



City of Farmers Branch

City Hall
13000 Wm. Dodson Pkwy.
Farmers Branch, TX 75234

Meeting Agenda - Final City Council

Tuesday, August 6, 2013

6:30 PM

Council Chambers

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

Hard copies of the full City Council agenda packet are accessible prior to every regularly scheduled Tuesday Council meeting according to the following locations and schedule :

- 1) Manske Library on the Saturday prior to the meeting
- 2) Justice Center on the Friday evening prior to the meeting
- 3) City Hall on the day of the meeting

Additionally, the agenda packet is available for download from the City's web site at www.farmersbranch.info after 10 a.m. on the day of every regularly scheduled City Council meeting. This download may be accessed from any computer with Internet access, including computers at the Manske Library and in the lobby of City Hall.

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Any individual who wishes to speak on an agenda item should fill out a Registration Form for Appearance before City Council (white card located in the back of the Council Chambers) and submit the completed card to the City Secretary or City staff member prior to the start of the City Council meeting. Those individuals will be recognized during the meeting at the time the agenda item is presented.

Any individual who wishes to place an item on a future City Council agenda should fill out a Request for Future City Council Agenda Item (blue card also located in the back of the Council Chambers). Completed cards should be submitted to the City Secretary.

A. STUDY SESSION

- A.1** Discuss regular City Council meeting agenda items.
- A.2** [TMP-0256](#) Receive an update on repurposing Farmers Branch Park for Senior Housing

B. INVOCATION & PLEDGE OF ALLEGIANCE

C. CEREMONIAL ITEMS

- C.1 [TMP-0252](#) **Presentation of a proclamation honoring Margaret Young for her participation in the National Senior Olympics.**
- C.2 [TMP-0223](#) **Consider accepting a donation of two scoreboards from the Carrollton-Farmers Branch Baseball Association (CFBBA) and take appropriate action.**
- C.3 [TMP-0245](#) **Consider accepting a donation of a refurbished Star Trac Pro treadmill, including professional installation, product testing and product training from Fit Supply of Arlington, Texas and take appropriate action.**
- C.4 [TMP-0219](#) **Consider Board and Commission appointments and take appropriate action.**

D. REPORT ON STUDY SESSION ITEMS

E. ITEMS OF COMMUNITY INTEREST

Pursuant to Section 551.0415 of the Texas Government Code the City Council may report 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

The City Council invites citizens to speak to the City Council on any subject not listed on the City Council agenda. Any person who desires to address the City Council on such item shall complete and submit a Citizen Comments Registration Card to the City Secretary or City staff member prior to the start of the City Council meeting. Those individuals will be recognized by the Mayor during the meeting at the time Citizen Comments Section is reached. When your name is called please approach the speaker's podium in the center of the Council Chambers, state your name and address for the record, and discuss the specific subject or topic of interest. Please direct your comments to the Mayor. Each speaker will be limited to three (3) minutes. Speaker time may not be shared with, or reserved for, other speakers.

The City Council may not take specific action on any subject raised by a speaker during Citizen Comments. The City Council may: have the item placed on a future agenda for action; refer the item to the City Manager and/or staff 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 [TMP-0215](#) **Consider approval of minutes of the City Council meeting held on July 16, 2013 and take appropriate action.**

- G.2 [R2013-036](#) Consider approving Resolution No. 2013-036 authorizing the City Manager to enter into an agreement with Freese and Nichols for professional engineering services to identify and explore a possible storm water utility fee and take appropriate action.
- G.3 [TMP-0250](#) Consider approving Resolution No. 2013-048 authorizing the City Manager to execute a contract with Midwest Wrecking Company of Texas, Inc. in the amount of \$53,840 to provide demolition services for the Don Showman Pool and skate park and take appropriate action.
- G.4 [TMP-0224](#) Consider approving Resolution No. 2013-049 approving the 2013-2014 Operating Budget of the North Dallas County Water Supply Corporation and take appropriate action.

H. **PUBLIC HEARINGS**

I. **REGULAR AGENDA ITEMS**

- I.1 [TMP-0254](#) Receive and discuss report from the Charter Review Committee for proposed amendments to the Home Rule Charter and take action to direct the City Attorney and City Administration relating to the preparation of an ordinance for placement on the next City Council agenda to call an election to be held on November 5, 2013, to consider proposed amendments to the Home Rule Charter.
- I.2 [TMP-0210](#) Presentation by Luther Bernstein to discuss the single family rental license fee.
- I.3 [TMP-0221](#) Consider adopting a motion to place a proposal to adopt a property tax rate of \$0.5731 on the City Council agenda of September 17, 2013; schedule two public hearings on the proposed rate for August 20, 2013 and September 3, 2013; and take appropriate action.
- I.4 [TMP-0247](#) Receive public input and discuss whether to appeal the en banc decision in the case styled Villas at Parkside Partners, doing business as Villas at Parkside, et. al. v. City of Farmers Branch, Texas and Valentin Reyes, et. al. v. City of Farmers Branch, Texas, Case No. 10-10751 pending in United States Court of Appeals for the 5th Circuit.
- I.5 [TMP-0259](#) Receive public input and discuss pending litigation styled Mark Baker v. City of Farmers Branch et. al., Cause No. DC-13-08249 in the 134th Judicial District Court, Dallas County Texas.

The Mayor announces that the items of the agenda for the Regular Session have been concluded. After a short recess, the meeting will convene for items in the Executive Session. The meeting will then reconvene into open Regular Session after the items have been discussed in the Executive Session to consider any necessary action.

The City Council may convene into closed Executive Session for any of the Executive Session items listed below at anytime during the City Council Study Session or the City Council Regular Meeting.

J. EXECUTIVE SESSION

- J.1 [TMP-0260](#) Discuss land acquisitions - Texas Government Code Section 551.072:
Discuss sale of real property described as Lot 7, Block A, Letha Lea Heights, an Addition to the City of Farmers Branch, Texas (also known as 2631 Leta Mae)
- J.2 [TMP-0217](#) Discuss pending and contemplated litigation - Texas Government Code Section 551.071(2):
(a) Consultation with City Attorney regarding pending litigation styled Villas at Parkside Partners doing business as Villas at Parkside, et. al. v. City of Farmers Branch, Texas, and Valentin Reyes, et. al. v. City of Farmers Branch, Texas, Case No. 10-10751 pending in United States Court of Appeals for the 5th Circuit.
(b) Consultation with City Attorney regarding pending litigation styled Mark Baker v. City of Farmers Branch et. al., Cause No. DC-13-08249 pending in the 134th State District Court of Dallas County, Texas.

K. THE CITY COUNCIL RECONVENES INTO OPEN SESSION

Consider necessary action on items discussed in the Executive Session.
Take action regarding an appeal of the en banc decision in the case styled Villas at Parkside Partners, doing business as Villas at Parkside, et. al. v. City of Farmers Branch, Texas and Valentin Reyes, et. al. v. City of Farmers Branch, Texas, Case No. 10-10751 pending in United States Court of Appeals for the 5th Circuit.

L. 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 planing 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 on the bulletin board at City Hall on Friday, August 2, 2013 by 4:00 p.m.

City Secretary