

**Capital Improvements Plan Advisory  
 Committee**  
 August 31, 2022  
 6:00 p.m.  
 Josey Ranch Library – Conference Room 3

*Minutes*

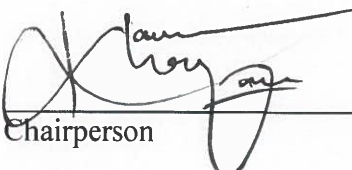
<b>MEMBERS PRESENT</b>	
<b><u>CIPAC Committee</u></b>	
<b><u>Members</u></b>	
<b>Members Present:</b>	
Barbara McAninch	Chairperson
Greg Kramer	Vice-Chairperson
Karim Ali	
Neil Anson	
Caryl Meeks	
<b><u>Board Members</u></b>	
Debbie Hughey	Traffic Advisory Committee
Isam Abousaid	Library Board
Jason Carpenter	Planning and Zoning Commission
Suzanna Dooling	Parks and Recreation Board
<b>MEMBERS ABSENT</b>	
Carrie Cunningham	Alternate
Rajab Ali	
Jeffrey Wheeler	
<b>Staff Members</b>	
Steve Babick	Mayor
Rusty Pendleton	City Council
Diana Vaughn	Chief Financial Officer
Claudia Gallegos	City Treasurer
Andrada Wietzel	Senior Accountant
Carmella Flemming	Administrative Support Specialist
Jonathan Wheat	Director of Engineering - Staff Liaison
Laurie Wilson	Director of Administrative Services
Melissa Everett	Director of Finance
Meredith Ladd	City Attorney

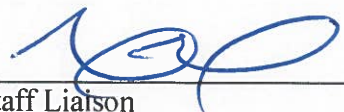
**CIPAC Minutes**

**August 31, 2022**

**Page 2**

1. The meeting of the Capital Improvements Plan Advisory Committee (CIPAC) was called to order by Chairperson Barbara McAninch at 6:00 PM.
2. Barbara McAninch moved for approval of the May 18, 2022 meeting minutes. Greg Kramer moved for approval of the minutes as written and Debbie Hughey seconded. Subsequently, it was unanimously approved and appreciation was expressed to council member Pendleton.
3. Jonathan Wheat, Director of Engineering, presented the finalized list for the bond election and an amendment of \$2 million was approved for future trails, for projects similar to TC Rice. He then preceded to present and explain what each proposition contained: Prop A – streets and infrastructure, Prop B – fire station, Prop C – parks, Prop D – animal shelter, and Prop E – trails.
  - Note: please see the first attachment regarding the bond projects in a summarized form
4. Diana Vaughn, Chief Financial Officer, answered questions regarding the additional \$2 million approved and how the City receives estimates from the three Central Appraisal Districts (CAD) in late April and receives revised numbers by July 25<sup>th</sup>. The estimates are used during the bond planning process and the final numbers will be validated in July. Ms. Vaughn indicated that one CAD was late providing data this year.
5. Claudia Gallegos, Treasure Manager, went over the 2022 Bond Election brochure and answered questions related to the multi-lingual format of all marketing material related.
  - Note: please see the second attachment regarding the election information
6. Meredith Ladd, City Attorney, presented facts related to Texas bond elections and went over key points of election laws and regulations, including state law, bond law, and election law separately. She mentioned that City Council had already adopted the ordinance on the information presented.
  - Note: please see the third attachment regarding the bond law presentation
7. Laurie Wilson, Director of Administrative Services, went over the election dates, locations, and hours and touched on the electronic info that can be accessed on the city website in relation to the bond election.
8. Barbara McAninch adjourned the meeting at 6:51 PM.

  
Chairperson

  
Staff Liaison

# CIPAC Recommendation Fiscal Year 2023 Budget

The mission of the Capital Improvements Projects Advisory Committee is to review the multi- year capital spending schedule for the City, make recommendations to the City Council on the most effective and efficient use of capital funds, and communicate to the community by informing citizens through periodic progress reports with enhanced use of the City's website. As a general rule, the highest priority should be given to completing the projects approved previously in City bond elections. Exceptions are those projects that due to lack of right-of-way, permitting, sequencing or other delays cannot be completed before other projects that were approved later. When debt capacity changes occur, projects previously approved by the voters can be moved up or delayed using the priorities set by the City Council's strategic goals and related planning documents considering logical sequencing of projects and the ability of City staff to effectively administer the projects. Outside funding sources, such as funding from the State or Counties, should be utilized whenever possible, realizing that this may result in the reprioritization of projects as outside funding becomes available. Sound financial policies as adopted by the City Council, including an ad valorem tax ratio of 60% to operations and 40% to debt service, should be followed.

The attached project plan represents the capital spending recommendations for the upcoming fiscal year and current voter-approved projects scheduled for future years.

Additional specific recommendations are as follows: Funding Recommendations

Any additional surplus, year-end non-recurring funds should be used towards the following programs in priority order:

- 1) **Sidewalks**
- 2) **Residential Street Lights**
- 3) **Alleys**
- 4) **Intersection Improvements**

Note: Once a recommendation is accepted by City Council, it will not be carried forward to the next year.

## Bond Project Summary

Bond Totals			
Total	\$	134,950,000	100%
Infrastructure	\$	102,450,000	76%
Parks & Facilities	\$	32,500,000	24%

Type Summary		
Traffic	\$	5,500,000 5%
Residential	\$	53,575,000 52%
Collector	\$	14,325,000 14%
Arterial	\$	29,050,000 28%
Parks	\$	18,900,000 58%
Public Safety	\$	8,800,000 27%
Envir. Serv.	\$	4,800,000 15%

Regional Summary			
ALL	\$	5,500,000	W \$ 2,525,000
NW	\$	42,425,000	NE \$ 22,725,000
SW	\$	9,775,000	SE \$ 19,500,000

Infrastructure Projects									
Priority	Project	2017 Average PCI	Projected Total Cost	Region	Map Note	Total LF	Type	Included	Notes
1	Windmill Hill	56.00	\$ 8,125,000	NW	R1	12,466	Residential	Y	Multiple water and wastewater issues, high call volume.
2	Webb Chapel Rd	44.27	\$ 3,075,000	SE	AC1	1,981	Arterial	Y	Gateway to Belt Line
3	Francis Perry*	49.04	\$ 4,200,000	SW	R2	6,171	Residential	Y	E/W streets only, N/S have previously been completed
4	Country Villas	48.34	\$ 3,525,000	SE	R3	5,140	Residential	Y	Clay Sewers and some Water line Replacements.
5	Rollingwood Estates(1 Section)	44.26	\$ 9,525,000	NE	R6	14,173	Residential	Y	Clay Sewers, Base Failure, multiple sections can no longer be Milled and Overlaid. Originally concrete streets.
6	Hutton Dr	57.36	\$ 2,525,000	W	AC11	2,135	Arterial	Y	Crosby to Belt Line
7	Crooked Creek Dr	63.92	\$ 2,500,000	NW	AC3	3,793	Collector	Y	McCoy to Woodbury
8	Cemetery Hill Rd	58.96	\$ 2,450,000	NW	AC4	3,695	Collector	Y	McCoy to Frankford
9	Mc Coy Rd	59.29	\$ 3,075,000	NW	AC5	3,790	Collector	Y	Trinity Mills to Cemetery Hill
10	Traffic Signals		\$ 1,500,000	ALL			Traffic	Y	
11	Turn Lanes		\$ 500,000	ALL			Traffic	Y	
12	Arterial Streetlights		\$ 1,500,000	ALL			Traffic	Y	
13	Intersection Improvements		\$ 1,500,000	ALL			Traffic	Y	
14	Residential Streetlights		\$ 500,000	ALL			Traffic	Y	
15	Rosemeade Pkwy E	58.14	\$ 9,000,000	NW	AC6	7,860	Arterial	Y	Old Denton to Josey; Streetlights
16	Frankford Rd W	58.14	\$ 5,150,000	NW	AC7	3,328	Arterial	Y	Dickerson to Old Denton
17	Frankford Rd W	59.95	\$ 9,300,000	NW	AC8	6,808	Arterial	Y	West End to Dickerson
18	EW Brake	58.31	\$ 5,250,000	SW	R8	7,809	Residential	Y	
19	Countryside	52.95	\$ 8,675,000	NE	R9	12,942	Residential	Y	Clay sewers, some water line work.
20	Woodlake 4	51.89	\$ 3,100,000	NE	R10	4,896	Residential	Y	Clay sewers.
21	Briarwyck	63.17	\$ 11,175,000	SE	R7	16,889	Residential	Y	Some Clay Sewers, Waterline work.
22	Peters Colony Rd E	57.95	\$ 2,825,000	NW	AC9	3,835	Collector	Y	Standridge to Josey
23	Metrocrest Dr	36.73	\$ 1,725,000	SE	AC10	2,697	Collector	Y	Belt Line to Country Club
24	Old Mill Rd	56.69	\$ 1,425,000	NE	AC2	2,343	Collector	Y	Cliffbrook to Kelly
25	Burning Tree Ln	48.40	\$ 325,000	SW	AC13	664	Collector	Y	Broadway to Pleasant Run
26	Randolph St	29.20	\$ 725,000	SW	AC14	1,240	Collector	B1	Broadway St to School
27	Perry Rd S	54.98	\$ 1,125,000	SW	AC15	1,861	Collector	B2	Pleasant Run to Crosby
28	Standridge Dr	58.13	\$ 1,550,000	NW	AC16	2,051	Collector	B3	Frankford to Peters Colony
29	Summerfield	53.27	\$ 2,675,000	SE	R5	4,196	Residential	B4	Some water and sewer work.
30	Summertree	52.29	\$ 9,275,000	SE	R12	13,349	Residential	N	Clay sewers.
31	Copperwood	53.92	\$ 7,200,000	SE	R11	11,016	Residential	N	Clay sewers.
32	College Ave W		\$ 5,000,000	W	AC12	3,857	Collector	N	Luna to Broadway; Build connector to Luna
33	Park Terrace	58.77	\$ 6,800,000	SW	R4	9,342	Residential	N	

