



# 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, April 2, 2019

6:00 PM

Council Chambers

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**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.**

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

**Presiding:** 1 - Mayor Robert Dye

**Present:** 5 - Council Member Ana Reyes, Mayor Pro Tem John Norwood, Deputy Mayor Pro Tem Mike Bomgardner, Council Member Bronson Blackson and Council Member Terry Lynne

**Staff:** 18 - City Manager Charles Cox, Deputy City Manager John Land, Assistant City Manager Ben Williamson, City Secretary Amy Piukana, City Attorney Pete Smith, Police Chief David Hale, Director of Economic Development Allison Cook, Director of Human Resources Brian Beasley, Director of Library Denise Wallace, Director of Community Services Hugh Pender, Director of Fleet & Facilities Kevin Muenchow, Director of Public Works Marc Bentley, Director of Information Services Mark Samuels, Director of Sustainability & Health Shane Davis, Fire Chief Steve Parker, Director of Planning Tina Firgens, Director of Communications Tom Bryson

#### **A.1 19-142**

#### **Discuss regular City Council meeting agenda items**

Mayor Dye called the study session meeting to order at 3 p.m.

Mayor Dye explained he visited Pete's Cafe and The Diner restaurants in Farmers Branch and neither had issues with the proposed non smoking ordinance.

Mayor Dye suggested changing the procedure for plat approvals to allow the Planning and Zoning Commission to approve plats.

Mayor Pro Tem Norwood asked for clarification on Agenda Item J.2, Public Arts and Culture Ad Hoc Committee being listed as a regular agenda item.

Mr. Cox explained unlike the board updates, the Public Arts and Culture Ad Hoc Committee is required to make a final report and recommendation to the City Council.

Deputy Mayor Pro Tem Bomgardner asked for clarification on Agenda Item H.3, Freese and Nichols in regards to the \$56,000 survey.

Director of Public Works Marc Bentley replied explaining a risk assessment was completed and a survey is necessary.

Deputy Mayor Pro Tem Bomgardner asked if anyone has objections to Agenda Item J.5, Ending childhood homelessness through Metrocrest Services.

Council Member Reyes stated child homelessness was discussed at the City Council Retreat, noting this is a Farmers Branch specific program.

Mr. Cox explained 43 children have been identified as homeless. He explained this is a plan to utilize Metrocrest Services to address these issues.

Council Member Lynne suggested Mayor Dye reach out to neighboring cities to partner in the program.

Council Member Blackson asked if Metrocrest Services could provide the City with metrics to show deliverables.

Metrocrest Services CEO Tracy Eubanks replied stating they already have metric tracking technology and would agree to provide this information.

Mayor Pro Tem Norwood explained this is a special program designed to be proactive against childhood homelessness.

Council Member Blackson stated he has issues with Agenda Item J.7, Boards and Commissions, with the Senior Advisory Board 10 + 2 structure, and the sunset provision.

Senior Advisory Board Chair Matt Rice stated the board voted to keep the structure at 10 + 2, noting they need assistance with events.

## **A.2 19-148**

### **Review 2020 Critical Business Outcomes**

Assistant City Manager Ben Williamson briefed City Council regarding this item. Mr. Williamson reviewed the following FY 19 Critical Business Outcomes: 1) Implement a vision for the central corridor and encourage redevelopment of the east side; 2) Improve options for quality, senior-centric housing; 3) Enhance entryways; 4) Identify solutions for homes in the flood plain; 5) Implement data-driven processes for making resource allocation decisions; 6) Develop a solution for creating a dog park; 7) Continue to deliver exceptional service to our residents, businesses, and other stakeholders.

Assistant City Manager Ben Williamson reviewed the following FY 20 Critical Business Outcomes:

CBO1 - Implement a vision for the central corridor and encourage redevelopment of the East Side.

CBO2 - Improve options for quality senior centric housing.

CBO3 - Utilize data driven processes for making resource allocation decisions.

CBO4 - Deliver exceptional service to our residents, businesses, and other stakeholders.

