

# Capital Improvements Advisory Committee

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February 27, 2023  
Town Hall  
2121 Cross Timbers Road  
Flower Mound, TX 75028

6:00 p.m.

## AGENDA

### A CALL TO ORDER

### B INVOCATION

### C PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

### D PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the Board/Commission regarding any item on this agenda that is not a "Public Hearing." Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972- 874-6000 during business hours. To speak to the Board/Commission during public comment, please fill out a comment form, which is located in the lobby of Town Hall.

In accordance with the Texas Open Meetings Act, the Board/Commission is restricted from discussing or acting on items not listed on the agenda.

- Speakers are limited to 3 minutes; a tone will sound at 30 seconds left and when time has expired, and times may be adjusted by the Chair depending on the number of speakers.
- Speakers must address their comments to the Board/Commission.
- Please state your name and address when speaking.

### E FUTURE AGENDA ITEM(S)

### F REGULAR ITEM(S)

- 1 Minutes of September 26, 2022 - Consider approval of the minutes from the September 26, 2022, Capital Improvements Advisory Committee Meeting.
- 2 Semi-Annual Impact Fee Report of September 30, 2022 - Consider approval of the Semi-Annual Impact Fee Report of September 30, 2022 as required by Chapter 395 of the Texas Local Government Code.

### G ADJOURN

Pursuant to Section 551.071 of the Texas Government Code, the Capital Improvement Advisory Committee reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

I do hereby certify that the Notice of Meeting was posted on the bulletin board at the Town Hall for the Town of Flower Mound, Texas, in a place convenient and readily accessible to the

general public at all times and said Notice was also posted on the Town's website in accordance with GC Section 551.056 on the following date and time: February 23, 2023, at 4:00 p.m., at least 72 hours prior to the scheduled time of said meeting.

**LauriAnn Cash, Staff Liaison**

The Flower Mound Town Hall and Jody Smith Hall are wheelchair accessible. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting by contacting Town Hall at 972.874.6000. Additional time limits will be provided for members of the public that need to address the Town Council through a translator.



**CAPITAL IMPROVEMENTS  
ADVISORY COMMITTEE  
AGENDA F.1.  
REGULAR ITEM(S)**

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**DATE:** February 27, 2023  
**FROM:** LauriAnn Cash, Executive Assistant  
**ITEM:** **Consider approval of the minutes from the September 26, 2022, Capital Improvements Advisory Committee Meeting.**

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**BACKGROUND:** The Capital Improvements Advisory Committee held a meeting on September 26, 2022.

**BOARD REVIEW/CITIZEN FEEDBACK:** N/A

**ALTERNATIVES:** N/A

**FISCAL IMPACT:** N/A

**LEGAL REVIEW:** N/A

**ATTACHMENTS:**

1. DRAFT Minutes of September 26, 2022

**DRAFT MOTION:** Move to approve as presented in agenda caption.

**THE FLOWER MOUND CAPITAL IMPROVEMENTS ADVISORY COMMITTEE MEETING HELD ON THE 26TH DAY OF SEPTEMBER 2022, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS, AT 6:01 PM**

The Capital Improvements Advisory Committee met in a regular session with the following members present:

|                  |  |
|------------------|--|
| Brad Ruthrauff   | Chair                                      |
| Robert Cox       | Vice-Chair                                 |
| Janvier Werner   | Commissioner, Place 3                      |
| James Naylor     | Commissioner, Place 4                      |
| Greg Wilson      | Commissioner, Place 5                      |
| Donald Gilmore   | Commissioner, Place 6                      |
| Kathryn Wells    | Commissioner, Place 7                      |
| Jason Hobbs      | Commissioner, Place 8                      |
| Kris Wise        | Representative of the Real Estate Industry |
| Reginald Rembert | Representative of the Development Industry |

Constituting a quorum with the following members absent:

None

And the following members of Town staff present:

|               |  |
|---------------|--|
| Bryn Meredith | Town Attorney                          |
| Lexin Murphy  | Director of Planning Services          |
| Tiffany Bruce | Assistant Town Manager / Town Engineer |
| Clayton Riggs | Director of Public Works               |
| Robert Pegg   | Assistant Director of Engineering      |
| LauriAnn Cash | Executive Assistant                    |

**A. CALL REGULAR SESSION TO ORDER (Council Chambers): 6:01 P.M.**

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

**C. GENERAL PUBLIC COMMENTS**

None

**D. REGULAR ITEMS**

**1. Consider approval of the minutes of the February 28, 2022, Capital Improvements Advisory Committee, Regular Session.**

**Commission Deliberation**

Commissioner Naylor moved to approve the minutes of February 28, 2022. Commissioner Wells seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Werner, Naylor, Wilson, Cox, Gilmore, Wells, Hobbs, Kilpper, Wise, Rembert  
**NAYS:** None

The motion to approve passed with a vote of 10 to 0.

2. Consider approval of the Semi-Annual Impact Fee Report of March 31, 2022 as required by Chapter 395 of the Texas Local Government Code.

