



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Meeting Agenda - Final

### City Council

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Tuesday, October 18, 2016

6:00 PM

Council Chambers

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Study Session Meeting to be held at 3:00 PM in the Study Session Room

#### A. STUDY SESSION

- A.1 [16-268](#) Discuss regular City Council meeting agenda items.
- A.2 [16-265](#) Receive a report on Residential Neighborhood Street Lights.
- A.3 [16-276](#) Receive a report on current City Ordinances that regulate truck and trailer parking on public and private property.
- A.4 [16-269](#) Discuss agenda items for future City Council meetings.

#### B. INVOCATION & PLEDGE OF ALLEGIANCE

#### C. CEREMONIAL ITEMS

- C.1 [16-262](#) Presentation of the Manske Library Summer-Reading-Club Traveling Trophy to Janie Stark Elementary School.
- C.2 [16-282](#) Presentation of a Proclamation declaring Tuesday, October 18, 2016 as Farmers Branch Rotary Day in the City of Farmers Branch.
- C.3 [16-273](#) Consider Board and Commission Emeritus appointments; and take appropriate action.

#### D. REPORT ON STUDY SESSION ITEMS

#### E. CITY MANAGER'S REPORT AND ITEMS OF COMMUNITY INTEREST

Pursuant to Section 551.0415 of the Texas Government Code, the City Council or City Administration may report information on the following items: 1) expression of thanks, congratulations or condolences, 2) information about holiday schedules, 3) recognition of individuals, 4) reminders about upcoming City events, 5) information about community events, and 6) announcements involving an imminent threat to public health and safety.

#### F. CITIZEN COMMENTS

This agenda item provides an opportunity for citizens to address the City Council on any matter that is not posted on the agenda. Anyone wishing to address the City Council should complete a Citizen Comments Registration Card and submit it to the City Secretary or City Administration prior to the start of the City Council meeting. There is a three (3) minute time limit for each citizen to speak. Anyone wishing to speak shall be courteous and cordial. No disparaging or inflammatory remarks directed at any member of the City Council or City staff will be allowed.

The City Council is not permitted to take action on any subject raised by a speaker during Citizen Comments. However, the City Council may have the item placed on a future agenda for action; refer the item to the City Manager and/or City Administration for further study or action; briefly state existing City policy; or provide a brief statement of factual information in response to the inquiry.

#### **G. CONSENT AGENDA**

- G.1**     [16-270](#)     **Consider approving minutes of the City Council meeting held on October 3, 2016; and take appropriate action.**
- G.2**     [R2016-096](#)     **Consider approving Resolution No. 2016-096 authorizing the purchase and installation of replacement athletic field lights at Cox Soccer Complex Fields 4 and 5 from Groves Electrical Services, Inc. through the Buy Board Purchasing Cooperative; authorizing execution of agreements as needed; and take appropriate action.**
- G.3**     [R2016-095](#)     **Consider approving Resolution No. 2016-095 authorizing the City Manager to enter into a three (3) year Microsoft Enterprise Software License Agreement in an amount not to exceed \$ 115,000.00 through SHI Government Solutions, utilizing the Department of Information Resources (DIR) contract number DIR-SDD-2503; and take appropriate action.**

#### **H. REGULAR AGENDA ITEMS**

- H.1**     [16-277](#)     **Receive a presentation from Christy Dimon regarding outside storage and garage door closures.**
- H.2**     [R2016-093](#)     **Consider approving Resolution No. 2016-093 authorizing the City Manager to sign an amendment to the professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead relating to the City's municipal solid waste landfill permit amendment; and take appropriate action.**

The City Council may convene into executive session at anytime during the Study Session or Regular Session pursuant to Texas Government Code Section 551.071(2) for the purpose of seeking confidential legal advice from the City Attorney on any regular or study session agenda item.

**I. EXECUTIVE SESSION**

- I.1 [16-272](#) Council may convene into a closed executive session pursuant to Section 551.072 of the Texas Government Code:
- *Deliberate regarding the purchase, exchange, lease, or sale, or value of real property located east of I-35, south of Valley View, west of Webb Chapel, and north of 635.*

**J. RECONVENE INTO REGULAR SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE CLOSED SESSION****K. ADJOURNMENT**

Farmers Branch City Hall is wheelchair accessible. Access to the building and special parking are available at the main entrance facing William Dodson Parkway. Persons with disabilities planning to attend this meeting who are deaf, hearing impaired or who may need auxiliary aids such as sign interpreters or large print, are requested to contact the City Secretary at (972) 919-2503 at least 72 hours prior to the meeting.

**Certification**

I certify that the above notice of this meeting was posted at least 72 hours prior to the scheduled meeting time, in accordance with the Open Meetings Act, on the bulletin board at City Hall.

Posted by: \_\_\_\_\_  
City Secretary

Date posted: \_\_\_\_\_



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-268

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**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Study Session

**In Control:** City Council

**File Type:** Report

**Agenda Number:** A.1

**Discuss regular City Council meeting agenda items.**



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-265

**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Study Session

**In Control:** City Council

**File Type:** Report

**Agenda Number:** A.2

### **Receive a report on Residential Neighborhood Street Lights.**

#### BACKGROUND:

The street lights within the City of Farmers Branch are owned and maintained by Oncor Electric Delivery. Oncor is the electrical service provider for this area. Currently the City has approximately 2445 street lights. There are three types of lamps used within the City: high pressure sodium, metal halide and mercury vapor. There are three different styles of light fixtures in Farmers Branch: shoe box style, cobra head style and an ornamental style that has been used along the streets around the DART station area.

In December 2006 the City Council created a Branch Revitalization Task Force to explore ways to make the City become more attractive for retail, residential development and redevelopment. As a result of the Task Force, City Council approved Resolution No. 2007-024 on February 19, 2007 setting City standards regarding streetscape which included street lighting. This Resolution does not constitute an obligation to install or construct any street light improvements.

The developer for Mercer Crossing has suggested a different style of street light for the proposed development (Attachment 4). Currently, Wittington Place has the shoebox style lights (Attachment 1) as specified in Resolution No. 2007-024. Most thoroughfares have the cobra head style lights (Attachment 2) and the Philadelphia style lights (Attachment 3) are allowed in the Mustang Crossing Addition.

The City of Farmers Branch is allowed \$3,200 per street light for new construction. The developer installs the foundations and conduit and the allowance typically covers the cost of cobra head or shoebox style lights. Ornamental lights can cost approximately \$7,000 per light and any costs above the allowance would have to be provided.

LED street lights are still being evaluated by Oncor and are not currently being installed. If the developer/City desires to install LED street lights, they would have to be separately metered and maintained by a separate entity (developer/POA/City).

#### ATTACHMENTS:

1. Photo of shoebox style street light
2. Photo of cobra head style street light
3. Photo of ornamental style street light

4. Street lights for Westside Development
5. Resolution No. 2007-024



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Home » CARSON CITY

### CARSON CITY

1843

A traditionally styled lantern shown with optional high tech optic system. This large 18" wide by 41" high fixture hides a high wattage lamp, mounted horizontally, in its solid roof. The optional lamp / reflector system cuts off light pollution. The light is reflected downward and seems to shine through the optional frosted chimney giving much more light than would normally be available in a fixture with this design element. Shown with clear seeded acrylic lens.



While site amenities are among the simplest enhancements to a development, they can go a long way towards conveying a specific design theme. Site amenities in Mercer Crossing should be attractive, durable, and practical, as well as contributing to the overall design theme.

The lighting in Mercer Crossing should reinforce the English Old World theme. Street lamps in residential, commercial, and open space areas should be inspired by vintage gas lamps, with varying degrees of ornamentation being acceptable. Streetlights in the Urban Commerce districts may feature Mercer Crossing banners on the lamppost. Other enhancements, such as additional base ornamentation or planters attached to the base, may be acceptable. In addition, streets lights must be located within the parkway of the right-of-way in all districts. All lighting in residential areas shall adhere to “dark skies” ordinances to prevent light pollution and reduce nuisance to residents. Homeowners shall also install porch lights; those visible from the rights-of-way should also be inspired by vintage gas lamps.

In commercial areas, all lighting design standards must comply with City ordinances, as well as the approved PD zoning ordinance. In addition to streets lamps, all other commercial lighting should reinforce the English Old World theme by maintaining a subtle, natural appearance, without sacrificing safety.





RESOLUTION NO. 2007-024

ADOPTING STREETScape STANDARDS FOR THE CITY AND  
AMENDING RESOLUTION NO. 89-011 RELATIVE TO THE COLOR  
AND TYPE OF STREETLIGHT STANDARDS AND THE COLOR OF  
TRAFFIC SIGNAL POLES.

- WHEREAS, distinctive streetscape features such as signage, street furniture, streetlights, can enhance neighborhoods, create a sense of identity, and further neighborhood pride; and
- WHEREAS, distinguishing streetscape improvements can bring value to the City by enhancing the City's image and improving the community's quality of life; and
- WHEREAS, unique streetscape improvements makes cities more livable and beautiful; and
- WHEREAS, the Branch Revitalization Task Force recommended adoption of streetscape standards for the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS THAT:

SECTION 1. The City Council does hereby adopt the streetscape standards contained in Attachment No. 1.

SECTION 2. Resolution No. 89-011 is hereby amended regarding the color and type of streetlights and the color of traffic signal poles as follows:

Section 2. The color of traffic signal poles shall be white at intersections on major thoroughfares. The color of traffic signal poles shall be bronze color within the Transit Station area, Mercer Crossing area, and the Mira Lago development. Repainting of existing traffic signal poles shall occur based on available funds and City Council direction.

Section 5. The streetlights within the Transit Station area, Mercer Crossing area, and the Mira Lago development shall be the style shown on Exhibit "B" as installed, operated, and maintained by TXU Electric Delivery.

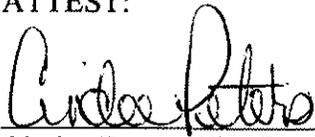
SECTION 3. All other provisions of Resolution No. 89-011 not hereby amended shall remain in full force and effect.

RESOLUTION NO. 2007-024

Page 2

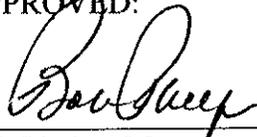
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS  
BRANCH, TEXAS, THIS 19<sup>TH</sup> DAY OF FEBRUARY 2007.

