



City of Farmers Branch

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

Meeting Minutes

City Council

Tuesday, November 12, 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, Council Member Bronson Blackson, Council Member Mike Bomgardner, and Deputy Mayor Pro Tem Terry Lynne

Absent: 1 - Council Member Cristal Retana

Staff: 18 - City Manager Charles Cox, Deputy City Manager John Land, Assistant City Manager Benjamin Williamson, City Secretary Amy Piukana, City Attorney Peter G. Smith, City Attorney Kevin Laughlin, Police Chief David Hale, 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 AICP Tina M. Figgins, Director of Economic Development Allison Cook, Director of Library Denise Wallace, 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 (3 P.M.)

A.1 19-510

Discuss regular City Council meeting agenda items

Council Member Lynne had questions regarding Agenda Items I.4, in regards to left over funds and their use.

Director of Sustainability and Public Health Shane Davis replied stating any monies left over would be utilized for small projects.

Council Member Lynne asked for clarification on Code Update items, asking why neighboring cities (Addison and Coppell) haven't adopted these code updates.

Director of Community Services Hugh Pender explained each City adopts within their own time frame.

A.2 19-490

Receive an update from the Sustainability Committee

Sustainability Chairman David Griggs introduced Vice Chairman Matt Earnest who briefed City Council regarding upcoming subcommittees and the Committee's mission. He reviewed 2020 water conservation initiatives and passed out a water conservation kit.

Council Member Bomgardner suggested pursuing rain barrel usage.

Council Member Blackson suggested promoting water efficiency for City owned facilities.

Mayor Pro Tem Norwood suggested gathering any unused water kit piece extras to allow more distribution of materials that residents may need.

Council Member Lynne suggested exploring ways to integrate water conservation with our youth.

A.3 19-497 Receive an update from the Parks and Recreation Board

Mr. Mashburn introduced Parks and Recreation Board Chair Jan Wooldridge who reviewed cost recovery, expenses, increased participation at the Parks and Recreation Center. She noted the Parks Department was recently awarded several awards including state level awards.

Council Member Blackson suggested a review of policy for field reservations. He explained the current policy requires 8-hour reservation blocks and this may not need to be reduced.

Mr. Mashburn explained the current 8-hour policy has been our standard, noting we could look into amending the rental times.

A.4 19-526 Receive an update from the Library Advisory Board

Manske Library Board Chair Jennifer Bauer briefed City Council regarding the Library Board. She reviewed Manske Library data which included number of registered users, visits, collection, circulation, programs, internet usage, and volunteer hours. She reviewed collection data, and community outreach.

Mayor Pro Tem Norwood asked how we manage statistics such as old book removed and new books added.

Director of Library Services Denise Wallace explained numerous factors are taken into account, such as how often material circulates, and what shape the material is in. She noted when the City receives new materials old items are removed.

Council Member Lynne asked how many Library attendees are Farmers Branch residents. Ms. Wallace replied stating 75% of the Library card holders are Farmers Branch residents.

A.5 19-470 Receive Bi-Annual Report from the Senior Advisory Board

Senior Advisory Board Chairman Matt Rice provided an update on the Senior Advisory Board, noting with the new branding of the Branch Connection they are working on revamping their mission statement and reviewed recent events.

Council Member Lynne asked Mr. Rice what is needed to improve the Branch Connection events.

Mr. Rice replied stating programming is necessary.

Council discussed insurance ratio to membership and space rental usage.

- A.6 19-527 Receive an update from the Historical Preservation and Restoration Board; and receive update on the Barn Project**
- Historical Park Chair Ann Christman provided an update on the Historical Park Board. Ms. Christman reviewed their current certifications explaining they are looking into creating a strategic plan.
- Director of Parks and Recreation Michael Mashburn reviewed the Barn Project and asked City Council for direction to either move forward with hiring an architect or to delay the project indefinitely.
- Council Member Bomgardner noted funds are not coming from the General Fund. He explained all funding will be utilized through the Hotel Motel Funds.
- The City Council discussed philosophy of managing a new event center.

- A.7 19-511 Discuss agenda items for future City Council meetings**
- None

B. EXECUTIVE SESSION

- B.1 19-529 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*
- Mayor Dye recessed from Study Session at 4:07 p.m.

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

Reverend JD Allen with Chapel Hill United Methodist Church provided the invocation. Mayor Dye led the Pledge of Allegiance and Pledge to the Texas flag.

E. CEREMONIAL ITEMS

- E.1 19-445 Presentation of awards for the 2019 Fire Prevention Poster Contest winners**

Fire Inspector Wendi Kempton announced the following 24th Annual Fire Prevention Poster Contest Winners

Farmers Branch Elementary -1st - Alexa Paredes (Best of Show); 2nd - Eli Marquez; 3rd - Mia Solis

Mary Immaculate - 1st - Lucy Deleon; 2nd - Carmen Dudley; 3rd - Paola Mena

Stark - 1st - Isabella Garcia; 2nd - Sofia Rortvedt; 3rd - McKensy Pearson

McLaughlin-Strickland - 1st - Natalia Carrillo; 2nd - Madisson Pinnow; 3rd - Heylin Lemus; 2nd - Braxton Gallman; 3rd - Ryley Wilhelm

Westwood -1st - Alara Surmen;

E.2 19-502 Presentation of a proclamation recognizing November 17-23, 2019 as International Fraud Awareness Week

Mayor Dye provided a proclamation to Andrea Prater Director of Community Outreach Dallas Chapter proclaiming November 17th through November 23rd as Fraud Awareness week.

E.3 19-544 Presentation of the 2019 American Association of Code Enforcement (AACE) Innovative Code Program award

Mayor Dye recognized Hugh Pender and Ray Mendez with the City of Farmers Branch Code Enforcement Division who was awarded the Innovative Code Program of the Year for its efforts in increasing awareness to citizens regarding code enforcement.

E.4 19-537 Presentation of Mayor's Certificate of Excellence in recognition of those who placed at the State Fair of Texas

Mayor Dye provided certificates of excellence to the following State Fair Award winners: Sara Coldwell, Charles Heath, Kenton Smith, Debra Wise, Katie Coldwell, Debra Wise, Molly Ridley, Anita Maya, Janet Cook, and J R Patzke. (Not all members were in attendance)

F. REPORT ON STUDY SESSION ITEMS

Mayor Dye provided an update on Study Session items.

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

Mayor Dye congratulated Vivian Field 7th graders for winning first place in Nationals.

City Manager Charles Cox provided a Community update.

H. CITIZEN COMMENTS

None

I. CONSENT AGENDA

I.1 19-509 Consider approving the October 22, 2019 City Council meeting minute(s); and take appropriate action

I.2 R2019-149 Consider approving Resolution No. 2019-149 authorizing the City Manager to negotiate and enter into contractual agreements with Mabak Directional Drilling, Inc. and Atmos for the installation of the Atmos gas line for the Service Center Project and take appropriate action.

I.3 R2019-152 Consider approving Resolution No. 2019-152 authorizing the purchase of 26 firefighter bunker coats and bunker pants from North America Fire Equipment Company; and take appropriate action.

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- I.4 R2019-154 Consider approving Resolution No. 2019-154 authorizing an Interlocal Agreement with Dallas Area Rapid Transit related to procurement and financial matters for implementation of approved City street repair projects; and take appropriate action
 - I.5 R2019-157 Consider approving Resolution No. 2019-157 for a Professional Services Agreement with Kimley-Horn and Associates, Inc. relating to the surveying and preliminary design of the Denton Drive North Trail Connector Project, amending the budget accordingly; and take appropriate action
 - I.6 R2019-158 Consider approving Resolution No. 2019-158 authorizing the City Manager to execute a Professional Services Agreement with Urban Engineers Group to survey, design and develop construction documents for trail improvements relating to sidewalk connectivity and expansion; and take appropriate action
 - I.7 R2019-163 Consider approving Resolution No. 2019-163 authorizing the City Manager to execute a Local Project Advance Funding Agreement (LPAFA) between the State of Texas and the City of Farmers Branch for portions of the Westside Art Trail; and take appropriate action
 - I.8 R2019-165 Consider approving Resolution No. 2019-165 approving the submission of the grant application to the Texas Parks and Wildlife Department for funding for the Summer Funshine program
 - I.9 R2019-166 Consider approving Resolution No. 2019-166 authorizing the City Manager to execute an interlocal agreement with Dallas County for coordinated health services for fiscal year 2019-2020, and take appropriate action
 - I.10 R2019-167 Consider approving Resolution No. 2019-167 authorizing Change Orders #2 for the design-build contract for Camelot Landfill Scale House and Maintenance Facility project with Weaver Consultants Group, LLC and Anchor Construction, LLC; and take appropriate action
 - I.11 R2019-169 Consider approving Resolution No. 2019-169 awarding a bid and authorizing the annual procurement of asphalt materials in an amount not to exceed \$75,000 to Austin Asphalt Inc.; and take appropriate action
 - I.12 R2019-170 Consider approving Resolution No. 2019-170 awarding the bid for traffic signal cabinets to Paradigm Traffic Systems through the Local Government Cooperative (BuyBoard) Contract No.524-17; and take appropriate action
 - I.13 R2019-176 Consider approving Resolution No. 2019-176 casting a vote for the Fourth Member of the Board of Directors of the Dallas Central Appraisal District and take appropriate action

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- I.14 R2019-178 Consider approving Resolution No. 2019-178 authorizing the City Manager to enter into a three (3) year Microsoft Enterprise Software License Agreement in an annual amount of \$ 135,750 through SHI Government Solutions, utilizing the Department of Information Resources (DIR) contract number DIR-TSO-4092; and take appropriate action.
- I.15 ORD-3606 Consider adopting Ordinance No. 3606 amending Chapter 22, Article III of the Farmers Branch Code of Ordinances by adopting the 2018 edition of the International Building Code with local amendments and Appendix E “Supplementary Accessibility Regulations”, Appendix F “Rodent Proofing”, Appendix G “Flood Restraint Construction” and Appendix J “Grading”; and take appropriate action
- I.16 ORD-3607 Consider adopting Ordinance No. 3607 amending Chapter 38 titled “Fire Prevention and Protection” of the Code of Ordinances by adopting the provisions of the 2018 edition of the International Fire Code with amendments and Appendix M “High-Rise Buildings - Retroactive Automatic Sprinkler Requirement”; and take appropriate action.
- I.17 ORD-3608 Consider adopting Ordinance No. 3608 amending Chapter 22, Article III.5 of the Farmers Branch Code of Ordinances by adopting the 2018 edition of the International Residential Code with local amendments; and take appropriate action
- I.18 ORD-3609 Consider adopting Ordinance No. 3609 amending Chapter 22, Article VII.7 of the Farmers Branch Code of Ordinances by adopting the 2018 edition of the International Energy Conservation Code with local amendments; and take appropriate action
- I.19 ORD-3610 Consider adopting Ordinance No. 3610 amending Chapter 22, Article VII of the Farmers Branch Code of Ordinances by adopting the 2018 edition of the International Plumbing Code with local amendments; and take appropriate action
- I.20 ORD-3611 Consider adopting Ordinance No. 3611 amending Chapter 22, Article VI of the Farmers Branch Code of Ordinances by adopting the 2018 edition of the International Mechanical Code with local amendments; and take appropriate action
- I.21 ORD-3612 Consider adopting Ordinance No. 3612 amending Chapter 22, Article VII.5 of the Farmers Branch Code of Ordinances by adopting the 2018 edition of the International Fuel Gas Code with local amendments; and take appropriate action
- I.22 ORD-3613 Consider adopting Ordinance No. 3613 amending Chapter 22, Article V of the Farmers Branch Code of Ordinances by adopting the 2018 edition of the International Swimming Pool and Spa Code with local amendments; and take appropriate action
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- I.23 ORD-3615 Consider adopting Ordinance No. 3615 approving an amendment to Tax Increment Financing Zone No. 2 Project and Financing Plan and authorizing the City Manager to execute such agreements set forth within the Amendment; and take appropriate action**
- I.24 ORD-3617 Consider adopting Ordinance No. 3617 approving the annual update of the Service and Assessment Plan and Assessment Roll for the Mercer Crossing Public Improvement District; and take appropriate action.**

Council Member Blackson made a motion to approve Consent Items I.1 through I.24, as presented. Motion seconded by Council Member Bomgardner. Motion approved unanimously.

J. PUBLIC HEARINGS

- J.1 ORD-3604 Conduct a public hearing and consider adopting Ordinance No. 3604 relative to the Farmers Branch Youth Programs Standards of Care in compliance with the Texas Human Resource Code, Chapter 42.041(b)(14); and take appropriate action**

Parks Supervisor Meagan Bernard briefed City Council regarding this item. She explained State law requires all city youth programs be licensed as daycare programs. She explained annually the City must adopt Standards of Care by ordinance after a public hearing.

