

**City of Farmers Branch**

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

Meeting Minutes**City Council**

Tuesday, February 21, 2017

6:00 PM

Council Chambers

Study Session Meeting to be held at 3:00 PM in the Study Session Room

- Presiding:** 1 - Mayor Bob Phelps
- Present:** 5 - Mayor Pro Tem Harold Froehlich, Deputy Mayor Pro Tem Ana Reyes, Council Member John Norwood, Council Member Terry Lynne, Council Member Mike Bomgardner
- Staff:** - Charles Cox City Manager, John Land Deputy City Manager, Amy Piukana City Secretary, Pete Smith City Attorney, LaJeana Thomas Executive Assistant, Rachael Johnson, Assistant to City Manager; Ben Williamson Assistant to City Manager; Allison Cook Economic Development Director, Tom Bryson Communications Director, David Hale Police Chief, Andy Gillies Community Services Director, Randy Walhood Public Works Director, Steve Parker Fire Chief, Sherrelle Evans-Jones Finance Director, Brian Beasley Human Resources Director, Shane Davis Environmental Services and Solid Waste Manager; Katy Evans Environmental Services Manager;

A. STUDY SESSION

Mayor Phelps called the Study Session meeting to order at 3:00 p.m.

A.1 [17-329](#) Discuss regular City Council meeting agenda items.

Council Member Lynne asked for clarification regarding Agenda Item H.1, Ordinance No. 3430 (Certification of a Municipal Setting Designation), asking what affect this designation would have on the future use of this site. Environmental Services Manager Katy Evans replied the MSD restricts the use of groundwater from the designated property for potable purposes encouraging limited development. She introduced Frank Clark with W&M Environmental representing the property owner noting this site has source contamination from a former dry cleaning business that closed down in 2008. He further stated this

designation is a tool in conjunction with the Voluntary Cleanup Program to address environmental contamination.

Council Member Bomgardner asked for clarification regarding Agenda Item G.4, Resolution No. 2017-030, on the purchase of UPS systems, noting a local company Schneider Electric offers this service, and asked staff about the selection process. Director of Information Services Mark Samuels replied the bid was purchased through the State Cooperative Purchase agreement and agreed to review to ensure local businesses are being utilized.

A.2 [17-388](#) Receive a presentation on Discover Farmers Branch marketing plan and demo of the discoverfarmersbranch.com website.

Assistant to City Manager Rachael Johnson introduced John Beitter with PYRO Brand Marketing, who provided City Council a demo of the new Discover Farmers Branch website and a presentation of the campaign marketing plan that includes a media plan and ways we plan to activate the ampersand campaign.

Council Member Lynne confirmed with the vendor, that the City received 934 surveys back indicating a 9% response to the survey mailed out to 10,000 residents. Mr. Beitter confirmed. Councilman Lynne suggested marketing and targeting new visitors to Farmers Branch. He suggested adding a snap chat filter and to set clear metrics to measure success.

Mayor Pro Tem Froehlich suggested adding more information on the Brookhaven Country Club, schools and hospital information.

Deputy Mayor Pro Tem Reyes suggested having a short video clip promoting Farmers Branch. She asked how much funding is necessary for future marketing efforts. Mr. Beitter replied he will review and provide a quote to include a 3 to 5 year return on investment.

Councilman Bomgardner suggested adding golf, tennis and Brookhaven facility information. He explained staff needs to have a measurement of what is spent on marketing and be able to track it.

A.3 [17-389](#) Receive a presentation by Eric Fritsch Ph.D., on a five year strategic staffing plan for the Police Department.