CBO5 - Enhance our streetscape.

CB06 - Implement a solution for improving creeks.

CB07 - Plan for, build and maintain high quality public assets.

CB08- Support the Station Area development.

CB09 - Develop a mechanism to end child homelessness.

CB010 - Identify a pathway for sustainability initiatives.

After discussion, City Council agreed to move forward with the proposed FY 20 Critical Business Outcomes.

**A.3 19-159****Receive Bi-Annual Report from the Senior Advisory Board**

Senior Advisory Board Chairman Matt Rice briefed City Council providing a biannual report of board accomplishments.

Mayor Pro Tem Norwood stated he would like the Senior Advisory Board to review and provide input on Senior Housing, amenities, and overall needs.

Deputy Mayor Pro Tem Bomgardner suggested conducting quarterly surveys to obtain feedback from Senior Citizens.

**A.4 19-39****Receive an update on Farmers Branch Leadership Archives**

Director of Communications Tom Bryson provided an update on past Farmers Branch leadership and how their history is being preserved and accessible to the public.

Council Member Blackson thanked Mr. Bryson for his efforts.

Council Member Reyes suggested adding Board and Commissions in the future.

Council Member Lynne suggested adding photos from the decade.

Mr. Cox explained staff is working with the Historical Park to obtain more historical information to add to the website.

Mayor Pro Tem Norwood suggested reaching out to Ruthann Parish, former City Secretary, who may have more historical information to offer on past Council leaders.

**A.5 R2019-49****Consider approving Resolution No. 2019-49 creating a Census 2020 Complete Count Committee to assist with planning and implementing local outreach efforts and community awareness; and take appropriate action**

Mayor Dye explained Federal and State funds are allocated to communities based on census data. He further stated he supports a citizen led Census Ad Hoc Committee to provide community outreach and help encourage our citizens to provide accurate counts of all people within our city limits noting this could help with funding.

Mr. Cox stated if the Council decides to create an Ad Hoc Committee, they could be tasked to develop strategies to increase participation, conduct outreach and education to all residents and business leaders.

Council Member Lynne asked how appointments would be made. Mayor Dye noted by an application process.

Mr. Cox stated the attorney could draft a Resolution with specific structure.

**A.6 19-170****Discuss a Neighborhood Partnership Program**

City Manager Charles Cox briefed City Council regarding and expansion of

Neighborhood Partnership Program to include creeks noting he has amended the program to include the following provisions:

- Project must be approved by the Director of Public Works as an effective and reasonable erosion control solution.-\
- City will participate as a 50-50 cost split up to \$20,000 on individual projects up to \$250,000 annually on cumulative projects.
- Approved projects not funded in any year may be eligible for reimbursement from subsequent fiscal year funding.
- City will reimburse its portion to the resident upon successful installation and City inspection of the project.

After discussion, Council tasked the City Manager to revise the program to increase the incentive amount.

**A.7 19-169****Receive a report on Legislative Updates**

City Manager Charles Cox provided a Legislative update reviewing proposed property tax bills, public safety bills, sales tax bills, lobbying activities, municipal revenues/expenditures, court revenues, and other miscellaneous bills that could impact the City.

**A.8 19-143****Discuss agenda items for future City Council meetings**

Council Member Blackson asked for a future agenda item to discuss Reforming Campaign Finance contributions.

Mayor Pro Tem Norwood asked for the following future agenda items: creek mitigation update, Town of Addison intergovernmental relations update, and CFBISD relationship update.

**B. EXECUTIVE SESSION**

The City Council recessed at 5:22 p.m. and reconvened into executive session at 5:27 p.m.

**B.1 19-161**

**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 north of 635, south of Valley View, east of I-35, and west of Josey Lane.***

***Discuss the purchase, exchange, lease, or sale of real property located at 13330 Veronica, Farmers Branch, TX 75234***

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

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

**D. INVOCATION & PLEDGE OF ALLEGIANCE**

Deputy Mayor Pro Tem Bomgardner provided the invocation and led the pledge of allegiance and pledge to the Texas flag.

