



City of Farmers Branch

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

Meeting Minutes

City Council

Tuesday, March 15, 2016

6:00 PM

Council Chambers

Study Session Meeting to be held at 4:00 PM in the Study Session Room

- Presiding:** 1 - Mayor Bob Phelps
- Present:** 5 - Deputy Mayor Pro Tem Harold Froehlich, Council Member John Norwood, Council Member Ana Reyes, Council Member Mike Bomgardner, Mayor Pro Tem Kirk Connally
- Staff:** 13 - Charles Cox Interim City Manager, Amy Piukana City Secretary, Pete Smith City Attorney, John Land Managing Director Operations, Andy Gillies Community Services Director, Shane Davis Environmental Services & Solid Waste Manager, Randy Walhood Public Works Director; Allison Cook Economic Development Manager; Hugh Pender Building Official; Shawna Eikenberry Assistant to City Manager; Alexis Jackson Planning Manager; Tom Bryson Communication Director; Stephanie Hall Administrative Assistant

A. STUDY SESSION

Mayor Phelps called the meeting to order at 4:00 p.m.

A.1 16-069 Discuss regular City Council meeting agenda items.

Council Member Norwood asked that Agenda Item H.1, Ordinance No. 3359, be continued to the April 5, 2016, City Council Meeting in an effort to allow several neighboring property owners who were unable to attend tonight's meeting and participate in the discussion. Council Member Bomgardner urged City Council to move forward, noting he would be open to continuing the public hearing if that was the consensus from City Council.

A.2 16-068 Discuss Aquatics Facility Operational Audit.

Mr. George Deines with Counsilman-Hunsaker, a consulting firm, provided the following summary review of the Aquatics Facility Operational Audit:

Indoor Summary –

- The Natatorium is a great facility for water fitness, therapy and swim programs.
- Noted 100 daily admissions and high number of annual passes is unrealistic given the lack of multi-use aquatic features and amenities.
- Management should keep labor expenses low and continue to provide quality swim programs for all ages.
- The Natatorium will continue to see a subsidy level close to 75% due to the lack of competitive usage and the small, targeted market of programs within the City of Farmers Branch.

Outdoor Summary –

- The saturation of Community Aquatic Facilities in DFW and lack of multiple types of the key aquatic components (Capacity Holders, Children Areas, and Thrill Features) are the primary reasons the Frog Pond did not meet attendance and revenue expectations.
- The Frog Pond should keep the operational hours the same for the 2016 Season and track attendance by hour to evaluate attendance patterns and usage to see if hours need to be adjusted for the 2017 season.
- Consideration should be made for developing a strategic marketing plan to attract a wider audience of non-residents. This marketing plan could include, but is not limited to, using targeted social media promotions and advertisements, print, direct mail, cross-promotions with other city departments, and strategically placed special events, all of which can drive guests to the Frog Pond on historically low attended operating days. Implementing a marketing budget of \$0.25 per guest, the expectation would be to have a 1:1 return on every marketing dollar spent.
- Season pass prices for individual resident and non-resident should be re-evaluated. Resident pass prices should be priced at \$40-\$50, and non-resident passes priced at \$60-\$70.
- Family Season Pass price should remain the same.
- For ongoing operation of the Frog Pond, a realistic cost recovery rate of 80% is achievable. While some outdoor Aquatic Centers in Texas reach as high as 110%, this is unlikely in the case of the Frog Pond, due to high market saturation in DFW and the primary users being from Farmers Branch.

Council Member Bomgardner asked if part time lifeguards receive city insurance benefits. Human Resources Director Brian Beasley explained that only full time employees receive insurance benefits.

Council Member Bomgardner asked what recommended temperature the city should keep the pool at. Mr. Deines replied 84 degrees is recommended.

Council Member Bomgardner asked that any future projects have revenue and expenditure studies done prior to starting the projects. Interim City Manager Charles Cox explained the revenue projection was unrealistic noting the study has been very useful. He further stated the city plans to incorporate recommendations to add marketing into the mid-year budget and bring forward a lower season pass charge for City Council to review.