Police Chief David Hale briefed City Council regarding this item. Chief Hale explained City Council directed staff to obtain a staffing study for the Police Department for projected future growth. Chief Hale introduced Dr. Eric Fritsch who is a Professor and Chair of the Criminal Justice Department at the University of North Texas. Dr. Fritsch recommendation #1, indicates 54 patrol officers be assigned to the FBPD Patrol Division by the end of fiscal year 2021-22. This is 13 additional patrol officers above the current authorized patrol officer/corporal deployment of 41. Dr. Fritsch implementation timeframe indicates adding three patrol officers in FY17-18, two additional patrol officers in FY 18-19, three additional patrol officers in FY 19-20, two additional patrol officers in FY 20-21, and an additional three patrol officers in FY21-22. Dr. Fritsch's recommendation #2, recommends one additional Public Service Officer be hired and assigned to the Patrol Division in FY18-19. Recommendation #3, indicates adding two detectives to the Criminal Investigations Division by year end FY21-22. Recommendation #4, indicates adding one officer to the Training Division by the end of FY 21-22, with an implementation timeframe of one officer in FY 17-18. Recommendation #5 indicates adding

one Records Manager by the end of Fiscal Year 21-22, with implementation timeframe of 2018-19.

City Council recessed for a break at 5:01 p.m.

City Council reconvened into Study Session at 5:12 p.m.

A.4 [17-385](#) Discuss a possible November Bond Election Educational Program.

Assistant to City Manager Ben Williamson briefed City Council regarding education steps toward a November 7th Bond Election. He noted City Council has recommended the following projects: Station Area Improvements - \$4 million; Trails - \$7 million (Trail Master Plan Ph I at \$5 million), (Midway Connector Study at \$500,000), John F. Burke Nature Preserve at \$1.5 million), and Single Family Housing Revitalization at \$4 million), for a total of \$15 million. Mr. Williamson provided the following examples of public education resources:

- City of Allen Model (Successful 2016 Election)
- Branding (ie. Show Up, Speak Up, Shape Allen)
- Video, Website, and Print publications
- Town Hall Meetings (at least 2)
- Community Group Presentations – Elected Officials
- National Night Out Opportunity
- Citizen Bond Review Committee Individual Involvement

Mr. Williamson asked City Council for direction in regards to public education for a November 2017 Bond Election.

After discussion, City Council directed Staff to move forward with public education efforts for the above projects for a November 2017 Bond Election proposal.

A.5 [17-330](#) Discuss agenda items for future City Council meetings.

Councilman Lynne suggested the City check into BioMeasure Machines which are self-service devices that accurately measure weight and height, body fat percentage and calculate body mass index. Human Resources Director Brian Beasley explained the City currently has a Branch Wellness Program, which includes an annual bio-metrics screening for all employees as well as blood pressure checks, cholesterol, glucose, and body mass index with preventive health screenings.

City Council recessed at 5:48 p.m. from Study Session.

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

B. INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Norwood provided the invocation and led the pledge of allegiance.

C. CEREMONIAL ITEMS

C.1 [17-392](#) Consider awarding the James A. Smith Masonic Lodge as the 2017 recipient of the Farmers Branch Witness to History Award; and take appropriate action.

Mayor Phelps presented James A. Smith Masonic Lodge with the 2017 recipient of the Farmers Branch Witness to History Award.

Motion made by Council Member Lynne to award James A. Smith Masonic Lodge with the 2017 recipient of the Farmers Branch Witness to History Award. Motion seconded by Mayor Pro Tem Froehlich. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

C.2 [17-386](#) Consider accepting a donation for the Fire Department from the Northwest Dallas Home Depot Store 0564 in the value amount of \$4,372.50 for 250 smoke alarms; and take appropriate action.

Mayor Phelps recognized the Home Depot Store 0564 representatives in attendance who donated 250 smoke alarms to the Fire Department, in a value of \$4,372.50.

Motion made by Council Member Norwood to accept the donation. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

C.3 [17-391](#) Consider accepting a donation from the Dallas Filipino Lions Club in the amount of \$1,050 to the Parks and Recreation Department; and take appropriate action.

Mayor Phelps recognized the Dallas Filipino Lions Club for their generous donation in the amount of \$1050 to the Parks and Recreation Department to purchase a park bench.

Motion made by Mayor Pro Tem Froehlich to accept a donation from the Dallas Filipino Lions Club in the amount of \$1,050 to the Parks and Recreation Department. Motion seconded by Deputy Mayor Pro Tem Reyes. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

C.4 [17-374](#) Consider Board and Commission appointments; and take appropriate action.

