



City of Farmers Branch

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

Meeting Minutes

City Council

Tuesday, June 4, 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.

Presiding: 1 - Mayor Robert Dye

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

Staff: 18 - City Manager Charles Cox, Deputy City Manager John Land, Assistant City Manager Ben Williamson, City Secretary Amy Piukana, City Attorney Braden Metcalf, Director of Economic Development Allison Cook, Director of Human Resources Brian Beasley, Building Official 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 & Zoning AICP Tina M. Firgens, Director of Communications Tom Bryson and Police Chief David Hale

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

A.1 19-244 Discuss regular City Council meeting agenda items

Deputy Mayor Pro Tem Lynne asked for clarification on Agenda Item I.3, Solid Waste. He asked if residents would have the option to receive a 35 gallon cart.

Director of Sustainability and Health Shane Davis replied stating this could be an option.

Deputy Mayor Pro Tem Lynne asked for clarification on Agenda Item I.4, Shor Technology, asking if this money would be better utilized on Farmers Branch Creek and if this funding has affected the reserve fund.

City Manager Charles Cox explained at this point the added expenditure will be offset by revenue, and no use of fund balance is planned.

Mayor Pro Tem Norwood asked for clarification on Agenda I.4, Shor Power asking if the Civil Engineer cost is included in the amount.

Mr. Davis explained the total cost includes Civil Engineer fees within the proposal.

Deputy Mayor Pro Tem Lynne expressed concerns with Agenda Item I.5, Boards and Commissions appointments. He suggested tabling the item to allow more interviews for the Planning and Zoning Commission appointments.

After discussion, the consensus of the Council was to move forward with the slate list, as presented.

Council Member Blackson asked for clarification on Agenda Item I.2, Water Main replacement. He asked if this is an additional line.

Director of Public Works Marc Bentley explained this line would help with additional water flow.

Mayor Pro Tem Norwood asked for clarification on Agenda Item I.3, West Side he asked if cart screening would be provided by the builder.

Mr. Davis explained the builder has provided an area of screening for cart placement.

A.2 19-73

Discuss Farmers Branch Manske Library Renovations

Mayor Dye explained the Library is aging and needs several repairs such as roof and HVAC replacement. He noted the facility also needs ADA required fire sprinkler system installation. He suggested an AdHoc Committee be created to review the list of upgrades to help prioritize repairs.

Council Member Bomgardner stated a citizen board might take up to a year, which could be costly. He recommended hiring a specialist to provide immediate options and hold a joint meeting with the Library Board to review cost and prioritization.

Council Member Retana suggested a hybrid method to utilize a consultant, Citizen Adhoc and Library Board. She asked if flooding is an issue.

Mr. Cox explained roof leaks and HVAC are the main priorities. He noted next issues would be ADA, sprinkler system, and parking. He noted the new roof should assist with roof leaks and flooding.

Council Member Lynne suggested public input and requested a full break down on repair costs.

Mayor Pro Tem Norwood recommends moving forward with immediate needs on the list. He suggested staff create a timeline, cost analysis, and city requirements list (ADA, Sprinklers, etc), noting upcoming budget meetings are being scheduled in the near future.

Council Member Blackson suggested hiring a consultant to review the priority list to ensure all items listed are prioritized. He suggested creating a task force to review present and future Library needs. He suggested a capital donation campaign to assist with funding.

A.3 19-254

Discuss City Policy on the naming of City Facilities

Deputy Mayor Pro Tem Lynne noted we might need to review our process of naming facilities after people to ensure they are properly vetted.

Council Member Bomgardner suggested an option for donations and naming rights.

Mayor Dye explained the City could consider allowing corporate sponsorships.

A.4 19-256**Discuss proposed changes to the CADG Mercer Crossing Holdings LLC development agreement including development performance obligations**

Development Director Tina Firgens briefed City Council regarding this item. Ms. Firgens explained the Developer is proposing to amend the CADG Mercer Crossing Development Agreement with the following: 1) No full service hotel on the Boardwalk, 2) 59,000 SF retail/restaurant/commercial indoor amusement uses on the Boardwalk tract with a minimum 75% of the SF to be restaurant and or commercial indoor amusement use, and a maximum of 5,900 SF can be personal service uses, 3) 100,000 office building (Chartwell Crest), 4) No minimum SF retail/restaurant space at Valley View Lane/Luna Road; however, PD-99 will be amended to include a conceptual site plan from Pattern Book shall be made a requirement, and a maximum of 10% of building square footage, 5) Completion threshold - Certificate of occupancy for shell building, 6) Amenity Center located on north side completed in its entirety, 7) Dredging of the lake south of the Boardwalk tract completed and applicant provides as built survey of the bottom of the lake determining depth meets specifications determined by the City Manager, 8) Amphitheater and 40,000 SF office building - Certificate of occupancy for shell buildings on the south side of Wittington Place north of the lake before issuance of the 600th single family building permit.