ATTEST:



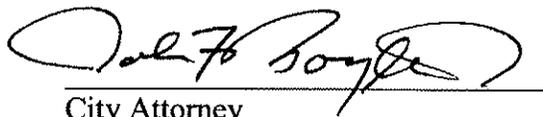
Cindee Peters, City Secretary

APPROVED:



Bob Phelps, Mayor

APPROVED AS TO FORM:



City Attorney

Attachment No. 1  
CITY OF FARMERS BRANCH STREETScape STANDARDS

**Street Name Signs:** Street names signs in residential neighborhoods shall have a minimum of 4" high white letters on a red background, with the neighborhood name. The street name sign and pole shall be bronze color and the style shown on Exhibit "A". The neighborhood's name shall be designated by the City Council generally based on the following:

- The subdivision's general or main name shall be used for the neighborhood's name for subdivisions with platted names that include numbers, phases, and installments. Two examples are:
  - "Brookhaven" shall be the neighborhood name for Brookhaven Estates Nos. 1 through 14,
  - "Valwood Park" shall be the neighborhood name for the Valwood Park Phases 1 through 6 and First through Fourth Installments.
- The name commonly used by the residents of the subdivision or neighborhood (i.e. "Valley View Park" is the name used by the residents of Brookhaven Estates No. 15);
- Previous designation by the City Council such as "Branch Crossing".

The signs shall be installed in compliance with the Manual of Uniform Traffic Control Devices at opposing corners of an intersection within the neighborhood based on available funds and City Council direction.

**Traffic Signal Poles:** The color of traffic signal poles shall be bronze color within the Transit Station area, Mercer Crossing area, and the Mira Lago development. Repainting of existing traffic signal poles shall occur based on available funds and City Council direction.

**Streetlights:** The streetlights along the local streets within the Transit Station area, Mercer Crossing area, and the Mira Lago development, shall be the style shown on Exhibit "B" as installed, operated, and maintained by TXU Electric Delivery. The streetlights along major thoroughfares within the Transit Station area, Mercer Crossing area, and the Mira Lago development shall be the "kim" type fixtures (shoebox style) on anodized bronze poles. Replacement of streetlights existing streetlights shall occur based on available funds and City Council direction. (Res. No. 89-011, Amended)

**Street Furniture:** The benches, trash receptacles, and recycling receptacles that are placed in the Transit Station area, Mercer Crossing area, and Branch Crossing shall be bronze color and the style shown on Exhibits "C", "D", and "E" respectively. Street furniture shall be placed based on available funds and City Council direction.

The adoption of the City of Farmers Branch Streetscape Standards shall not constitute an obligation on the part of the City to install or construct any of the improvements herein identified. Installation or construction of any of the improvements shall be based available funds and City Council direction. The City Council shall grant exceptions when and where deemed appropriate.

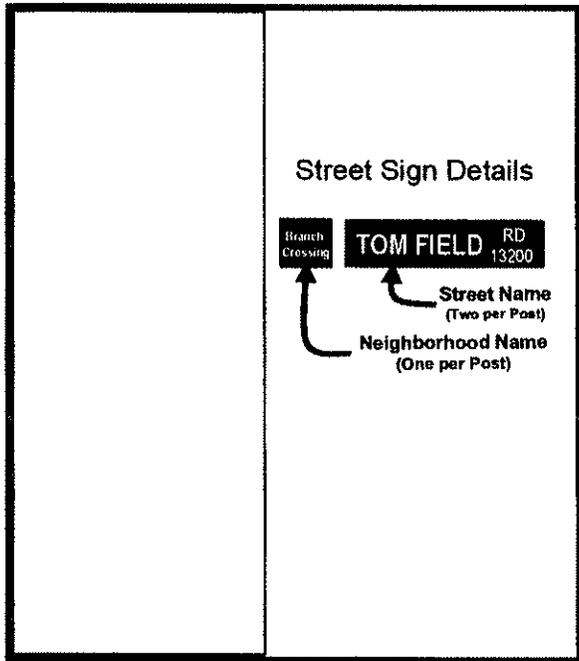


Exhibit "A"



Exhibit "B"

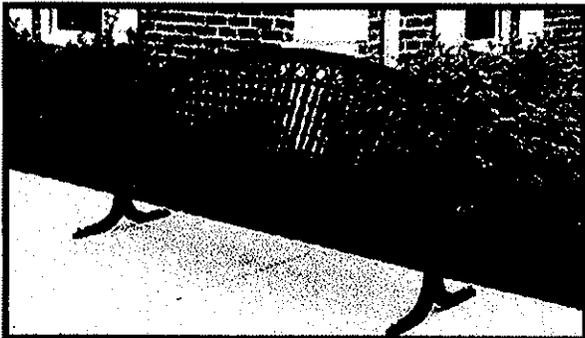


Exhibit "C"

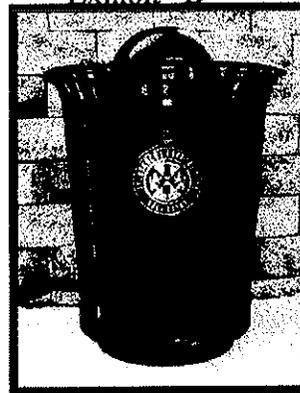


Exhibit "D"

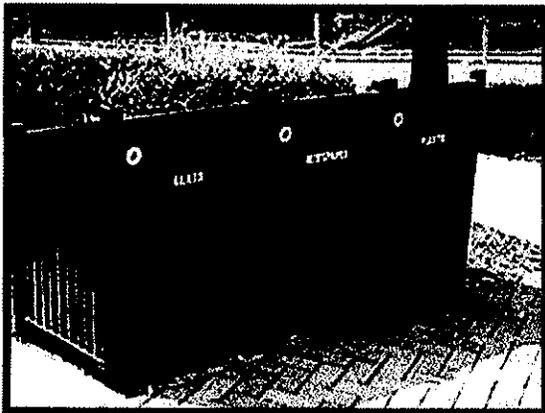


Exhibit "E"



RESOLUTION NO. 89-011

RESOLUTION STATING THE CITY'S POLICY REGARDING THE COLOR AND TYPE OF STREET LIGHT STANDARDS AND THE COLOR OF TRAFFIC SIGNAL POLES.

WHEREAS, it is the desire of the City of Farmers Branch to establish a policy for the color and type of street light standards and the color of traffic signal poles to provide a uniform "streetscape"; and,

WHEREAS, it is the desire of the City of Farmers Branch to provide uniformity in the appearance of street light standards and traffic signal poles.

WHEREAS, the street lights are installed, operated and maintained by TU Electric Company; and

WHEREAS, the vast majority of street lights throughout the City are "cobra head" type fixtures on galvanized or alumicolor steel poles; and

WHEREAS, a major street light replacement program would present a major capital expenditure.

NOW THEREFORE BE IT RESOLVED, by the City of Farmers Branch, Texas that:

SECTION 1. The City Council does hereby establish that street lights shall be "cobra head" type fixtures on galvanized steel poles on major thoroughfares.

SECTION 2. The color of traffic signal poles shall be white at intersections on major thoroughfares.

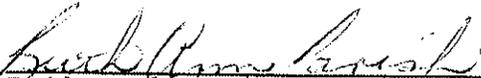
SECTION 3. The street lights on Marsh Lane from Valley View Lane north, shall be "kim" type fixtures on anodized bronze poles and the traffic signal poles shall be bronze color. This exception is to provide consistency of streetscape appearance with lights and poles installed on Marsh Lane in agreement with the Town of Addison.

SECTION 4. The street lights on William Dodson Parkway shall be "kim" type fixtures on anodized bronze poles. This exception is to provide a consistent design element with the parking lot of the City Hall. The street and the parking lot combine to create a grand boulevard entrance to the City Hall complex.

PAGE 2  
RESOLUTION NO. 89-011

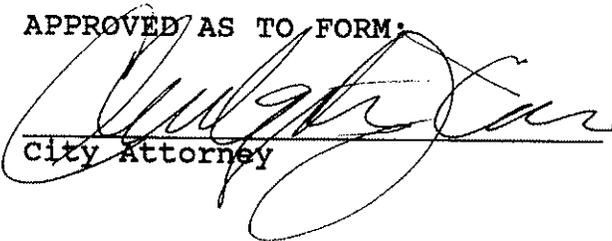
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS  
BRANCH, TEXAS, this the 6th day of March, 1989.

ATTEST:

  
\_\_\_\_\_  
Ruth Ann Parish, City Secretary

  
\_\_\_\_\_  
David D. Blair, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

RES89011/ENGLLEGAL/ENG



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-276

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**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Study Session

**In Control:** City Council

**File Type:** Report

**Agenda Number:** A.3

**Receive a report on current City Ordinances that regulate truck and trailer parking on public and private property.**

BACKGROUND:

Over the last few months there have been questions by City Council regarding the City's parking restrictions for trucks and trailers on both commercial and residential streets. To help answer these questions Code Enforcement and the Police Department staff will provide an overview on current City Ordinances that regulate truck and trailer parking on both public and private property within the City of Farmers Branch.

ATTACHMENTS:

1. On Street Parking presentation-Police
2. On Site Parking presentation-Code Enforcement

# RESIDENTIAL VEHICLE OVERVIEW

OCTOBER 18, 2016

# CHAPTER 56 ARTICLE III PARKING OF VEHICLES

## ESTABLISH LIMITATIONS ON:

- NUMBER OF VEHICLES PARKED OR STORED.
- TYPES OF VEHICLES PARKED OR STORED.
- MANNER OF HOW VEHICLES ARE PARKED OR STORED.

## SCOPE OF ARTICLE:

- APPLIES TO ALL RESIDENTIAL, DUPLEX AND MULTI-FAMILY ZONED PROPERTIES.

# CHAPTER 56 DEFINITIONS

- SPECIAL VEHICLE: MOTORHOME, CAMPER, BOAT, RV, FIFTH WHEEL TRAILER.
- UTILITY VEHICLE: TRAILER, TRACTOR, FARM MACHINERY, UTILITY TRAILER, BOXED TRAILER, FLATBED TRAILER, CAR CARRIER OR PANEL TRUCK.
- STORAGE: CONTINUOUS PARKING OF A VEHICLE FOR 48 HOURS OR LONGER.

# CHAPTER 56 (SPECIAL VEHICLES)

- SPECIAL VEHICLES CAN BE PARKED IN THE SIDE OR REAR YARDS NOT ADJACENT TO A STREET PROVIDED THEY ARE SCREENED.