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

Motion made by Mayor Dye to close the public hearing and approve Ord 3604. Motion seconded by Mayor Pro Tem Norwood. Motion approved unanimously.

- J.2 ORD-3614 Conduct a public hearing and consider adopting Ordinance No. 3614 for a Specific Use Permit and associated Detailed Site Plan amendment for an approximate 16.66-acre property located at 13850 Diplomat Drive, in order to allow outdoor storage, building additions and related site improvements; and take appropriate action.**

Director of Planning Tina Firgens briefed City Council regarding this item. Ms. Firgens explained TD Industries who operates a light manufacturing facility on 16.66 acres has submitted a request to construct a 1,500 square foot building addition to store new manufacturing equipment and a canopy addition to cover a portion of their existing outdoor storage/staging area.

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

Motion made by Council Member Bomgardner to close the public hearing and approve Ordinance No. 3614. Motion seconded by Mayor Pro Tem Norwood. Motion approved unanimously.

K. REGULAR AGENDA ITEMS

- K.1 19-494 Receive an update on the Metrocrest Services Safe & Sound Program**

Sustainability Manager Katy Evans introduced Tracy Eubanks with Metrocrest Services who briefed City Council regarding the impact with Child Homelessness in Farmers Branch. He reviewed Safe and Sound Housing empowerment program eligibilities. Ms. Victoria Mendoza provided a presentation on the special needs of a family in Farmers Branch and the benefit the program provided to this family.

Council Member Lynne recommended Metrocrest Chamber get involved in the program and assist.

K.2 R2019-159 Consider approving Resolution No. 2019-159 nominating SoftLayer Technologies, Inc. to the office of the Governor Economic Development & Tourism through the Economic Development Bank as an enterprise project; and take appropriate action

Director of Economic Development Allison Cook briefed City Council regarding this item. Ms. Cook reviewed the program details noting this is a State Program and there is no cost to the City. Ms. Cook introduced the applicant with SoftLayer who provided a presentation on the history of the Company.

Mayor Dye made a motion to approve Resolution No. 2019-159. Motion seconded by Council Member Blackson. Motion approved unanimously.

K.3 R2019-179 Consider approving Resolution No. 2019-179 authorizing negotiation and execution of a professional services agreement with O'Brien & Associates, Inc. for architectural services relating to the design and construction of an event center at the Farmers Branch Historical Park; and take appropriate action

Parks and Recreation Director Mike Mashburn briefed City Council regarding this item. He provided background information noting O'Brien Architects has provided an estimate at \$200,000 to provide design services plus employ an engineer for the Barn Project. Mr. Mashburn asked for Council's direction on moving forward.

Mayor Dye noted he received a speaker request on this item.

Historical Park Board Member Will Frome and Carol Dingman spoke in support of this item.

Mayor Dye read the following list of questions submitted by Resident Johnny Jackson.

1) Will this be a cash transaction using the available on hand hotel tax revenue
Mayor Dye responded stating this is a 50/50 split hotel motel and reserve funds which was discussed at the Council retreat

2) Will this be a bond issue voted on by Citizens of Farmers Branch?
Mayor Dye replied no.

3) Will this be a Certificate of Obligation authorized by the City Council?
Mayor Dye replied no.

4) Is the proposed \$260,000,00.00 for the barn building only?
Mayor Dye replied stating this amount covers the entire project.

5) What additional infrastructure will be required ie.water, sewer, gas, electric and street construction and at what cost.

Mayor Dye explained the price includes all these items.

6) What is the proposed first year budget for the venue?

Mayor Dye stated this will depend on Council's direction on operations.

7) What is the expected annual revenue from this facility?

Mayor Dye explained it must benefit the City and it will depend on how it is utilized.

8) If the hotel tax received now is going into the general fund how do you plan to replace that revenue if all future hotel taxes go to support the barn building?

Mayor Dye replied explaining funds do not go into General Fund.

Council Member Lynne suggested having a business plan prior to approving this item noting it could affect outsourcing needs.

Council Member Bomgardner explained this event center could have multiple uses (events, weddings, hotels to use for vip experiences), noting he believes it will drive revenue.