Council Member Bomgardner made a motion to appoint the following Parks and Recreation Board Members: Connie Hardy and Stephen Allen Root to the Parks and Recreation Board. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

D. REPORT ON STUDY SESSION ITEMS

Deputy Mayor Pro Tem Reyes provided a report on study session items.

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

Council Member Bomgardner provided an update regarding a trip to Austin for a TCEQ meeting he attended. He noted a group attended and met with a TCEQ Advocate and met with the Commission. He noted a bus load of citizens attended. He noted the commissioner advised staff to review the case and fine. He noted this will require Addison to address the issues. He thanked residents for their support. Council Member Lynne noted this was a posted in accordance with the Texas Open Meetings Act.

City Manager Charles Cox provided the following announcements:

- With the summer swim season rapidly approaching, the Farmers Branch Aquatics Center is actively looking for qualified lifeguards to work at the outdoor Frog Pond and the indoor Margaret Young Natatorium. Certification classes are available in March, April and May. Call 972.919.8720 for more information or visit fbh2o.com.
- Speaking of swimming, congratulations go out to the Senior Center's Rotha Crump for being named one of the Top 25 Water Fitness Pioneers in the country, by the United States Water Fitness Association. While she is a valuable member of the Senior Center staff, Rotha has also been a water fitness instructor for more than 30 years. Congratulations to Rotha!
- The City is still looking for civic-minded volunteers to be a part of a very important project. Anyone wishing to serve on a committee to review the City Charter for possible amendments to be put to the voters at a future date should fill out an online application at farmersbranchtx.gov. The application is listed in the links on the left side of the home page.
- In addition, there are currently two vacancies on the Historical Preservation & Restoration Board and one on the Planning & Zoning Commission. Find out more about these positions and how to apply for them by calling the City Secretary's office at 972.919.2503.
- You can sign up for eNews at farmersbranchtx.gov to have current City news and information delivered directly to your email box.
- Condolences to the families of Herb Wittinger and Jim Smith for their loss.

Mayor Pro Tem Froehlich recognized former City Council Member Carol Dingman, School Board Representative Guillermo Ramos and former City Council Member Kirk Connally, who were in attendance.

F. CITIZEN COMMENTS

Mary Ludwig spoke regarding Dr. Gilberts diary about life in Farmers Branch February 21, 1873.

G. CONSENT AGENDA

- G.1 [17-378](#) Consider approving minutes of the Special Called City Council meeting held on January 31, 2017 and the Regular City Council meeting held on February 7, 2017; and take appropriate action.
- G.2 [R2017-025](#) Consider approving Resolution No. 2017-025 authorizing a contract with DFW Services, LLC for large water meter replacement at various locations; and take appropriate action.
- G.3 [R2017-027](#) Consider approving Resolution No. 2017-027 authorizing the City Manager to sign an agreement with Dataprose, LLC for utility bill printing and mailing services utilizing an Interlocal Cooperative Purchasing Agreement with the City of Plano, Texas; and take appropriate action.

- G.4 [R2017-030](#) Consider approving Resolution No. 2017-030 authorizing the City Manager to purchase Uninterrupted Power Supply (UPS) systems and implementation services for the City Hall data center and the Emergency Operations Center in an amount totaling \$142,079 from Anixter, Inc.; and take appropriate action.**

Motion made by Mayor Pro Tem Froehlich to approve Consent Items G.1 through G.4, as presented. Motion seconded by Council Member Bomgardner.

Council Member Norwood asked that Study Session Item G.4, Resolution No. 2017-030 (UPS) purchase, be pulled and postponed until the next meeting to allow review of a local vendor.

Mayor Pro Tem Froehlich amended his main motion, to approve Agenda Items G.1 through G.3, and postpone Agenda Item G.4, to the next City Council meeting. Motion seconded by Council Member Norwood. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

H. PUBLIC HEARINGS

- H.1 [ORD-3430](#) Conduct a public hearing and consider adopting Ordinance No. 3430 Prohibiting the Use of and Contact with Designated Groundwater Beneath 16.994± Acres of Land Generally Located at the Southwest Corner of Valley View Lane and Josey Lane to Facilitate Certification of a Municipal Setting Designation by the Texas Commission On Environmental Quality; and take appropriate action.**