EXCEPTION: WHEN PARKED ON DRIVEWAY THAT PROVIDES ACCESS TO REQUIRED PARKING.

- ONE SPECIAL VEHICLE CAN BE PARKED IN A FRONT YARD PROVIDED ACCESS TO SIDE AND REAR YARDS IS PROHIBITED DUE TO PHYSICAL OBSTRUCTIONS SUCH AS TREES, RETAINING WALLS, A/C EQUIPMENT, POOLS OR OTHER PERMANENT OBSTRUCTIONS.
- ONE SPECIAL VEHICLE CAN BE PARKED IN A YARD ABUTTING TWO OR MORE STREET PROVIDED ACCESS TO SIDE AND REAR YARDS IS PROHIBITED DUE TO PHYSICAL OBSTRUCTIONS SUCH AS TREES, RETAINING WALLS, A/C EQUIPMENT, POOLS OR OTHER PERMANENT OBSTRUCTIONS. A SCREENING FENCE IS ALSO PROHIBITED BY OTHER ORDINANCES.

# EXAMPLE OF SPECIAL VEHICLES



# CHAPTER 56 (UTILITY VEHICLES)

- PARKING OR STORAGE OF UTILITY VEHICLES IN THE FRONT YARD IS PROHIBITED.

# EXAMPLES OF UTILITY VEHICLES



# COMPREHENSIVE ZONING ORDINANCE

## ARTICLE 12

### SECTION 12-103:

- IN ALL RESIDENTIAL, DUPLEX AND MULTI-FAMILY ZONINGS DISTRICTS NO PARKING OR STORAGE OF ANY COMMERCIAL MOTOR VEHICLE THAT EXCEEDS  $\frac{3}{4}$  TON CAPACITY. (INCLUDES PANEL TRUCK, BOX TRUCK, COMMERCIAL VAN OR SIMILAR)

### EXCEPTIONS:

- PICKUP TRUCKS AND PASSENGER VANS WITHOUT COMMERCIAL ADVERTISEMENT UP TO 1 TON CAPACITY.
- ONE PICKUP TRUCK OR VAN WITH COMMERCIAL SIGNAGE UP TO  $\frac{3}{4}$  TON CAPACITY.

# EXAMPLES OF $\frac{3}{4}$ AND 1 TON TRUCKS



©EVIX IMAGES



©EVIX IMAGES

# CHAPTER 56 (APPEALS)

- APPEALS TO EITHER THE BUILDING OFFICIAL'S OR DIRECTOR OF COMMUNITY SERVICES DECISION WOULD BE HEARD BY THE ZONING BOARD OF ADJUSTMENT.

# COMMON VEHICLE CLASSES

PROPOSE TO MOVE FROM TRADITIONAL NAMEPLATE NOMENCLATURE TO GROSS VEHICLE WEIGHT RATING (GVWR)



## TRUCK CLASSIFICATIONS

### CLASS 1 6,000 lbs or less



### CLASS 2 6,001 to 10,000 lbs



### CLASS 3 10,001 to 14,000 lbs



### CLASS 4 14,001 to 16,000 lbs



### CLASS 5 16,001 to 19,500 lbs



### CLASS 6 19,501 to 26,000 lbs



### CLASS 7 26,001 to 33,000 lbs



### CLASS 8 33,001 to REALLY HUGE



# POTENTIAL EXCEPTIONS

- ALLOWANCE FOR DUAL REAR WHEEL PICKUP TRUCKS. (TYPICALLY THESE CARRY A GVWR OF AT LEAST 12000 LBS)

# On-Street Parking: Chapter 82 Code of Ordinances



Farmers Branch Police

# On-Street Parking: Chapter 82

It is a violation of Ordinance to:

1. Park any vehicle over  $\frac{3}{4}$  ton in area zoned residential or apartment.
2. Park any trailer in area zoned residential or apartment.

EXCEPTIONS:

- A. Pickup or passenger van for personal use/Non-Commercial (w/o advertisement) one ton or less.
- B. Construction sites/renovation.
- C. Police Chief may issue 24- hour load/unload permit.



**FARMERS  
BRANCH**

# Parking of oversized vehicles: Chapter 82

- Unlawful to park, stop, stand, or drive within prohibited area: (Truck Traffic Ordinance)
  1. Motor vehicle which is self propelled or drawn that has over two axles or has two axles combined with a trailer that exceeds 18 ft. in length.

## EXEMPTIONS:

1. Motor vehicle owned or used by government.
2. Passenger Bus (Dart)
3. Wreckers
4. Public or private utility vehicle
5. Motor homes. (7 day permit may be issued by police chief not to exceed 3 times per year to park in residential area).
6. Boat trailer
7. Mobile home not over 55 feet including tow vehicle (Not RV).

# Oversized Vehicles: Chapter 82 Prohibited Area Defined.

- North City Limit (Beltline) to South City Limit (LBJ Svc. Road) to Denton Drive to Midway.
- Does not include the boundary roadways.
- Defenses include:
  1. Domiciled in area between Gardenbrook, beltline, Webb Chapel and Marsh that travel on Gardenbrook, Towerwood, Enterprise, Trend and Venture.
  2. Servicing a business or residence within prohibited area.

# Junked/Abandoned Vehicle:

## Chapter 34

- It is a violation of Ordinance to remain on street:
  1. Vehicle inoperable over 5 yrs. old and unattended 48 hours or more.
  2. Has remained illegally on public property for more than 48 hours.  
(Ex. Library Parking lot).
  3. Private property without owner consent more than 48 hours (Private Tow).
  4. Unattended on right-of-way of city, county or federal highway more than 48 hours or 24 hours on controlled access highway or turnpike.

# Parking in Commercial Areas

- Chapter 34 (Abandoned/Junked) vehicles applies to on-street areas that are zoned commercial.
- However, based on the prohibited area definition of Chapter 82 (Oversized Vehicles), there is no restriction for on-street parking of vehicles over two axles (Truck Tractor) or trailers (18 wheelers) outside of the prohibited zone.

Questions?



**FARMERS  
BRANCH**



# City of Farmers Branch

Farmers Branch City Hall  
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75234

## Staff Report

File Number: 16-269

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**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Study Session

**In Control:** City Council

**File Type:** Report

**Agenda Number:** A.4

**Discuss agenda items for future City Council meetings.**



# City of Farmers Branch

Farmers Branch City Hall  
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75234

## Staff Report

File Number: 16-262

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**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Ceremonial

**In Control:** City Council

**File Type:** Report

**Agenda Number:** C.1

### **Presentation of the Manske Library Summer-Reading-Club Traveling Trophy to Janie Stark Elementary School.**

#### BACKGROUND:

The Farmers Branch Library presents the fourth annual winner of the Summer Reading Club Traveling Trophy. Each year the Summer Reading Club encourages children to read throughout the summer months and awards our special trophy to the school with the highest student participation.

Both private, public and home schools throughout Carrollton, Farmers Branch and Dallas participated in our reading club this year. A total of 1,330 reading logs were registered and 642 reading logs were completed and turned in for prizes. Janie Stark's completions totaled 72, with Farmers Branch Elementary trailing at 33 completions.

Congratulations to Janie Stark on winning the trophy for the fourth year in a row!



# City of Farmers Branch

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75234

## Staff Report

File Number: 16-282

**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Ceremonial

**In Control:** City Council

**File Type:** Proclamation

**Agenda Number:** C.2

### **Presentation of a Proclamation declaring Tuesday, October 18, 2016 as Farmers Branch Rotary Day in the City of Farmers Branch.**

#### BACKGROUND:

Rotary International was founded on February 23, 1905 in Chicago, Illinois US and is the world's first and one of the largest non-profit service organizations. There are over 1.2 million Rotary club members comprised of professional and business leaders in over 32,000 clubs in 200 countries and geographic areas. The Rotary motto "Service Above Self" inspires members to provide humanitarian service, encourage high ethical standards, and promote good will and peace in the world. The Farmers Branch Rotary Club was founded in October of 1986 and has made significant volunteer, vocational, and monetary contributions to address such critical issues as poverty, health, hunger, illiteracy, and the environment in the City of Farmers Branch, our surrounding communities, and abroad. As a result, the Honorable Mayor Bob Phelps will name Tuesday, October 18, 2016 as Farmers Branch Rotary Day in the City of Farmers Branch.

#### ATTACHMENTS:

1. Proclamation

# *Proclamation*

## Office of the Mayor

WHEREAS Rotary International, founded on February 23, 1905 in Chicago, Illinois USA, is the world's first and one of the largest non-profit service organizations; and

WHEREAS there are over 1.2 million Rotary club members comprised of professional and business leaders in over 32,000 clubs in 200 countries and geographic areas; and

WHEREAS the Rotary motto "Service Above Self" inspires members to provide humanitarian service, encourage high ethical standards, and promote good will and peace in the world; and

WHEREAS The Farmers Branch Rotary Club has made significant volunteer, vocational, and monetary contributions to address such critical issues as poverty, health, hunger, illiteracy, and the environment in the City of Farmers Branch, our surrounding communities, and abroad.

NOW, THEREFORE, I, **Bob Phelps**, by virtue of the authority vested in me as Mayor of the City of Farmers Branch in the State of Texas do hereby proclaim Tuesday, October 18, 2016 as

## **FARMERS BRANCH ROTARY DAY**

in Farmers Branch, Texas and encourage all citizens to join me in recognizing The Farmers Branch Rotary Club on its 30<sup>th</sup> anniversary of service above self.

Bob Phelps, Mayor



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-273

**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Ceremonial

**In Control:** City Council

**File Type:** Proclamation

**Agenda Number:** C.3

### **Consider Board and Commission Emeritus appointments; and take appropriate action.**

#### BACKGROUND:

The position of Board Emeritus was created to allow long time board members to resign from their position and still have the ability to remain actively involved as an Ex Officio member. Long time board members typically have a wealth of experience and knowledge and can continue to serve and offer great value to the City.

#### DISCUSSION:

Ron Doerler recently termed out after serving for nearly 30 years on the Historical Preservation and Restoration Board. Patsy Mayo also recently termed out after serving nearly 17 years. The Historical Preservation and Restoration Board unanimously voted to recommend Ron Doerler and Patsy Mayo as Board Members Emeritus for the Historical Preservation and Restoration Board.