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Parks & Facilities Projects					
Priority	Project	Projected Total Cost	Type	Included	Notes
1	Fire Station Replacement	\$ 8,800,000	Public Safety	Y	Fire Station 5.
2	Rosemeade Rec Center	\$ 7,300,000	Parks	Y	Additional funding for elevated track, gymnastics, storage, e-sports, and master plan
3	Oak Creek Tennis Center	\$ 5,100,000	Parks	Y	4 new courts, 6 pickleball courts, new meeting/shower/RR bldg, renovate exist bldg, & expand parking
4	McInnish Athletic Complex	\$ 1,800,000	Parks	Y	Replace field #16 (soccer/football) with synthetic turf
5	Animal Services	\$ 4,800,000	Envir. Serv.	Y	8.3 Million Original - Expansion to include surgicl clinic, 2-3 offices, and breakroom
6	A.W. Perry Museum	\$ 4,700,000	Parks	Y	Replace wood frame barn with a venue suitable for 100-150 people
7	TC Rice Complex	\$ 6,400,000	Parks	N	Phase 1: General site prep, nature play area, and activity meadow
8	Trails	\$ 4,000,000	Parks	N	Continue implementation with updated Trails Master Plan
9	Downtown Dog Park	\$ 520,000	Parks	N	New dog park in an unspecified location accessible to downtown area (does not include land cost)
10	Pickle Ball Courts	\$ 850,000	Parks	N	Outdoor pickle ball courts at nspecified locaion (6 Courts)

# Election Information

Nov 2022 Bond

*City Secretary's Office*

*Where Connections Happen*

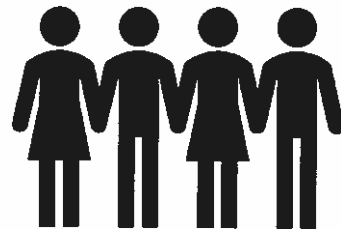


# Important Dates

**Last Day to Register to Vote:** October 11, 2022

**Early Voting:** Monday, October 24 – Friday, November 4

**Election Day:** Tuesday, November 8

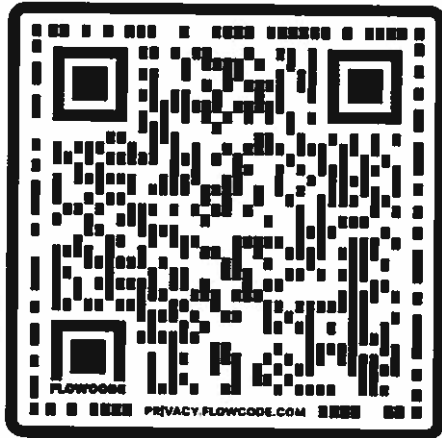


# Polling Information

- **Contract with Dallas, Denton & Collin Counties**
- **Vote Centers vs. Precinct Locations**
- **Final Polling Locations and Hours**
- **Language & Posting requirements**

