



# City of Farmers Branch

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

## Meeting Minutes

### City Council

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Tuesday, May 28, 2019

4:00 PM

Locations Along Farmers Branch Creek

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#### Special Called City Council Meeting

#### **A. CONDUCT A STUDY SESSION/TOUR OF FARMERS BRANCH CREEK (4 P.M.)**

**Presiding:** 1 - Mayor Robert Dye

**Present:** 8 - Mayor Pro Tem John Norwood, Deputy Mayor Pro Tem Terry Lynne, Council Member Mike Bomgardner, Council Member Cristal Retana, Council Member Bronson Blackson

**Staff:** 15 - City Manager Charles Cox, Deputy City Manager John Land and Director of Economic Development Amy Piukana City Secretary, City Attorney Braden Metcalf, Director of Economic Development Allison Cook, Director of Public Works Marc Bentley, Assistant City Manager Benjamin Williamson, Fire Chief Steve Parker and Emergency Management Specialist Lauren Sanchez

#### **A.1 19-251**

**City Council will convene a study session involving a tour, via bus transportation, beginning at Farmers Branch City Hall departing at 4:00 p.m. and traveling in the order stated to the following locations adjacent to Farmers Branch Creek for the purpose of assessing and discussing recent flood damage and erosion at 2705-2710 Bay Meadows Circle, 2740 Farmers Branch Lane, 2815 Reedcroft Drive, and 12304-12305 Wood Manor Circle and 2710 Farmers Branch Lane**

#### **B. CALL TO ORDER OF SPECIAL MEETING**

Mayor Dye called the meeting to order at 4:02 p.m.

#### **B.1 19-252**

**The City Council will convene a special meeting at 2710 Farmers Branch Lane, Farmers Branch, Texas, immediately following the conclusion of the Study Session/Tour to discuss Farmers Branch Creek erosion issues due to dam failures and possible solutions; and take appropriate action**

The City Council toured creek damage at properties located at 2705 through 2710 Bay Meadows Circle, 2740 Farmers Branch Lane, 2815 Reedcroft Drive, 12304 and 12305 Wood Manor Circle and 2710 Farmers Branch Lane.

The City Council received a tour from homeowner's Dan Heard, Anthony Lewis, Todd Womble, James Stigers, John Norwood, and Ed Bonneau. The residents spoke regarding dam failures, water diversion, property damage, wall failure, bank erosion, funding and public safety.

Mayor Pro Tem Norwood recused himself from discussion, due to a conflict of interest.

The Homeowners reviewed history of the creek patterns, flooding and destruction, noting these issues were not solely caused by the lack of maintenance, but from storm runoff and multiple dam failures. The Homeowners spoke regarding their concerns of decrease in property values, noting homeowners have invested in properties, including retaining walls; however due to dam failures and continued flooding, emergency assistance is needed from the City.

Mayor Dye noted this is an emergency and suggested leveraging funds to make repairs through the Storm Water fund.

Council Member Blackson stated education is imperative, so residents understand. He further stated the City needs to ensure repairs last long term, 50 to 60 years.

Deputy Mayor Pro Tem Lynne suggested obtaining a second opinion from a different engineer other than Freese and Nichols and to obtain a legal opinion from the City Attorney on what action the City can take since this involves private property. He further stated certificates of obligation could be issued. Council Member Lynne noted residents might need to share in some costs.

Council Member Bomgardner suggested an engineer review the dams and the City to assist with dam repairs. He noted he is open to shared costs.

Council Member Retana stated community education is necessary and she supports a comprehensive plan to ensure repairs are made to last. She noted other cities have assisted with these types of projects, and we may need to research their strategy.

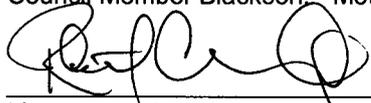
Mayor Dye explained the City will hold a Special Called meeting on June 12, 2019 at 5 p.m. to discuss the creek.

Motion made by Deputy Mayor Pro Tem Lynne to authorize the City Manager to enter into necessary agreements in an amount not to exceed \$250,000 from the Storm Water Utility Funds to assist with emergency repairs to Farmers Branch Creek. Motion seconded by Mayor Dye. Motion approved by vote of 4-0, Norwood recused himself.

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

**D. ADJOURNMENT**

Mayor Dye made a motion to adjourn the meeting at 5:34 p.m. Motion seconded by Council Member Blackson. Motion approved unanimously.

  
\_\_\_\_\_  
Mayor Robert C. Dye

ATTEST:   
\_\_\_\_\_  
City Secretary

THE STATE OF TEXAS

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§  
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COUNTY OF Dallas

I, John Noswood (printed name of affiant), a local public official, make this affidavit and hereby on oath state the following:

I have a substantial interest in a business entity or real property that may receive a special economic effect that is distinguishable from the effect on the public by an action contemplated by the City of Farmers Branch

The business entity or real property in which I have a substantial interest is: [name and address of business and/or description of property] \_\_\_\_\_

I or a person that is related to me within the first degree of consanguinity (blood) or affinity (marriage) as defined by state law has a substantial interest in this business entity or real property for the following reasons [circle all that apply]:

- (1) own 10% or more of the voting stock or shares of the business entity;
- (2) own 10% or more of the fair market valued of the business entity;
- (3) own \$15,000 or more of the fair market value of the business entity;
- (4) receive from the business entity funds that exceed 10% of \_\_\_\_\_ [my, his, her] gross income for the previous year;
- (5) have/has an equitable or legal ownership of real property with a fair market value of \$2,500 or more.

Upon filing of this affidavit with the official record keeper of the city, I affirm that I shall abstain from voting or further participating in any matter involving the business entity or real property, unless allowed by law.

Signed this 28<sup>th</sup> day of May, 2019

John Noswood  
Signature of Affiant

John Noswood  
Affiant

BEFORE ME, the undersigned authority, this day personally appeared John Noswood [name of affiant] and by oath stated that the facts herein stated are true and correct.

SWORN TO AND SUBSCRIBED BEFORE ME before me on this 28 day of May, 2019.

Amy Piukana  
Notary Public in and for the State of Texas

My commission expires: 1/8/21