#### RECOMMENDATION:

1. Ordinance No. 2668
2. Proclamation(s)

#### POSSIBLE COUNCIL ACTION:

1. I move to approve appointing Ron Doerler and Patsy Mayor as Board Emeritus Members for the Historical Preservation and Restoration Board.
2. I move to approve appointing Ron Doerler and Patsy Mayor as Board Emeritus Members for the Historical Preservation and Restoration Board, with modifications.
3. I move to table the issue for further study or take no action.

#### ATTACHMENTS:

1. Ordinance No. 2668
2. Proclamation



ORDINANCE NO. 2668

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS,  
AMENDING CHAPTER 2, ARTICLE II, ADMINISTRATION, OF THE FARMERS  
BRANCH CODE OF ORDINANCES, CREATING THE POSITION OF BOARD  
MEMBER EMERITUS FOR CERTAIN BOARDS OF THE CITY.

WHEREAS, boards and board members provide a vital service to the continuing success of Farmers Branch; and

WHEREAS, long time board members have made significant contributions to the community and are a wealth of valuable knowledge; and

WHEREAS, after years of service some board members may desire to retire from service but are still willing and able to contribute and provide valuable assistance; and

WHEREAS, creating the honorary title of Board Member Emeritus will allow long-time board members of certain boards to step down from a regular board position but still be an active, non-voting supporter of the respective board.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. The honorary position of Board Member Emeritus is hereby created for designated City of Farmers Branch boards including the Library Board, the Parks and Recreation Board, the Historical Preservation and Restoration Board, the Housing Finance Corporation Board, the Industrial Development Corporation Board and the Senior Advisory Board.

SECTION 2. City Council may, at their discretion, appoint individuals to become a Board Member Emeritus for certain designated City boards.

SECTION 3. To be qualified to be appointed as a Board Member Emeritus an individual must be a resident of Farmers Branch, have a cumulative total of at least fifteen (15) years of dedicated and distinguished service to the Farmers Branch boards and commissions; may be recommended to City Council by a Farmers Branch board or commission; and must be appointed as a Board Member Emeritus by action of the City Council.

SECTION 4. An individual appointed as a Board Member Emeritus is an honorary non-voting board member; shall receive all information that regular board members of the respective board receive; may attend all board functions of the appointed board,

may participate in all discussions related to board matters; may serve on committees; shall not be a voting member of the board nor of any committee of the board; shall not fill in as a voting board member when other members are absent; and shall abide by the provisions of the Ethics Ordinance as applicable to regular board members.

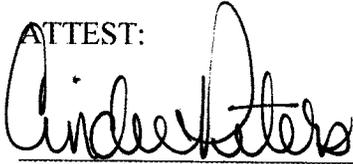
SECTION 5. A Board Member Emeritus shall continue as a resident of Farmers Branch in order to maintain the title of Board Member Emeritus.

SECTION 6. Attendance of a Board Member Emeritus at a board meeting shall not be counted toward completing a quorum of the board nor toward completing a quorum on any committee of the board; attendance at board meetings for a Board Member Emeritus is optional to the Emeritus Member.

SECTION 7. Due to the legal nature of the business conducted by certain boards and commissions of the City of Farmers Branch, this ordinance shall be applicable only to the Library Board, the Parks and Recreation Board, the Historical Preservation and Restoration Board, the Housing Finance Corporation Board, the Industrial Development Corporation Board and the Senior Advisory Board.

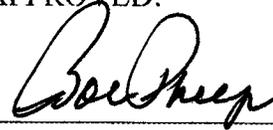
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THE 22 OF July, 2002.

ATTEST:



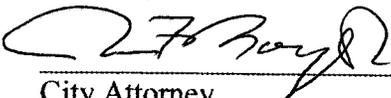
City Secretary

APPROVED:



Mayor

APPROVED AS TO FORM:



City Attorney

# Proclamation

## To Ron Doerler for Service on the Historical Preservation and Restoration Board

WHEREAS Ron Doerler served as a member of the Historical Preservation and Restoration Board from 1986 to 2016 providing 30 years of outstanding service to the community; and

WHEREAS Ron Doerler contributed freely of his time, energies and abilities toward enriching the community; and

WHEREAS Ron Doerler has always been, and continues to be, a strong advocate of the Historical Park and its programming; and

WHEREAS Ron Doerler meets and exceeds the requirements set forth by City Ordinance to become a Board Member Emeritus; and

WHEREAS the members of the Historical Preservation and Restoration Board unanimously voted to recommend Ron Doerler's appointment as Board Member Emeritus for City Council consideration; and

WHEREAS Ron Doerler has given selflessly to the community for many years and is truly deserving of this honor.

NOW, THEREFORE, I, **Bob Phelps**, by virtue of the authority vested in me as Mayor of the City of Farmers Branch in the State of Texas do hereby express to

**Ron Doerler**

Appreciation and thanks for the service he has rendered to the City of Farmers Branch, Texas during his tenure on the Historical Preservation and Restoration Board.

Bob Phelps, Mayor

# Proclamation

## To Patsy Mayo for Service on the Historical Preservation and Restoration Board

WHEREAS Patsy Mayo served as a member of the Historical Preservation and Restoration Board from 1999 to 2016 providing 17 years of outstanding service to the community; and

WHEREAS Patsy Mayo contributed freely of her time, energies and abilities toward enriching the community; and

WHEREAS Patsy Mayo has always been, and continues to be, a strong advocate of the Historical Park and its programming; and

WHEREAS Patsy Mayo meets and exceeds the requirements set forth by City Ordinance to become a Board Member Emeritus; and

WHEREAS the members of the Historical Preservation and Restoration Board unanimously voted to recommend Patsy Mayo's appointment as Board Member Emeritus for City Council consideration; and

WHEREAS Patsy Mayo has given selflessly to the community for many years and is truly deserving of this honor.

NOW, THEREFORE, I, **Bob Phelps**, by virtue of the authority vested in me as Mayor of the City of Farmers Branch in the State of Texas do hereby express to

**Patsy Mayo**

Appreciation and thanks for the service she has rendered to the City of Farmers Branch, Texas during her tenure on the Historical Preservation and Restoration Board.

Bob Phelps, Mayor



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-270

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**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Report

**Agenda Number:** G.1

**Consider approving minutes of the City Council meeting held on October 3, 2016; and take appropriate action.**

**City of Farmers Branch**

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

**Meeting Minutes****City Council**

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**Monday, October 3, 2016****6:00 PM****Council Chambers**

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**Study Session Meeting to be held at 3:00 PM in the Study Session Room**

- Presiding:** 1 - Mayor Bob Phelps
- Present:** 5 - Mayor Pro Tem Harold Froehlich, Deputy Mayor Pro Tem Ana Reyes, Council Member John Norwood, Council Member Terry Lynne, Council Member Mike Bomgardner
- Staff:** - Charles Cox City Manager, John Land Deputy City Manager, Amy Piukana City Secretary, Pete Smith City Attorney, Tom Bryson Communications Director, Mark Young Deputy Police Chief, Stephanie Hall Economic Development Assistant, Andy Gillies Community Services Director, Randy Walhood Public Works Director, Hugh Pender Building Official, Shane Davis Environmental Services and Solid Waste Manager, Steve Parker Fire Chief, Tim Dedear Deputy Fire Chief/Fire Marshal, Brian Beasley Human Resource Director, Sherrelle Evans-Jones Finance Director, Jeff Harting Parks and Recreation Director, Mitzi Davis Project Manager for Parks and Recreation

**A. STUDY SESSION**

Mayor Phelps called the meeting to order at 3:00 p.m.

**A.1 [16-254](#) Discuss regular City Council meeting agenda items.**

Council Member Bomgardner asked for clarification regarding Agenda Item G.4, Resolution No. 2016-092 authorizing the release of parking and cross access easements. Deputy City Manager John Land explained the easements are no longer a benefit to the City, noting the City Attorney has reviewed and approved the releases.

Council Member Bomgardner asked for clarification regarding surface parking on Agenda Item G.5. Mr. Gillies explained the surface parking requested meets City criteria and is consistent with the Ordinance already approved.

**A.2 [16-260](#) Briefing by City Administration regarding regulations for the sale and consumption of alcoholic beverages for onsite consumption.**

Planning Manager Alexis Jackson briefed City Council noting the existing regulations consist of onsite consumption of alcohol. She noted a Specific Use Permit is required with 60% of food to beverage ratio. She further explained in a qualified restaurant a bar area cannot exceed 20% of the restaurant area. She further stated no restaurant is to be located within 300 ft. of a single family dwelling district, a church, school, and hospital or city park, except when the property is located within Planned Development District. Ms. Jackson explained in Part 1, staff recommends amending Ordinance No. 2768 allow 60% food 40% beverage allowed by right. Ms. Jackson explained in Part 2, two overlays are being proposed for Pike Street and Boardwalk, noting these will be considered entertainment districts. Ms. Jackson stated anything less than 60% food and 40% beverage would be allowed by right, and this change would allow opportunities for future breweries, sports pubs and restaurants. Ms. Jackson explained Part 3 is a recommendation to amend the Comprehensive Zoning Ordinance to allow a new brewery definition and allow by right in a Light Industrial and Heavy Industrial Zoning, and with a SUP in LR-2 (Local Retail). Ms. Jackson summarized noting staff recommends amending Ordinance No. 2768 which regulates "Qualifying Restaurants" from SUP to be allowed by right City-Wide. She further stated by creating two overlay entertainment districts, that allows less than 60% food and 40% beverage ratio by right, and amend the Comprehensive Zoning Ordinance definition to allow brewery for on premise consumption.

After discussion, City Council recommended moving forward with the proposed Alcohol Overlay for bars. Also, the City Council will review an ordinance amendment to allow qualifying restaurants 50% food and 50% beverage ratio without a specific use permit.

Mayor Phelps skipped to Agenda Item A.7.

**A.7 [16-267](#) Discuss Oakbrook Homeowners Association request for infrastructure improvement assistance.**

City Manager Charles Cox provided history of Oakbrook discussion noting the Oakbrook Homeowner's Association agreed to fund an Engineering Study. Mr. Cox explained the engineering study was completed to review the water and sewer main ownership delineation and review the 5 year water line repair history and replacement costs. Mr. Cox noted Binkley and Barfield, Inc. cost projections for water and wastewater line replacement are \$1,140,100, which includes individual unit metering. He noted street replacement costs are \$1,268,745. Mr. Cox noted this includes six private Oak Streets. He further stated (3) three streets are constructed of concrete, and (3) three streets are constructed of asphalt. He noted the concrete streets are in good condition however; the asphalt streets are in need of major repairs. Mr. Cox explained when using City funds for private use, it's at Council's discretion.

After discussion, City Council decided to create a subcommittee with two Council Members (Council Member Bomgardner and Council Member Lynne) who will meet with City Leaders and the Oakbrook Homeowner's Association.

Mayor Phelps recessed into closed executive session at 4:26 p.m. to discuss the following item.

- J.1 [16-258](#) **Council may convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to deliberate regarding:**
- ***Consultation with City Attorney regarding Texas Commission on Environmental Quality (TCEQ) Report No. 119885 relating to TCEQ Permit Nos. 5383 and 5383A to Town of Addison for use of water in Farmers Branch Creek, pending TCEQ Complaint regarding Farmers Branch Creek.***

Mayor Phelps recessed from Executive Session at 5:13 p.m. and took a short break.

Mayor Phelps called the meeting back to order to discuss Study Session items at 5:18 p.m.

- A.3 [16-259](#) **Receive a presentation regarding entry monument sign concepts.**

Deputy City Manager John Land and Mr. Brad Moulton with Lattera briefed City Council regarding this item. Mr. Land explained the goal of the project is to create a comprehensive set of design recommendations and prototype strategies for aesthetics to be applied to gateway features throughout the city. He further stated these prototypes will include a palette of materials and colors along with a basic planting scheme where applicable, and locations for identity elements will be identified and evaluated for a specific design response.

Council Member Bomgardner asked about sign durability and replacement if vandalized. Mr. Moulton explained due to the sign location, vandalism would be difficult noting they will be placed in high traffic locations. He further stated, these signs are very durable and could be repaired or replaced quickly.

Mayor Pro Tem Froehlich asked if signs would have lighting. Mr. Moulton explained back lighting or up lighting could be added to enhance night vision of the entrance signs.

After discussion, Council agreed to move forward with the entry monument sign design and staff explained the new signs would be placed at Marsh Lane and LBJ Freeway.

**A.4 [16-251](#) Receive an update regarding the City of Farmers Branch Demolition Rebuild Program.**

Economic Development Director Allison Cook provided an update regarding the Demolition Rebuild Program. Ms. Cook explained the City has received 45 demolition rebuild applicants with original improvement value totals of \$3,979,894, and actual and estimated new improvement value totals of \$13,300,730 with \$18,461,640 increase in values. Ms. Cook reviewed the two program options the City currently provides. Ms. Cook explained the real value and value on the application are used for statistics. Council Member Bomgardner asked how the program could be expedited. Ms. Cook explained she served on the Residential Bond Sub Committee and noted one recommendation was to utilize a cash grant from \$5,000 to \$10,000 to help demolish more homes. She further stated marketing efforts have increased for this program.

Council Member Lynne suggested marketing to the parents at the nearby schools would be another option.

Deputy Mayor Pro Tem Reyes asked if signage will be used to market the property. Ms. Cook explained there is no signage for the demolition rebuild program since the City doesn't own the property.

Mayor Pro Tem Froehlich suggested expanding the program to include inherited property, foreclosed property, and hoarder houses. He explained this would give the homeowner the option to tear down the house and sell the property. Mr. Land explained he will work with the City Attorney on a possible Economic Development incentive program that would allow a return on investment to the City.

Mayor Phelps recessed at 5:56 p.m. from Study Session.

Mayor Phelps called the regular meeting to order at 6:02 p.m.

**B. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Bomgardner led the invocation and provided the Pledge of Allegiance.

**C. CEREMONIAL ITEMS**

**C.1 [16-261](#) Presentation of a proclamation designating the month of October 2016 as "Fire Prevention Month" in Farmers Branch.**

Mayor Phelps presented a proclamation to Fire Chief Steve Parker designating the month of October 2016 as "Fire Prevention Month" in Farmers Branch.

**D. REPORT ON STUDY SESSION ITEMS**

Deputy Mayor Pro Tem Reyes provided a report on study session items.

**E. CITY MANAGER'S REPORT AND ITEMS OF COMMUNITY INTEREST**

City Manager Charles Cox announced the following items of community interest:

- There is still time to register your neighborhood parties for National Night Out, tomorrow night, Tuesday, October 4. All neighborhoods are invited to get together and spend the evening outdoors to present a united front against crime in our residential areas. Block parties are encouraged to register at 972.919.9304. Registered parties will have members of the Police and Fire Departments along with elected officials and members of the City staff come by to say hello.
- Vouchers are still available for this weekend's Dallas County Household Hazardous Waste collection event to be held in Farmers Branch on Saturday, October 8. Residents can pick up vouchers here at City Hall on a first-come, first-served basis until they are gone. Call Public Works for more information at 972.919.2597.
- Big things are happening the weekend of October 14<sup>th</sup> and 15<sup>th</sup> with:
  - Bloomin' Bluegrass Free Music Festival and Chili Cookoff, starting on Friday, October 14<sup>th</sup> and continuing all day Saturday, October 15<sup>th</sup>. World-class Bluegrass musicians will be joined at the Historical Park by world-class chili cooks from across Texas and beyond. Check out all the activity at [bloominbluegrass.com](http://bloominbluegrass.com).
  - The Senior Center offers residents a chance for a head start on holiday shopping at their annual Craft Fair on Saturday, October 15<sup>th</sup> from 9 a.m. to 4 p.m.
  - And, our annual Celebration of Roses also takes place that Saturday with activities in and around Gussie Field Watterworth Park happening between 8:30 a.m. and 4 p.m. Log on at [fbroses.com](http://fbroses.com).
- Then, mark your calendars for the "Murder & Mayhem" tours at the Historical Park on Thursday and Friday, October 27<sup>th</sup> and 28<sup>th</sup>, leading into our annual Halloween in the Park event on Saturday, October 29<sup>th</sup>.
- Police Chief David Hale has promoted Dean Habel to the position of Deputy Chief and Jimmy Lee to Lieutenant. Both officers are veteran members of the Farmers Branch Police Department. Congratulations to both!
- You can sign up for eNews at [farmersbranchtx.gov](http://farmersbranchtx.gov) to have current City news and information delivered directly to your eMail box.

## F. CITIZEN COMMENTS

There were no citizens that wished to speak under citizen comments.

## G. CONSENT ITEMS

- G.1 [16-252](#) Consider approving minutes of the special called City Council meeting held on September 20, 2016; and take appropriate action.
- G.2 [16 PL-004](#) Consider approving a request for final plat of QT 999 Addition, Lot 1 and Lot 2, Block A; and take appropriate action.
- G.3 [ORD-3391](#) Consider adopting Ordinance No. 3391 approving the 2016 tax roll certified by the Dallas Central Appraisal District; and take appropriate action.
- G.4 [R2016-092](#) Consider approving Resolution No. 2016-092 authorizing the Release of Parking and Cross Access Easements affecting property generally located at 14065 Dennis Lane and adjacent City owned property; and take appropriate action.

- G.5**     [R2016-090](#)     **Consider approving Resolution No. 2016-090 granting a Detailed Site Plan for a multifamily community located at the future extension of Knightsbridge Road; and take appropriate action.**

Motion made by Mayor Pro Tem Froehlich to approve Consent Items G.1 through G.5, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

**Aye: 5 -** Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

**H.     PUBLIC HEARINGS**

- H.1**     [ORD-3390](#)     **Conduct a public hearing and consider adopting Ordinance No. 3390 amending Planned Development District 88 (PD-88) for Tract 3 and adopting a Conceptual Site Plan for the property located at 4100 and 4141 Blue Lake Circle and 4020, 4040 and 4100 McEwen Drive; and take appropriate action.**

Mayor Phelps announced this is a continued public hearing from the September 20, 2016 City Council meeting. Community Services Director Andy Gillies briefed City Council regarding this item. Mr. Gillies explained the applicant, Provident Realty Advisors, is proposing to develop a mid-density residential community containing approximately 260 dwelling units on approximately 8.7 acres. This community will consist primarily of one and two bedroom units. Mr. Gillies explained the proposed site plan was designed to complement the existing communities on both sides. He explained special design considerations were made to take advantage of the two major amenities: the new lake on the side of the property and a proposed linear park on the western side of the property. Mr. Gillies noted the entire site is bordered on all sides by trails, and connects with the surrounding multifamily developments. He further explained this new community will include an amenity center located along Knightsbridge Road. He further stated the center will include a leasing office and clubhouse with a community pool and outdoor area orientated towards the linear park. He noted the estimated cost for the proposed development is approximately \$36 million. He explained the proposed community will be served by 416 on-site parking spaces with a combination of "tuck-under" garages (96 parking spaces) and surface parking lots (317 parking spaces). All buildings will have "tuck-under" garages that will be connected into a common semi-open hallway system. The proposed Conceptual Site Plan contains approximately 26% landscaped open space.

Mr. Gillies noted five (5) zoning notification letters were mailed to the surrounding property owners on August 12th, 2016, and as of September 1st, no letters of opposition have been received.

Council Member Bomgardner asked if elevators would be available and if hallways would be air conditioned. Mr. Gillies explained no elevators are proposed for this project and hallways would be open but air conditioned.

Mayor Phelps asked if an elevator was required for three (3) story developments. Mr. Gillies replied four (4) stories require an elevator.

Mayor Phelps announced this is a public hearing. There being no one to speak, Mayor Pro Tem Froehlich made a motion to close the public hearing. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

**Aye: 5 -** Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

Council Member Lynne made a motion to adopt Ordinance No. 3390, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

**Aye: 5 -** Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

## **I. REGULAR AGENDA ITEMS**

### **I.1 [16-243](#) Informational video presentation regarding Carrollton-Farmers Branch Independent School District's financial structure.**

Dr. Bobby Burns, Superintendent with Carrollton Independent School District (CFBISD) provided an informational video presentation regarding the Carrollton-Farmers Branch Independent School District's financial structure. Ms. Tonya Tillman, Associate Superintendent for Business Services briefed City Council regarding the school's proposed financial structure.

Council Member Bomgardner asked for clarification regarding the 11 cents proposal asking how many come back. Ms. Tillman explained the School District would keep \$17 million out of \$22 million. She further stated many other pieces are occurring which offset the revenue table. She noted the recapture on the pennies are \$6 million dollars.

