



# 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, October 22, 2019

6:00 PM

Council Chambers

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**Study Session Meeting to be held at 4:00 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, Council Member Bronson Blackson, Council Member Mike Bomgardner, Deputy Mayor Pro Tem Terry Lynne and Council Member Cristal Retana

**Staff:** City Manager Charles Cox, City Secretary Amy Piukana, City Attorney Braden Metcalf, Police Chief David Hale, Deputy Police Chief Dean Habel, Fire Chief Steve Parker, Director of Human Resources Brian Beasley, Director of Public Works Marc Bentley, Director of Sustainability & Health Shane Davis, Director of Planning & Zoning Tina M. Firgens, Director of Economic Development Allison Cook, Building Official Hugh Pender, Director of Information Services Mark Samuels, Director of Communications Tom Bryson and Director of Fleet & Facilities Kevin Muenchow

#### **A. CALL TO ORDER - STUDY SESSION (4 P.M.)**

Mayor Dye called the Study Session meeting to order at 4 p.m.

##### **A.1 19-477**

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

Mayor Pro Tem Norwood asked for clarification on Agenda Item I.1, Ordinance No. 3601, asking if this is a new hotel request.

Director of Planning Tina Firgens replied stating this is a new hotel request.

Council Member Retana asked for clarification on Agenda Item I.1, Ordinance No. 3601, asking if any proposal was made on the nearby land and if flipping land use had been considered. Ms. Firgens replied stating no other proposal has been made, noting the applicant doesn't own all the land.

##### **A.2 19-489**

#### **Receive a report from the Animal Shelter Advisory Committee**

Animal Shelter Advisory Committee Chairman Dr. Terry Ford, Vice Chair Becky Fisher and Committee Member Krstina Valentine briefed City Council regarding accomplishments. Ms. Valentine provided an update on Farmers Branch animal population, cat and dog intakes and outcomes and field calls.

The City Council discussed the decreased use in the clinic due to partnerships for vaccinations and data of overnight stays at the shelter

Ms. Fisher reviewed the Trap Neuter release program for cats, noting it has been very successful. She explained the Animal Advisory Committee would like to recommend decals on animal shelter vehicles to help identify the vehicles and provide contact numbers for residents.

The City Council discussed TCAP costs, which Animal Shelter Miguel Gauna explained there is no cost to the City and local partnerships for animal vaccinations.

### **A.3 19-503**

#### **Receive an update on Farmers Branch Municipal Court extended hours**

Director of Finance Sherrelle Evans Jones introduced Court Administrator Kevin Barrett who briefed City Council regarding extended hours for Municipal Court. Mr. Barrett reviewed Code Dockets.

The City Council discussed the number of cases and fines associated with them. Mr. Pender replied stating about 90% of the cases have fines associated with them.

Mr. Barrett reviewed the process for paying citations noting the City has new eCourt software which allows the violator to upload an image and send a message for further explanation and review. He explained this evening Municipal Court is presenting a pilot program to add an evening docket which would run from 5 p.m. to 6:30 p.m.

Deputy Mayor Pro Tem Lynne requested: 1) more information in regards to cost to the City, 2) participation and incremental revenue to offer this service; and 3) asked if the revenue covers the cost.

Ms. Evans Jones explained due to shifting of the time, it may require Police Officers to participate after their shift, which may result in overtime.

Mayor Pro Tem Norwood and Council Member Retana stated they support the new docket and offering eCourt and recommended a communication plan to get the word out to residents.

Mr. Barrett agreed to work with the City's Communication team to help get the word out.

Council Member Retana asked if the eCourt is available in other languages. Mr. Barrett explained it is tied in with google translations to allow multiple languages.

Ms. Evans Jones stated she would work to roll out this program in January 2020.

### **A.4 19-478**

#### **Discuss agenda items for future City Council meetings**

Mayor Dye requested a future discussion on power line burials along Webb Chapel, and asked for Public Improvement District/Tax Increment Finance District discussion for the east side.

Council Member Retana requested a future item to discuss emergency preparedness procedures.

Council Member Lynne asked for a report on code enforcement to include commercial properties and shopping centers.

Council Member Bomgardner requested an erosion update.

## **B. EXECUTIVE SESSION**

- B.1 19-505** 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 Josey Lane, east of I-35 in Farmers Branch, TX 75234*

Council may convene into a closed executive session pursuant to Section 551.076 of the Texas Government Code regarding:

- *Deliberation regarding Security Devices*

Mayor Dye recessed for a break at 4:48 p.m. and convened in closed executive session at 5:02 p.m. and recessed at 5:57 p.m.

