



City of Farmers Branch

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

Meeting Minutes

City Council

Tuesday, February 2, 2016

6:00 PM

Council Chambers

- Presiding:** 1 - Mayor Bob Phelps
- Present:** 4 - Mayor Pro Tem Kirk Connally, Deputy Mayor Pro Tem Harold Froehlich, Council Member Ana Reyes, Council Member Mike Bomgardner
- Absent:** 1 - Council Member John Norwood
- Staff:** 16 - Gary D. Greer City Manager, Pete Smith City Attorney, Amy Piukana City Secretary, John Land Managing Director Operations, Charles Cox Managing Director of Administration, Shawna Eikenberry Management Analyst, Brian Beasley Human Resource Director, Allison Cook Economic Development Manager, Andy Gillies Director of Community Services, Jeff Harting Parks & Recreation Director, Steve Parker Fire Chief, Randy Walhood Public Works Director; David Hale Assistant Police Chief

Mayor Phelps opened the meeting at 6:03 p.m. and announced Study Session Items will be moved to the end of the meeting.

Mayor Phelps skipped to Agenda item B.

B. INVOCATION & PLEDGE OF ALLEGIANCE

Planning and Zoning Commissioner Jason O'Quinn provided the invocation, and his two boys Jacob & Johnny O'Quinn led the Pledge of Allegiance.

C. CEREMONIAL ITEMS

- C.1 16-036 Consider awarding First Baptist Church of Farmers Branch as the 2016 recipient of the Farmers Branch Witness to History Award; and take appropriate action.**

Mayor Phelps presented members of the First Baptist Church of Farmers Branch with the 2016 Farmers Branch Witness to History Award.

C.2 16-031 **Consider Board and Commission appointments; and take appropriate action.**

Motion made by Mayor Pro Tem Connally to appoint Andy Olivo to Library Board, Place 7. Motion seconded by Council Member Reyes. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

Motion made by Mayor Pro Tem Connally to reappoint the following Board Members to the North Dallas County Water Supply Corporation:

- Gary Greer, Place 1 for a term ending 1/1/19
- Charles Cox, Place 2 for a term ending 1/1/19
- Randy Walhood, Place 3 for a term ending 1/1/19

Motion seconded by Council Member Bomgardner.

Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

This item passed.

C.3 R2016-017 **Consider approving Resolution No. 2016-017 establishing a Citizen Bond Committee; and take appropriate action.**

Motion made by Mayor Pro Tem Connally to approve Resolution No. 2016-017, establishing a Citizen Bond Committee. Motion seconded by Deputy Mayor Pro Tem Froehlich. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council

Member Reyes, and Council Member
Bomgardner

This item passed.

C.4 16-037 Consider appointing members to the Citizen Bond Committee and take appropriate action.

After discussion, Council Member Bomgardner motioned to appoint the following members to the Citizen Bond Committee:

Marcus Miller, Tamara Cleghorn, Rodger Cramer, Jorge Gonzalez, David Merritt, Nic Rady, Joan O'Shea, Vincent Montenegro, Michael Driskell, James Webb, Martina De Los Santos, Timothy Yarbrough, Collin Eddy, Michelle Holmes, Meredith MacLeod, John Speed, and Bronson Blackson.

Motion seconded by Mayor Pro Tem Connally. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

This item passed.

C.5 16-042 Consider appointing an Interim Chairperson to the Citizen Bond Committee; and take appropriate action.

Motion made by Council Member Bomgardner to appoint Michelle Holmes as the Interim Chairperson for the Citizen Bond Committee. Motion seconded by Council Member Reyes. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

This item passed.

D. REPORT ON STUDY SESSION ITEMS- No discussion.

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

- The Polar Plunge was more like the Solar Plunge since Saturday was such a bright, sunny day but a great time was had by all as dozens jumped into the ceremonially icy water at the Aquatics Center. The collective effort raised \$12,000 for the athletes of Special Olympics Texas.

