



# City of Farmers Branch Meeting Minutes City Council

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

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Tuesday, August 16, 2022

6:00 PM

Council Chambers

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Present: 6 - Mayor Robert Dye, Council Member Omar Roman, Council Member Michael Driskill, Deputy Mayor Pro Tem Traci Williams, Council Member Richard Jackson and Mayor Pro Tem David Merritt

Staff: Interim City Manager John Land, Assistant City Manager Benjamin Williamson, City Secretary Stacy Henderson, Assistant City Secretary Argie Ree Potter, City Attorney Pete Smith, Director of Innovation and Technology Mark Samuels, Director of Public Works Marc Bentley, Police Chief David Hale, Director of Human Resources Brian Beasley, Director of Planning & Zoning/Economic Development Allison Cook, Director of Finance Sherrelle Evans-Jones, and Director of Communications Jeff Brady

## **CALL TO ORDER - COUNCIL CHAMBERS (3 P.M.)**

Mayor Dye called the meeting to order at 3:00 p.m.

### **A.1 Discuss regular agenda items.**

Council Member Jackson had a question related to Agenda Item H.3. (Agreement with TexasCityServcies LLC) regarding the increased amount of funding and its allocation within the budget. Director of Finance Sherrelle Evans-Jones explained the vendor services, how expenses were allocated within the budget, and the increase was based on the contracted amount.

Mayor Dye discussed Agenda Item J.2 (Establishing a Moratorium on Tree Stump Enforcement) and asked if there was a consensus related to enforcement or granting a moratorium. Deputy Director of Neighborhood Services Leo Bonanno explained to the Council that should the moratorium be granted, enforcement of dead trees would still occur, and public education would occur regarding tree stump requirements, and when the moratorium would expire. There was a consensus amongst Council to grant a moratorium to expire on December 31, 2022.

### **A.2 Discuss the Proposed Fiscal Year 2022-23 Balanced Budget.**

Director of Finance Sherrelle Evans-Jones provided follow-up on questions from the budget retreat regarding funding additional items totaling approximately \$1 million. Ms. Evans-Jones provided several options for Council consideration, and reviewed items being considered for additional funding that included Metrocrest Services, public safety pay, neighborhood investments, neighborhood repair program, and the Farmers Branch Chamber of Commerce.

Council discussed reducing the smart meter project by \$300,000, addressing only residential properties and potentially waiting to address commercial properties in the 2023-24 budget. The Council discussed with Ms. Evans-Jones the reason for additional funding available in the water/sewer fund and whether the water rebate should apply to commercial customers. The Council also discussed the proposed tax rate, items to be considered when lowering the tax rate, and how it would affect the budget. Council discussed the fund balance, reviewing targets for the funds, and considering how much funding was available for each account. Mayor Dye noted the fund balance could be revisited at a later date, and explained that the fund balance shows the financial health of the City, and was also considered when the City's financial rating is being assessed.

Mayor Dye discussed with the Council the following budget amendment considerations working towards the additional \$1 million in funding requests:

- Reduce the water meter project by \$300,000, allowing for residential meter replacement and some commercial replacement
- Maintain funding for monument signs
- Proceed with Option 2 presented by Ms. Evans-Jones, producing an additional \$690,000 that would spread the cost of the \$3.6 million for the 25 year to 20-year retirement option among funds consistent with each funds personnel costs.

The Council discussed requests for additional funding that included:

- Metrocrest Services - \$230,000
- Public Safety Pay - \$366,000 a nine percent above market increase
- Neighborhood Investment Program - \$200,000
- Neighborhood Repair Program - \$100,000

Human Resources Director Brian Beasley recommended that the base pay of public safety salaries be increased by seven percent and lump sum payments with the additional two percent be paid out on two separate occasions throughout the year. A consensus of the Council agreed with this type of disbursement of funding for public safety.

The Council discussed with Assistant City Manager Ben Williamson funding for the Farmers Branch Chamber and the Metrocrest Chamber. Mr. Williamson discussed the performance measures and auditing for each chamber, quarterly reporting requirements, and lengths of contract that were three years each. The Council asked that the reporting for both Chambers be made available, and further review of funding could be evaluated once the metrics had been reviewed.

### **A.3 Discuss future agenda items.**

Mayor Dye requested consideration be given to a recreation facility on the west side of Farmers Branch.

