19(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DESIGNATING THE ALLEN AMERICAN AND THE DALLAS MORNING NEWS AS THE OFFICIAL NEWSPAPERS OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, FOR FISCAL YEAR 2019-2020; AND PROVIDING AN EFFECTIVE DATE.

6. **Adopt a Resolution Appointing Members to Fill Expiring and Vacant Terms on the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 1 (Garden District).**

RESOLUTION NO. 3701-9-19(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPOINTING THE BOARD OF DIRECTORS OF THE ALLEN TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1; AND PROVIDING FOR AN EFFECTIVE DATE.

7. **Adopt a Resolution Reappointing Members to Fill Expiring Terms on the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 2 (Central Business District).**

RESOLUTION NO. 3702-9-19(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPOINTING THE BOARD OF DIRECTORS OF THE ALLEN TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 2; AND PROVIDING FOR AN EFFECTIVE DATE.

8. **Adopt a Resolution Reiterating the Historical, Architectural, and Cultural Significance of the Central Business District.**

RESOLUTION NO. 3703-9-19(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, REAFFIRMING THE DESIGNATION OF THE CENTRAL BUSINESS DISTRICT AS A PLACE OR AREA OF HISTORICAL, CULTURAL, AND ARCHITECTURAL IMPORTANCE AND SIGNIFICANCE TO THE CITY OF ALLEN; AND PROVIDING AN EFFECTIVE DATE.

9. **Adopt a Resolution Approving a Charity Care Policy to Continue Participation in the Texas Ambulance Services Supplemental Payment Program for Emergency Management Services.**

RESOLUTION NO. 3704-9-19(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING THE ALLEN FIRE DEPARTMENT CHARITY CARE POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.

10. **Authorize the City Manager to Execute an Interlocal Agreement with Dallas Area Rapid Transit (DART) for the Provision of Demand Response Transportation Services for the Elderly and Disabled.**
11. **Award Bid and Authorize the City Manager to Execute the Purchase of Water and Sewer Parts and Supplies with Core and Main DBA HD Supply Waterworks, Ferguson Waterworks and APSCO Supply for an Annual Amount of \$100,000 for One Year with Options for Two (2) One-Year Renewals.**
12. **Award Bid and Authorize the City Manager to Execute a Professional Services Agreement with Destination Innovate, LLC, for Marketing Agency Services for the Allen Convention and Visitors Bureau in the Annual Amount of \$180,000 with Four (4) Optional One-Year Renewals.**
13. **Award Bid and Authorize the City Manager to Execute a Contract with Four Star Excavating for the Construction of the Allenwood Drainage Improvement Water Line Lowering Project in the Amount of \$365,117.**
14. **Accept Required Certifications from the Tax Assessor/Collector's Office Including the Certifications Rate for the 2019 Tax Year, the Certification of Excess Debt Collections for the 2018 Tax Year and the 2019 Appraisal Roll.**

The motion carried.

Regular Agenda

15. **Adopt an Ordinance Approving the Fiscal Year 2019-2020 Budget, Amending the Fiscal Year 2018-2019 Budget, and Approving the 2020-2024 Capital Improvement Program.**

ORDINANCE NO. 3705-9-19: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS OF THE CITY; APPROPRIATING THE VARIOUS AMOUNTS REQUIRED FOR SUCH BUDGET; PROVIDING FOR RECORDING OF THE ORDINANCE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Upon a motion by Councilmember Schulmeister and a second by Councilmember Clemencich, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3705-9-19, as previously captioned, approving the Fiscal Year 2019-2020 budget, amending the Fiscal Year

2018-2019 budget, and approving the 2020-2024 Capital Improvement Program. The motion carried.

MOTION: Upon a motion made by Councilmember Schulmeister and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to ratify the increase in property tax revenues reflected in the Fiscal Year 2019-2020 budget. The motion carried.

16. Adopt an Ordinance Setting the Tax Rate for the Fiscal Year 2019-2020 Budget.

ORDINANCE NO. 3706-9-19: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE TAX YEAR 2019 (FISCAL YEAR 2019-2020) AT A RATE OF \$0.489000 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ALLEN AS OF JANUARY 1, 2019, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING FOR AN INTEREST AND SINKING FUND FOR ALL OUTSTANDING DEBT OF THE CITY OF ALLEN; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion by Mayor Pro Tem Caplinger and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed that the tax rate be increased by the adoption of a tax rate of 0.489, which is effectively a 0.67 percent increase in the tax rate, and to adopt Ordinance No. 3706-9-19, as previously captioned, setting the tax rate for the Fiscal Year 2019-2020. The motion carried.

Other Business

17. Calendar.

- September 11 – In remembrance of Patriots Day, the Fire Department will raise and display the US Flag at Station 3 from 1:00 p.m. to sunset.

18. Items of Interest.

- Council wished happy birthday to Councilmember Kizer, Mayor Terrell, and City Attorney Pete Smith
- The Mayor's Charity Bash is September 21 at Terrell Hall in the Watters Creek Convention Center at the Delta Hotel.
- Mayor Terrell announced the Collin County Peanut Butter Drive benefiting the North Texas Food Bank and encouraged residents to drop donations at various sites in Allen by September 30.

Executive Session

The Executive Session was not held.

Adjournment

MOTION: Upon a motion made by Councilmember Doherty and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 7:47 p.m. on Tuesday, September 10, 2019. The motion carried.

These minutes approved on the 24th day of September 2019.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY