



# City of Farmers Branch

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

## Meeting Minutes

### City Council

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Monday, August 24, 2020

6:00 PM

Council Chambers

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#### **Study Session Meeting to be held at 3:00 p.m. 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:** 18 - City Manager Charles Cox, Deputy City Manager John Land, Assistant City Manager Benjamin Williamson, City Secretary Amy Piukana, City Attorney Kevin Laughlin, 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 AICP Tina M. Firgens, 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

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

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

#### **A.1 20-386 Discuss regular agenda items**

Mayor Pro Tem Norwood asked for clarification on Agenda Item E.3 (Donation butterfly bench), he asked if monies from City donations is being used to fund the bench. City Manager Charles Cox noted he clarified with KFBB funds for the bench are from another source and not City funds.

Deputy Mayor Pro Tem Lynne asked that Agenda Item I.3 be removed from Consent, and he asked for more public input prior to action. He asked for clarification on Agenda Item I.7, in regards to the partnership with Wooded Creek, who handles maintenance of the fence and the look of the street's cape at the entrance.

Director of Economic Development Allison Cook explained the fence would be replaced with a continuous wall which extends to the light. She stated Marc Bentley will be the point of contact to ensure expenditures are in line. She further stated the City is in a partnership with Wooded Creek and they are helping to manage the project.

Mayor Pro Tem Norwood asked if the concern on Agenda Item I.3, was the dollar amount.

Deputy Mayor Pro Tem Lynne stated committing to a \$20 million dollars over ten years is his concern, he noted the relocation of Branch Connection in 2027 as a multigeneration facility was his main concern. He noted there has been no discussion, and he suggests a Town Hall to discuss the philosophy.

Mayor Pro Tem Norwood explained expenditures would be approved by Council, noting this is just the vision we are approving at this point.

Director of Parks and Recreation Mike Mashburn stated this is a conceptual plan and will be filed with Texas Department of Wildlife which allows the City to apply for grants. He noted these plans can be amended as many times as needed, this is just a concept plan and nothing is permanent.

Council Member Bomgardner suggested looking at partnerships and shared resources (CFBISD) prior to creating new basketball courts, he suggested looking at utilizing school fields and spaces. He stated he prefers to delay this item and discuss at a later date.

The City Council discussed grant funding, plan modification, budgeting funds over the years, and the possibility for a future bond election for parks.

Mayor Dye noted this is just a concept plan which can be modified, he noted the purpose tonight is to submit the plans to Texas Department of Wildlife in order to apply for grant funding.

Mayor Pro Tem Norwood suggested removing from Consent to allow funding amounts to be removed and Branch Connection verbiage be removed from Resolution No. 2020-108.

City Manager Charles Cox discussed Agenda Item I.6, (Electric Power Purchase), noting this is an extension of the electric contract. He asked if the Council is good with the provision to have traditional extension of electric service or the purchase of renewable energy credits to make it 100% renewable. He asked if the cost is a little more expensive for renewable energy, if the Council would like to identify a price guideline for him to stay within when considering renewable electric providers. He noted the cost may be higher for renewable energy.

The City Council agreed to amend the Ordinance No. 3656 to add wording authorizing the City Manager to negotiate a renewable energy contract for the purchase of Renewable Energy Credits (REC's) if the cost to purchase such REC's is equal to or less than 1% of the cost of such contract without purchasing REC's.

## **A.2     20-437**

### **Discuss the City Manager's Proposed Fiscal Year 2020-21 balanced budget**

Assistant City Manager Ben Williamson briefed City Council regarding the Library outreach. He reviewed trends on the Library remodel project and financial impacts to residents. Mr. Williamson reviewed ADA Compliance, Maintenance, Safety Concerns, Functionality and Fine Turning. He reviewed the Turner estimate of \$10 million dollars.

Deputy Mayor Pro Tem Lynne noted the Wi-Fi expense is not listed and is unclear.

Mr. Williamson explained the estimated cost is \$80,000 for Wi-Fi inside and outside the building, he noted the proposal is in pieces. He further stated the cost of Wi-Fi will be ongoing with maintenance and upgrades.

Mr. Williamson reviewed nonprofit funding requests and the 2021 application list.

