

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING;
TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION,
AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING;
AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING**



August 7, 2023
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

MINUTES

A. CALL TO ORDER

Mayor France called the meeting to order at 6:00 p.m. with the following members present:

Derek France, Mayor
Jim Engel, Mayor Pro Tem
Ann Martin, Deputy Mayor Pro Tem
Adam Schiestel, Councilmember Place 1
Chris Drew, Councilmember Place 2 (arrived at 6:46 p.m.)

with the following member(s) absent:

Brian Taylor, Councilmember Place 3

constituting a quorum with the following members of the Town Staff participating:

Theresa Scott, Town Secretary
James W. Childers, Town Manager
Bryn Meredith, Town Attorney
Tommy Dalton, Assistant Town Manager
Tiffany Bruce, Assistant Town Manager/Town Engineer
Lexin Murphy, Director of Development Services
Clay Riggs, Director of Public Works
Paul Henley, Fire Chief
Ray Watson, Director of Economic Development

B. INVOCATION

Chaplain Bradley Vinson gave the invocation.

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND TO THE TEXAS FLAG

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

Mayor France led the pledges.

D. PRESENTATION(S)

1. Certificate of Achievement for Flower Mound High School Jaguar Baseball Team State Champions

Mayor France presented a Certificate of Achievement to Coach Wallace and several of the team members.

E. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the Town Council 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.

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

To speak to Council during public comment, please fill out a [comment form \(PDF\)](#).

- 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 mayor
- Speakers must address their comments to the Town Council
- Please state your name and address when speaking

Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

	Speaker name and address	Subject (as written on the form)
1.	Jennifer Beasley, 2920 Crone Rd with donated time from Kevin Hutchens, 270 Northwood James Harriss, 416 Northwood	ZPD 22-0001/0003
2.	Scott Egbert, 2900 Scenic Dr	K-6
3.	William Tracewell, 2950 Scenic	K-6
4.	Bronz Peterson, 5104 Saddle Dr	K-6
5.	Dennis Hepler, 10705 Sunrise Cir	Sunrise Cir
6.	Joe Bernard, address not provided	Public Comment
7.	Matt Hurst, address not provided	Public Comment
8.	Mary Jo Lengnick, 1701 Marble Pass Dr*	ZPD22-0001/0003 (oppose)
9.	George Karatzis, 408 Northwood Dr with donated time from Clare Harris, 416 Northwood Julie Hutchens, 370 Northwood	ZPD22-0001/0003 (oppose)
10.	Jon Gavitt, 2800 Scenic Dr	Scenic Drive

** Indicates person did not wish to speak*

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members
Mayor France or Councilmembers had the following announcements:
 - encouraged residents to join a Parent Teacher Association (PTA)
 - appreciation for everyone who attended the Flower Mound Library book sale
 - encouraged residents to drive safely through school zones
 - congrats to Tvisha Modi for winning 3 medals at the Pan Am Badminton Junior Championships held in Lima, Peru
 - the Town is accepting applications for various boards and commissions

G. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates
 - a. Employee Recognition
Mr. Childers provided background information on the We Own It (W.O.I) award and introduced the two 1st and 2nd quarter W.O.I. Champs: Andrea Schricker and Stephanie Billarreal
4. Citizen Engagement Program opportunity
Mr. Childers outlined the purpose and proposed structure for the program and indicated there would be an update at the September 18th Council meeting.

H. FUTURE AGENDA ITEM(S)

The purpose of this item is to allow the Mayor and members of Council an opportunity to bring forward items they wish to discuss at a future meeting, with the understanding that a consensus of Council is needed in order for that item to be placed on a future agenda and in accordance with the Town Council Agenda Setting Policy (Ord. 65-15).

There were no future agenda item request.

I. COORDINATION OF CALENDARS

Mayor France confirmed that everyone plans to attend both of the following meetings.

1. August 17 - Budget Work session
2. August 21 - Regular meeting

J. CONSENT ITEM(S)

This part of the agenda consists of non-controversial or "housekeeping" items required by law. Items may be removed from Consent by any council member by making such request prior to a

motion and vote.

ACTION: Deputy Mayor Pro Tem Ann Martin moved to approve Consent items 1 - 19 as presented in the agenda caption. Mayor Pro Tem Jim Engel seconded the motion.

AYES: Chris Drew, Adam Schiestel, Jim Engel, Ann Martin

NAYS: None

ABSTAIN: None

RESULT: 4 : 0

1. Minutes 7/17 & 7/20 - Consider approval of the minutes from a regular meeting held on July 17, and a work session held on July 20.
2. PSA Design - Lower Timber Interceptor - Consider approval of a Professional Services Agreement with Freese and Nichols, Inc., for the design phase services associated with the Lower Timber Interceptor Rehabilitation (Paisley Drive to Rockcreek Court) project, in the amount of \$69,475.00; and authorization for the Mayor to execute same on behalf of the Town.
3. Bucket Truck Purchase - Consider approval of the purchase of one 2023 Chevrolet 5500 Crew Cab Chassis with Aerial Lift and Service Body per Town of Flower Mound Specifications and Vendor Quote from Lake County Chevrolet for Public Works in the amount of \$181,225.16.
4. PSA - Consulting Services 1800 Timber Creek - Consider approval of a Professional Services Agreement with Champion Environmental Consulting Inc. for asbestos management services for the Town building located at 1800 Timbercreek in the amount of \$27,285. Champion Environmental will develop the technical specifications for the abatement and disposal of asbestos-containing materials, will attend and/or lead necessary pre-construction meetings, and will provide on-site personnel to monitor the work performed by the abatement contractor.
5. Demolition Proposal - 1800 Timber Creek - Consider the proposal by Cactus Abatement & Demolition, LLC for asbestos management services for asbestos remediation and structure demolition of the Town building located at 1800 Timber Creek Road, in the amount of \$302,900.00, utilizing the TIPS USA Contract 22100201.
6. Easement Abandonment 7015 Woodridge Drive - Consider approval of an ordinance vacating and abandoning of the existing 10-foot utility easement located along the south and west property lines of Lot 4, Woodridge Estates Subdivision. The property is generally located south of Cross Timbers Road (FM 1171) and west of Shiloh Road.

ORDINANCE NO. 30-23

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, VACATING AND ABANDONING THE EXISTING 10-FOOT UTILITY EASEMENT LOCATED ALONG THE SOUTHERN AND WESTERN PROPERTY LINES OF LOT 4, OF WOODRIDGE ESTATES subdivision, AN ADDITION TO THE TOWN OF FLOWER MOUND, DENTON COUNTY, TEXAS WHICH LOT IS MORE COMMONLY KNOWN AS 7015 WOODRIDGE DRIVE, FLOWER MOUND, TEXAS; AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED RELEASING AND ASSIGNING THIS EASEMENT TO THE OWNERS OF THE FEE ESTATE; REQUIRING A HOLD HARMLESS AND INDEMNITY AGREEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

7. PSA - Design Lakeside Reuse Water System - Consider approval of a Professional Services Agreement with Plummer Associates, Inc., for the design phase services associated with the Lakeside Reuse Water Distribution System - Phase I project, in the amount of \$845,081.00; and authorization for the Mayor to execute same on behalf of the Town.
8. Certified Collection Rate - Consider accepting the submission of the certified collection rate of 100 percent for the fiscal year beginning October 1, 2023, and ending September 30, 2024.
9. 2023 Certified Appraisal Roll - Consider approval of an ordinance establishing the 2023 certified appraisal roll.

ORDINANCE NO.31-23

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING THE 2023 APPRAISAL ROLL; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

10. No-New-Revenue and Voter-Approval Tax Rates - Consider accepting the submission of the notice of a no-new-revenue tax rate of \$0.359022 per \$100 assessed valuation and a voter-approval tax rate of \$0.387327 per \$100 assessed valuation for the fiscal year beginning October 1, 2023, and ending September 30, 2024.
11. Schedule Budget and Tax Rate Meetings - Consider proposing a maximum tax rate of \$0.387327 per \$100 valuation for the fiscal year beginning October 1, 2023, and ending September 30, 2024; and scheduling August 21, 2023, public hearing on the budget, scheduling September 18, 2023, public hearing on the tax rate, and scheduling the September 18, 2023, adoption of said budget and tax rate; with each meeting to be held at 6:00 PM, at Town Hall, located at 2121 Cross Timbers Road.

12. Set Crime District Budget - Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to schedule a public hearing for August 21, 2023, on the Flower Mound Crime Control and Prevention District budget and to schedule a meeting for September 18, 2023, to take action on the proposed budget; with each meeting to be held at 6:00 PM, at Town Hall, located at 2121 Cross Timbers Road.
13. Set Fire District Budget - Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to schedule a public hearing for August 21, 2023, on the Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget and to schedule a meeting for September 18, 2023, to take action on the proposed budget; with each meeting to be held at 6:00 PM, at Town Hall, located at 2121 Cross Timbers Road.
14. Annual PID SAP and Assessment Roll - Consider approval of an ordinance adopting the 2023-2024 annual update to the River Walk Public Improvement District No. 1 (PID) Service and Assessment Plan (SAP) and Assessment Roll.

ORDINANCE NO. 32-23

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING THE ANNUAL UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL(S) FOR THE RIVERWALK PUBLIC IMPROVEMENT DISTRICT NO. 1 IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §372.013 AS AMENDED; CONTAINING A CUMMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

15. 2023 CDBG Annual Action Plan - Consider approval of a resolution authorizing the adoption of the Program Year 2023 Action Plan for the Community Development Block Grant Program and authorizing the Mayor to execute same on behalf of the Town and submit to the U.S. Department of Housing and Urban Development.

RESOLUTION NO. 14-23

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING FOR THE ADOPTION OF THE PROGRAM YEAR 2023 ACTION PLAN UNDER THE TOWN'S COMMUNITY DEVELOPMENT BLOCK GRANT; AUTHORIZING THE MAYOR TO EXECUTE THE ACTION PLAN ON BEHALF OF THE TOWN AND SUBMIT IT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

16. LISD Police Officer Security Agreement - Consider approval of an agreement for the 2023-2024 school year with the Lewisville Independent School District (LISD) to contract with the Town of Flower Mound for law enforcement services for LISD

elementary schools and authorize the Mayor to execute same on behalf of the Town.

17. PSA - Marketing Economic Development Video - Consider approval of a Professional Services Agreement with The John R McAdams Company, Inc for video marketing services, in the amount of \$17,000, to prepare a marketing video highlighting approved and existing developments within the Town's Lakeside Business District.
18. All Together FM Commission - Consider approval of a Resolution to formally dissolve the All Together Flower Mound Commission.

RESOLUTION NO. 15-23

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS REPEALING RESOLUTION 18-21 TO FORMALLY DISSOLVE THE ALL TOGETHER FLOWER MOUND COMMISSION; PROVIDING FOR THE RETENTION OF COMMISSION RECORDS; AND PROVIDING AN EFFECTIVE DATE.

19. Oncor Rate Case- Denial Resolution - Consider approval of a resolution authorizing the Town to join with the Steering Committee of Cities Served by Oncor to deny Oncor Electric Delivery Company's requested rate increase.

RESOLUTION NO. 16-23

RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC's APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE TOWN'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

K. REGULAR ITEM(S)

1. SP22-0009 - Flower Mound Medical Office Building - Public Hearing to consider a request for a Site Plan (SP22-0009 – Flower Mound Medical Office Building) to develop a medical office building with an exception to 'Underground Utilities' pursuant to Section 82-377, Exceptions, of the Code of Ordinances. The property is generally located south of Cross Timbers Road and west of Churchill Drive. (PZ tabled this item to its July 24, 2023, meeting by a vote of 6 to 0 at its July 10, 2023, meeting.) (PZ recommended approval by a vote of 6 to 0 at its July 24, 2023, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- land use and zoning
- site photos
- exception request
- site plan
- landscape plan
- elevations

Applicant Presentation:

Jesse Gober, Castle Development, gave a presentation identifying or noting:

- overhead power line exhibit impact

and he responded to questions from Council regarding:

- clarification regarding the right of way
- how will the slope on the property impact the proposed trees
- adjacent property ownership
- possibility of getting creative by moving the parking to allow for the burying of the overhead lines

Mayor France opened the Public Hearing at 7:17 p.m. No one spoke. Mayor France closed the Public Hearing at 7:18 p.m.