City Council discussed green space, retail development, dredging, plans, timeline, lake fountains/features, multifamily development, and office development height.

Mayor Dye stated he supports keeping development moving forward.

Mayor Pro Tem Norwood requested the applicant submit a list of proposed restaurants.

Council Member Blackson expressed concerns with losing the hotel.

Council Member Bomgardner suggested a fountain feature for the lake area to draw visitors to this destination.

Council Member Retana suggested embedding the trails on the plans.

Council Member Blackson suggested allowing the developer more time.

City Attorney Braden Metcalf stated he would negotiate the contract terms to an additional 60 days.

A.5 ORD-3575**Consider adopting Ordinance No. 3575 approving a short-term rental policy; and take appropriate action**

Assistant City Manager Ben Williamson briefed City Council regarding the proposed Ordinance No. 3575. He explained this ordinance provides a policy pathway for interacting with short-term rentals. He noted the ordinance defines short-term rental, outlines a fine structure, provides a licensing requirement, and defines that short-term rental must be for a minimum of five consecutive days. He explained the service provider called Host Compliance would actively monitor short-term rental and provide tax audit support for the City. He further stated Host Compliance has identified approximately 43 unique short-term rentals in Farmers Branch.

Council Member Lynne suggested notifying the existing 43 short term rental owners of the proposed changes.

Mayor Pro Tem Norwood suggested a seven-day requirement.

Resident Vicki Harrison spoke expressing concerns with trash, citations, enforcement, and dress attire of women entering the Love Shack property and recommended proactive regulations.

City Attorney Braden Metcalf explained municipal court is currently using existing ordinances to enforce compliance. He stated the City must amend laws to fix the exact problem and apologized for any inconvenience.

Resident Richard Jackson spoke asking if recent Senate Bills passed and suggested five-day rental requirements with licensing and fees.

Mr. Williams stated the proposed policy He noted it allows the City to know where short-term rentals exist and allow the city to manage them.

Council Member Bomgardner asked if the minimum age be moved up to 18 years of age.

After discussion, the consensus of Council was to move the rental age to 25 years of age or older.

Mayor Dye recessed the meeting at 5:43 p.m.

A.6 19-208

Discuss City Council liaison appointments to Community Boards

Mayor Dye reviewed the list of local organizations and volunteers to serve as a City Council Liaisons.

ORGANIZATION	CITY COUNCIL LIAISON
Texas Municipal League	Mayor Dye/Blackson
*Metrocrest Social Services	Council Member Retana
Sister City Program	Council Member Blackson
NCTCOG	Mayor Dye
Dallas County Public Health Advisory Committee	Board Voting Member Council Member Bomgardner
Trinity River Authority	Mayor Pro Tem Norwood
DART	Mayor Dye and Charles Cox (receive mailings)
Metroplex Mayors Committee	Mayor Dye/Norwood
North Texas Commission	Council Member Retana
FB Chamber of Commerce	Mayor Dye
*Metrocrest Chamber of Commerce	Mayor Dye
Municipal Judge Committee	Mayor Dye/Lynne/Bomgardner
Travel Expense Review Committee	Blackson/Bomgardner/Lynne
Metrocrest Hospital Authority	Lynne
Dallas Regional Mobility	Retana
Regional Transportation Council	Mayor Dye & Carrollton Mayor

A.7 19-245 Discuss agenda items for future City Council meetings

Deputy Mayor Pro Tem Lynne requested an update on future agenda item on Bee Street and Valwood flashing signs.

Council Member Retana asked for an update on speed bumps on Myra and requested a discussion on creating a Youth Commission.

B. EXECUTIVE SESSION

Mayor Dye recessed into closed Executive Session at 7: 51 p.m. (This item was discussed after Regular Meeting.

B.1 19-253 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 Valwood, north of Valley View, west of Webb Chapel, and east of Josey Lane

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

Council Member Blackson provided the invocation, led the Pledge of Allegiance and Pledge to the Texas Flag.

E. CEREMONIAL ITEMS**E.1 19-259 Presentation of a Proclamation recognizing Kenneth Everett for assisting students with his math program**

Mayor Dye provided a proclamation to Kenneth Everett in recognition of his math program.