The City Council discussed Cares Funding and its impact to Metrocrest Services, Child Homelessness Program, Farmers Branch Chamber funding, Keep Farmers Branch Beautiful (KFBB) funding, number of Chamber members, benefits of the Chambers, and percentage of businesses that are members of the Chamber.

Deputy Mayor Pro Tem Lynne suggested an update Dr. Chapman with CFBISD on the impact of child homelessness and suggested utilizing a mailer to help collect funding.

Mayor Pro Tem Norwood asked the City Manager to identify the City's role in charity verses business donations.

Mr. Cox explained when utilizing tax payer dollars, you are required to have a contract for services. He stated you could look at the Organization and its impact to the City, if any of these organizations went out of business. He noted only have one full time person in EDC. He noted small businesses and medium businesses need a Chamber. He stated they provide an extension. He noted the organization that would affect the City the most, would be Metrocrest Services. He stated Metrocrest Services provides fundamental needs. He noted when reviewing Cares Funding, there was a high demand and an increase of people in need. He noted child homeless is addressed through Cares funding.

Mr. Williamson suggested switching to a multi-year contracts which allows us to extend service to two years.

Council Member Retana stated she supports a two-year commitment, and suggested more robust reporting, not just quantity and quality but show the "why". She noted we could review the impacts during the budget retreat.

The consensus of Council was to stick with the proposed budget amount of \$305,000.

Mayor Pro Tem Norwood stated he is open to moving funds from KFBB to another account such as the Farmers Branch Chamber.

Deputy Mayor Pro Tem suggested \$332,000 to fund both Chambers. (Adding \$20,000 to the Farmers Branch Chamber and add \$5000 to the Metrocrest Chamber of Commerce, for a total of \$330,000.)

The consensus from the Council was to move forward with the proposed \$305,000 budget amount. Mayor Pro Tem Norwood asked Ms. Evans-Jones to identify where monies would come from if the fund was increased to \$330,000.

Director of Finance Sherrelle Evans-Jones briefed City Council regarding the budget. Ms. Evans-Jones reviewed dates, General Fund Revenues, and Tax calculations and estimates for FY 20-21 Budget.

Ms. Evans-Jones reviewed the following amendments that have been made to the budget:

- Street Maintenance Funding - Increase \$500K for a total of \$1.5M (General Fund to Non-Bond CIP)
- Two Additional License Plate Intersection Readers - \$250K (Red Light Fund)
- Joint Mental Health Unit to Police Patrol - \$80K (General Fund)
- Court Technology Maintenance Fees - \$58K (Move from Special Revenue to General Fund)
- Police Patrol Vests - \$30K (General Fund)
- Additional Funding for 75th Anniversary - \$10K (General Fund)
- Additional Spanish Language Software to Police Patrol - \$3K (General Fund)

Ms. Evans-Jones explained with the amendments, the most recent fund balance total would be \$178,300 and most realistic estimate at \$121,700. The City Council discusses funding of mental health worker, other City participation and officer training.

Mr. Cox explained the Police Chief plans to send officers to training, however; the proposed program involves Police and Case Workers (mental health) who would assist and provide treatment.

### **A.3     20-413     Discuss future agenda items**

Deputy Mayor Pro Tem Lynne requested a report on the demolition rebuild program, to consider revising incentives based on structure values. He also asked for Economic Development report to include existing vacant office space within the City, how it is measured, business losses, and tax dollar affects. He asked that the Parks and Recreation Board provide a report on youth groups by sport and what the board does to foster youth participation.

Council Member Bomgardner requested a report on backyard structures noting the Council should consider an option to allow special exceptions.

Council Member Retana suggested the creation of a Legislative Committee to attend the Legislative Session, which would be comprised of two Council Members that work with the City Manager to formulate an agenda to ensure we are being heard.

## **B. EXECUTIVE SESSION**

The Mayor recessed into closed executive session at 5:14 p.m.

- B.1      20-431      Council may convene into a closed executive session pursuant to Section 551.087 of the Texas Government Code to deliberate regarding:**
- ***Discuss an economic development incentive agreement for Project Carry***

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

Mayor Dye called the meeting to order at 6:04 p.m.

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

Council Member Retana provided the Invocation, Pledge of Allegiance and Pledge to the Texas flag.