Council Discussion:

There was Council discussion about how normally there is a preference for overhead lines to be buried. However, with the fluctuation of overhead lines in this area, it seems acceptable to grant the exception in this case.

ACTION:	Deputy Mayor Pro Tem Ann Martin moved to approve as presented in the agenda caption. Mayor Pro Tem Jim Engel seconded the motion.
AYES:	Chris Drew, Adam Schiestel, Jim Engel, Ann Martin
NAYS:	None
ABSTAIN:	None
RESULT:	4 : 0

2. SP23-0008 – Tesla SSD Flower Mound - Public Hearing to consider a request for a Site Plan (SP23-0008 – Tesla SSD Flower Mound) to develop car sales dealership and service center with an exception to 'Underground Utilities' pursuant to Section 82-377, "Exceptions," of the Code of Ordinances and an exception to the Architectural Standards of the Town's Urban Design Plan for meritorious design. The property is generally located south of Justin Road and

west of Stone Hill Farms Parkway. (PZ recommended approval by a vote of 6 to 0 at its July 24, 2023, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- site plan
- exceptions (2) request
- site photos
- site plan
- landscape plan
- elevations

and she, or Chief Helnley responded to the following question or comments from Council:

- distinction between storage and parking
- if fire prevention protection is different for a facility like this

Applicant Presentation

Bill Hofman, Hofman Planning Associates, and Dhwani Dave, Tesla gave a presentation identifying or noting:

- project description
- service intent
- site plan
- floor plan
- elevations
- rendering

and they responded to questions or comments from council regarding:

- clarification regarding the landscaping
- what is the economic impact on the community, including jobs, sales, etc.
- would there be charging stations for all customers

Mayor France opened the Public Hearing at 7:42 p.m.

	SUPPORT	OPPOSITION	QUESTIONS OR COMMENTS ONLY
1.	Roger Newman, 4112 Riverside Dr	None	None

Mayor France closed the Public Hearing at 7:44 p.m.

There was Council discussion regarding:

- how the area doesn't have a unified design, so there is not a problem with this building
- no issues with the color gray

ACTION: Councilmember Adam Schiestel moved to approve as presented in the agenda caption. Deputy Mayor Pro Tem Ann Martin seconded the motion.

AYES: Chris Drew, Adam Schiestel, Jim Engel, Ann Martin

NAYS: None

ABSTAIN: None

RESULT: 4 : 0

3. SUP22-0004 – River Walk Pickle Ball Courts - Public Hearing to consider an ordinance granting Specific Use Permit No. 481 (SUP22-0004 – River Walk Pickle Ball Courts) to permit an amusement and recreation (outdoors) use. The property is generally located north of 1st Avenue and east of River Walk Drive. (PZ recommended approval by a vote of 6 to 0 at its July 24, 2023, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- SUP exhibit
- SUP conditions
- site photos

and she, or Mr. Meredith responded to questions from Council regarding:

- options for the Town should there be many complaints
- clarification regarding the automatic renewal provision
- hours of operation for Town park facilities
- how would council be notified of any issues at the site during the one-year review period
- timing in the event there is a denial for this item

Applicant Presentation

Randi Rivera, McAdams, and Michael Beaty, Riverwalk F & B

Ms. Rivera gave a presentation identifying or noting:

- site plan
- pickleball equipment

- images of the site

and they responded to questions from Council regarding:

- clarification regarding the hours during winter time when there is no lighting
- safety concerns, such as the expansion joints and light poles
- concerns regarding lack of lighting, noise, and proximity to the existing residents, parking, and how people have to bring their own equipment
- clarification regarding cost of playing
- 9pm hour of operation seems late

Mayor France opened the Public Hearing at 8:14 p.m.

Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

	SUPPORT	OPPOSITION	QUESTIONS OR COMMENTS ONLY
1.	Roger Newman, 4112 Riverside	None	None
2.	Daniel Marold, 324 Loma Alta Dr		
3.	Charla Brown, 809 Rosemary Dr*		
4.	Madison Murray, 281 Cape Brett*		
5.	Kathy Hodges, 2708 Compton*		
6.	David Hodges, 2708 Compton*		
7.	Nicole Woodard, 1917 Protea Dr*		
8.	Kelly Murray, 2821 Cape Brett		
9.	Neal Walker, 4913 Kingwood*		
10.	Lori Walker, 4913 Kingwood*		
11.	Scott Murray, 2821 Cape Brett*		
12.	Donna Tarwater, 4613 Windmill*		

** Indicates person did not wish to speak*

Mayor France closed the Public Hearing at 8:21 p.m.