Council Member Lynne noted he attended a school board meeting where CFBISD refinanced debt, which saved \$13 million dollars, asking where those funds were allocated. Ms. Tillman explained the dollars saved will go towards future debt service tax rates. Council Member Bomgardner asked if CFBISD has any future plans to invest in Farmers Branch. Dr. Burns stated the quality of an organization cannot exceed the quality of your staff. He further stated these funds will be used for maintenance and operation costs to provide quality staffing and stay competitive in the metroplex area.

Council Member Lynne asked if teachers would be laid off if the tax rate increase does not pass. Dr. Burns replied layoffs are not an option. Council Member Lynne asked if a 3% pay increase would still be provided to teachers. Dr. Burns replied the 3% pay increase has been included in the proposed budget. Council Member Lynne asked if the proposed budget is balanced. Dr. Burns replied the budget is balanced.

Deputy Mayor Pro Tem Reyes asked for more explanation regarding tax exemptions. Dr. Burns explained residents that are 65 yrs. of age and older, their taxes are frozen.

Council Member Norwood asked if option 2, to increase the number of students is being pursued. Ms. Tillman noted in the district, an increase of students has declined over the past two years, noting projections for 2018 -19 show an increase. Ms. Tillman noted a meeting after the election will be held to discuss future plans including the budget. Dr. Burns noted CFBISD has worked with neighboring residents that do not feed into the school district and have offered open enrollment to assist the numbers.

Council Member Norwood asked about the homestead exemption, noting CFBISD appears to be the largest portion, he noted he has the lowest homestead exemption, asking if this is consistent with other schools around the state. Ms. Tillman explained this is mandated by the State.

Resident Michelle Holmes spoke in opposition to the proposed tax increase and expressed disappointment in the explanation provided.

- I.2     [R2016-085](#)     **Consider approving Resolution No. 2016-085 authorizing execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 12951 Epps Field; and take appropriate action.****

Economic Development Director Allison Cook briefed City Council regarding the item. Ms. Cook noted applicant Todd Bonneau with Todd Bonneau Homes has applied for the Demolition Rebuild Program option one. Ms. Cooks explained this option includes an incentive that is based on the increase over the course of seven (7) years in the City Property taxes paid on the difference between the original home appraised value (excluding the land value), as determined by the Dallas County Appraisal District. She further stated this option also includes a reimbursement of up to \$5000.00 of the cost of demolition of the original home following completion of demolition. Demolition of the original home and completion of construction and occupancy of the new home must be within 24 months of the effective date of the incentive agreement signed with the City. The current improvement value is \$41,070 and the estimated new improvement value is estimated to be at least \$450,000.

Mayor Pro Tem Froehlich explained the Demolition Rebuild Program the City offers includes the ability for a builder to purchase a home and participate in the program. Ms. Cook noted Todd Bonneau Builders has taken advantage of this program.

Deputy Mayor Pro Tem Reyes asked if the Economic Development proposal to increase the dollar amount from \$5,000 to \$10,000 for demolition rebuilds would affect the future of the program. Ms. Cook explained the Bond Committee is looking at recommendations to increase the rebate for Economic Development use which would provide a higher dollar amount resulting in higher program use and more development in Farmers Branch.

Motion made by Mayor Pro Tem Froehlich to approve Resolution No. 2016-085, as presented. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

**Aye: 5 -** Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

- I.3 [R2016-091](#) Consider approving Resolution No. 2016-091 authorizing the City Manager to execute a contract for custodial services with ABM Janitorial Services South Central, Inc. through 1Government Procurement Alliance in an amount not to exceed \$283,374; and take appropriate action.**

Director of Building Services Kevin Muenchow briefed City Council regarding this item. Facilities Management interviewed ABM Janitorial Services prior to obtaining quotes to ensure the basic business partner requirements were met, such as internal quality control, accountable communication, prompt issue resolution, customer service, etc. Their current customer references were called to confirm overall satisfaction and if they met the partner requirements. The quotes were provided at a total cost of \$283,374, which includes all current services plus the following additional services: Full time day porter for public City buildings, annual strip and wax, semi-annual scrub and top coat, weekly/nightly carpet spot treatment, and emptying desk paper recycling boxes.

Council Member Lynne made a motion to approve Resolution No. 2016-091, as presented. Motion seconded by Deputy Mayor Pro Tem Reyes. Motion prevailed by the following vote:

**Aye: 5 -** Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

Mayor Phelps recessed into closed executive session at 7:13 p.m. to discuss the following.

- J.1 [16-258](#) Council may convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to deliberate regarding:**
- Consultation with City Attorney regarding Texas Commission on Environmental Quality (TCEQ) Report No. 119885 relating to TCEQ Permit Nos. 5383 and 5383A to Town of Addison for use of water in Farmers Branch Creek, pending TCEQ Complaint regarding Farmers Branch Creek.***

Mayor Phelps reconvened in Open Session to discuss Agenda Item, A.5 at 7:21 p.m.

- A.5 [16-264](#) Receive an update on the current Economic Development and Tourism projects for the City of Farmers Branch.**

Economic Development Director Allison Cook briefed City Council regarding Economic Development projects for Neighborhood Renaissance, Façade Grants, Station Area updates, Four Corners, 635 Corridor, recent tourism events, Premier Baseball, and noted City of Farmers Branch won the Certificate of Achievement award for economic excellence through the Texas Economic Development Council.

Deputy Mayor Pro Tem Reyes asked if Cox Farms opening date is scheduled to open in June 2017. Ms. Cook explained with Bee Street realignment, it wouldn't open till all road alignment is complete. Ms. Cook explained tourism is doing a great job keeping hotels full.

**A.6 [16-266](#) Receive a brief update on the Mercer Crossing Development and associated Tax Increment Reinvestment Zone #3.**

Community Services Director Andy Gillies provided an update on the Mercer Crossing Development noting detailed site plans are being reviewed for 6 different proposed neighborhoods in the PD-99 district. He further stated these items will go to Planning and Zoning Commission in October or November and City Council will review in December. Mr. Gillies explained he is working with Centurion on 600 lots, noting this doesn't include commercial properties.

Deputy City Manager John Land praised Mr. Gillies and his team for working long hours including weekends to review these projects. Mr. Gillies noted he is reorganizing the department to create a Planning Technician position.

Mr. Cox explained he met with Bond Counsel to plan a finance strategy and proposal. Mr. Cox explained there is an existing TIF 1 that covers this area, noting you cannot have two TIF areas receiving funding at the same time. He noted they must establish base to begin construction. He noted the existing TIF expires in 2019, noting there is a proposal for a TIF 3. He explained this would overlay TIF 1 and won't produce revenue until 2020. He noted the Developer will be required to give up 2 years of revenue in order to establish a base. Mr. Cox explained TIF 3 increases the construction value and will allow Valwood Improvement District to lower the tax rate due to value increases.

Deputy Mayor Pro Tem Reyes asked when the construction will begin. Mr. Cox explained once TIF 3 is active, and TIF 1 expires they will request bonds to be issued. Mr. Cox estimated the project could begin within two to three weeks. Council Member Lynne asked if CFBISD School Board does not construct a school in the Verwood area, what will be developed. Mr. Gillies explained the developer is proposing 50 ft. lots to be developed in that location. Mr. Cox suggested City Council review and decide phasing of the projects.

**A.8 [16-255](#) Discuss agenda items for future City Council meetings.**

Mr. Cox confirmed he will coordinate a meeting with the City Council subcommittee and the Oakbrook Homeowner's Association.

Mayor Phelps recessed at 8:00 p.m. into closed Executive Session.

- J.1 [16-258](#) Council may convene into a closed executive session pursuant to Texas Government Code Section 551.072
  - *Deliberate regarding the purchase, exchange, lease, or sale, or value of real property located east of I-35, south of Valley View, west of Webb Chapel, and north of 635.*

Mayor Phelps reconvened into open session at 8:38 p.m.

**K. RECONVENE INTO REGULAR SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE CLOSED SESSION**

No action was taken as a result of closed executive session.

**L. ADJOURNMENT**

Council Member Norwood made a motion to adjourn the meeting at 8:40 p.m. Motion seconded by Deputy Mayor Pro Tem Reyes. Motion prevailed by the following vote:

**Aye: 5 -** Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

The meeting adjourned at 8:40 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: R2016-096

Agenda Date: 10/18/2016

Version: 2

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: G.2

**Consider approving Resolution No. 2016-096 authorizing the purchase and installation of replacement athletic field lights at Cox Soccer Complex Fields 4 and 5 from Groves Electrical Services, Inc. through the Buy Board Purchasing Cooperative; authorizing execution of agreements as needed; and take appropriate action.**

### BACKGROUND:

An engineering firm was hired to assess the condition of the City's athletic field light poles. The assessment was performed as the existing poles and related systems are in excess of 30 years old. The engineer was to complete the assessment and provide the City with a report advising of the structural condition of the poles and recommendations as necessary. No conditions representing immediate life-safety hazards were observed by the engineer. However, the engineer identified 21 of the 107 poles evaluated to have a service life of five years or less and the remaining poles to have a remaining service life 5 to 15 years.

Not only are the poles in excess of 30 years old but the fixtures and controls are as well. Technology has improved dramatically as has efficiency of lighting fixtures. The control systems are antiquated and parts are no longer available making service and up keep extremely difficult. As poles are replaced, replacement of fixtures, controls, and wiring is recommended as well.

### DISCUSSION:

Based on the engineer's report, a multi-year plan has been put in place to fund the replacements. The total cost of replacement is approximately \$3,300,000. Staff's recommendation is that the Non Bond Capital Improvement Program Budget include \$225,000 a year until the replacement process is completed. This was first budgeted in the 2014/15 Mid-Year Budget and is in this current fiscal year's budget. Funds will accumulate and portions of the replacement project will be completed as funds are available.

Groves Electrical Services, Inc. is a Farmers Branch business that has been installing and maintaining sports field lighting for many years. Groves has a long and positive history of working on City projects.

Cox Soccer Complex was the first project to be undertaken because it has the most poles identified that need to be replaced in the first five years and is our most heavily used athletic complex. Fields 1, 2 and 3 were replaced last year and fields 4 and 5 are scheduled for replacement this year. It is important to complete a field in its entirety so that there is uniform

lighting on the field. The cost for this year's replacement is Buy Board Priced not to exceed \$287,535. There is a total of \$352,023 available in the Budget for this Capital Improvement Project.