- The annual Daddy-Daughter Dance, is coming this Saturday, February 6 at the Community Recreation Center. The theme for this year is a masquerade ball. The dance will feature a live DJ, refreshments, keepsake photos and more. Advance tickets are \$5 for Farmers Branch residents and \$8 for non-residents but must be purchased by Friday. Tickets at the door are \$10 for everyone. Call 972.247.4607 for more information.
- There are spots available for the upcoming Citizen Fire Academy and Citizen Police Academy, both set to begin in March. Both are 10-week programs that allow participants to actively learn about our public safety agencies through lectures, activities and hands-on demonstrations. For more information, call 972.919.2640 for the Citizen Fire Academy and 972.484.3620 for the Citizen Police Academy.
- Reservations are now being accepted for the early spring edition of Camping Under the Stars, set for the weekend of March 12 & 13 at the Farmers Branch Historical Park. Reservations are \$50 per family campsite. Pre-registration is required and is non-refundable. Call 972.406.0184.
- The City is always looking for civic-minded residents who want to give back by donating their time to serve on one of our boards and commissions. Right now, we have vacancies on the Community Watch Committee and youth vacancies on the Family Advisory Board. But even if your interest lies elsewhere, we'd like to hear from you so we know who we can call when future spots open up. Please call the City Secretary's office at 972.919.2503 or come by City Hall.

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.

The following citizens spoke before the City Council:

- Rick Johnson, spoke in opposition to a future Senior Housing Development location near the Library and the bin recycling program.
- Mario Lozano, spoke in opposition to a future Senior Housing Development location near the Library.
- Pat Edmiston, spoke asking City Council to table any discussion regarding the property located at 13605 Webb Chapel.

- Sabrina Maddux, spoke in opposition to a future Senior Housing Development near the Library.
- Jennifer Maddux, spoke in opposition to a future Senior Housing Development near the Library.
- Cindy Lindsay, spoke in opposition to a future Senior Housing Development near the Library.
- Madeline Luff, spoke in opposition to a future Senior Housing Development location near the Library and the bin recycling program.

G. CONSENT AGENDA

- G.1 16-030 Consider approving minutes of the Special Called City Council meeting held on January 14, 2016, the Regular City Council meeting held on January 19, 2016 and the City Council Retreat meeting held on January 21, 2016; and take appropriate action.**
- G.2 R2016-008 Consider approving Resolution No. 2016-008 releasing a monument sign easement and approving a final plat for Lots 1 and 2, Block A of Royal Hospitality Addition; and take appropriate action.**
- G.3 ORD-3354 Consider adopting Ordinance No. 3354 ordering a General Election to be held on May 7, 2016 for the purpose of electing two (2) members of the City Council for City Council District 1 and District 4; and take appropriate action.**

Motion made by Mayor Pro Tem Connally to approve Consent Items G.1 through G.3, as presented. Motion seconded by Deputy Mayor Pro Tem Froehlich. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

This item passed.

H. PUBLIC HEARING

- H.1 R2016-014 Conduct a public hearing and consider approving Resolution No. 2016-014 granting a Detailed Site Plan approval (with a Special Exception) for a new retail building located at 13150 Senlac Drive; and take appropriate action.**

Community Services Director Andy Gillies briefed City Council regarding this item. Mr. Gillies noted Komerica Building Maintenance submitted an application to develop a new retail building on 1.88 acres of the north side of the property. Mr. Gillies reviewed the site design, elevations, parking, landscaping, signage and explained a special exception was requested for a 15 ft. setback for the parking lot located along Senlac Drive.

Mayor Phelps opened the public hearing. There were no citizens that wished to speak. Motion made by Mayor Pro Tem Connally to close the Public Hearing. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

Council Member Reyes made a motion to approve Resolution No. 2016-014, granting a Detailed Site Plan, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

This item passed.

I. REGULAR AGENDA ITEMS

- I.1 R2016-05 Consider approving Resolution No. 2016-05 authorizing the execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 13430 Janwood Lane; and take appropriate action.**

Economic Development Manager Allison Cook briefed City Council regarding this item. Ms. Cook noted the applicant is requesting a Residential Demolition/Rebuild Program Incentive Agreement Number One.

Property Owner Bill Even spoke expressing his gratitude to the Fire Department for assistance with a fire at this home. Mr. Even's explained the fire destroyed his home noting he is very grateful that the Residential Demolition/Rebuild Incentive Program was available during his time of need. Mr. Even's thanked the Economic Development Staff for assisting him with the application process.

Deputy Mayor Pro Tem Froehlich moved to approve Resolution No. 2016-05, as presented. Motion seconded by Council Member Reyes. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

This item passed.