Council Discussion:

There was council discussion regarding:

- how it's a good use of the space for an area that is underutilized and may help the River Walk be successful by bringing people to the site
- concerns regarding noise
- how the one year gives council the opportunity to revisit and course correct if need be
- possibility of incorporating conditions to make the project palatable
- there is a possibility that some residents may not be aware of what is happening
- concerns regarding the lack of planning

ACTION: Councilmember Adam Schiestel moved to approve as presented in the agenda caption, with the additional requirements of a 20-foot buffer from the parking garage expansion joints to court lines, and a 10-foot buffer from the parking garage light stanchions to court lines, and the exhibit to be updated to reflect those conditions, and with an annual SUP review requirement. Mayor Pro Tem Jim Engel seconded the motion.

AYES: Chris Drew, Adam Schiestel, Jim Engel

NAYS: Ann Martin

ABSTAIN: None

RESULT: 3 : 1

ORDINANCE NO. 33-23

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES, TOWN OF FLOWER MOUND, TEXAS, BY APPROVING SPECIFIC USE PERMIT NO. 481 (SUP-481) FOR AN AMUSEMENT AND RECREATION (OUTDOORS) USE ON CERTAIN PROPERTY DESCRIBED AS 1.555 ACRES OF LAND AND BEING ALL OF LOT 5, BLOCK A, OF THE RIVER WALK AT CENTRAL PARK ADDITION, AND ZONED CBD CENTRAL BUSINESS DISTRICT; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

4. Los Caminos Tax Abatement Reinvestment Zone - Public Hearing to consider approval of an ordinance establishing a Tax Abatement Reinvestment Zone for commercial tax abatement at 880 International Parkway (Los Caminos FM Property LTD).

Mayor France opened items 4 and 5 at the same time.

Mr. Watson gave a presentation identifying or noting:

- restaurant concept
- incentive summary
- cost benefit analysis
- payback period

and he responded to questions from Council regarding:

- how is the Town protected should the business not be successful
- when does year one start
- clarification regarding the cost-benefit (pay back)
- how other neighboring restaurants didn't have the benefit of an incentive

Applicant Presentation

Mr. Jefferey Dennon responded to questions from Council regarding:

- why incentives weren't offered for other restaurants
- why this location was chosen

Mayor France opened the Public Hearing for items 4 and 5 at 8:36 p.m. No one spoke. Mayor France closed the Public Hearing for items 4 and 5 at 8:37 p.m.

Council Discussion

There was Council discussion about how this is new construction and in a successful area, so it carries low risk, and it's production-based.

ACTION:	Mayor Pro Tem Jim Engel moved to approve as presented in the agenda caption. Councilmember Adam Schiestel seconded the motion.
AYES:	Chris Drew, Adam Schiestel, Jim Engel, Ann Martin
NAYS:	None
ABSTAIN:	None
RESULT:	4 : 0

ORDINANCE NO. 34-23

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, DESIGNATING A CERTAIN AREA AS A TAX ABATEMENT REINVESTMENT ZONE FOR COMMERCIAL TAX ABATEMENT, WITHIN THE TOWN OF FLOWER MOUND, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATED THERETO; PROVIDING A

SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

5. Los Caminos Chapter 380 and Tax Abatement - Public Hearing to consider approval of a Chapter 380 and Tax Abatement Agreement with Los Caminos FM Property LTD (aka Los Caminos), for the economic development of Flower Mound, and authorization for the Mayor to execute same on behalf of Town.

ACTION: Mayor Pro Tem Jim Engel moved to approve as presented in the agenda caption. Councilmember Adam Schiestel seconded the motion.

AYES: Chris Drew, Adam Schiestel, Jim Engel, Ann Martin

NAYS: None

ABSTAIN: None

RESULT: 4 : 0

Town Council recessed at 8:47 p.m. and reconvened at 8:54 p.m.