Council Member Norwood recommended City Administration research to see if marketing funds are available in this year's budget that could be allocated to market the facility. He stated these funds could be utilized to market the aquatics center and increase attendance.

Council Member Bomgardner asked City Administration to research the use of Hotel Motel funds for marketing. Mr. Cox explained the Hotel Motel funds have specific guidelines, and may not be used for this type of marketing. Mr. Cox stated he will conduct more research.

A.3 16-058 Discuss implementation strategy of the City of Farmers Branch Citywide Trail Master Plan.

Parks Director Jeff Harting briefed City Council regarding this item. Mr. Harting explained the background of the project, noting in September 2015, the Trail Master Plan was adopted, October 2015 the Road Diet was researched, December of 2015 a Traffic Study was conducted, and February 2016 a Traffic Study was conducted. Mr. Harting explained the recommendation tonight is to consider using a shared lane markings called "Sharrows".

Mr. Harting explained sharrows are bicycle symbols carefully placed to guide bicyclists. He further stated wider sidewalks would be added off street along with additional road signs. He noted road diets are on the horizon, however sharrows would be a great way to transition to the road diet.

Council Member Reyes asked if safety statistics are available. Mr. Harting explained with additional signage and sharrow markings, safety will be increased.

Council Member Bomgardner asked about sidewalk path connections and widths. Mr. Harting explained (1) inch joints are located within the sidewalk noting the width will be 4 - 7 ft. wide noting joints are as long as the sidewalk.

Council Member Bomgardner asked if the sharrow project is more economical than the road diet project. Mr. Harting replied sharrows cost substantially less than a road diet.

Council Member Norwood asked if an alternative more economical surface could be used for paving. Mr. Walhood explained he is unaware of an alternative paving material that is available on the market at this time.

A.4 16-083 Discuss the traffic control plan for the southbound Marsh Lane Bridge Project.

Public Works Director Randy Walhood briefed City Council regarding this project. Mr. Walhood explained Dallas County is preparing to advertise and bid this project. He explained

construction time could last 6-9 months, noting traffic would be reduced to two (2) lanes and detoured north bound. He reviewed the history of the project noting the city has conducted two (2) public meetings in the past and additional public communications and signage to the area will be provided.

Council Member Bomgardner asked that Vitruvian have a no left turn to avoid traffic issues. Mr. Walhood explained, his recommendation is to allow staff to adjust the signal timing and evaluate the detour before making any changes.

Council Member Reyes asked that "do not block the road," signage be added to the intersection.

A.5 16-079 Discuss Community Public Relations.

Council Member Bomgardner expressed his concerns regarding disparaging remarks he feels were made towards two (2) City Council Members and a Business partner. He further stated communications with the public need to be better communicated outside the organization as well, noting it is fundamental to our organization. Council Member Reyes reminded everyone that Council Members are responsible for setting the tone of the community, noting she feels weekly meetings will increase good communications. Council Member Norwood stated City Council Members must operate in a positive and respectful manner.

A.6 16-070 Discuss agenda items for future City Council meetings.

Council Member Reyes asked that discussion regarding the funding of the Justice Center Expansion and Security updates be added to a future meeting. Council Member Reyes asked about the status of the Compensation Study. Mr. Cox explained a consulting firm has been chosen and the process is ongoing. Human Resources Director Brian Beasley explained a comp study could be ongoing through June.

Council Member Reyes asked if a Police Association Representative could participate in the compensation study. Mr. Cox explained the consulting firm will meet with the committee and compare job descriptions. Mr. Cox explained outside groups will be invited to the final public meeting. Council Member Reyes asked Mr. Cox to extend an invitation to the Police Association once the final compensation presentation is completed.

Mayor Phelps recessed at 5:25 p.m. for a break.

City Council skipped to Agenda Item J.1 and recessed into Executive Session at 5:34 p.m.

J. EXECUTIVE SESSION

- J.1 16-082 Council may convene into a closed executive session pursuant to Texas Government Code Section 551.072 to deliberate regarding real estate and Texas Government Code Section 551.087 to deliberate regarding economic development:**

- **Discuss exchange of property generally bounded by Denton Drive to the west, Valley View to the north, William Dodson Parkway to the east and Bill Moses to the south in connection with new retail development and to consider providing Tax Increment Financing funding for certain infrastructure and economic development incentives for retailers.**

Mayor Phelps recessed from closed Executive Session at 5:57 p.m.

Mayor Phelps called the Regular meeting to order at 6:04 p.m.

B. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Pro Tem Connally provided the Invocation. Deputy Mayor Pro Tem Froehlich led the Pledge of Allegiance.

C. CEREMONIAL ITEMS

- C.1 16-066 Consider Board and Commission appointments; and take appropriate action.**

Mayor Pro Tem Connally moved to appoint David Merritt to the Planning and Zoning Commission, Place 5, for an unexpired term ending June 30, 2018.

There being no one to second, Motion dies, due to lack of second.

Council Member Reyes moved to appoint Timothy Yarbrough to the Planning and Zoning Commission, Place 5, for an unexpired term ending June 30, 2018.

Motion seconded by Council Member Norwood. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Kirk Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Council Member Norwood and Council Member Bomgardner

- C.2 16-081 Recognition to City of Farmers Branch receiving the 2015 Platinum Leadership Circle Award for transparency reporting from the Texas Comptroller of Public Accounts.**

Mayor Phelps read a State Proclamation recognizing Farmers Branch as the 2015 Platinum Leadership Circle Award recipient for transparency from the Texas Comptroller of Public Accounts. Interim City Manager Charles Cox was present to receive the proclamation.

D. REPORT ON STUDY SESSION ITEMS

Council Member Norwood provided an update regarding Study Session items.

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

- There will be a document destruction event in the parking lot at City Hall on Saturday, April 2, from 9 am until 12 noon.
- Saturday, April 2, America's pastime will be played by 1860s rules as the Farmers Branch Mustangs host their annual Vintage Baseball Festival at the Farmers Branch Historical Park.
- City of Farmers Branch offices and facilities will be closed on Good Friday, March 25. There will be no garbage pickup that day. The only exceptions will be the Margaret Young Natatorium and the Community Recreation Center (both open from 6 am until 5 pm) as well as the Farmers Branch Historical Park (open from 8 am until 5 pm). ALL City facilities are closed on Easter Sunday, March 27.
- 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 two vacancies each on the Community Watch Committee, Senior Advisory Board and two 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.

F. CITIZEN COMMENTS

The following citizens wished to speak under Citizen Comments:

Resident Rick Johnson, spoke expressing concerns of comments made by and about City Council Members and a developer noting Code of Conducts must be followed. He further asked that Staff review the contract with Graham wrecker services.

G. CONSENT AGENDA

- G.1 16-071 Consider approving minutes of the Regular City Council meeting held on March 1, 2016; and take appropriate action.**
- G.2 16-084 Consider excusing the absence of City Council Member Kirk Connally from the March 8, 2016, City Council Work Session and take appropriate action.**
- G.3 R2016-016 Consider approving Resolution No. 2016-016 authorizing the purchase of audio video equipment and implementation services and the Emergency Operations Center (EOC) in an amount not to**

exceed \$75,000 from Ford Audio-Video Systems, LLC, utilizing The Interlocal Purchasing System (TIPS) contract pricing for audio equipment and supplies; and take appropriate action.

- G.4** R2016-034 **Consider approving Resolution No. 2016-034 authorizing an amendment to the Interlocal Agreement with Dallas County to enforce and administer the automated Student Safety School Bus Stop Arm Enforcement program; and take appropriate action.**
- G.5** 16 PL-002 **Consider a request for final plat approval of Waters Edge Addition, Lot 1, Block A; and take appropriate action.**
- G.6** R2016-032 **Consider approving Resolution No. 2016-032 renaming the Farmers Branch Community Recreation Center “Teen Room” to the “Magnolia Room”; and take appropriate action.**

Motion made by Mayor Pro Tem Connally to approve Consent Items G.1 through G.6, as presented. Motion seconded by Deputy Mayor Pro Tem Froehlich. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Kirk Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Council Member Norwood and Council Member Bomgardner

These items passed.

H. PUBLIC HEARINGS

- H.1** ORD-3359 **Continue the public hearing and consider adopting Ordinance No. 3359 to change the zoning of approximately 268 acres from Planned Development No. 88 (PD-88) to Planned Development No. 99 (PD-99); and take appropriate action. The proposed PD-99 includes specific Development Standards and a Conceptual Site Plan that would allow the development of a master planned community consisting of single family residential, multi-family residential, retail, restaurant, office, entertainment and hotel land uses. (This is a continued Public Hearing from March 1, 2016 City Council Meeting.)**

Council Member Reyes made a motion to continue the Public Hearing to consider adopting Ordinance No. 3359, to the April 5, 2016, City Council meeting. Motion seconded by Council Member Norwood.

Council Member Bomgardner stated information has been provided, however; it's important to move forward and make a decision.

Council Member Reyes asked that Corporate Citizens be provided the opportunity to speak, noting many are out of town and unable to speak tonight, she urged that this item be tabled to the April 5, 2016 City Council meeting.

Deputy Mayor ProTem Froehlich stated this has been through the Planning and Zoning process, noting tonight is to review the zoning change.

After discussion, the motion prevailed by the following vote:

Aye: 2 - Council Member Reyes, Council Member Norwood
No: 3 - Mayor Pro Tem Kirk Connally, Deputy Mayor Pro Tem
Froehlich, Council Member Bomgardner

This motion failed.

Community Services Director Andy Gillies gave a brief presentation explaining the applicant Centurion American Acquisitions, LLC is proposing the creation of PD-99 within the PD-88 zoning district to develop a low density master planned community consisting of mixed use such as single family residential, multifamily residential, retail, restaurant, office, entertainment and hotel land uses. Mr. Gillies reviewed the conceptual plans noting 268 acres are located within the PD-99 which are composed of two tracts. He explained tonight we are reviewing Tract 1, which consists of 248 acres and is located along both sides of Luna Road south of Valley View Lane and Tract 2 consisting of approximately 20 acres located east of the intersection located at Luna Road and the LBJ Freeway (I-635) along the eastbound frontage road.

Mr. Gillies noted two sub districts are located within the proposed areas. The first is the Urban Commerce District areas which consist of 92.7 acres. The second is the Urban Residential District area which consists of 174.2 acres. Mr. Gillies reviewed the proposed Land Use Plan for PD-99, which indicated the following details: 73 single family lots at 60x105' lots, 13 single family lots at 50'x130', 310 single family lots at 50'x105', 100 single family lots at 40'x105' (3% total Single Family Land Use), 111 townhome lots at 25'x50' lots, 26 acres of multifamily (12% Land Use), 55.3 acres of Commerce Hotel/Senior Living, 8.6 acres for a potential school site, 26.8 acres of Park/Linear Park Amenity Center/Valwood OS(inside), an 8.8 acre Amphitheater, 31.2 acres of Valwood open space (outside), and water area designations. He noted the overall land use of Single Family Residential detached proposed is 117 acres or (44% Land Use) proposed, Townhomes proposed (3% Land Use), Multi Family proposed (12% Land Use), and Commerce proposed (19% Land Use). Mr. Gillies noted 8.6 acres is being proposed for a future school site. He explained the 19.5 acre site is Urban Commerce Area location and will contain a hotel, several restaurant pads and at least 25,000 square feet of retail, with multi-family housing proposed.

Council Member Reyes asked what the average size acreage is to construct a school. Mr. Gillies replied average range is 8-10 acres.

Deputy Mayor Pro Tem Froehlich asked if another site within the area, that is not shown on the map has been considered for a school. Mr. Gillies replied there is an alternate location east of the lake area that consists of approximately 10 acres, however; the developer is requesting the school location on 8.6 acres located within the single family residential district.

Council Member Reyes asked about the proposed amphitheater use, asking if the applicant plans to coordinate the use of the facility with the community and asked if the property would be deeded to the city. Mr. Gillies explained no discussion regarding property being deeded to the city has been conducted.

Council Member Norwood asked what other developments within the city have a 60 ft. wide lot size. Mr. Gillies replied most lots are larger within the city, noting Johnson Park and Farmers Dale Subdivisions are good examples of similar lot sizes being proposed.