## **EXECUTIVE SESSION**

### **B.1 Council may convene into closed Executive Session pursuant to Section 551.072 of the Texas Government Code:**

- To discuss the purchase, exchange, lease or sale of real property north of Carrick, south of Valley View, east of IH-35, west of Denton Drive.
- To discuss the purchase, exchange, lease or sale of real property north of Valley View, east of Josey Lane, west of Webb Chapel, south of Valwood Parkway.

### **Council may convene into closed Executive Session pursuant to Section 551.071 of the Texas Government Code:**

- To seek legal advice from the City Attorney regarding a matter involving confidential attorney-client communication and/or discuss pending or contemplated litigation.

The City Council convened into Executive Session at 5:13 p.m.

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

Mayor Dye called the meeting to order at 6:03 p.m.



## **INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Dye led the Invocation and Pledge of Allegiance.

## **CEREMONIAL ITEMS**

There were no ceremonial items presented at this meeting.

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

Interim City Manager John Land reported on items of community interest.

## **CITIZEN COMMENTS**

The following individuals requested to speak during citizen input:

Jake Gigl, 2905 Bergen discussed budget transparency, allocation of surplus funds, and the need for a property tax reduction.

Chris Gigl, 3426 Lake Country Court, discussed budget excess reserves, and the need for a reduction in the property tax rate.

Terry Lynne, 13215 George, discussed budget related items, the proposed water rate reduction, and requested the property tax rate be lowered by five cents.

Joseph Rigel, 13647 Greystone Drive, discussed budget related items and requested the property tax rate be lowered by two cents.

Harold Froehlich, 13831 Braemar, discussed budgetary items, the need for a property tax reduction, and opposition to funding a 20-year retirement plan.

David Silver, 2879 Millwood, discussed needing additional information from Council on items being brought forward for consideration, and proposed redistricting maps.

Candace Adams, 3521 Pebble Beach, discussed the need for a property tax reduction, and ensuring first responders were funded appropriately in the budget.

Kurt Myers, 1890 Mercer Parkway, requested a property tax rate reduction over the proposed water rebate.

## **CONSENT AGENDA**

**A motion was made by Council Member Roman, seconded by Deputy Mayor Pro Tem Williams, that the Consent Agenda be accepted. The motion carried by the following vote:**

**Aye:** 5 - Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams, Council Member Jackson and Mayor Pro Tem Merritt

**H.1 Consider excusing the absence of Mayor Pro Tem David Merritt from the August 2, 2022 regular portion of the City Council meeting; and take appropriate action.**

**H.2 Consider approving the following City Council meeting minutes; and take appropriate action.**

- August 2, 2022 Regular City Council Minutes

- H.3 Consider adopting Ordinance No. 3757 approving an amendment to the City's Fiscal Year 2021-22 Budget to provide funds for expenses not originally anticipated at the time of adoption of the budget; and take appropriate action.**
- H.4 Consider approving Resolution No. 2022-100 authorizing the First Amendment to the Amended and Restated Master Development Agreement with CADG Mercer Crossing Holdings LLC; and take appropriate action.**
- H.5 Consider approving Resolution No. 2022-107 authorizing the purchase of uniforms and related equipment for the Farmers Branch Police Officers from Galls, LLC. in excess of fifty thousand dollars (\$50,000.00); and take appropriate action.**

## **PUBLIC HEARINGS**

### **I.1 Public Hearing to receive comments regarding proposed Redistricting Maps for Districts, 1, 2, 3, 4, and 5.**

Mayor Dye opened the public hearing and the following individuals spoke regarding this item:

Sydney Parsons, 1735 Wittington Place spoke in favor of maps 8 or 9, not wanting to split the Mercer Crossing community.

Frank Theilen, 12935 Epps Field, spoke in favor of maps 8 or 9.

Joseph Riegel, 13657 Greystone Drive, stated additional information was needed as to how streets would be shifted within districts.

Harold Froehlich, 13831 Braemar, suggested meeting with the consultants to better define districts and creating less disruption within neighborhoods.

Mike Harrison, 3706 Ridgeoak Way, spoke in favor of map 9.

It was the consensus of the Council to reconvene the Redistricting Committee and send proposed maps 8 and 9 back to the Committee to further review with regards to Map 7, and provide a recommendation to City Council.

**A motion was made by Mayor Dye, seconded by Deputy Mayor Pro Tem Williams to close the public hearing at 6:46 p.m. The motion carried with the following vote.**

**Aye:** 5 - Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams, Council Member Jackson and Mayor Pro Tem Merritt

## **REGULAR AGENDA ITEMS**

- J.1 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 20, 2022; schedule a public hearing on the proposed maximum property tax rate for September 20, 2022 at 6:00 p.m. to be held at the City of Farmers Branch, City Hall Council Chambers, located at 13000 William Dodson Parkway, Farmers Branch, Texas 75234; and, take appropriate action.**



Director of Finance Ms. Evans-Jones explained that the proposed tax rate could be lowered, but could not go any higher than \$0.589 cents. A public hearing for the tax rate was scheduled for September 20, 2022.

**A motion was made by Mayor Pro Tem Merritt, seconded by Council Member Driskill, that the Ordinance be accepted. The motion carried by the following vote:**

**Aye:** 5 - Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams, Council Member Jackson and Mayor Pro Tem Merritt

## **J.2 Consider approving Resolution 2022-105 establishing a moratorium on tree stump enforcement.**

**A motion was made by Mayor Dye, seconded by Deputy Mayor Pro Tem Williams that this Resolution be accepted with the moratorium expiring on December 31, 2022. The motion carried by the following vote:**

**Aye:** 5 - Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams, Council Member Jackson and Mayor Pro Tem Merritt

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

Motion made by Council Member Driskill, seconded by Deputy Mayor Pro Tem Williams to authorize the Interim City Manager to negotiate and sign 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 Brian and Christine Capener and/or assigns the property described Lot 1, Block 10, Valwood Park Addition #27, 3rd Section, also known as 2957 Longmeade Drive for a purchase and sales price of not less than \$245,000 with the resale of said property to be subject to a restriction agreement requiring construction of a single family residence of not less than 2,008 square feet of air conditioned space with an assessed value of the property upon completion of construction, inclusive of both land and improvements, to be not less than \$605,000. The motion carried unanimously.

**Aye:** 5 - Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams, Council Member Jackson and Mayor Pro Tem Merritt

Motion made by Deputy Mayor Pro Tem Williams, seconded by Mayor Pro Tem Merritt to authorize the Interim City Manager to negotiate and execute on behalf of the City one or more agreements, and any amendments thereto and any related instruments, substantially in accordance with the following terms and conditions: 1) A purchase and sale agreement for the sale of Tract A generally described a portion of 2427 Carrick Street; 0.9 acre surplus property included in the 12700 N Stemmons (collectively referred to as Tract A) to the Farmers Branch Local Government Corporation for the resale of Tract A to PG Investco, LLC and/or its affiliated companies (the "Developer") for the development of a mixed used project on Tract A consisting of a minimum 6-story building (4-story multi-family podium over a 2-story structured parking garage) consisting of approximately 200,000 square feet of multi-family space containing approximately 275 multi-family units, approximately 440 parking spaces approximately 200,000 square feet of space, and 9000 square feet of retail space on the ground floor, (collectively the "Project"), for a purchase price of \$2.75 Million Dollars with an economic development grant from the City in the amount of \$2.75 Million Dollars to be provided at the closing of such transaction, provided the Developer undergrounds all distribution utility poles excluding transmission line, and the construction of certain infrastructure and construction of the Project, demolition of existing buildings, together with a restriction agreement requiring the Developer to construct the Project on Tract A. 2) One or more economic development agreements on behalf of the City with PG Investco, LLC and/or its affiliated companies for the Project which may include: a tax abatement agreement pursuant to Tax Code Chapter 312 which provides 10 years of 75% abatement of the real property for the Tract A; an agreement pursuant to Tax Code Chapter 311 to provides 10 years of annual grants equal to 25% of the real property taxes for the Project; and an agreement to provide a waiver of 50% of the development permit fees for the Project; and 3) Commencement of construction of the Project to occur within six (6) months after site plan and development approvals following the closing of the Developer's purchase of Tract A and completion of construction of the Project to occur within 26 months after commencement of the construction of the Development. The motion carried unanimously.

**Aye:** 5 - Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams,  
Council Member Jackson and Mayor Pro Tem Merritt

**ADJOURNMENT**

Mayor Dye adjourned the meeting at 6:55 p.m.

Approved by: \_\_\_\_\_

Mayor Robert C. Dye

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

Stacy Henderson, City Secretary