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

Mayor Dye called the regular meeting to order at 6:05 p.m.

## **D. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Retana provided the Invocation and led the Pledge of Allegiance and Pledge to the Texas Flag.

## **E. REPORT ON STUDY SESSION ITEMS**

Council Member Retana provided a report on Study Session items.

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

Mayor Dye provided an update on items of Community Interest.

## **G. CITIZEN COMMENTS**

Farmers Branch Chamber President Grace Speese invited the City Council to attend a red ribbon event for drug awareness this Friday, October 25, 2019 at Brookhaven College from 9-2p.m.

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**H. CONSENT AGENDA**

- H.1 19-479** Consider approving the October 8, 2019 City Council meeting minute(s); and take appropriate action
- H.2 R2019-143** Consider approving Resolution No. 2019-143 authorizing an Interlocal Agreement for animal control services in the event of an emergency or disaster; and take appropriate action
- H.3 19-496** Consider approving 2020 City Council meeting dates; and take appropriate action
- H.4 R2019-146** Consider approving Resolution No. 2019-146 authorizing the City Manager to approve the purchase of six replacement HVAC units for the Manske Library in the amount of \$109,477 from Trane U.S. Inc. through the U.S. Communities Contract; providing an effective date, and take appropriate action
- H.5 R2019-147** Consider approving Resolution No. 2019-147 authorizing the City Manager to execute an agreement with Knight Security Systems, LLC to design and install security system in the Keenan Service Center Project through the State of Texas Department of Information Services purchasing contract in the total amount of \$87,724 and take appropriate action
- H.6 R2019-148** Consider approving Resolution No. 2019-148 authorizing the City Manager to accept a grant from the United States Department of Justice, Bureau of Justice Assistance Bulletproof Vest Partnership Program; and take appropriate action
- H.7 19-491** Consider Board and Commission appointment to the Sustainability Committee; and take appropriate action

Motion made by Council Member Blackson to approve Consent items H.1 through H.7. Motion seconded by Mayor Pro Tem Norwood. Motion approved unanimously.

**I. PUBLIC HEARING(S)**

- I.1 ORD-3601** Conduct a public hearing and consider adopting Ordinance No. 3601 for a Specific Use Permit and an associated Detailed Site Plan with a Special Exception for a hotel on a 1.94-acre property located at the northeast corner of Mira Lago Boulevard and Mira Lago Boulevard; and take appropriate action (*Continued public hearing from October 8, 2019*)

Planning Director Tina Firgens briefed City Council regarding this item. Ms. Firgens explained the applicant is requesting approval of a Specific Use Permit for a four-story hotel and an associated two-story parking structure on the property located on the northeast corner of Mira Lago Boulevard and Mira Lago Boulevard. The subject site is approximately 1.94 acres and located in Planned Development District No. 81 (PD-81), which allows for the proposed use subject to approval of a Specific Use Permit. The request also includes a Detailed Site Plan and a Special Exception to the development standards in PD-81.

Mr. Dallas Cothrum, 900 Jackson Street, Dallas, Texas, representing the applicant (Home2Suites) provided a presentation.

Council Member Lynne thanked the applicant for the submittal and confirmed with the applicant that a market study was completed for the project.

Mr. Jeff Binford spoke regarding hotel data noting he has done a market study on hotels in the area at a previous Council meeting. He explained the existing development cannot be undone. He further stated, this new type of hotel would not, in his opinion, be detrimental to the existing Omni Hotel since they are a different product.

Mayor Dye opened the Public Hearing. There were no citizens that wished to speak.

Council Member Blackson had concerns with adding another hotel with the recent Omni revenue losses.

Mr. Patel spoke stating this is a Hilton product and in his opinion would not be competition with the Omni hotel.

Mayor Pro Tem Norwood explained recently Developer Merdhad Moayedi stated he couldn't develop a hotel at the boardwalk based on the current market, and now we are reviewing an additional hotel that might negatively impact the Omni Hotel.

Mr. Binford explained the hotels are different brands and have completely different concepts.

Mayor Pro Tem Norwood stated the recommendation was to focus on full service or destination hotels and this proposal does not support this.

Council Member Retana stated she prefers to see more innovative projects.

Mayor Dye opened the Public Hearing. There were no citizens that wished to speak.

Mayor Pro Tem Norwood made a motion to close the public hearing. Motion seconded by Council Member Retana. Motion approved unanimously.