Council Member Reyes asked what example of 40 ft. lots we have within the city. Mr. Gillies replied Cambridge Crossing and Mustang Crossing are similar.

Mr. Gillies reviewed PD-99 lot specifications in detail. He further stated the concept plans indicates homes will be 75% masonry, noting stucco is allowed in PD-99, if it meets city criteria coating.

Deputy Mayor ProTem Froehlich asked if all buildings will be stucco, and asked if Southwestern style and/or Mediterranean style architectures would allow mixed homes within the development to use more stucco. Mr. Gillies explained 4 different facades will be used before repeating design. He noted there is a developer that might request a particular style requiring higher stucco percentages, which would be allowed as long as variety and good quality is maintained.

Council Member Reyes asked for clarification regarding the reference that 75% of façade would be stone or other materials. Mr. Gillies replied more stucco is being allowed with the residential developments to allow developers to utilize more varieties of materials.

Council Member Bomgardner asked Mr. Gillies what percentage of stucco he feels should be allowed. Mr. Gillies noted staff would ask that a patterned design be submitted with a site plan to allow staff to review details and make recommendations at that time.

Council Member Reyes asked about soil conditions, noting the concept plan does not show official and unofficial landfills. Mr. Gillies replied staff will request soil testing at the time of the detailed site plan.

Council Member Norwood asked if soil issues can be remediated. Mr. Gillies replied there are certain ways to excavate the land to obtain soil stability, he would need a civil engineer to review in order to provide a definite answer.

Council Member Reyes asked about the cost to obtain an engineer study of the property. Mr. Gillies replied that he does not have a cost estimate at this time, noting the developer would be responsible for these costs.

Council Member Bomgardner asked if the city is liable for any soil contamination issues with the future developments. City Attorney Pete Smith stated the city would not be liable.

Mr. Gillies reviewed estimated average housing prices noting 60 ft. lots will be about \$596,000, 50 ft. lots would be estimated at \$566,000, 40 ft. lots would be about \$442,000, and average townhome would be priced around \$337,000.

Council Member Reyes asked for clarification regarding the reduced green space. Mr. Gillies explained the school site was added and 26 acres of open space noting no significant changes have been made. Mr. Gillies explained the developer did change some lot sizes from 60 to 50 ft. lot sizes recommended by the Planning and Zoning Commission.

Mr. Gillies reviewed the proposed Trail System and open green space.

Council Member Reyes asked if the applicant would consider adding a dog park. Mr. Gillies noted several trails with dog amenities are offered, however; at this time no dog park has been proposed.

Council Member Reyes asked if 5 ft. sidewalks were adequate. Mr. Gillies replied staff has reviewed and feels it meets standards. He added space requirements were necessary to obtain landscaping.

Mr. Gillies noted the plan will be constructed in Phases referencing the Development Phasing Map Appendix J. He noted the applicant feels he needs the Public Improvement District to help finance necessary public improvements. He is requesting a 40 million dollar PID with a 30 year term noting bonds would be paid by the property owner over the 30 years. He reviewed an example of taxes and assessments.

Council Member Norwood asked does the vote tonight approve the PID and TIRZ? Mr. Gillies noted tonight's meeting is to approve the zoning change only.

Upon summary, Mr. Gillies noted 38 notification letters were sent out, the city received 12 letters of opposition, 3 were adjacent property owners, noting this did not exceed the 20% opposition adjacency requirement.

Council Member Reyes asked for clarification regarding concerns on the Commerce District open green space. Mr. Gillies replied the applicant is proposing hardscaping such as pavers and utilizing an open urban style of public space on Tract 2 regarding the Commerce portion landscape percentages.

Council Member Bomgardner asked if the gas well issue has been resolved. Mr. Gillies stated the gas well has not been moved, the city has a specific use permit at the location and currently development cannot be constructed within 600 feet of that site.

Mr. Gilles reviewed the tax assessment based on a \$400,000 dollar home value, noting a proposed PID assessment would be \$0.52 (tax rate/per mil) or \$2,080 annually, and Valwood Improvement District would be \$0.27 (tax rate/per mil) or \$1,080 annually.

Developer Mehrdad Moayedi approached the podium. Mayor Pro Tem Connally asked Mr. Moayedi if the PID is essential to developing the property and asked if he would move forward without a PID.

Mr. Moayedi replied that he will ask for a PID and TIRZ and agrees to fund the project initially then after improvements are completed, he will request PID Bonds be sold. He further stated the amenities are roughly valued at \$8 million dollars, noting homeowners are provided with disclosures prior to the purchase of the home.

Mr. Moayedi provided a presentation to City Council regarding the project. Mr. Moayedi noted he purchased the property to ask for down zoning, noting he closed on the property November of 2015. He further stated that he reduced multifamily to 1,200 on north side and 500 on south side to meet requests. He further stated he is committed to bringing commercial to the area. He noted the soil will be tested and other testing will be done and monitored, he stated builders will require it prior to slabs being poured. He further stated he has increased lot sizes and reduced the number of smaller lots, reduced multi-family numbers, and added a potential school site and added Senior Living. He explained 71 acres will be used as Parks and Open space with 15,700 ft. of trails. Mr. Moayedi states he has offered to sell the school 8.6 acres at cost plus improvement costs, noting the School Board will review April 6, 2016.

Council Member Reyes stated she is concerned with this development not having a strong sense of identity. Mr. Moayedi replied he will work hard to make sure the City Council is pleased with the project. He noted this is a zoning case, other things will come forward as the project progresses.

Council Member Reyes noted corporate neighbors do not want to look down upon Single Family homes, asking if trees will be added. Mr. Moayedi explained he met with the corporate neighbors explaining masonry will be added and landscaping with trees that will all come forward at a future time.

Attorney John Boyle representing Valwood Improvement Authority was present noting Valwood Improvement Authority passed a Resolution in opposition to the rezoning from PD-88 to PD-99. The proposed District could adversely impact the growth in assessed valuations, the District's ad valorem tax rate and its ability to finance its current outstanding debt and any future debt that may have to be incurred to provide necessary flood protection for the District's property and owners and pay ongoing operation and maintenance expenses.

Mr. Boyle introduced Mr. Garret Gray with Metro Study who provided a presentation. Mr. Gray concluded his summary noting the existing baseline of PD-88 landplan is forecast to create total future improvements equaling \$1.01 billion in market value and \$825 million in assessed improvement value at buildout, while the proposed PD-99 land plan is forecast to create total future improvements equaling \$776 million and \$629 million in market and assessed values. Given the forecast improvements values and

associated sales and BPP taxes expected, the baseline PD-88 land plan is projected to generate approximately \$75.4 million in annual property, sales, and BPP tax revenues at build out, while the proposed PD-99 land plan is forecast to create an estimated \$33.5 million annually. At buildout, the PD-88 land plan is projected to generate approximately \$41.9 million more in annual total tax revenues at buildout than the proposed PD-99 land plan.

After discussion, Mayor Phelps opened the Public Hearing.

The following citizens spoke in opposition:

Kristen A. Miller Riensch, spoke in opposition

Wayne C. Baham Cedar, spoke in opposition

Charles Zubarik, spoke in opposition

Carol Dingman, spoke in opposition

Joe Dingman, spoke in opposition

Stacy Wright, spoke undecided to the ordinance and passed out a landfill map.

Pat Haggerty, spoke in opposition

John H. Wells, submitted a registration card in opposition

The following citizens spoke in support:

David Koch, spoke in support

Rick Johnson, submitted a registration card in support

Motion made by Council Member Reyes to close the Public Hearing. Motion seconded by Mayor Pro Tem Connally. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Kirk Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Council Member Norwood and Council Member Bomgardner

Deputy Mayor Pro Tem Froehlich had questions regarding tree types. Mr. Gillies replied that staff will work with the developer to discuss tree types.

Deputy Mayor Pro Tem Froehlich asked for clarification regarding the percentages in the Ordinance noting page 35 in not consistent regarding percentages of lot sizes.

Mr. Gillies replied the calculations on page 35 were provided by the applicant and considered reasonable lot widths that would fit in area. Mr. Gillies stated you are reviewing the number of percentages of latitude and flexibility of up to 2% of additional lots that might be necessary.