**Staff Presentation**

Tiffany Bruce, Assistant Town Manager / Town Engineer  
Clayton Riggs, Director of Public Works

**Commission Deliberation**

Commissioner Wells moved to approve the Semi-Annual Impact Fee Report of March 31, 2022 as required by Chapter 395 of the Texas Local Government Code. Vice-Chair Cox seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Rembert, Wise, Kilpper, Hobbs, Wells, Gilmore, Cox, Wilson, Naylor, Werner  
**NAYS:** None

The motion to approve passed with a vote of 10 to 0.

- E. ADJOURNMENT – REGULAR SESSION 6:30 P.M.

**TOWN OF FLOWER MOUND, TEXAS**

\_\_\_\_\_  
**Brian Waltenburg, Assistant Director of Engineering**

**ATTEST:**

\_\_\_\_\_  
**LauriAnn Cash, Executive Assistant**



## **CAPITAL IMPROVEMENTS ADVISORY COMMITTEE AGENDA F.2. REGULAR ITEM(S)**

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**DATE:** February 27, 2023  
**FROM:** Brian Waltenburg, Assistant Director of Engineering  
**ITEM:** **Consider approval of the Semi-Annual Impact Fee Report of September 30, 2022 as required by Chapter 395 of the Texas Local Government Code.**

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**BACKGROUND:** The Semi-Annual Impact Fee Report as of September 30, 2022, is presented to the Capital Improvements Advisory Committee (CIAC) for its review and recommendation to the Town Council regarding any perceived inequities. The CIAC's recommendation will be forwarded to the Town Council. Chapter 395 of the Texas Local Government Code provides guidelines to municipalities financing capital improvements, required for new development through impact fees. The advisory committee serves in an advisory capacity and is established to:

- 1) Advise and assist the political subdivision in adopting land use assumptions
- 2) Review the Capital Improvements Plan and file written comments
- 3) Monitor and evaluate implementation of the Capital Improvement Plan
- 4) File semi-annual reports with respect to the progress of the Capital Improvements Plan and report to the political subdivision any perceived inequities in implementing the plan or imposing the impact fee
- 5) Advise the political subdivision of the need to update or revise the land use assumptions, Capital Improvements Plan, and impact fee.

The Semi-Annual Impact Fee Report as required by Section 395.058 (c) (4) is attached. The report meets the intent of the code and includes total revenue and expenses collected and paid since the Town adopted its first impact fee ordinance on June 18, 1990, through September 30, 2022. Also included in the report are the revenues and expenses collected for the six-month period from April 1, 2022 through September 30, 2022. Roadway impact fees are reported by area, Wastewater impact fees are reported by district, and Water impact fees are reported on a Town-wide basis.

**BOARD REVIEW/CITIZEN FEEDBACK:** N/A

**ALTERNATIVES:** N/A

**FISCAL IMPACT:** N/A

**LEGAL REVIEW:** N/A

**ATTACHMENTS:**

1. Semi-Annual Impact Fee Report as of September 30, 2022

**DRAFT MOTION:** Move to approve as presented in agenda caption.

Semi-Annual Impact Fee Report  
as of September 30, 2022

### Roadway

| Service Area | Rev Total            | Rev This Per      | Exp Total            | Exp This Per      |
|--------------|----------------------|-------------------|----------------------|-------------------|
| A (1-6)      | \$ 27,395,132        | \$ 295,869        | \$ 18,906,575        | \$ 106,831        |
| B (7-10,12)  | \$ 3,879,640         | \$ 119,604        | \$ 1,100,981         | \$ -              |
| C (11,13-16) | \$ 1,522,795         | \$ 180,100        | \$ 267,021           | \$ -              |
| <b>Total</b> | <b>\$ 32,797,568</b> | <b>\$ 595,574</b> | <b>\$ 20,274,576</b> | <b>\$ 106,831</b> |

### Water

| Service Area | Rev Total            | Rev This Per      | Exp Total            | Exp This Per      |
|--------------|----------------------|-------------------|----------------------|-------------------|
| Town Wide    | \$ 37,550,546        | \$ 817,891        | \$ 22,386,621        | \$ 329,791        |
| <b>Total</b> | <b>\$ 37,550,546</b> | <b>\$ 817,891</b> | <b>\$ 22,386,621</b> | <b>\$ 329,791</b> |

### Wastewater

| Service Area  | Rev Total            | Rev This Per      | Exp Total            | Exp This Per      |
|---------------|----------------------|-------------------|----------------------|-------------------|
| Town Wide     | \$ 18,019,110        | \$ -              | \$ 18,019,110        | \$ -              |
| Long Prairie  | \$ 21,664,497        | \$ 472,723        | \$ 11,802,154        | \$ 212,090        |
| Denton Creek  | \$ 2,633,936         | \$ 29,962         | \$ 2,413,989         | \$ -              |
| Prairie Vista | \$ 1,316,793         | \$ 222            | \$ 1,300,000         | \$ -              |
| Lakeside      | \$ 3,016,651         | \$ 69,964         | \$ 402,417           | \$ -              |
| <b>Total</b>  | <b>\$ 46,650,987</b> | <b>\$ 572,870</b> | <b>\$ 33,937,670</b> | <b>\$ 212,090</b> |