



# 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 4, 2021

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 Terry Lynne, Deputy Mayor Pro Tem Cristal Retana, Council Member Mike Bomgardner and Council Member Michael Driskill

**Staff:** 16 - 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 Gabe Vargas, 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, Director of Information Services Mark Samuels, Director of Fleet & Facilities Kevin Muenchow and Director of Communications Jeff Brady

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

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

#### **A.1 21-203 Discuss regular agenda items**

Council Member Lynne asked for clarification regarding Agenda Item I.4 (R2021-067) denying Oncor Electric Delivery rates.

Special Projects Manager John Roach explained the Council can either deny or take no action. He explained the legal teams are working together for a flat denial and suggested not amending the Resolution.

#### **A.2 21-212 Receive an update from the Code Enforcement Task Force**

Code Enforcement Manager Leo Bonanno provided a presentation on the results of the Code Enforcement Task Force. Mr. Bonanno provided the following feedback: 1) Lack of clarity and/or readability of some regulations due to phrases that are not defined and/or requirements are unclear; 2) Level of unenforceability; 3) Regulations appear multiple times throughout the code and sometimes conflict; 4) Overly strict standards, weaponized language; 5) Lack of Code Officer Discretion; 6) Remove anonymous complaints; 7) measuring success by creating a purpose; and 8) Proposed changes to Chapter 56.

The City Council discussed anonymous complaints and the need for follow up, next steps, staff recommendations and task force recommendations, fund allocation with permit fees, City Attorney review of code, aesthetics versus health, safety and welfare, a future incentive program for lower income home repairs, and Code Enforcement Task Force policy review every five years in conjunction with the Charter Review Committee.

The City Council recommended City Staff move forward with the Task Force recommended updates and Council updates for review at a future City Council meeting.

**A.3 21-226****Receive biannual update from the Senior Advisory Board**

Senior Advisory Board Chair Jean Trebert provided an update.

The City Council expressed their gratitude to the Senior Advisory Board for all their efforts.

**A.4 21-213****Discuss future agenda items**

Council Member Lynne requested a review and update on LED street lights.

**B. EXECUTIVE SESSION**

Mayor Dye recessed at 4:35 p.m. into closed executive session and adjourned from closed executive session at 5:07 p.m.

**B.1 21-201**

**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 Josey Lane***

**Council may convene into closed executive session pursuant to Section 551.087 of the Texas Government Code to deliberate regarding:**

- ***Discuss economic development incentives for Project Carry***
- Council may convene into closed executive session pursuant to Section 551.074 of the Texas Government Code to deliberate regarding:**

- ***Annual evaluation of the City Manager***

**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**

Deputy Mayor Pro Tem Retana led the Pledge of Allegiance and Pledge to the Texas flag.

**E. CEREMONIAL ITEMS****E.1 21-224****Presentation of Award for Cooking with the Council Throwdown**

Director of Economic Development Allison Cook provided a presentation for winner of the Cooking with the Council Throwdown - Chef Edition. She announced the winner (Team Colombo) which was Spicy Zest Chef Nimidu and Mayor Pro Tem John Norwood competed and most creative went to (Team Pot Stirrer) Red Stix Asian Street Food, Chef Uno, who paired with former Councilmember Bronson Blackson who was a substitute for Councilmember Mike Bomgardner.

**F. REPORT ON STUDY SESSION ITEMS**

Deputy Mayor Pro Tem Retana provided an update on Study Session items.



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

City Manager Charles Cox provided an update regarding items of community interest.

**H. CITIZEN COMMENTS**

Resident Omar Ramon 2001 Wittington Place spoke expressing concerns regarding his right to speak at the April 20, 2021 meeting prior to voting. (Consent items and Item J.5) He stated he understands mistakes happen, however, the new citizen comment policy has caused issues which could affect other residents. He asked the Council how they plan to prevent this from happening again.

Resident Rinkesh Desai 1753 Court, spoke regarding his concerns with the progress and next steps of the Mercer Crossing Development. He spoke regarding checks and balances in regards to the progress of Mercer Crossing and expenses the residents are having to incur. He asked that the City look into expenses that the Developer has taken. In summary, he expressed concerns regarding public amenities and outside usage. He asked if the City could assist with more amenities and to be creative with funding for the amphitheater.

**I. CONSENT AGENDA**

Omar Ramon 2001 Wittington Place asked for clarification regarding Agenda Item I.3 (R2021-065) in regards to what is being built and what will the completed project look like.

Marc Bentley spoke stating this is concrete channel will be repaired and widened, noting the end result will be a reconstructed and widened channel to allow better water flow.

- I.1      21-202      Consider approving the following City Council meeting minute(s); and take appropriate action  
*April 20, 2021 City Council Regular***
- I.2      21-215      Consider excusing the absence of Mayor Robert C. Dye from the April 20, 2021, City Council meeting; and take appropriate action**
- I.3      R2021-065      Consider approving Resolution No. 2021-065 authorizing an agreement with O'Brien Engineering, Inc. for professional design services of the Cooks Creek Channel Improvements Project; and take appropriate action**
- I.4      R2021-067      Consider approving Resolution No. 2021-067 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**

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

**J. REGULAR AGENDA ITEMS**

**J.1 21-220 Receive the Fiscal Year 2020-21 Second Quarter Financial Report**

Director of Finance Sherrelle Evans Jones provided a Fiscal Year 2020-21 Second Quarter Finance Report.

The City Council discussed possible impacts with new legislation, the opportunity for the City Manager and a Council Member to testify on these impacts, and moving the budget impacts moving forward.

Resident Omar Ramon 2001 Wittington Place spoke requesting clarification on (1) when the fiscal year begins and ends, (2) when an expense is added, is it when an expense is paid or occurred, (3) Clarification under General Fund Summary performance, (4) Enterprise Results Summary Storm Water Utility percentage jump.

Ms. Evans Jones responded noting the Fiscal Year begins October 1 and ends September 30, and noted interest is a function of investments, and noted the Storm Water actual utilizes purchase orders. She noted purchase order hits the actual then adjusts to what is exactly spent. She noted purchase order equals encumbered.

The City Council expressed gratitude to Ms. Evans Jones for her presentation.

**J.2 21-169 Receive an update from the Metrocrest Chamber of Commerce**

Metrocrest Chamber of Commerce President Erin Carter provided an update regarding Metrocrest Chamber of Commerce accomplishments.

The City Council expressed gratitude to Ms. Carter for her efforts.

**J.3 21-233 Receive an update from the Farmers Branch Chamber of Commerce**

Farmers Branch Chamber of Commerce President Grace Speese provided an update regarding the Farmers Branch Chamber accomplishments.

The City Council expressed gratitude to Ms. Speese for her efforts.

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

Motion made by Mayor Dye to amend the City Manager's employment agreement to increase the base salary by 3% and to extend the term of the agreement by one year and authorize the Mayor to execute such amendment. Motion seconded Council Member Lynne. Motion approved unanimously.

**L. ADJOURNMENT**

The meeting adjourned at 7:16 p.m.

Approved: 

Mayor Robert C. Dye

Attested by: 

Amy M. Piukana, City Secretary