



# 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, May 5, 2020

6:00 PM

Council Chambers

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This meeting will be open to the public and/or viewable via Zoom Videoconference. Texas Governor Greg Abbott has granted temporary suspension of the Open Meetings Act to allow telephone or videoconference. These actions are being taken to mitigate the spread of COVID-19.

The City Council will conduct the meeting by video conference and live at City Hall utilizing telephonic capabilities. Any residents wishing to speak are invited to attend the City Council meeting at City Hall in person or via zoom if related to the Public Hearing item.

Members are entitled to participate remotely via Zoom Teleconferencing.

To join the meeting by videoconference visit the link below:

<https://farmersbranchtx.gov/councilmeeting>

Or iPhone one-tap: US: +13462487799,,87432068752#

Or Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 346 248 7799 or +1 253 215 8782

Webinar ID: 874 3206 8752

The meeting will be recorded and uploaded to the City website following the conclusion of the meeting.

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**Presiding:** 1 - Mayor Robert Dye

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

**Staff:** - City Manager Charles Cox, Deputy City Manager John Land, Assistant City Manager Benjamin Williamson, City Secretary Amy Piukana, City Attorney Peter G. Smith, 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. 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

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

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

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

Mayor Dye provided the Invocation and led the Pledge of Allegiance and Pledge to the Texas Flag.

**C.1 20-169 Proclamation recognizing May as National Bike Month in Farmers Branch**

Mayor Dye read a proclamation declaring May as National Bike Month.

**C.2 20-229 Proclamation recognizing May 5, 2020 as High School Senior Day in the City of Farmers Branch**

Mayor Dye read a proclamation declaring May 5, 2020 as High School Senior Day in the City of Farmers Branch.

**C.3 20-228 Proclamation declaring May as Mental Health Awareness Month and Update on Mental Health from UT Southwestern**

Mayor Dye read a proclamation declaring the month of May as Mental Health Awareness and recognized Lisa Rigsby with Woven Health, Elizabeth Aviles and Rosanna Sanchez with Children's Health. Dr. Trombello with UT Southwestern provide a presentation on Mental Health Awareness and tips to manage stress.

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

Mayor Dye and City Manager Charles Cox provided a report on items of community interest. Deputy Mayor Pro Tem Lynne announced the Farmers Branch Chamber plans to hold a golf tournament at Brookhaven Country Club on May 27th at 8 a.m.

**E. CITIZEN COMMENT(S)**

There were no citizens that wished to speak.

**F. CONSENT AGENDA**

**F.1 20-220 Consider approving the following City Council meeting minute(s); and take appropriate action  
April 21, 2020**

**F.2 R2020-50 Consider approving Resolution No. 2020-50 authorizing the purchase of a generator for the Keenan Service Center in the total amount of \$59,665 from Loftin Equipment Company through the HGAC Contract; providing an effective date and take appropriate action**

**F.3 R2020-53 Consider approving Resolution No. 2020-53 denying Oncor Electric Delivery Company LLC's application for approval of a Distribution Cost Recovery Factor to increase distribution rates within the City of Farmers Branch; and take appropriate action**



- F.4 R2020-055 Consider approving Resolution No. 2020-55 authorizing a professional services agreement with Freese & Nichols, Inc. to perform an AWIA Risk and Resilience Assessment of the City water system in the amount of \$80,000; and take appropriate action**
- F.5 R2020-056 Consider approving Resolution No. 2020-56 authorizing Freese & Nichols, Inc. to develop a Capacity, Management, Operations and Maintenance (CMOM) Program for the City sanitary sewer system in the amount of \$75,000; and take appropriate action**

Motion made by Mayor Dye to approve Consent Items F.1 through F.5, as presented.  
Motion seconded by Council Member Retana. Motion approved unanimously.

#### **G. PUBLIC HEARING(S)**

- G.1 ORD-3635 Conduct a public hearing and consider adopting Ordinance No. 3635 for a Specific Use Permit to allow for on-site sale/consumption of alcoholic beverages, within a qualifying restaurant located at 2727 LBJ Freeway; and take appropriate action**

Director of Planning and Development Tina Firgens briefed City Council regarding this item. Ms. Firgens explained the applicant has applied for a Specific Use Permit to allow on-premise consumption of alcoholic beverages within this existing restaurant.

She noted the restaurant is an amenity for the tenants of the office building and serves primarily the employees and people working within the office building. She noted the property is zoned Development District No. 74 (PD-74), which allows for on-premise consumption of alcoholic beverages within a qualifying restaurant subject to approval of an SUP. She explained the applicant is proposing to add on-premise alcoholic beverages to be served within the restaurant. She explained operating hours would be Monday through Friday 8:00 a.m. to 7:00 p.m.; the restaurant is closed on Saturday and Sunday. The applicant intends to serve beer starting at 11:00 a.m. with wine and cocktails starting at 3:00 p.m.; these beverages will be served till 6:30 p.m. only.

Applicant Jordan Berkstresser spoke stating she plans to open in May noting licensing could take up to a couple of months to process.

After discussion, Mayor Dye opened the public hearing. There were no citizens present or by phone that wished to speak. Motion made by Deputy Mayor Pro Tem Lynne to close the public hearing and approve Ordinance No. 3635, as presented. Motion seconded by Council Member Retana. Motion approved unanimously.

#### **H. REGULAR AGENDA ITEM(S)**

- H.1 20-233 Receive an update on COVID-19**

Fire Chief Steve Parker briefed City Council regarding this item. He reviewed the Governor's report, TML update, Dallas County Amended Order (May 4-15), Testing, Peak Rates and reviewed Dallas County Health & Human Service summaries. He also provided an update on Metrocrest Services housing needs, food and financial support from neighboring cities.