After discussion, motion made by Deputy Mayor Pro Tem Lynne to approve Ordinance No. 3601, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following roll call vote:

**Ayes:** *Council Member Bomgardner, Council Member Lynne*

**Nays:** *Council Member Blackson, Council Member Retana, Council Member Norwood*

*Motion failed by vote of 3-2.*

**J. REGULAR AGENDA ITEMS****J.1 ORD-3603      Consider adopting Ordinance No. 3603 amending the Code of Ordinances Chapter 34 "Environment", Article VI "Nuisances, amending "Section 34-284 by adding a definition for "Water Buffer" and "Weeds" and amending Section 34-287 "Unsightly weeds and vegetation"; amending Chapter 56 "Property Maintenance" and Section 56-81 "Exterior Grounds", and amending Subsection (h)(1) maximum height of weeds, grass and brush; and take appropriate action**

Special Projects Manager Renee Esses briefed City Council regarding this item. Ms. Esses explained this ordinance amends Chapters 34 and 56 of the Code of Ordinances and provides definitions in Chapter 34 for Water Buffer and Weeds. Ms. Esses explained this provides guidance for property maintenance by distinguishing areas along creeks where residents and businesses can establish riparian buffers, while still complying with the property maintenance standards of ordinances. She noted vegetation is key for bank stabilization and noted she is working with the Parks Department to create a pilot vegetation area within the City.

Council Member Retana thanked Ms. Esses for her presentation and suggested looking into vegetation to assist with alleys and ongoing flooding within neighborhood properties.

Ms. Esses explained drainage can be tricky and often requires creative remedies.

Council Member Blackson suggested ensuring the plants are maintainable and won't encourage rodents.

Ms. Esses replied stating she will be strategic and monitor animals, noting she has reached out to TX Parks and Wildlife to ensure we are addressing all issues.

Motion made by Council Member Retana to approve Ordinance No. 3603, as presented. Motion seconded by Council Member Blackson. Motion passed unanimously.

**J.2 R2019-156      Consider approving Resolution No. 2019-156 authorizing the City Manager to negotiate and execute a contract for the purchase of Axon body-worn, in-car, interview room cameras, and associated video equipment and software in an amount not to exceed \$470,000; and take appropriate action**

Deputy Police Chief Dean Habel briefed City Council regarding this item. Chief Habel explained the Farmers Branch Police Department is currently using VIEVU LE4 body worn camera. He explained the LE4 has become obsolete after four years of service and is no longer being repaired by the vendor. The Department is operating on three different systems for body-worn, in-car and interview room camera systems. This system would allow replacement with a single platform to manage video evidence on a daily basis.

Mr. Chris Collins with Axon located at 17800 N 85th Street, Scottsdale, AZ 85255, provided City Council an overview of the new system and passed around a device to show how the new technology will be utilized.

The City Council discussed security with cloud based storage, in car cameras, and market value of current systems utilized.

After discussion, motion made by Mayor Dye to approve Resolution No. 2019-156, as presented. Motion seconded by Council Member Blackson. Motion approved unanimously.

- J.3 R2019-129 Consider approving Resolution No. 2019-129 authorizing the purchase of a Frazer Type I 14' Generator Powered Module mounted on a 2019-2020 RAM 4500 Diesel Cab Ambulance for the Fire Department through the Houston-Galveston Area Council Cooperative Purchasing Program in the amount of \$223,000 and take appropriate action.**

Fire Chief Steve Parker briefed City Council regarding this item. He explained as part of the fleet maintenance schedule, the fire department is due to replace the 2013 Dodge Frazer ambulance in FY 2019-2020. This will allow the fire department to maintain the needed vehicles to support our current EMS service level.

Motion made by Mayor Dye to approve Resolution No. 2019-129. Motion seconded by Council Member Retana. Motion passed unanimously.

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

As a result of executive session, a motion was made by Council Member Bomgardner to approve Resolution No. 2019-153, authorizing the City Manager to purchase Dell SecureWorks Cyber Security Software and Services from Carahsoft Technology Corporation. Motion seconded by Deputy Mayor Pro Tem Lynne. Motion passed unanimously.

**L. ADJOURNMENT**

Motion made by Mayor Dye to adjourn the meeting at 7:52 p.m. Motion seconded by Mayor Pro Tem Norwood. Motion passed unanimously.

Approved by: \_\_\_\_\_  
Mayor Robert C. Dye

Attest: \_\_\_\_\_  
City Secretary