Katy Evans briefed City Council regarding the Municipal Setting Designations (MSD) that is regulated by the Texas Commission on Environmental Quality (TCEQ). MSDs can be used when groundwater at a potential development location within a city has contaminants. Groundwater is defined as water present below ground surface. TCEQ receives, processes, and certifies MSD applications. TCEQ can only certify an application if there is local city support. Ms. Evans introduced Mr. Frank Clark who provided an update regarding the MSD. He noted small dry cleaning business was in operation in the 1990's. He noted in 2014 studies found contamination. He noted an investigation begins when a site is found to have contamination. He explained the plume is not allowed for drinking water purposes. Mr. Clark further stated the site and area is provided with potable water supplied by the City and no public or private potable water well is at risk from the identified groundwater contamination. Mr. Clark described the site as 16.99 acres in size and is composed of seven parcels at the following addresses: 2900 Valley View Lane, 2 Josey Lane, 3 Josey Lane, 12875 Josey Lane, 12879 Josey Lane, and 12895 Josey Lane. The site is owned by four entities controlled by Mr. David E. Claassen.

After discussion, motion made by Council Member Bomgardner to close the public hearing and adopt Ordinance No. 3430 in support of a Municipal Settings Designation for the following seven parcels: 2900 Valley View Lane (parcel 1), 2900 Valley View Lane (parcel 2), 2 Josey Lane, 3 Josey Lane, 12875 Josey Lane, 12879 Josey Lane, and 12895 Josey

Lane.

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

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

- H.2 [ORD-3425](#) **Conduct a Public Hearing and consider adopting Ordinance No. 3425 a request from CADG Mercer Crossing to repeal Specific Use Permit (Ordinance 3078) for a natural gas compressor site consisting of approximately 1.64 acres located in Planned Development 88 (PD-88); and take appropriate action.****

Mr. Gillies briefed City Council regarding this item. Mr. Gillies explained in April 2010, the City of Farmers Branch adopted Ordinance No. 3078 approving a Specific Use Permit for a natural gas compressor site on a 1.64 acres tract located west of the Burlington North Railroad and approximately 270 feet north of Interstate 635, commonly known as 11998 Knightsbridge Road. Due to recent zoning amendments adjacent to the site, CADG Mercer Crossing Holdings, LLC is requesting the repeal and termination of the existing gas compressor SUP. Mr. Gillies stated the City approved an amendment to PD-88 establishing the property to the north of this site, to be developed for a new multi-family community. With this new change in land use, the existing property owner, CADG Mercer Crossing, has requested this existing gas compressor SUP be repealed and terminated. The repeal of this SUP, will protect these new surrounding residential land uses from potential industrial activity. Mr. Gillies explained on January 23rd 2017, the Planning and Zoning Commission voted unanimously to recommend the repeal of the Specific Use Permit for a gas compressor as described in Ordinance No. 3425.

Mayor Phelps opened the public hearing. There being no one present to speak for or against the item, Deputy Mayor Pro Tem Reyes made a motion to close the public hearing and adopt Ordinance No. 3425, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

- H.3 [ORD-3424](#) **Conduct a Public Hearing and consider adopting Ordinance No. 3424 a request from CADG Mercer Crossing Holdings LLC to change the zoning of an approximate 5 acre tract from Planned Development No. 88 (PD-88) Urban Center subdistrict to Office -1 subdistrict including a Conceptual Site Plan on property located on the northeast corner of Chartwell Crest and Wittington Place; and take appropriate action.****

Mr. Gillies briefed City Council regarding this item, explaining Centurion American submitted a request to amend a portion of PD-88 from the Urban Center subdistrict to Office-1 subdistrict in order to develop an office building to the existing buildings just north and west of the site. Mr. Gillies reviewed the following list of the more significant development standards specific for this Office-1 subdistrict.

- Setbacks- All building setbacks are a minimum 20 feet. There is no Required

Building Line (RBL) along any of the public streets. Surface parking must be setback from all public streets and must be screened using either landscaping or berms (2' minimum).