Mayor Dye thanked the Police and Fire Departments for assisting with essential services to our community during this difficult time. He urged residents to be safe, stay at home and wear masks when possible. Council Member Retana urged residents to be cautious when leaving home and to wear a mask, noting some people are Covid positive and may experience no symptoms. She noted Dallas County funding may be available to various cities that may need these resources.

The City Council discussed the number of cases and locations of testing, percentage of calls that are Covid related, Wyndham cases, effects of short term rental properties, assistance for reopening businesses, possible task force to reopen the economy and assist small businesses (similar to City of Dallas, per Council Member Retana), and the possibility of allowing signage temporary signage to promote Farmers Branch restaurants.

The Fire Chief explained the Covid numbers provided are aggregate numbers from Dallas County. He further stated that all EMS calls are treated as Covid positive during this pandemic in order to protect first responders. He noted the City has seen a decrease in call volume with the stay at home order in effect.

Mayor Dye skipped to Agenda Item H.3.

### **H.3 R2020-054**

#### **Consider approving Resolution No. 2020-054 authorizing a contract with Fuquay, Inc. for sanitary sewer main rehabilitation in the amount of \$1,075,837; and take appropriate action**

Director of Public Works Marc Bentley briefed City Council regarding this item. Mr. Bentley explained the Public Works Department negotiated a cooperative purchasing contract utilizing the Local Government Purchasing Cooperative (BuyBoard) contract pricing. The negotiated contract is for sanitary sewer main rehabilitation along Janlyn Lane from Templeton Trail to Pennystone Ln. and Morningstar Ln from Templeton Trail to Morningstar Circle. He explained the contract includes pipe bursting approximately 2,860 linear feet of 8-inch to enlarge to 10-inch along Janlyn Ln. and approximately 2,570 linear feet of 8-inch pipe to remain the same size, cleaning the sewer mains, and rehabilitating manholes as needed.

Mayor Pro Tem Norwood asked how the project list is prioritized.

Mr. Bentley replied explaining the lists are prioritized by necessity and budget.

Mayor Pro Tem Norwood thanked Mr. Bentley for his efforts on this project and suggested the Council review the priority list again during budget discussions.

### **H.2 20-231**

#### **Receive the Fiscal Year 2019-20 Second Quarterly Financial Report and Related Projections**



Director of Finance Sherrelle Evans-Jones briefed City Council regarding this item.

Ms. Sherrelle Evans Jones reviewed the following key points:

**Property Taxes and Penalties & Interest** near the planned budget. Received over 97% of property taxes by March 2020.

- **Sales & Use Taxes** are performing slightly better than budget continuing with Q1-2020 trend.
- **Charges for Services** performed ahead of budget. This increase is primarily driven by positive performance with false alarm collections and Parks & Recreation related revenue (including Building Use Fee, Concessions, and Aquatics Center Revenues).
- **Franchise Fees** are trending higher than expected due to the unanticipated receipt of franchise cable revenue receipts. The funds received represent receipts from cable providers that do not offer telephone service.
- **Licensing & Permits** started the year strong due to construction on the West and East sides.

**Property Taxes** at March 2020 exceed that of the same period in the prior year due to overall growth in property values (11.44%).

- **Sales & Use Taxes** performed better than the same period in the prior year due to positive economic trends across all sectors. This sales tax trend has continued into Q2-2020.
- **Charges for Services** performed better overall in most areas compared to the same period in the prior year. The increased revenue year-over-year is primarily driven by positive performance with Police Services (false alarm billings/collections) and Parks & Recreation related revenue (including Building Use Fee, Concessions, and Aquatics Center Revenues).
- **Fines, Forfeits & Assessments** performed better than the same period in the prior year due to increased court collection efforts.

Ms. Evans Jones reviewed the timing for COVID-19 in regards to revenues to watch. She explained the Hotel/Motel Taxes, Sales Taxes, Court, Parks & Recreation Revenues make up 21% of our total budget, Licenses and Permits make up 3% of our total budget, Property Tax, Water/Sewer Revenue, Franchise Fee and Landfill Revenue make up 76% of our total budget. She noted sales tax, Municipal Court and Parks and Recreation combined having projected a revenue loss estimated at \$1,840,000. Ms. Evans Jones explained that with the savings from frozen and vacated positions, reduced travel, reduced contractor loss, delayed projects, and reduced programs our expenditure savings has been able to offset the loss with savings of \$1,894,000. She further explained our total Hotel/Motel Fund Balance as of 9/30/19 is \$2,012,065.

The City Council discussed impacts of assessments and rate of collection, monthly sales tax history, creating programs to offset Covid impacts, and the projected 20% estimate. The City Council expressed gratitude to Finance Director Sherrelle Evans Jones and the City Manager for managing conservatively and having reserve funds to manage the budget efficiently during these difficult times.

#### H.4 20-218

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

Council Member Retana asked for a Census update and voting by mail ballot update. Council Member Blackson requested discussion regarding a Mayor's Task Force without City Council appointment restrictions. Council Member Bomgardner asked for a future item to review a long range pay strategy for Police and Fire.

**I. ADJOURNMENT**

Mayor Dye made a motion to adjourn at 8:55 p.m. Motion seconded by Council Member Retana. Motion approved unanimously.

Signed: \_\_\_\_\_

Mayor Robert C. Dye

Attest: \_\_\_\_\_

City Secretary