I.2 16-034

Receive a presentation on a new Cumulative Voting System by Carrollton-Farmers Branch Independent School District.

Carrollton Farmers Branch Independent School District Representative Guillermo Ramos briefed City Council regarding this item. Mr. Ramos provided a PowerPoint presentation explaining the new Cumulative Voting System that will be used at the May 2016 school elections.

I.3 15-191

Receive a presentation from Jefferies, an investment banking firm, related to Public Improvement District and Tax Increment Reinvestment Zone financing and logistics.

Managing Director Charles Cox introduced Managing Director Mark Curran with Jefferies Economic Development Finance, an investment banking firm. Mr. Curran briefed City Council regarding this item. The firm provided a PID Program overview, City/Issuer PID Activities, PID Financial Overview, and Municipal Securities Disclaimer.

Mr. Matt Challis, Senior Vice President with Jefferies Investment Firm answered questions from City Council.

No action was taken.

I.4 16-035

Receive a presentation on the findings associated with the Road Diet Traffic Study along Valley View Lane.

Parks and Recreation Project Manager Mitzi Davis briefed City Council regarding this item noting a traffic count study has been conducted by Dunaway Associates. Mr. Philip Neely with Dunaway Associates provided a PowerPoint presentation. He noted recommendations indicated implementation of buffered bike lanes along Valley View Lane from Dennis Lane to Alpha Road, and Alpha Road from Valley View Lane to Midway Road.

No action was taken.

- I.5 R2016-013 Consider approving Resolution No. 2016-013 awarding the bid for the reconstruction of Dennis Lane from Richland Avenue to Josey Lane to Jim Bowman Construction Company, LP; and take appropriate action.**

Public Works Director Randy Walhood briefed City Council regarding this item. Mr. Walhood noted the reconstruction of Dennis Lane will consist of replacing all pavement including curb and gutters, sidewalks, and drive approaches. He further stated that Jim Bowman Construction Company, LP was the lowest bidder in the amount of \$760,284.60.

After discussion, Council Member Reyes made a motion to approve Resolution No. 2016-013, as presented. Motion seconded by Deputy Mayor Pro Tem Froehlich. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

- I.6 ORD-3355 Consider adopting Ordinance No. 3355 calling for a Bond Election in the total amount of \$12,400,000 for the purpose of Fire Station No. 2 relocation in the amount of \$5,500,000, Justice Center improvements in the amount of \$4,200,000, and Animal Adoption Center facility expansion in the amount of \$2,700,000, to be held within the City on May 7, 2016, making provisions for the conduct of the election and other provisions relating thereto; and take appropriate action.**

Managing Director Charles Cox briefed City Council regarding this item noting tonight is a discussion and review of a possible Bond Election for Fire Station No. 2, Justice Center improvements, and the Animal Adoption Center, noting City Council may take action and Call the Election at the February 16, 2016 City Council meeting.

City Council discussed the ballot style asking that each item be listed separately and the option to delay the May 2016 Election and allow the Citizen Bond Committee to review these items and prioritize.

Council Member Bomgardner noted he would support and would like to consider using Certificate of Obligations for immediate needs for the Police Department.

The following citizens spoke regarding this item:

- Louise Henning spoke in support of a bond for the Animal Adoption Center.
- Mike DelValle spoke regarding Calling the Bond Election, asking City Council to allow the Bond Committee to review the items first.

No action was taken.

I.7 16-040

Discuss install of a traffic light at Josey Lane and Cookscreek Place by Ashley Wysocki.

Mr. and Ms. Wysocki briefed City Council regarding these items, asking City Council to consider a traffic light at Josey Lane and Cookscreek Place, expressing their concerns with safety and traffic at this location.

Mr. Randy Walhood stated the median openings were modified, additional signs were added, and pavement markings were added at Cookscreek. He further noted he met with the Shell Gas Station to ask for their consideration of closing a driveway. Mr. Walhood explained the Shell Gas Station had no interest in closing any drives to their location.

Council Member Bomgardner asked City Administration for any ideas that might alleviate the situation. City Manager Gary Greer explained the city could add a median and force traffic to right turns only to allow for a safer traffic pattern. City Council agreed to the solution.