POSSIBLE COUNCIL ACTION:

1. I move to approve Resolution No. 2016-096 authorizing the purchase and installation of replacement athletic field lights at Cox Soccer Complex fields 4 and 5 from Groves Electrical Service, Inc.
2. I move to approve Resolution No. 2016-096 authorizing the purchase and installation of replacement athletic field lights at Cox Soccer Complex fields 4 and 5 from Groves Electrical Service, Inc. with modifications.
3. I move to table the issue for further study or take no action.

ATTACHMENTS:

1. Resolution No. 2016-096
2. Site Location



## RESOLUTION NO. 2016-096

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, AUTHORIZING THE PURCHASE AND INSTALLATION OF REPLACEMENT ATHLETIC FIELD LIGHTS AT COX SOCCER COMPLEX FIELD NOS. 4 AND 5 FROM GROVES ELECTRICAL SERVICES, INC. THROUGH THE BUY BOARD PURCHASING COOPERATIVE; AUTHORIZING EXECUTION OF SUCH AGREEMENTS, AS NEEDED; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Parks and Recreation Department has obtained an engineering evaluation (“the Study”) the lights and light poles at the athletic fields at the City’s various parks; and

**WHEREAS**, based on the findings of the Study, City staff recommended, and the City Council agreed, to enact a program for the replacement of the City’s athletic field lights prior to the expiration of the useful life of such equipment and structures; and

**WHEREAS**, City staff has determined replacement of field lights at Field Nos. 4 and 5 at the Cox Soccer Complex should be performed and have prepared specifications and requested a quotation from the Buy Board Purchasing Cooperative for the desired athletic field lighting equipment and poles and related installation; and

**WHEREAS**, having evaluated the quotations received and determining that athletic field lighting meeting specifications can be purchased from and installed through Groves Electrical Services, Inc. through the City’s cooperative purchasing program with the Buy Board Purchasing Cooperative for an amount not to exceed \$287,535, City administration recommends such purchase; and

**WHEREAS**, the City Council of the City of Farmers Branch, finds it to be in the public interest to concur in the foregoing recommendation;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:**

**SECTION 1.** The City Manager is hereby authorized to enter on behalf of the City such agreements as necessary for the purchase and installation of replacement athletic field lighting at Field Nos. 4 and 5 at the Cox Soccer Complex from Groves Electrical Services, Inc. through the City’s cooperative purchasing agreement with the Buy Board Purchasing Cooperative in an amount not to exceed \$287,535. Furthermore, subject to applicable state law, city policy, and, in the case of increase in contract price, the availability of current funds, the City Manager is further authorized to sign such change orders as may be reasonable and necessary to ensure proper completion of the work.

**SECTION 2.** This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS  
BRANCH, TEXAS, THIS 18th DAY OF OCTOBER, 2016.**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Amy Piukana, City Secretary

\_\_\_\_\_  
Bob Phelps, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Peter G. Smith, City Attorney



Soccer Field 1

Soccer Field 2

Soccer Field 3

**Soccer Field 5**

**Soccer Field 4**

Cox Soccer Complex

DENNIS LN



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: R2016-095

Agenda Date: 10/18/2016

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: G.3

**Consider approving Resolution No. 2016-095 authorizing the City Manager to enter into a three (3) year Microsoft Enterprise Software License Agreement in an amount not to exceed \$ 115,000.00 through SHI Government Solutions, utilizing the Department of Information Resources (DIR) contract number DIR-SDD-2503; and take appropriate action.**

### BACKGROUND:

In 2013, the City entered into a three (3) year Enterprise Agreement (EA) with Microsoft to provide software, software upgrades and support. Entering into the EA provided for a simple, cost-effective way for the City to procure the necessary licenses and support, with the ability to upgrade the software as needed, without having to purchase the products again.

The City is currently due to pay the renewal for maintenance and support only, plus the difference of any new software licenses or subscription services added above the numbers originally purchased.

### DISCUSSION:

The proposed EA renewal covers the following Microsoft products: Office Suite, Windows Operating System, Server Operating Systems, SQL Database Software, Email, SharePoint and Online Storage.

The anticipated cost of the Enterprise Agreement is \$115,000.00 per year, for a period of three (3) years. The Enterprise Agreement renewal will be purchased from SHI Government Solutions, under the cooperative contract of the Texas Department of Information Resources (DIR) contract number DIR-SDD-2503.

Year one (1) costs for the Microsoft Licensing Agreement are included in the Information Services budget for fiscal year 2016-2017.

### RECOMMENDATION:

City Administration recommends approving Resolution No. 2016-095 authorizing the City Manager to enter into a three (3) year Microsoft Licensing agreement at a cost of \$ 113,278.40 for year one (1) of a three (3) year agreement, utilizing the State of Texas catalog purchasing procedures.

### POSSIBLE COUNCIL ACTION:

1. I move to approve Resolution No. 2016-095 authorizing the City Manager to enter into a three (3) year Microsoft Enterprise Software License Agreement in an amount not to exceed \$ 115,000.00 through SHI Government Solutions, utilizing the Department of Information Resources (DIR) contract number DIR-SDD-2503.
2. I move to approve Resolution No. 2016-095 authorizing the City Manager to enter into a three (3) year Microsoft Enterprise Software License Agreement in an amount not to exceed \$ 115,000.00 through SHI Government Solutions, utilizing the Department of Information Resources (DIR) contract number DIR-SDD-2503 with modifications.
3. I move to table the issue for further study or take no action.

ATTACHMENTS:

1. Resolution No. 2016-095
2. Microsoft Enterprise Agreement (Year-1) Pricing Proposal



## RESOLUTION NO. 2016-095

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MICROSOFT ENTERPRISE VOLUME SOFTWARE LICENSING AGREEMENT WITH SHI GOVERNMENT SOLUTIONS UTILIZING THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES CONTRACT DIR-SDD-2503 FOR A THREE YEAR TERM SUBJECT TO ANNUAL APPROPRIATIONS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Farmers Branch, Texas, pursuant to the authority granted by Section 271.081 – 271.083 Local Government Code, V.T.C.A., desires to participate in the described purchasing programs of the State Catalog Purchase procedures for automated information systems; and

**WHEREAS**, after consideration of various options, City staff proposes entering into a Microsoft Enterprise Volume Licensing Agreement for a three (3) year term through SHI Government Solutions, utilizing the State of Texas Department of Information Resources contract DIR-SDD-2503, at a cost of \$ 113,278.40 for the first year of the agreement; and

**WHEREAS**, funds for the first year of the Microsoft Enterprise Volume Software Licensing Agreement were approved as part of the FY 2016-2017 budget process; and

**WHEREAS**, the City Council of the City of Farmers Branch, Texas, finds it to be in the public interest to concur in the foregoing recommendation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS THAT:**

**SECTION 1.** The City Manager is hereby authorized to take such action as necessary to enter into the Microsoft Enterprise Agreement with SHI Government Solutions through the State of Texas Department of Information Resources contract DIR-SDD-2503, said agreement to be for a term of three years with payments for the first year of said agreement being made from funds available in the City's Fiscal Year 2016-2017 budget and payment for the second and third years of the term of said agreement being authorized subject to the annual appropriation of funds therefore in subsequent fiscal years.

**SECTION 2.** This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS  
BRANCH, TEXAS, THIS 18<sup>th</sup> DAY OF OCTOBER, 2016.**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Amy Piukana, City Secretary

\_\_\_\_\_  
Bob Phelps, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Peter G. Smith, City Attorney  
(kbl:10/5/16:80049)



Pricing Proposal  
 Quotation #: 12312194  
 Created On: 10/4/2016  
 Valid Until: 10/31/2016

**City of Farmers Branch TX**

**IAM**

**Mark Samuels**

Farmers Branch, TX  
 United States  
 Phone: (972) 919-2566  
 Fax:  
 Email: mark.samuels@farmersbranchtx.gov

**Gregory Gonedes**

1301 South Mo-Pac Expressway  
 Suite 375  
 Austin, TX 78746  
 Texas@shi.com\*  
 8008706079  
 5127320232  
 Phone: 800-870-6079  
 Fax: 512-732-0232  
 Email: Gregory\_Gonedes@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 CoreCAL ALNG SA MVL Pltfrm UsrCAL Microsoft - Part#: W06-01072	350	\$40.40	\$14,140.00
2 ExchgOnlnArchGov ShrdSvr ALNG SubsVL MVL PerUsr Microsoft - Part#: 4ES-00001	245	\$25.20	\$6,174.00
3 O365GovE1 ShrdSvr ALNG SubsVL MVL PerUsr Microsoft - Part#: U4S-00002	5	\$73.20	\$366.00
4 O365E1AddOn ShrdSvr ALNG SubsVL MVL AddOn touserCoreCAL Microsoft - Part#: 6U6-00004	100	\$46.80	\$4,680.00
5 WinSvrDCCore ALNG SA MVL 2Lic CoreLic Microsoft - Part#: 9EA-00278	80	\$125.10	\$10,008.00
6 O365GovE3 ShrdSvr ALNG SubsVL MVL AddOn touserCoreCALw/OPP Microsoft - Part#: AAA-11889	250	\$68.40	\$17,100.00
7 O365GovK1 ShrdSvr ALNG SubsVL MVL PerUsr Microsoft - Part#: 3KS-00001	245	\$31.20	\$7,644.00
8 OfficeProPlus ALNG SA MVL Pltfrm Microsoft - Part#: 269-12442	330	\$79.80	\$26,334.00
9 SQLSvrStdCore ALNG SA MVL 2Lic CoreLic Microsoft - Part#: 7NQ-00292	26	\$579.10	\$15,056.60
10 VisioStd ALNG SA MVL Microsoft - Part#: D86-01253	2	\$46.90	\$93.80
11 WINE3perDVC ALNG SA MVL Pltfrm	330	\$35.40	\$11,682.00

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Subtotal	\$113,278.40
Shipping	\$0.00
Total	\$113,278.40

**Additional Comments**

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**DIR-SDD-2503**

*Thank You for choosing SHI-GS! To ensure the best level of service, please provide End User Name, Phone Number, and E-Mail Address when submitting a Purchase Order. For any additional information including Hardware and Software Contract Numbers, please contact an SHI-GS Sales Representative at 800-870-6079.*

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*The Products offered under this proposal are subject to the SHI Return Policy posted at [www.shi.com/returnpolicy](http://www.shi.com/returnpolicy), unless there is an existing agreement between SHI and the Customer.*



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-277

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**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Regular Agenda

**In Control:** City Council

**File Type:** Report

**Agenda Number:** H.1

**Receive a presentation from Christy Dimon regarding outside storage and garage door closures.**

BACKGROUND:

This item has been placed on the October 18, 2016 City Council agenda by Mayor Phelps.