## **E. CEREMONIAL ITEMS**

- E.1      20-420      Presentation of a proclamation for American Payroll Association**
- Mayor Dye presented a proclamation in recognition of American Payroll Association.
- E.2      20-426      Presentation of a service award to Urbano Olivas for ten (10) years of dedicated service to the City of Farmers Branch in the Parks and Recreation Department**
- Presentation by Mayor Dye and Parks and Recreation Director Michael Mashburn who recognized Urbano Olivas for ten years of service to the City of Farmers Branch.
- E.3      20-439      Receive a donation of a “butterfly” bench for the Rose Garden from Keep Farmers Branch Beautiful; and take appropriate action**
- This item was not discussed.

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

Council Member Retana provided a report on Study Session items.

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

The City Manager provided a report on items of community interest.

**H. CITIZEN COMMENTS**

- Jennifer Bauer, 3319 Becket Ridge Court spoke in support of Library renovation in the amount of \$10 million dollars.
- Carol McCallion, 12719 Epps Field, spoke in support of Library renovations.
- Emily Derrick, 3000 Randy Lane, spoke in support of Library renovations.
- Stacy Tibbits, 14068 Stardust, spoke in support of Library renovations.
- Andrea Storer, 2949 Maydelle Lane, spoke in support of Library renovations.
- Whitney Thomas, 2051 Wittington Place, spoke in support of Library renovations.
- Joe Potraza, 3510 Chelleu Drive, spoke in support of Library renovations.
- Mayor Dye read an email from resident Carol Dingman in support of the Library renovations.
- William Morton, 3911 Belton Drive, spoke on behalf of Farmers Branch Chamber of Commerce funding.
- Vincent Montenegro, 12253 Ridgefair Place, spoke in support of funding on behalf of Farmers Branch Chamber of Commerce.
- Alex Sagcar spoke in support of funding for Farmers Branch Chamber of Commerce.

**I. CONSENT AGENDA**

- I.1 20-400 Consider approving the following City Council meeting minute(s); and take appropriate action**
- *August 10, 2020 Regular*
  - *August 11, 2020 City Council Retreat*
  - *August 12, 2020 City Council Retreat*
- I.2 R2020-103 Consider approving Resolution No. 2020-103 authorizing the execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 3103 Rolling Knoll; and take appropriate action**
- I.3 R2020-108 Consider approving Resolution No. 2020-108 adopting a City-Wide Parks, Recreation and Open Space Master Plan for the City of Farmers Branch; and take appropriate action**
- I.4 R2020-107 Consider approving Resolution No. 2020-107 awarding unit price bids for the annual purchase of chemicals and fertilizers to numerous vendors for the Parks and Recreation Department; and take appropriate action**
- I.5 R2020-116 Consider approving Resolution No. 2020-116 authorizing an agreement with BGE, Inc. for professional engineering services relating to the design of the FBOP Lift Station Rehab Project; and take appropriate action**
- I.6 ORD-3656 Consider adopting Ordinance No. 3656 authorizing the City Manager to execute electrical power purchase contracts with a retail electric provider as may be recommended by the Governmental Aggregation Project, Inc. (GAP) from time to time to provide electric power to the City; and take appropriate action**

**I.7 R2020-119 Consider approving Resolution No. 2020-119 accepting a Neighborhood Partnership Program application for the Wooded Creek Wall Project; and take appropriate action**

Motion made by Mayor Pro Tem Norwood approve Agenda Items I.1, I.2, I.4, I.5, and I.7 and to remove Agenda Items I.3 and I.6 from the Consent agenda. Motion seconded by Council Member Blackson. Motion approved unanimously.

Motion made by Mayor Pro Tem Norwood to approve Agenda Item I.3, to approve Resolution No. 2020-108, to approve a City-Wide Parks and Recreation Open Space Master Plan for the City with the modification to remove cost and projected move of the Branch Connection. Motion seconded by Deputy Mayor Pro Tem Lynne. Motion approved unanimously.

Motion made by Mayor Pro Tem Norwood to approve Agenda Item I.6 adopting Ordinance 3656 with the modification to authorize the City Manager to execute electrical power purchase contract services with a retail electric provider and authorize the City Manager the flexibility to negotiate renewable energy credits as long as cost is 1% or less. Motion seconded by Council Member Blackson.

Mr. Cox noted this authorization is effective for all electrical contract renewals in the future.

After discussion, Mayor Dye asked for a roll call vote:

Ayes: Bomgardner, Blackson, Retana

Nays: Norwood, Lynne

This item passed by vote of 3-2.

**J. PUBLIC HEARING(S)**

**J.1 R2020-106 Conduct a public hearing and consider approving Resolution No. 2020-106 nominating Eyemart Express LLC 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 explained Eyemart Express LLC has applied to the State of Texas for a Texas Enterprise Zone grant. Ms. Cook explained the State of Texas administers the program and the local municipality nominates projects. She noted state sales tax is rebated for the project, not the local municipality sales tax. After the City of Farmers Branch nominates the project, the State of Texas funds the grant. The grant awarded to the applicant is dependent upon the capital investment, job creation and/or employee retention. She explained Eyemart Express LLC plans to invest \$26,000,000 in capital improvements while adding 189 employees over ten years. Their existing employment is 197, and the Texas Enterprise Zone Program nomination will help funding of the new headquarters location in Farmers Branch.

Mr. Brett Burford was in attendance to answer any questions. He noted Farmers Branch will be their official headquarters.

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

Deputy Mayor Pro Tem Lynne moved to close the public hearing and adopt Resolution No. 2020-106. Motion seconded by Council Member Retana. Motion approved unanimously.

## **K. REGULAR AGENDA ITEMS**

### **K.1 R2020-120 Consider approving Resolution No. 2020-120 authorizing the City Manager to enter into a contract for the Trinity Aquifer Well Project; and take appropriate action.**

Director of Sustainability and Environmental Services Shane Davis briefed City Council regarding this item. Mr. Davis noted both the City of Farmers Branch and the Town of Addison have agreed to the terms of the settlement agreement. Both want the well installed in a timely fashion. There have been delays due to the pandemic, and there is concern of future delays as we approach the fall and winter months. The intent is to complete the well pad, well and transmission line construction by the end of November 2020. He noted the Town of Addison has reviewed and commented on the design plans and specifications for the well. The City issued Bid No. 20-13. The bids for the construction of the well pad, the well, and the water transmissions lines from the well to the creek are due August 26, 2020. The next scheduled City Council meeting is September 15, 2020. This authorization will allow the project to progress in a timely manner. Per the Settlement Agreement, the City of Farmers Branch is responsible financially for the cost of the well and transmission lines, while the Town of Addison is financially responsible for the cost of the well pad construction. The combined budgeted amount for well, well pad, and transmission line construction is \$649,000, of which Farmers Branch is responsible for \$449,000.

Motion made by Council Member Blackson to approve Resolution No. 2020-120. Motion seconded by Mayor Pro Tem Norwood. Motion approved unanimously.

### **K.2 20-435 Consider approving a motion to place a proposal to consider adopting a maximum property tax rate of \$0.589 on the City Council agenda of September 21, 2020; and take appropriate action**

Director of Finance Sherelle Evans-Jones briefed City Council regarding this item. She noted City staff worked to develop a budget that would reduce the City's tax rate. She noted the Proposed Fiscal Year 2020-21 Budget was submitted to the City Council on July 31, 2020 and reflects a tax rate reduction of just over one-cent (from \$0.599507 to \$0.589). She further stated that tonight's motion proposes the maximum property tax rate the City will consider, but does not adopt any tax rate. The final adopted tax rate may be less, but not more, than the tax rate proposed tonight. A meeting to adopt the tax rate is scheduled for September 21, 2020 at 6:00 p.m. at the City of Farmers Branch, City Hall, located at 13000 William Dodson Parkway, Farmers Branch, Texas 75234.

Council member Retana made a motion to approve placing a proposal to consider adopting a maximum property tax rate of \$0.589 on the City Council agenda for September 21, 2020 at 6:00 p.m. Motion seconded by Council member Blackson. Motion approved unanimously.

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

No action was taken.

## **M. ADJOURNMENT**

Mayor Dye made a motion to adjourn at 7:16 p.m. Motion seconded by Mayor Pro Tem Norwood. Motion approved unanimously.

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

Attested by: \_\_\_\_\_  
Amy M. Piukana, TRMC  
City Secretary