Council Member Reyes asked if a pedestrian crossing could be added. Mr. Walhood noted a flashing light to allow for safer crossing could be added. Council Member Reyes asked that additional signage be added at this location to yield to pedestrians.

City Council recessed for break at 9:01 p.m.

Mayor Phelps skipped to Study Session Agenda Item A.

Mayor Phelps opened the Study Session meeting at 9:11 p.m.

A. STUDY SESSION

A.1 16-027 Discuss regular City Council meeting agenda items.

A.2 16-041 Discuss Municipal Court fines for Code Enforcement.

Managing Director Charles Cox briefed City Council regarding this item. Mr. Cox noted the maximum fines are set by State Law in an

amount not to exceed \$2,000. Mr. Cox reviewed current fee structures regarding window fines. Court Administrator Kevin Barrett and Building Official Hugh Pender were present to answer any questions.

Council Member Reyes had questions regarding fines, court process and options for violators.

Building Official Hugh Pender explained the Code Enforcement process noting Code Enforcement cases are initiated by a code officer noting these cases only reach Court after many attempts to obtain compliance.

City Attorney Pete Smith reviewed court procedures explaining each defendant is presented an offer and if they are unable to pay by the date given, they can appear before the judge.

Council Member Reyes asked what communications are provided to violators.

Mr. Pender explained violators are often given warning stickers, door hangers both in English and Spanish and notified by certified mail.

No action was taken.

A.3 16-029 Receive a presentation regarding Texas Municipal Retirement System (TMRS).

This item was tabled to the February 16, 2016 City Council meeting.

A.4 16-010 Receive an update regarding FEMA Public Assistance Program (DR-4223-TX)

Fire Chief Steve Parker and Emergency Management Coordinator Ashleigh Feryan with the Fire Department briefed City Council regarding this item. Ms. Feryan reviewed the FEMA Public Assistance program and procedures, noting City of Farmers Branch has been granted reimbursement through this program.

City Council thanked Ashleigh Feryan for her hard work in obtaining reimbursement funding through this program.

A.5 16-028 Discuss agenda items for future City Council meetings.

There was no discussion regarding this item.

Mayor Phelps recessed into Closed Executive Session at 9:50 p.m.

J. EXECUTIVE SESSION

J.1 16-039 Council shall convene into a closed executive session pursuant to Section 551.072 of the Texas Government Code to deliberate regarding:

- Discuss the purchase, exchange, lease, or sale of real property north of 635, south of Valwood Lane/Brookhaven Club Drive, east of I35, west of Marsh Lane.
- Discuss the purchase, exchange, lease, or sale of real property known as a portion of the Robert J. West Survey, Abstract No. 1576, also known as 13605 Webb Chapel, Farmers Branch, Texas.

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

Reconvene into Regular Session at 10:38 p.m.

Council shall convene into a closed executive session pursuant to Section 551.072 of the Texas Government Code to deliberate regarding:

- Discuss the purchase, exchange, lease, or sale of real property north of 635, south of Valwood Lane/Brookhaven Club Drive, east of I35, west of Marsh Lane.

Deputy Mayor Pro Tem Froehlich moved that the City Manager be authorized to negotiate and sign contracts and such other documents that are reasonable and necessary to sell to the Farmers Branch Local Government Corporation for the purpose of resale to Todd Bonneau Homes, LLC and/or assigns the property described as Lot 6, Block 4 of Valley View Addition No. 5, City of Farmers Branch, Texas more commonly known as 2620 Mount View for a purchase and sales price of not less than \$104,000 with the resale of said property to be subject to a restriction agreement requiring construction of a single family residence of not less than 3,000 square feet of air conditioned space with an assessed value of the property upon completion of construction, inclusive of both land and improvements, to be not less than \$500,000. Motion seconded by Council Member Bomgardner.

Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, and Council Member Bomgardner

- Discuss the purchase, exchange, lease, or sale of real property known as a portion of the Robert J. West Survey, Abstract No. 1576, also known as 13605 Webb Chapel, Farmers Branch, Texas.

No action was taken.

L. ADJOURNMENT –

Mayor Pro Tem Connally motioned to adjourn. Motion seconded by Council Member Reyes. Motion prevailed by the following vote:

Aye: 4 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Council Member Norwood and Council Member Bomgardner



Bob Phelps, Mayor

Attest:



Amy M. Piukana, City Secretary