Mayor Pro Tem Norwood explained he volunteered to serve on the subcommittee and worked closely with the Historical Park Board to help them develop a long-term strategic plan. In his opinion, the barn project is an opportunity, and he explained funding is being utilized through the hotel motel funds (nonresidents) and will support the City.

Council Member Blackson stated he supports the project.

After discussion, a motion was made by Mayor Pro Tem Norwood to approve Resolution No. 2019-179. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Ayes: Council Member Blackson, Council Member Bomgardner, Mayor Pro Tem Norwood
Nays: Deputy Mayor Pro Tem Lynne

The item was approved by vote 3-1.

K.4 R2019-164 Consider approving Resolution No. 2019-164 for a professional services agreement with Interface Studio LLC for the development of the IH-35E Corridor Vision Study; and take appropriate action.

Director of Planning Tina Firgens briefed City Council regarding this item. Ms. Firgen explained the City's 2020 Strategic Plan identifies the IH-35E Corridor Vision Study as a project to fulfill the Strategic Plan. Ms. Firgens explained staff is recommending City Council execute a Professional Services Agreement with Interface Studio LLC in an amount not to exceed \$133,585 for completion of the study. Ms. Firgens explained Interface Studio LLC will serve as the primary consultant, with Ninigret Partners and Big Red Dog a division of WGI teaming together as sub-consultants.

Ms. Firgens introduced Scott Paige with Interface Studio LLC who provided an update on the process.

Council Member Lynne suggested having a stakeholders meeting with neighborhoods and business owners.

Mayor Dye made a motion to approve Resolution No. 2019-164. Motion seconded by Council Member Blackson. Motion approved unanimously.

K.5 R2019-177 Consider approving Resolution No. 2019-177 authorizing the City Manager to negotiate and execute a professional services agreement for architectural services with Gensler for a needs assessment and an implementation plan for the City of Farmers Branch Manske Library; and take appropriate action

Assistant City Manager Ben Williamson briefed City Council regarding this item. Mr. Williamson explained Brian Nicodermis with Gensler is present to answer any questions. He explained by contracting with Gensler, it will allow us to build a needs assessment and implementation plan to help serve as a programmatic guide and establish priorities for future improvements at the Manske Library.

The City Council discussed prior experiences with Libraries, timeline and outreach.

After discussion, Council Member Blackson made a motion to approve Resolution No. 2019-177, as presented. Motion seconded by Council Member Bomgardner. Motion approved unanimously.

- K.6 R2019-131 Consider approving Resolution No. 2019-131 authorizing the purchase of a 2020 Pierce custom Dash CF Aerial (75') Fire Truck for the Fire Department through the Houston-Galveston Area Council Cooperative Purchasing Program in the amount of \$1,109,844 and take appropriate action.**

Fire Chief Steve Parker briefed City Council regarding this item. He provided an overview of the fleet maintenance schedule, noting the Fire Department is due to replace a fire apparatus Quint in FY 2019-2020. Chief Parker explained this purchase will allow the Fire Department to maintain the needed number of modern vehicles to support our fire & rescue services delivery needs. He further stated that the unit being replaced will be placed in the City auction and sold.

Motion made by Council Member Blackson to approve R2019-131. Motion seconded by Council Member Bomgardner. Motion approved unanimously.

- K.7 R2019-155 Consider approving Resolution No. 2019-155 authorizing a contract to Fuquay, Inc. for sanitary sewer main rehabilitation through the Local Government Purchasing Cooperative (BuyBoard) Contract # 555-18 in the amount of \$1,387,073; and take appropriate action**

Director of Public Works Marc Bentley briefed City Council regarding this item. The negotiated contract is for sanitary sewer main rehabilitation along Rawhide Creek from Tom Field Road to Littlecrest Drive. The proposed contract was prepared using estimated quantities and will be awarded on a unit price basis.

Mayor Pro Tem Norwood made a motion to approve Resolution No. 2019-155. Motion seconded by Council Member Blackson. Motion approved unanimously.

- L. TAKE ANY ACTION NECESSARY AS A RESULT OF THE CLOSED EXECUTIVE SESSION** No action taken.

- M. ADJOURNMENT**

Mayor Dye made a motion to adjourn the meeting at 8:30 p.m. Motion seconded by Mayor Pro Tem Norwood. Motion approved unanimously.

The meeting adjourned at 8:30 p.m.

Approved by: _____
Mayor Robert C. Dye

Attest: _____
Amy M. Piukana, City Secretary