**E. REPORT ON STUDY SESSION ITEMS**

Mayor Pro Tem Norwood provided an update on Study Session items.

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

The City Manager provided Community announcements.

**G. CITIZEN COMMENTS**

Historical Park Board Member William Frome read aloud an excerpt from Dr. Gilbert's diary.

**H. CONSENT AGENDA**

- H.1 19-114 Consider approving minutes from the March 19, 2019 City Council meeting; and take appropriate action**
- H.2 19-146 Consider excusing the absence of Mayor Robert Dye from the March 19, 2019 City Council meeting; and take appropriate action**
- H.3 R2019-42 Consider approving Resolution No. 2019-042 authorizing an agreement with Freese and Nichols for Professional Engineering Services for the Farmers Branch Creek Study Update; and take appropriate action**

**A motion was made by Council Member Blackson, seconded by Council Member Lynne, that Consent Items H.1 through H.3 be approved. The motion carried by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**I. PUBLIC HEARING(S)**

- I.1 R2019-37 Conduct a public hearing and consider approving Resolution No. 2019-037 for a Detailed Site Plan with Special Exceptions for a single-family residential development on approximately 54.6 acres located along on the south side of Valley View Lane, approximately 450 feet east of Chartwell Crest; and take appropriate action**

Director of Development Tina Figgins briefed City Council regarding this item. Ms. Figgins explained the applicant, M.M. Mercer Kensington, LLC, is requesting approval of a Detailed Site Plan for a 311 single family residential development on 54.6 acres. She explained the site is zoned PD-100, which allows for the proposed use. The request also includes two Special Exceptions to the development standards in PD-100 which are: #1 - *Tree Species and Placement*; and #2 - *Street Intersection*.

Mayor Dye opened the public hearing. There were no citizens that wished speak.

**A motion was made by Mayor Dye to close the Public Hearing and approve Resolution No. 2019-37. Motion seconded by Council Member Blackson. The motion carried by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**I.2 18-PL 14 Conduct a public hearing and consider a request from EPC-BRIC2, LLC and BRIC2 Land, Ltd. for final plat approval of The Brickyard, Lot 1, Block B and Lot 3, Block A, located between Delancey Street and the extension of Senlac Drive; and take appropriate action**

Director of Development Tina Firgens briefed City Council regarding this item. She noted the purpose of the final plat of The Brickyard is to replat all of Block G, and part of Block H, of the Westside Addition, Section 1 plat, in which the 2 tracts of land are currently platted within. Creating (2) two new lots as Lot 1, Block B and Lot 3, Block A and to dedicating the new easements necessary for the development of those lots.

Mayor Dye opened the public hearing. There were no citizens that wished to speak.

**A motion was made by Council Member Lynne to close the Public Hearing and approve, seconded by Deputy Mayor Pro Tem Bomgardner, that this Plat be approved. The motion carried by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**I.3 18-PL 16 Conduct a public hearing and consider a request from Paragon Industries II, Inc. for final plat approval of Bedrosians Addition, 9.49 acres located on the north side of IH-635/LBJ Freeway, 750 feet east of Commerce Drive; and take appropriate action**

Director of Development Tina Firgens briefed City Council regarding this item. She explained the purpose of the Bedrosians Addition plat is to consolidate (Lots 1 and 2) and remaining balance of property into one single lot, and dedicate new easements necessary for the development of the lot. She stated all necessary public improvements have been completed within this development.

Mayor Dye opened the public hearing. There were no citizens that wished to speak.