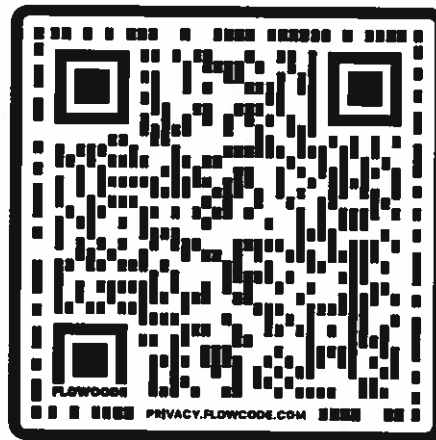


# Resources



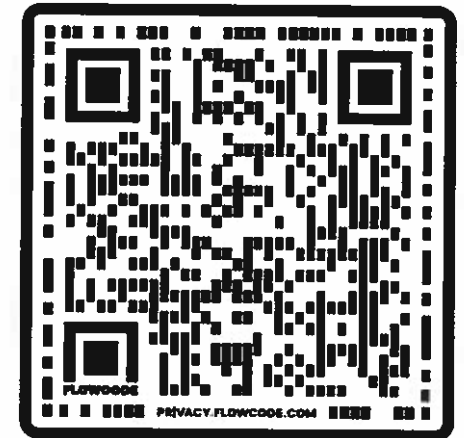
**Collin County**  
*Condado de Collin*  
Quận Collin

[collincountytx.gov/elections](http://collincountytx.gov/elections)



**Dallas County**  
*Condado de Dallas*  
Quận Dallas

[dallascountyvotes.org](http://dallascountyvotes.org)



**Denton County**  
*Condado de Denton*  
Quận Denton

[votedenton.gov](http://votedenton.gov)

Thank you for serving the  
Carrollton Community!

Questions? Contact:

Chloe Sawatzky

972-466-3001

[Chloe.Sawatzky@cityofcarrollton.com](mailto:Chloe.Sawatzky@cityofcarrollton.com)



**CARROLLTON**  
TEXAS

*Where Connections Happen*

# Legal Requirements Regarding The Election

Meredith A. Ladd  
City Attorney

*Where Connections Happen*



# Legal Requirements Regarding The Election

Meredith A. Ladd  
City Attorney

*Where Connections Happen*



**It is important to remember that the Texas Election Code prohibits the use of government resources to produce or distribute political advertising in connection with an election.**

# Section 255.003 of the Election Code provides as follows:

- An officer or employee of a political subdivision may not spend or authorize the spending of public funds for political advertising.
- This section does not apply to a communication that factually describes the purposes of a measure if the communication does not advocate passage or defeat of the measure; but, even then, if the person knows that some part of the communication is false and it is important enough to reasonably influence a voter to vote for or against a bond election, it would be unlawful.
- A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor, which could mean up to a year in jail and up to a \$4000 fine.

# Political Advertising for a Bond

*Elect. Code §251.001 (16), (17), and (19)*

- “Political advertising” means a communication supporting or opposing . . . a measure that:
  - (A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or
  - (B) appears:
    - (i) In a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or
    - (ii) On an Internet website.

# Political Advertising for a Bond

*Elect. Code §251.001 (16), (17), and (19)*

- “Campaign communication” means a written or oral communication relating to . . . a campaign on a measure.”
- “Measure” means a question or proposal submitted in an election for an expression of the voters’ will and includes the circulation and submission of a petition to determine whether a question or proposal is required to be submitted in an election for an expression of the voters’ will.



# Electioneering is Also Prohibited

What is “Electioneering?”

- “The things that are done and said . . . to help to win an election.”

Merriam Webster, [LearnersDictionary.com](https://www.merriam-webster.com/dictionary/electioneering)(2020)

# What is Advocacy?

Statements or information reasonably likely to influence a voter to vote a certain way.

# When do Facts advocate?

- Violations of the law often occur because someone finds it irresistible to wrap up a factual explanation with a motivational slogans. When these types of slogans are used in a flyer giving information on a Bond election, they become advocacy for the measure, which is prohibited.
- No matter how factual you believe a statement is, if it is reasonably likely that the statement would influence a voter to vote a certain way, it is advocacy. The Texas Ethics Commission has emphasized that any amount of advocacy is impermissible.

# What about at Board meetings for advocating for or against a proposed bond referendum?

The Ethics Commission has ruled that political advertising at restricted areas by public officials is prohibited by the Election Code. Thus, we would conclude that it is not permissible by Board members in the Board room during a Board meeting. However, the Election Code does not prohibit a public officer from using government resources that are equally accessible to the public for political advertising. Thus, we might conclude that it is okay outside at a location not under control of the officer or Board. The Ethics Commission holds that, at such times, officers should relocate to publicly accessible areas when creating photographs, videos, or other communications for political advertising. *See Advisory Opinion No. 550 (2019).*

# No Spending of Public Funds

- A political subdivision board member or employee may not spend or authorize the spending of public funds for political advertising.
- Not only does this mean that the political subdivision may not purchase or authorize the purchase of new materials or retain consultants for use in promoting a measure or creating political advertising, but it also means that using existing paper and machinery to generate, display, or distribute political advertising is prohibited.