ATTACHMENT:

1. Future City Council Agenda Request Form

## Amy Piukana

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**From:** noreply@civicplus.com  
**Sent:** Thursday, September 29, 2016 1:41 PM  
**To:** Amy Piukana  
**Subject:** Online Form Submittal: Request for Future City Council Agenda Item

### Request for Future City Council Agenda Item

Date 9/29/2016

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#### REQUEST FOR FUTURE CITY COUNCIL AGENDA ITEM

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*If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number and the specific topic. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.*

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First Name	Christy
Last Name	Dimon
Address	3180 Whitemarsh Cir
E-Mail Address	
Phone	972-484-0008
Alternate Phone	214-505-5528

---

*To insure appropriate follow through on an item, City staff may need to contact you. Please make sure to provide either a phone number or email address for this purpose.*

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**Briefly describe the requested topic:**

I would like to discuss having a code ordinance amended or changed or other suggestions made by the council. Sec. 56-81. - Exterior grounds. (q) Outside storage. It shall be unlawful for any person to allow, permit, conduct or maintain any outside storage on any portion of a lot or tract, outside of an enclosed structure, in a garage with the garage door left open or a garage with an inoperable garage door, under a carport or covered patio or other projecting overhang, for a continuous period in excess of seven days during a calendar year within the city. Each day during which outside storage occurs shall constitute a separate offense. (2) It shall be an affirmative defense to prosecution: a. In the case of all outside storage

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which is not deemed a nuisance, that such storage: 1. Does not occupy more than one percent of the lot area (measured by a single rectangle that would encompass all such outside storage); and 2. Is screened from view from private or public property by a solid fence, wall, landscaping or a combination of fence and landscaping, (q) Garage doors. Garage doors shall be capable of being closed reasonably plumb, properly attached and the exterior surface maintained weatherproof as required to prevent deterioration and shall remain closed unless in use for not more than 30 hours per week. If the garage door is inoperable, then no storage may be seen from the street.

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Email not displaying correctly? [View it in your browser.](#)



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: R2016-093

Agenda Date: 10/18/2016

Version: 1

Status: Regular Agenda

In Control: City Council

File Type: Resolution

Agenda Number: H.2

**Consider approving Resolution No. 2016-093 authorizing the City Manager to sign an amendment to the professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead relating to the City's municipal solid waste landfill permit amendment; and take appropriate action.**

### BACKGROUND:

The City of Farmers Branch entered into a contract with McElroy, Sullivan, and Miller on July 22, 2009 to provide legal services relating to the City's municipal solid waste landfill permit amendment and any related litigation or contested administrative proceedings. During this time the rates billed to the City have not changed, although the firm has had several rate increases.

### DISCUSSION:

The firm recently changed names to McElroy, Sullivan, Miller, Weber, and Olmstead and as part of their internal review noted that rates billed to the City have not increased since the firm was originally engaged. The length of time for the permitting process has been significant and the firm is now requesting the City be billed at their current rates for such professional services. This contract amendment replaces the Schedule of Charges in the contract.

### RECOMMENDATION:

City Administration recommends approving Resolution 2016-093 authorizing the City Manager to sign on behalf of the City an amended professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead for solid waste legal services related to the municipal solid waste permit amendment for Camelot Landfill and professional services required in relation to any current or future legal actions taken by opposition groups related to the permit amendment application.

### POSSIBLE COUNCIL ACTION:

1. I move to approve Resolution No. 2016-093, authorizing the City Manager to sign on behalf of the City an amended professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead for solid waste legal services related to the municipal solid waste permit amendment for Camelot Landfill and professional services required in relation to any current or future legal actions taken by opposition groups related to the permit amendment application, as presented.
2. I move to approve .Resolution No. 2016-093 authorizing the City Manager to sign on behalf of the City an amended professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead for solid waste legal services related to the municipal solid waste permit amendment for Camelot Landfill and professional services required in relation to any current or

future legal actions taken by opposition groups related to the permit amendment application, with modifications.

3. I move to table the issue for further study or take no action.

ATTACHMENTS:

1. Resolution 2016-093
2. First Amendment to Legal Services Contract
3. Table 3 - Schedule of Charges
4. Original Schedule of Charges



**RESOLUTION NO. 2016-093**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A PROFESSIONAL SERVICE CONTRACT FOR SOLID WASTE LEGAL SERVICES WITH MCELROY, SULLIVAN, MILLER, WEBER, AND OLMSTEAD.**

**WHEREAS**, City Administration has submitted a permit amendment to expand the disposal capacity of the City’s Camelot Landfill; and

**WHEREAS**, the City has executed a professional services contract with McElroy, Sullivan, and Miller, now McElroy, Sullivan, Miller, Weber, and Olmstead in July 2009 to provide solid waste legal services for the permit amendment for Camelot Landfill; and

**WHEREAS**, the City Council has determined that it would be in the public interest to amend the professional services agreement with McElroy, Sullivan, Miller, Weber, and Olmstead to increase billing rates for such professional services relating to the permitting of a municipal solid waste permit amendment and defend the City against opposing parties and lawsuits related to the permit amendment process and to authorize the City Manager to execute the same.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS THAT:**

**SECTION 1.** The City Manager is authorized to sign on behalf of the City an amended professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead for solid waste legal services related to the municipal solid waste permit amendment for Camelot Landfill and professional services required in relation to any future legal actions taken by opposition groups related to the permit amendment application.

**SECTION 2.** This resolution shall become effective immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 3<sup>rd</sup> DAY OF OCTOBER, 2016.**

ATTEST:

APPROVED:

\_\_\_\_\_  
Amy Piukana, City Secretary

\_\_\_\_\_  
Bob Phelps, Mayor

Approved as to form:

\_\_\_\_\_  
Peter G. Smith, City Attorney  
(\_\_\_\_\_)

**FIRST AMENDMENT TO LEGAL SERVICES CONTRACT**

**STATE OF TEXAS** §  
§ **KNOW ALL MEN BY THESE PRESENTS:**  
**COUNTY OF DENTON** §

**THIS FIRST AMENDMENT TO LEGAL SERVICES CONTRACT** is made and entered into this date by and between the **CITY OF FARMERS BRANCH**, a Texas home rule municipality (hereinafter referred to as the "**CITY**"), and **McELROY, SULLIVAN, MILLER, OLMSTEAD & WEBER L.L.P.** (formerly McELROY, SULLIVAN, & MILLER, L.L.P.) and **BRENT W. RYAN** (hereinafter referred to as "**ATTORNEY**") and evidences the following:

**Recitals:**

**WHEREAS**, CITY and ATTORNEY previously entered into a Legal Services Contract dated July 22, 2009 regarding ATTORNEY rendering professional services for CITY related to the expansion of the Camelot Landfill ("the Contract"); and

**WHEREAS**, ATTORNEY has revised its hourly billing rates as shown on Table 3 to the Contract;

**NOW THEREFORE**, in exchange for the mutual covenants set forth herein and other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, CITY and ATTORNEY agree as follows:

- 1. The Contract is and shall remain in full force and effect, except as specifically amended by this First Amendment.
- 2. The Contract is hereby amended by replacing Table 3: Schedule of Charges, attached to the Contract, with Table 3: Schedule of Charges, attached hereto and incorporated herein.

**SIGNED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.**

**CITY OF FARMERS BRANCH, TEXAS:**

By: \_\_\_\_\_  
Charles S. Cox, City Manager

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Amy Piukana, City Secretary

\_\_\_\_\_  
City Attorney

**SIGNED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.**

**McELROY, SULLIVAN, MILLER, WEBER & OLMSTEAD, L.L.P. and BRENT W. RYAN:**

By: \_\_\_\_\_  
Brent W. Ryan, Of Counsel

### Table 3. Schedule of Charges

Michael E. McElroy	Partner	\$395/hr
Brian R. Sullivan	Partner	\$395/hr
Dan Miller	Partner	\$395/hr
Thomas M. Weber	Partner	\$375/hr
Mickey R. Olmstead	Partner	\$375/hr
Matthew W. Baab	Partner	\$365/hr
Paul R. Tough	Partner	\$335/hr
John M. Quinlan	Partner	\$350/hr
Michael W. Choate	Associate	\$235/hr
Adam M. Friedman	Associate	\$305/hr
William B. Hayenga, II	Associate	\$235/hr
Kelli T. Kenney	Associate	\$305/hr
Eno E. Peters	Associate	\$265/hr
Robert B. Salmon	Associate	\$235/hr
Sandra B. Buch	Of Counsel	\$295/hr
Clark Jobe	Of Counsel	\$335/hr
Brent W. Ryan	Of Counsel	\$350/hr
Law Clerks		\$95 - \$125/hr
Sandra I. Bates	Paralegal	\$150/hr
Grace H. McNally	Research Assistant	\$100/hr
Sharon A. McNamara	Paralegal/Research Asst.	\$150/hr
Michael A. Paluso	Paralegal/Research Asst.	\$150/hr
Lois E. White	Paralegal	\$85/hr

### Table 3. Schedule of Charges

#### ATTORNEYS AND HOURLY BILLING RATES

Matt Baab	\$200
Sandy Buch	\$200
Greg Friend	\$150
Anna Irion	\$150
Clark Jobe	\$200
Mike McElroy	\$275
Dan Miller	\$275
Mickey Olmstead	\$200
John Quinlan	\$200
Brent Ryan	\$250
Brian Sullivan	\$300
Cindy Sullivan	\$200
Paul Tough	\$175
Tom Weber	\$250
Others not to exceed	\$275

#### PARALEGALS AND HOURLY BILLING RATES

Ilia Esparza	\$70
Vivian Hernandez	\$85
Jeana Matetszchk	\$70
Mike Paluso	\$85
Lois White	\$85
Others not to exceed	\$85



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-272

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**Agenda Date:** 10/18/2016

**Version:** 1

**Status:** Closed Session

**In Control:** City Council

**File Type:** Report

**Agenda Number:** I.1

**Council may convene into a closed executive session pursuant to Section 551.072 of the Texas Government Code:**

- *Deliberate regarding the purchase, exchange, lease, or sale, or value of real property located east of I-35, south of Valley View, west of Webb Chapel, and north of 635.*