**A motion was made by Council Member Blackson, seconded by Council Member Reyes, that this Plat be approved. The motion carried by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**J. REGULAR AGENDA ITEMS**

**J.1 R2019-40 Consider approving Resolution No. 2019-040 renaming the “Farmers Branch Skate Park” to the “Phillip Shelby Hemstock Skate Park”; and take appropriate action**

Parks and Recreation Manager Maria Minter briefed City Council regarding this item. She explained Phillip “Shelby” Hemstock passed away January 27, 2019 at the age of 27. She explained Shelby grew up in Farmers Branch and was an avid skateboarder and advocated for a Skate Park in Farmers Branch in his teens. During the planning stages of the Park, Shelby acted as the liaison between the Farmers Branch skating community and City staff. After the completion of the Park, Shelby volunteered his time assisting City staff in coordinating various events and competitions at the Skate Park. Shelby became a contract instructor offering skateboarding lessons at the Park. At the February 19, 2019 City Council meeting, Shelby’s mother presented the City with a donation of \$1,350 for the purchase and installation of a City in a Park bench to be placed at the Skate Park in honor of Shelby.

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**A motion was made by Mayor Dye, seconded by Council Member Blackson, that this Resolution be approved. The motion carried by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**J.2 19-163 Receive an annual update from the Public Art and Culture Ad Hoc Committee**

Deputy City Manager John Land briefed City Council regarding this item. He provided a video update. Afterwards, the Public Art and Culture Ad Hoc Committee Chair Jonathan Smith and board members Natalie Macellaio, Dawn Valentine, Derek Whitener, and Tony Cummings provided an update to the City Council.

Chairman Smith recommended making the board a standing committee. Council Member Lynne stated he supports creating a standing committee for Public Art and Culture.

City Council discussed art districts, trail connections, street walkway art, signage, and funding.

Mr. Land stated he would bring forward an Ordinance to create a Public Art and Culture Standing Committee at the next City Council meeting.

**J.3 19-115 Receive an update from Metrocrest Services**

Assistant City Manager Ben Williamson briefed City Council regarding this item. He provided a video update from Metrocrest clients. CEO of Metrocrest Services Tracy Eubanks provided City Council with an update. He noted in 2018 Metrocrest served 14,153 individuals with 44% of individuals served are under 18, and 13% were seniors over the age of 60. He explained over 3,900 volunteers contributed over 44,000 hours of time. He explained Metrocrest served 2,784 people in 2018 which includes 92 receiving job assistance, 228 families participated in Financial Literacy Class, 423 families utilized the food pantry, and 128 families received rent or utility assistance.

**J.4 19-116 Receive an update from the Metrocrest Chamber of Commerce**

Erin Carney with Metrocrest Chamber of Commerce briefed City Council regarding this item. Ms. Carney explained in 2018 the Chamber had 558 total members with 84 new members, 17 board members and 43 ribbon cuttings which included 10 in Farmers Branch. She further stated in 2019 the Chamber had 572 members with 25 new members, 18 board members, with 8 ribbon cutting and one in Farmers Branch.

**J.5 19-147 Consider approving a Program Funding Agreement with Metrocrest Services, Inc. related to ending child homelessness; and take appropriate action**

Assistant City Manager Ben Williamson briefed City Council regarding this item. He explained Carrollton-Farmers Branch Independent School District (CFB/ISD) students has identified 43 homeless students in Farmers Branch. He explained Metrocrest Services has also assisted with one month of rent to families in need to prevent homelessness at current funding levels. Mr. Williamson explained at the strategic planning session on February 20, 2019, City Council identified ending child homelessness in Farmers Branch as a priority and directed staff to work with Metrocrest Services in developing a one-year results-based program.

Resident Pat Edmiston spoke requesting City Council to table this item to allow resident input on the expenditure of funds.

CFBISD School Superintendent Dr. John Chapman spoke in support, stating many students have basic needs. He explained this is a partnership and thanked the City and Metrocrest for their support.

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**J.6 ORD-3564 Consider adopting Ordinance No. 3564, amending Code of Ordinances Chapter 34, Article III by amending Section 34-143 by prohibiting smoking in public places; and take appropriate action**

Environmental Specialist Katy Evans briefed City Council regarding this item. Ms. Evans reviewed current smoking regulations and proposed changes. She stated the new proposed Ordinance prohibits smoking in all City facilities, prohibits smoking in retail establishments except Cigar bars and Tobacco shops. She stated this includes prohibiting smoking inside all restaurants and bars including outside patios. She noted smoking would be prohibited at all public buildings, including private offices, within 20 feet of an entrance, exit or ventilation intake. She explained smoking would only be permitted within a private residence.