6. Scenic Road - Discussion regarding the current master planned cross-section of Scenic Road.

Mr. Riggs gave a presentation identifying or noting:

- existing scenic drive
- thoroughfare plan (rural collector)
- trails and bikeway plan
- Smith track trails
- rural cross sections

and he responded to questions or comments from Council regarding:

- what happens to the sections with heavy vegetation if adopted
- if there are other approaches that could minimize the number of trees that would be impacted
- traffic count information
- clarification regarding the hike and bike trails
- will the 90-degree turns be smoothed out
- interest in knowing how many reports of speeding on Scenic
- clarification regarding the hike and bike lane
- acceleration of Walsingham Lane improvements
- timeline for next steps
- concrete versus asphalt
- traffic capacity

Council Discussion

There was Council discussion regarding:

- Rural cross-section options
- how the town standard might not be applicable for this situation

There was Council direction to take this item to the Transportation Commission for consideration.

7. Charter Review Names and Charge - A resolution of the Town Council of the Town of Flower Mound Texas, creating a Charter Review Commission (CRC) approving a charge for the CRC, providing that the Town Council shall appoint members to the CRC; making findings relative thereto; and providing for an effective date.

There was Council discussion regarding the names of individuals to serve on the Charter Review Commission, as well as the following charge:

1. Review the Charter for any content that hinders efficiency in Town operations
2. Ensure the Charter does not contain language that is in conflict with state law
3. Revisit items previously considered by prior Charter Review Commissions
4. Rank proposed ballot recommendations in order of importance when presented to Council

and with the understanding that Charter Review Commission members may also bring forward additional items on their own or from the elected official who appointed them.

ACTION: Councilmember Adam Schiestel moved to approve as presented in the agenda caption, and to appoint the following members to the Charter Review Commission:

Steve Dixon, Chair and voting member

Mike Wallace

Ann Martin

Sandeep Sharma

Greg Wilson

Rick Lust

and the charge as discussed. Deputy Mayor Pro Tem Ann Martin seconded the motion.

AYES: Chris Drew, Adam Schiestel, Jim Engel, Ann Martin

NAYS: None

ABSTAIN: None

RESULT: 4 : 0

RESOLUTION NO. 17-23

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CREATING A CHARTER REVIEW COMMISSION; APPROVING A CHARGE FOR THE CHARTER REVIEW COMMISSION; PROVIDING THAT THE TOWN COUNCIL SHALL APPOINT MEMBERS TO

**THE CHARTER REVIEW COMMISSION; MAKING FINDINGS RELATIVE
THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.**

L. BOARDS/COMMISSIONS

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Capital Improvements Advisory Committee, Cultural Arts Commission, Denton County Transportation Authority, Environmental Conservation Commission, Historical Commission Task Force, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

No action taken.

M. CLOSED MEETING

The Town Council convened into a closed meeting at 9:34 p.m. on August 7, 2023, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087 for consultation with attorney, and to discuss matters relating to real property, personnel, and economic development negotiations.

1. Consultation with Town Attorney.

- a. La Estancia Investments, L.P. v. Town of Flower Mound, Texas, et al
- b. Impact Fee Requirements
- c. Building Permit Fee Requirements
- d. House Bills 2127 and 3699
- e. Sunrise Circle development and adjacent properties

2. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, and/or other municipal purposes and all matters incident and related thereto.

ACTION:	Councilmember Adam Schiestel moved to authorize staff to purchase a 5-foot-wide drainage easement along lot 8, block B, Lakemont Addition, as discussed in closed session. Councilmember Chris Drew seconded the motion.
AYES:	Chris Drew, Adam Schiestel, Jim Engel, Ann Martin
NAYS:	None
ABSTAIN:	None
RESULT:	4 : 0

3. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.
No action taken.
4. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, healthcare facilities, performance related to certain incentive agreements, and proposed Tax Increment Reinvestment Zone (TIRZ) #1, TIRZ #2, PID, MMD, and MUD.
No action taken.

The Town Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Town Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the above referenced items.

N. RECONVENE

The Town Council reconvened into an open meeting at 11:12 p.m. on August 7, 2023, to take action or no action on the above items.

O. ADJOURN

Mayor France adjourned the meeting at 11:12 p.m. on August 7, 2023.

TOWN OF FLOWER MOUND, TEXAS

DEREK FRANCE, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY