



City of Farmers Branch

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

Meeting Minutes

City Council

Tuesday, February 19, 2019

6:00 PM

Council Chambers

Study Session Meeting to be held at 3:00 p.m. in the Study Session Room with a Dinner Break at 5:15 p.m.

Absent: 1 - Council Member Bronson Blackson

Presiding: 1 - Mayor Robert Dye

Present: 4 - Council Member Ana Reyes, Mayor Pro Tem John Norwood, Deputy Mayor Pro Tem Mike Bomgardner and Council Member Terry Lynne

Staff: 11 - Brian Beasley Human Resources Director, Allison Cook Economic Development Director, Shane Davis Sustainability & Health Director, Tina M. Firgens AICP Director of Planning, David Hale Police Chief, Tom Bryson Communications Director, Jeff Harting Parks & Recreation Director, Steve Parker Fire Chief, Benjamin Williamson Assistant City Manager, Kevin Muenchow Director of Fleet & Facilities Management and Sara Egan Assistant to City Secretary

A. CALL TO ORDER - STUDY SESSION (3 P.M.)

Mayor called Meeting to order at 3 p.m.

A.1 19-76 Discuss regular City Council meeting agenda items

Mayor Pro Tem asked for clarification on Agenda Item I.3 (R2019-022).

Director of Public Works Marc Bentley explained the motion is to validate the emergency repairs completed. Mr. Bentley updated Council with the amount of \$167,559 requiring council to approve as amended.

A.2 19-88 Receive biannual report from the Parks and Recreation Board

Parks & Recreation Board Member Bob Stewart updated council with the overall mission, projects, and funding resources. Mr. Stewart asked Council to provide direction on how the board should continue to proceed.

Mayor Pro Tem Norwood stated a review of the parks and their functions as previously discussed will assist Council in the next budget cycle to identify opportunities to repurpose their use.

Assistant Director Mike Mashburn stated Parks has collaborated with GIS to illustrate the population of children in relation to parks.

Director of Parks & Recreation Jeff Harting noted the Christmas Update to Council is a future agenda item.

A.3 19-92 Discuss Library Bond Education Program

Assistant City Manager Benjamin Williamson briefly presented informational material underway for the Library in a Park Bond including informational resources, property city tax impact, voting information, City events and town halls to raise awareness and educate the public.

The Council members present agreed to individual town halls as previously structured to be scheduled in April.

A.4 19-60 Receive a presentation of the Police Traffic Stop Data Analysis Report for calendar year 2018, as required by Section 2.132 of the Texas Code of Criminal Procedures

Police Chief David Hale provided a presentation on the State required report on traffic stops in 2018. He explained the State establishes certain assumption for the data collected on the 14,521 traffic stops. He noted this is a significant daily duty and supervisors review a minimum of 5 traffic stops from different officers every month. The findings of this report state the City is in full compliance with the Texas Code of Criminal Procedure, education and training of officers, public complaint processing, data collection, policy prohibiting bias based policing, and TCOLE reporting requirements.

Council Member Reyes asked if there are any parts of the city needing additional presence.

Chief Hale stated the current challenge is the on the west side with the new construction of homes and theft.

A.5 19-74 Receive the Fiscal Year 2018-19 First Quarter Financial Report

Mayor Dye stated the Council will receive this report in a future meeting.

A.6 19-86 Receive a report from Animal Services regarding the ordinance and statistics related to dangerous dogs.

Animal Shelter Manager Miguel Gauna provided a brief presentation explaining existing definitions of animals at large and dangerous animals with unprovoked attack scenarios. He also explained the current due process, appeal process, non-compliance and notifications of violations to pet owners.

City Attorney Jeffrey Cornell reviewed the City Ordinance and recommended changes such as "unprovoked attack" to "attack", "serious bodily injury" to "bodily injury" unless if defined by State Law. He stated by removing the age requirement to receive a sworn complaint to "any person" and rewording a section for the benefit public readability and comprehension. He asked Council to decide on a trial de novo or a substantial review for animal cases.

The Council agreed on a trial de novo.

A.7 19-68 Discuss agenda items for future City Council meetings

Council Member Lynne suggested an update on bulk pick up related to Community Services and notifications during the transition period.

Director of Sustainability & Health Shane Davis assured City Council a grace period is being implemented and educational material is being provided to residents to communicate the recent change.

Mayor Dye recessed for a break at 4:28 p.m.

B. EXECUTIVE SESSION

Mayor Dye reconvened into executive session at 4:40 p.m.

B.1 19-87

Council may convene into a closed executive session pursuant to Section 551.087 of the Texas Government Code to deliberate regarding:

Discuss an economic development incentive agreement for Project West.

City Council may 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 located south of Valley View, east of Josey Lane, north of I-635, west of Webb Chapel.

Mayor Dye recessed from executive session at 5:15 p.m.

C. CALL TO ORDER - REGULAR MEETING (6 P.M.)

Mayor Dye called the meeting to order at 6:00 p.m.

D. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Dye led the invocation, Pledge of Allegiance and Pledge to the Texas Flag.

E. CEREMONIAL ITEMS**E.1 19-49 Recognition of Deputy City Manager John Land for 10 years of service to the City of Farmers Branch**

Mayor Dye and City Manager Charles Cox complemented and presented Deputy City Manager John Land a 10 year service pin. They stated he has been a valuable asset to the City.

E.2 19-16 Recognition of The Rotary Club of Carrollton-Farmers Branch and The Civic League for their place in Farmers Branch history

Mayor Dye recognized The Rotary Club and The Civic League for their efforts towards better of the Farmers Branch and surrounding cities.

E.3 19-84 Consider accepting a donation in the amount of \$1,700 to fund a park bench and tree at the Farmers Branch Skate Park in memory of Shelby Hemstock

Mayor Dye presented a brief biography of Shelby Hemstock and recommended the Skate Park to be renamed Shelby Hemstock Skate Park.

A motion was made by Mayor Dye, seconded by Council Member Lynne, that this Donation of \$1350 be accepted. The motion was approved unanimously.

F. REPORT ON STUDY SESSION ITEMS

Council Member Lynne provided a report on Study Session items.

G. MAYOR AND CITY MANAGER'S REPORT ON ITEMS OF COMMUNITY INTEREST

City Manager Charles Cox provided this report to the community.

H. CITIZEN COMMENTS

No speakers.

I. CONSENT AGENDA

I.1 19-77 Consider approving minutes of the special called City Council meeting held on January 29, 2019 and regular meeting held on February 5, 2019; and take appropriate action

I.2 19-37 Consider excusing the absence of Council Member Reyes from the January 8, 2019, January 29, 2019 and February 5, 2019 City Council meetings; and take appropriate action

I.3 R2019-22 Consider approving Resolution No. 2019-022 ratifying an emergency purchase order with Rebcon, Inc. for emergency repairs along Farmers Branch Creek; and take appropriate action

I.4 R2019-24 Consider approving Resolution No. 2019-24 authorizing the City Manager to negotiate and execute and agreement amendment with Quorum Architects, in an amount not to exceed \$ 140,000, for architectural services during the construction of phase one of the Service Center Project; and take appropriate action.

I.5 19-89 Consider reappointing the members to the North Dallas County Water Supply Corporation; and take appropriate action.

A motion was made by Mayor Pro Tem Norwood, seconded by Council Member Lynne, that Consent Items I.1-I.5 be approved as presented except for I.3 to be approved as amended with the amount of \$167,559. The motion carried by the following vote:

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

J. REGULAR AGENDA ITEMS

J.1 R2019-13 Consider approving Resolution No. 2019-13 authorizing the City Manager to negotiate and enter into an agreement with Gallagher Construction, in an amount not to exceed \$480,000 to serve as Construction Manager for the construction of phase one of the Service Center Project and take appropriate action

Director of Fleet & Facilities Management Kevin Muenchow provided a brief presentation of the construction of phase one for the Service Center Project. The City has contracted with Gallagher Construction Company for major building construction projects since the construction of the Branch Connection in 1998. Gallagher has performed all projects with great success in bringing project to completion on-time and under budget.

Council Member Norwood stated this project is a pay as you go project and not funded by borrowing.

A motion was made by Deputy Mayor Pro Tem Bomgardner, seconded by Council Member Reyes, that Resolution 2019-013 be approved. The motion carried by the following vote:

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

K. TAKE ANY ACTION NECESSARY AS A RESULT OF THE CLOSED EXECUTIVE SESSION

Council Member Lynne made a motion to authorize the City Manager to negotiate and execute an amendment to the Restriction Agreement between the City and Josey Lane Crossing, LLC, relating to the development of Lot4, Block A, The Shops at Branch Crossing, to reclassify the northern 25,000 square feet of the Retail Tract as Clinic Tract and other conforming amendments thereto. Motion was seconded by Deputy Mayor Pro Tem Bomgardner.

After discussion, the Council agreed to table this item.

Deputy Mayor Pro Tem Bomgardner withdrew his second to the motion. Motion was withdrawn.

A motion was made by Mayor Pro Tem Norwood, seconded by Council Member Reyes, that this be tabled. The motion carried by the following vote:

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

A motion was made by Mayor Pro Tem Norwood, seconded by Deputy Mayor Pro Tem Bomgardner, to authorize the City Manager to negotiate and execute an economic development agreement on behalf of the City and WeWork, LLC and/or its related entities to provide a grant up to \$1.00 per square foot of space leased in the building located at 13595 Inwood Road, Farmers Branch, Texas, not to exceed \$90,000, to be paid upon issuance of a certificate of occupancy with respect to such lease space; provided that WeWork LLC leases not less than 20,000 square feet of space at 13595 Inwood Road for a lease term of not less than 7 years with a lease commencement date of not later than December 1, 2020. The motion carried by the following vote:

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

L. ADJOURNMENT

A motion was made by Mayor Dye, seconded by Mayor Pro Tem Norwood, that the meeting be adjourned at 6:53 p.m. The motion carried by the following vote:

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

Signed: _____
Mayor

Attest: _____
Assistant to City Secretary