# Indirect Use of Funds

- It is not permissible to authorize the use of the paid time of employees to create or distribute political advertising.
- It is likewise unlawful to use or authorize use of the District's internal mail system to distribute political advertisements unless it was delivered by the U.S. Postal System. *See* Elec. Code § 255.0031
- The Ethics Commission has ruled that officers and employees of a political subdivision may not use letterhead stationery that is created by the entity's staff or resources and that contain the entity's logo and the entity's slogan that were designed with the entity's funds, to write and distribute political advertising. *See* Ethics Advisory Op. No. 532.

# Advocating Passage or Defeat of a Measure

1. “Light rail is a solution that contributes to the long-term sustainability of our region, and we support it 100%”
2. “Seeks voter approval”... “We want to sustain the excellence. And we are now asking voters if they too want to sustain the excellence”
3. "That is why voters are also being asked to approve a new 1/4 cent sales tax dedicated to continually fund street improvements for the next four years . . . Passage of this proposition, coupled with the trails option of Proposition 4, will create an attractive amenity for all of [City's] residents to enjoy."

# Advocating Passage or Defeat of a Measure

4. "Vote to Continue the Progress Being Made in Street Improvement and in Crime Prevention/Crime Control by Approving to Renew the Current Quarter-Cent Sales Tax. Election Day-Saturday, Jan. 20, 2001."
5. "It is very important for your children and the school district that the Tax Rollback Election pass."
6. "The important point is that a vote to authorize this 'Our Children, Our Schools, Our Future' bond package gives [School District] the flexibility needed to match the pace of coming growth, fast or slow."



# Advocating Passage or Defeat of a Measure

7. "Keep the control here - among the residents - not in the hands of outsiders."
8. "The bond proposal provides the "best solution" to the needs generated by the school district's population growth."
9. "This bond is the right thing to do for the children of this community."
10. "After examining our options and each department's budget, we are left with only one way to generate the monies needed to continue programs and services that are essential to our students' success. We must have a change in our tax rates. That means asking voters to go to the polls and vote in a tax rate election. If approved, the district's rate would still be considerably lower, than it was just three years ago."

# Advocating Passage or Defeat of a Measure

11. "The [School District] and Board of Trustees believe this rate increase is vitally important."

12. "What do you think it takes to educate our children in [School District] . . . And it takes your tax contributions. So let your voice be heard by casting an early vote November 3rd through the 17th in the tax rollback election or on November 20th, election day. . . . The bottom line is: whatever it takes."

13. "Our citizens now have the opportunity to position the [School District] for the 21st century. Please support the vision - our future depends on your commitment."

# Advocating Passage or Defeat of a Measure

14. "It's time to change to meet the needs of our students . . . While the [safety issues] may not yet be matters of student safety, they will be soon if the situations are not addressed."

15. "Given today's construction costs and the needs of the district, a long-term bond is the only viable financial solution."

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.ethics.state.tx.us/data/resources/advertising/Advocating\_Passage\_or\_Defeat\_of\_a\_Measure.pdf

# Can a publication that is factual be created and distributed by the governmental entity?

Yes.

The critical question in determining whether a communication constitutes “political advertising” is whether the communication supports or opposes a measure. Whether a particular communication supports or opposes a measure is a fact question. A factor in determining whether a particular communication supports or opposes a measure is whether the communication provides information and discussion of the measure without promoting the outcome of the measure. Ethics Advisory Opinion No. 476 (2007).

# What if The Facts Might Influence The Voter?

- Yes—if the person authorizing the brochure is not aware that any information is false

When information provided in a communication(e.g. Brochure, newsletter, or other publications) is sufficiently substantial and important as to be reasonably likely to influence a voter to vote for or against a measure, an officer or employee of the governmental entity authorizing it may not do so knowing that the brochure contains information that is false. In such an event, a violation of section 255.003 (b-1)would likely occur.

The background is a solid light blue color. It features several large, overlapping, semi-transparent white curved lines that sweep across the frame, creating a sense of motion and depth. The lines are thin and elegant, resembling stylized waves or abstract architectural elements.

**Discussion.**