Ms. Erin West with the Cat Connection spoke in support, noting she did not receive a public notice from the City.

**A motion was made by Mayor Dye, seconded by Council Member Blackson, that this Ordinance be adopted. The motion carried by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**J.7 ORD-3563 Consider adopting Ordinance No. 3563 amending Chapter 2, Article II for Boards, Committees, and Commissions of the Code of Ordinances relating to composition, alternates, absences, training, and sunset review for certain Boards and Commissions; and take appropriate action**

City Manager Charles Cox briefed City Council regarding this item. Mr. Cox explained the proposed Ordinance requires newly appointed and reappointed board members to attend board orientation training within 90 days of appointment and to participate in annual sexual harassment and code of ethics trainings. Mr. Cox explained the proposed Ordinance contains a Sunset provision, which requires Council review every June 30 in years ending with "0" and "5" for the following boards:

- (1) Historical Preservation and Restoration Board;
- (2) Farmers Branch Manske Library Board;
- (3) Parks and Recreation Board;
- (4) Senior Advisory Board; and
- (5) Sustainability Committee

Motion made by Council Member Blackson to table this item. Motion seconded by Mayor Pro Tem Norwood.

Motion withdrawn by Council Member Blackson. Second withdrawn by Mayor Pro Tem Norwood.

Mr. Cox explained if Council does not wish to implement the Sunset provisions, the motion to approve Ordinance 3563 could be made with the deletion of "Section 2-40 Sunset Review".

**After discussion, Mayor Pro Tem Norwood made a motion to approve Ordinance No. 3563 to a 7 + 2 structure, and to amend the Senior Advisory Board to the 7 + 2 structure composition. Motion seconded by Deputy Mayor Pro Tem Bomgardner. The motion carried by the following vote:**



**Nay:** 2 - Council Member Reyes and Council Member Lynne

**Aye:** 3 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner and Council Member Blackson

**J.8 19-138 Receive a report from Community Waste Disposal regarding residential solid waste and recycling collection service for the 2018-2019 contract year**

Mr. Robert Medgovich with CWD provided an annual update on residential trash collection and new cleaning services offered.

**J.9 R2019-39 Consider approving Resolution No. 2019-39 awarding bids and authorizing contract relating to the construction of Fire Station No. 2; and take appropriate action**

Fire Chief Steve Parker briefed City Council regarding this item. Chief Parker reviewed the table outlining the construction project.

	Budget
Construction Management	\$485,240
Architectural	\$543,081
Construction	\$4,173,412
Contingency	\$123,252
Owners Direct Expenses	\$102,515
FF&E	\$40,000
Other Services	\$132,500
Total	\$5,600,000

Chief Parker explained by approving Resolution No. 2019-39, it awards bids for the construction of Fire Station No. 2 in the amount of \$4,173,412.

**A motion was made by Council Member Reyes, seconded by Council Member Blackson, that this Resolution be approved. The motion carried by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**K.**

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

**Motion made by Mayor Pro Tem Norwood that the City Manager be authorized to take such action on behalf of the City as may be reasonable and necessary to purchase, or authorize the purchase of Lot 17, Block 3 of Green Meadows Estates also known as 1330 Veronica Road for a purchase price not to exceed \$190,000 plus standard closing and acquisition costs and to sign, or authorize the City's agent to sign, such other agreements, documents, and any amendments thereto, as the City Manager, in consultation with the City Attorney deems reasonable and necessary with respect to the closing of said transaction. Motion seconded by Deputy Mayor Pro Tem Bomgardner.**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**L. ADJOURNMENT**

**A motion was made by Mayor Dye that the meeting be adjourned at 8:40 p.m. Motion seconded by Mayor Pro Tem Norwood. The motion carried by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

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

Attest:

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City Secretary