Mr. Moayedid stated this is a conceptual plan noting it could change. He further stated the numbers are locked into the percentages. He further stated he is willing to accept a 5% deviation.

Council Member Bomgardner asked the Developer to avoid stone walls, and asked the Developer what the completion time will be.

Mr. Moayedí explained the next step will be to obtain engineering studies and begin excavation within 120 days. He noted the project has many phases, the residential portion will take 5-6 years, noting the restaurant and hotel will be under construction in 6 months. He explained the life of the project is estimated to take 7-8 years.

Council Member Norwood asked hypothetically if the rezoning fails what are your options. Mr. Moayedí explained he would construct a multifamily residential development.

Council Member Reyes asked if the school district uses another option would you use the rest as green space. Mr. Moayedí says he does not plan to use this as green space, noting he wants to work with the school and will work with the city on the property.

Greg McGuff President of Lennar Home Builders was present to answer any questions. Council Member Bomgardner asked about the market and how the homes will be sold. Mr. McGuff explained he plans to invest in this development noting the location being close to the freeways are great statistics, explaining he is confident they will sell.

Council Member Norwood asked what the tax rate is on the project he is referencing. Mr. McGuff replied he doesn't have that information and would need to research it. He further stated at this price point, buyers are not concerned about the tax rate as long as it is within the average \$3.00 range.

After discussion, Deputy Mayor Pro Tem Froehlich made a motion to approve Ordinance No. 3359, with the stipulation to change the ordinance, Page 35, Article VIII, Section (B-3) under C.1 and C.2 percentages from 2% to 5%. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Ayes: 3 - Deputy Mayor Pro Tem Froehlich, Council Member Norwood and Council Member Bomgardner

No: 2 - Mayor Pro Tem Connally, Council Member Reyes

This Item passed.

I. **REGULAR AGENDA ITEMS**

- I.1 RES 2016-31 Consider approving Resolution No. 2016-031 authorizing the City Manager to execute a Change Order for the Solid Waste Engineering Services Contract with Weaver Consultants Group formerly known as Weaver Boos Consultants, related to the City of Farmers Branch permit amendment application 1312B for Camelot Landfill; and take appropriate action.**

Environmental Services & Solid Waste Manager Shane Davis briefed City Council regarding this item. Mr. Davis noted due to the passage of HB 281, the city must receive approval from City of Lewisville in the form of a resolution before the Texas Commission on Environmental Quality can complete the review of the amendment application for the expansion of Camelot Landfill. Weaver Boos Consultants now considered Weaver Consultants Group must develop and compile a zoning application to be submitted to the City of Lewisville for review. This requires the consultant to reconfigure the proposed waste disposal site plan, design environmental amendment text to reflect all changes. Mr. Davis noted the contract amendment in the amount of \$333,800 will be funded through the Camelot Landfill Closure/Post Closure account.

Motion made by Council Member Reyes to approve Resolution No. 2016-031, as presented. Motion seconded by Mayor Pro Tem Connally. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Kirk Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Council Member Norwood and Council Member Bomgardner

This item passed

- I.2 ORD-3360 Consider adopting Ordinance No. 3360 Amending Chapter 66 of City of Farmers Branch Code of Ordinances related to solid waste and the recycling; and take appropriate action.**

Environmental Services & Solid Waste Manager Shane Davis briefed City Council regarding this item.

Deputy Mayor Pro Tem Froehlich asked that staff provide photos to help educate the public on bin screening and placement.

Mayor Pro Tem Connally made a motion to approve Ordinance No. 3360, as presented. Motion seconded by Deputy Mayor Pro Tem Froehlich.

Motion approved by the following vote:

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

No: 1- Council Member Norwood

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

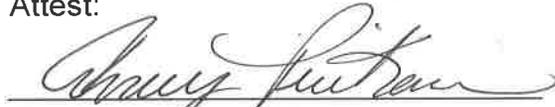
No action was taken.

L. ADJOURNMENT – The meeting adjourned at 9:48 p.m.



Mayor Bob Phelps

Attest:



Amy M. Piukana, City Secretary