E.2 19-261 Presentation of the Manske Library Bookmark Contest Winners

Mayor Dye explained thanked everyone who participated in the bookmark submissions, and announced the following Bookmark Winners:

- Under 7 Age Group - Jordie Doucet
- 8 to 12 Age Group - Zayna Yusuf
- 13 to 17 Age Group - Lauren Donovan
- Adult Group - Carol Dingman
- Public Vote (from the Adult Group) - Lydia Yost

F. REPORT ON STUDY SESSION ITEMS

Mayor Dye provided a report on Study Session items.

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

City Manager Charles Cox provided a report on items of community interest.

H. CITIZEN COMMENTS

None

I. CONSENT AGENDA

- I.1 19-246 Consider approving minutes from the May 15, 2019, May 21, 2019, and May 28, 2019 City Council meeting(s); and take appropriate action
- I.2 R2019-78 Consider approving Resolution No. 2019-078 authorizing the City Manager to execute an Interlocal Agreement/License with the City of Dallas for their 72-inch Water Transmission Main Project within the corporate limits of Farmers Branch; and take appropriate action
- I.3 ORD-3572 Consider adopting Ordinance No. 3572 amending the Code of Ordinances of the City of Farmers Branch by amending Chapter 66 "Solid Waste" relating to regulation of the collection and disposal of solid waste and recyclable materials within the City; and take appropriate action
- I.4 R2019-65 Consider approving Resolution No. 2019-65 authorizing the City Manager to negotiate and execute a professional services agreement with Shor Power to conduct a feasibility study for the installation of solar energy infrastructure and the associated potential costs and revenues, amend the budget accordingly; and take appropriate action
- I.5 19-263 Consider annual Board and Commission appointments; and take appropriate action

Motion made by Council Member Blackson to approve Consent items I.1 through I.5, as amended on I.3. Motion seconded by Mayor Pro Tem Norwood. Motion approved unanimously.

J. PUBLIC HEARING(S)

- J.1 ORD- 3573 Conduct a public hearing and consider adopting Ordinance No. 3573 for a Specific Use Permit and associated Detailed Site Plan with Special Exceptions for an office/warehouse building on an approximately 8.4-acre tract located on the north side of Valley View Lane and on the south side of Keenan Bridge Road, approximately 500 feet east of Luna Road; and take appropriate action

Mayor Dye explained the applicant has requested postponement to the June 18, 2019 City Council meeting.

Motion made by Mayor Dye to postpone the public hearing for Ordinance No. 3573 to June 18, 2019 City Council meeting. Motion seconded by Council Member Blackson. Motion approved unanimously.

K. REGULAR AGENDA ITEMS

- K.1 19-121 Receive an update from the Woven Clinic

Assistant City Manager Ben Williamson introduced Executive Director Lisa Rigby provided an update on the Woven Health Clinic. Ms. Rigby provided a presentation to the City Council on healthcare services provided. She invited the Council to attend a tour of the facility.

K.2 19-257 Receive an update from Keep Farmers Branch Beautiful

Ms. Pat Link and Craig Belanger provided an update on the Keep Farmers Branch Beautiful (KFBB) program. Mr. Belanger explained KFBB was incorporated as a 501c3 in October, 2017. He reviewed the mission, which is to educate and engage Farmers Branch residents to take responsibility for improving their community environment.

Ms. Link reviewed key events, members, accomplishments, partnerships and reviewed upcoming events scheduled for 2019 and key partnerships with CFBISD Administrators and Educators.

K.3 R2019-63 Consider approving Resolution No. 2019-63 authorizing the City Manager to negotiate and execute a contract with Community Waste Disposal, LLC for residential and City facility solid waste collection and recycling services; and take appropriate action

Director of Sustainability and Health Shane Davis briefed City Council regarding this item. He explained staff has negotiated a new agreement with CWD amending the provisions of the solid waste and recycling collection contract relating to solid waste collection and recycling collection services in Mercer Crossing as well as long-term pricing. The contract has a 5 year term and costs are allocated in the General Fund under the Sustainability and Public Health budget.

The City Council discussed usable versus unusable recyclable materials, recycle rate, tonnage, landfill use, tipping fees and options for twice a week versus once a week pickup for those who choose to have more frequent pickups.

Mayor Pro Tem Norwood asked if some could have the option for twice a week trash pickup.

Mr. Medgovich replied stating this is not an option, and the trash service is streamlined.

After discussion, motion made by Council Member Lynne to approve Resolution No. 2019-63, as presented. Motion seconded by Council Member Blackson. Motion approved unanimously.

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

M. ADJOURNMENT

Mayor Dye declared the meeting adjourned at 7:55 p.m.

Signed by: _____
Robert C. Dye, Mayor

Attest: _____
Amy M. Piukana, TRMC, CMC
City Secretary