- Height- All buildings within this district must be at least 2 stories in height; maximum height of 9 stories. (Centurion American is proposing a 4 story building)
- Parking- Surface parking is allowed. Minimum parking is 1 space per 300 square feet for office uses. Maximum parking ratio is 1 space per 125 square feet. The use of permeable parking surfaces is strongly encouraged, especially for remote parking areas.
- Fenestration- All ground floor facades must have a minimum of 30% fenestration. Upper stories must have a minimum of 17% fenestration.
- Landscaping and Open Space- All sites must have a minimum of at least 17% common landscaped open space. All surface parking areas must have a minimum of 12% landscaped open space. All loading areas must be screened at least 6' in height.
- Land Use- This district will limit land use to only professional office related uses.

After discussion, Mayor Phelps opened the public hearing. There being one present to speak, Mayor Pro Tem Reyes motioned to close the public hearing and adopt Ord 3424, as presented. Motion seconded by Council Member Norwood. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I. REGULAR AGENDA ITEMS

I.1 [ORD-3419](#) Consider adopting Ordinance No. 3419 amending the Code of Ordinances, Chapter 26, Article III, Mandatory Crime Reduction Program for Apartment Complexes; and take appropriate action.

Police Chief David Hale briefed City Council regarding this item. The City of Farmers Branch adopted Ordinance No. 3038 on August 11, 2009 enacting the Mandatory Crime Reduction Program (MCRP) for Designated Apartment Complexes for the purpose of protecting the health, safety, morals and welfare of occupants of apartment complexes and other citizens of the City by obtaining greater compliance with property standards. Recommended changes to the program were reviewed with City Council during the December 13, 2016 Council Study Session meeting. Ordinance No. 3038 was developed based on feedback received from this meeting.

Chief Hale stated since the inception of the program the average crime index threshold has decreased from 21.6 to 10.4. The following list represents the most significant changes to the program.

- All new apartment complex applicants will receive MCRP Program details upon registration with the Building Official;
- Deleted credit history checks;
- Adds a comparative residential crime index for comparison;
- Further defines the definition of a "Crime";
- Adds a police department Criminal Trespass Program;

- Requires a Residential Security Survey for new occupants;
- Requires on-site security for repeat offenders that exceed 24-months in the program;
- Makes the Zoning Board of Adjustments the body that hears program appeals;
- Increases program fee to \$2,000

After discussion, Mayor Pro Tem Froehlich moved to approve adopting Ordinance No. 3419, as presented. Motion seconded by Deputy Mayor Pro Tem Ana Reyes. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I.2

[ORD-3431](#)

Consider adopting Ordinance No. 3431, approving the Tax Increment Reinvestment Zone No. 3 Project and Finance Plan; and take appropriate action.

City Manager Charles Cox briefed City Council regarding this item. Mr. Cox explained the Project and Finance Plan provides the following:

- Outline of the \$57.8 million in public improvements proposed
- TIRZ Boundaries & Ownership
- Proposed & Anticipated Development
- Project Costs
- Financial Feasibility Analysis

Mr. Cox explained the Tax Increment and Reinvestment Zone No. 3 Board met earlier this evening to consider Resolution No. 2017-01 TIF3, approving and recommending Council approval of a Project and Finance Plan. In accordance with State law, this plan must be approved by both the TIRZ No.3 Board and the City Council.

Mayor Pro Tem Froehlich explained this is an administrative issue. Mr. Cox explained tonight is not approving ultimate financing it merely provides the financial feasibility analysis. He further stated the next step will be a meeting on March 1st where City Council will consider adopting the Service and Assessment Plan and reiterated, tonight's meeting is to review feasibility of the project.

Mayor Pro Tem Froehlich made a motion to approve adopting Ordinance No. 3431, as presented. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

Mayor Phelps recessed the meeting at 7:21 p.m. and reconvened into Executive Session at 7:28 p.m. to discuss Agenda Item J.1.

J. EXECUTIVE SESSION

- J.1 [17-387](#) 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 located at 2427 Carrick Street.

Mayor Phelps recessed from Executive Session at 8:10 p.m.

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

L. **ADJOURNMENT**

Motion made by Mayor Pro Tem Froehlich to adjourn the meeting. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

The meeting adjourned at 8:11 p.m.

Mayor

ATTEST:

City Secretary