



# 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, September 21, 2021

6:00 PM

Council Chambers

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#### **Study Session Meeting to be held at 4:00 p.m. with a Dinner Break at 5:15 p.m.**

**Presiding:** 1 - Mayor Robert Dye

**Present:** 5 - Mayor Pro Tem Cristal Retana, Council Member Traci Williams, Council Member Terry Lynne, Deputy Mayor Pro Tem Michael Driskill and Council Member David Merritt

**City Staff Present:** City Manager Charles Cox, Deputy City Manager John Land, Assistant City Manager Benjamin Williamson, City Secretary Amy Piukana, City Attorney Pete Smith, Police Chief David Hale, Fire Chief Gabe Vargas, Director of Human Resources Brian Beasley, Director of Public Works Marc Bentley, Director of Sustainability & Health Shane Davis, Deputy Director of Planning and Development Surupa Sen

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

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

#### **A.1 21-442 Discuss regular agenda items**

Mayor Pro Tem Retana requested an overview on Agenda Item I.4. Director of Finance Sherrelle Evans Jones explained this is an annual Service Plan which outlines PID fees. She further stated the fees include debt, and noted a third-party advisor evaluates the parcels based on size and portion.

Council Member Lynne asked for clarification on the developer contribution. Ms. Evans Jones explained these funds are utilized for infrastructure.

Council Member Lynne suggested postponing the adoption of K.1, to allow feedback on Appendix A amendments. Ms. Evans Jones explained the markup indicates all changes and Appendix A is included in the proposed budget.

After discussion, Council Member Lynne withdrew his recommendation to postpone this item.

Council Member Merritt asked for clarification regarding K.1 (Disabled Vet fee exemption) noting inaccurate references to Parks and Recreation and Senior Center. He suggested a clear codification which is transparent and easy to understand.

Council Member Merritt asked if the City of Farmers Branch is the point of contact with handling the interlocal agreements and if Dallas County would be separate.

Mr. Cox explained Farmers Branch will handle the billing, however; each City will be responsible for the \$25,000 split. He explained Dallas County would have a separate contract.

Council Member Merritt asked for clarification regarding Agenda Item I.4, noting it references communication software. Mr. Davis explained he included, but will only utilize if necessary.

Mayor Pro Tem asked if room rentals for non-profits are still exempt for paying with the new fee rental. Ms. Evans Jones stated there is no change. Mr. Cox noted room rental is free once a quarter for non-profits.

**A.2 21-380 Discuss the City Manager's Proposed Fiscal Year 2021-22 Balanced Budget and Current Year-End Proposed Amended Budget**

Ms. Evans Jones stated she is present to answer any questions.

**A.3 21-443 Discuss future agenda items**

Mayor Dye requested future discussion on a citywide road diet to include Valley View, Webb Chapel, Josey Lane, with additional landscaping to hide power lines and add more park appeal.

Mayor Pro Tem Retana requested a meeting with stakeholders to have more discussion regarding homelessness.

Council Member Williams suggested looking into noise issues with the Manske Library Study area.

Council Member Lynne requested discussion on the TxDOT property and homeless issues, and a code enforcement update on vacant structures.

**B. EXECUTIVE SESSION****B.1 21-406 Council may convene into 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 north of Valley View, south of Valwood, east of Bee Street, and west of Webb Chapel*

Mayor Dye recessed into closed Executive Session at 4:37 and adjourned 4:56 p.m.

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

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

**D. INVOCATION & PLEDGE OF ALLEGIANCE**

The Invocation, Pledge of Allegiance and Pledge to the Texas Flag was led by Mayor Dye.

**E. CEREMONIAL ITEMS****E.1 21-446 Presentation of a proclamation recognizing September 15 through October 15, 2021 as National Hispanic Heritage Month**

Mayor Pro Tem Retana presented a proclamation to Loretta Alamanza, Elizabeth Villafranca and Carina Arellano.

**F. REPORT ON STUDY SESSION ITEMS**

Deputy Mayor Pro Tem Driskill 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**

The following citizens spoke:

- Resident James Egan, 3332 Brookhaven Club Drive spoke expressing concerns with a nearby residential property being used for storage.
- Hayden Austin, 1835 Parker Road, Carrollton introduced himself to the City Council as newly appointed President of the Metrocrest Chamber of Commerce.
- Grace Speese, 1800 Valley View Lane, Farmers Branch spoke providing updates on upcoming ribbon cuttings in Farmers Branch and the Work Force Bootcamp Program.

## **I. CONSENT AGENDA**

- I.1      21-444      Consider approving the following City Council meeting minute(s); and take appropriate action**
- *September 7, 2021 City Council Regular*
- I.2      R2021-136      Consider approving Resolution No. 2021-136 authorizing an Interlocal Cooperation Agreement for Mental Health and Justice System Assessment conducted by Meadows Mental Health Policy Institute between the Cities of Addison, Carrollton, Coppell, Farmers Branch and Dallas County; and take appropriate action**
- I.3      R2021-132      Consider approving Resolution No. 2021-132 authorizing the City Manager to purchase an elevated landfill gas flare, blower, and accessory equipment from John Zink Hamworthy for an amount not to exceed \$161,000; and take appropriate action**
- I.4      ORD-3703      Consider adopting Ordinance No. 3703 approving an annual update of the service and assessment plan and the assessment roll for Mercer Crossing Public Improvement District pursuant to Chapter 372 of the Texas Local Government Code; and take appropriate action**

Motion made by Mayor Pro Tem Retana to approve Consent Items I.1 through I.4, as presented. Motion seconded by Council Member Merritt. Motion approved unanimously.

## **J. PUBLIC HEARINGS**

- J.1      ORD-3700      Conduct a public hearing and consider adopting Ordinance No. 3700 for a Specific Use Permit and associated Detailed Site Plan for a restaurant with drive-through service on an approximate 4.84-acre property located at 13005 Josey Lane; and take appropriate action.**

Ms. Surupa Sen provided an overview of the project known as Salad and Go. She noted the applicant is present to answer any questions.

The City Council discussed the concept of “no kitchen” with the applicant and Phoenix region stores, and new parking pavement. (Aaron Hopkins, Applicant) Mr. Hopkins explained the offsite kitchen prepares the food and delivers every morning and new pavement will be added to the parking lot area.

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

Motion made by Council Member Williams to close the public hearing and adopt Ordinance No. 3700, as presented. Motion seconded by Deputy Mayor Pro Tem Driskill. Motion approved unanimously.

- J.2 ORD-3701 Conduct a public hearing and consider adopting Ordinance No. 3701 amending the Comprehensive Zoning Ordinance including but not limited to amending: Article 5.5 Beer and Wine Sales Overlay District and Article 5.6 Alcoholic Beverage (On-Premise) Overlay District to include into both overlay districts approximately 67.6 acres generally bounded by IH-635/LBJ Freeway on the north, Luna Road on the east, the Elm Fork of Trinity River on the west, and Farmers Branch Creek on the south and southeast; and take appropriate action.**

Deputy Director of Planning and Zoning Surupa Sen provided an overview on this item. She noted the Planning and Zoning Commission recommended approval with a 4-3 vote.

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

Motion made by Council Member Williams to close the public hearing and adopt Ordinance No. 3701, as presented. Motion seconded by Council Member Driskill. Motion approved unanimously.

- J.3 21-384 Conduct a public hearing to consider adopting a property tax rate of \$0.589 and take appropriate action.**

Council Member Lynne provided a review on the tax rate. He summarized that he would support the proposed budget as it allows additional Police Officers to be hired.

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

Motion made by Mayor Dye to close the public hearing. Motion seconded by Deputy Mayor Pro Tem Driskill. Motion approved unanimously.

## **REGULAR AGENDA ITEMS**

- K.1 ORD-3697 Consider adopting Ordinance No. 3697 amending the Farmers Branch Code of Ordinances, Appendix A - Fee Schedule, related to various fees established pursuant to Chapters 18, 22, 26, 34, 50, 56, and 86 to address needed changes to rates and fees associated with a broad range of City services and take appropriate action.**

Director of Finance Sherrelle Evans Jones provided an overview.

Motion to adopt Ordinance No. 3697, was made by Council Member Merritt with modifications to amend references on Senior Center fees and Recreation Center fees, as amended. Motion seconded by Mayor Pro Tem Retana. Motion approved unanimously.

- K.2 ORD-3698 Consider adopting Ordinance No. 3698 approving and adopting the City's Fiscal Year 2021-22 Operating and Capital Improvement Program Budget and Strategic Plan and amending the City's Fiscal Year 2020-21 Operating and Capital Improvement Budget; and take appropriate action.**

Motion to adopt Ordinance No. 3698 was made by Mayor Pro Tem Retana. Motion seconded by Council Member Williams. Motion approved unanimously.

**K.3 R2021-112 Consider approving Resolution No. 2021-112 ratifying the property tax revenue increase reflected in the Fiscal Year 2021-22 Budget and take appropriate action**

Motion made by Deputy Mayor Pro Tem Driskill to approve Resolution No. 2021-112. Motion seconded by Council Member Retana. Motion approved unanimously.

**K.4 ORD-3699 Consider adopting Ordinance No. 3699 accepting the Tax Year 2021 Certification of Appraisal Roll in accordance with Section 26.04(b) of the State Property Tax Code and to levy and adopt the tax rate for Fiscal Year 2021-22 (Tax Year 2021) and take appropriate action**

Motion made by Council Member Merritt to adopt Ordinance No. 3699, a property tax rate increase by the adoption of a tax rate of \$0.589, which is effectively a 5.26% increase in the tax rate. Motion seconded by Council Member Williams.

The following roll call vote was taken:  
**Ayes:** *Merritt, Williams, Lynne, Driskill, Retana*  
**No:** *none*  
Motion approved unanimously.

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

Motion made by Council Member Williams that the City Manager be authorized to negotiate and design contracts and such other documents that are reasonable and necessary to sell to the Farmers Branch Local Government Corporation for the purpose of resale to Thomas Cusick Custom Homes, LLC and/or assigns 0.938+/- acres out of the Robert J. West Survey, Abstract No. 1576, located at the southwest corner of Josey Lane and Golfing Green Drive for a sales price of not less than \$200,000.00 with the sale of said property to be subject to a restriction agreement on the property and the buyer's adjacent property requiring construction of 41 or less townhome residences. Motion seconded by Mayor Pro Tem Retana. Motion approved unanimously.

**M. ADJOURNMENT**

Mayor Dye adjourned the meeting at 7:07 p.m.

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

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