

Charter Review Commission



October 4, 2023
Town Hall
Large Conference Rm #124
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

Comments can be sent to the Charter Review Commission by emailing charter@flower-mound.com.

AGENDA

A. CALL TO ORDER

B. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the commission regarding any item on this agenda or provide general comments regarding the Town's Charter as it relates to the Commission's charges, duties and responsibilities. Speakers are limited to three minutes. Time limits may be adjusted by the Chairperson.

C. MINUTES

1. Consider approval of minutes from the 9/13/23 meeting.

D. REVIEW PREVIOUS TOPICS (GENERAL CONSENSUS FOR POSSIBLE CHARTER AMENDMENT RECOMMENDATIONS)

To be voted on by CRC - date to be determined.

1. Administration - 4.02 (Town Manager)

Description	Proposed Ballot Language	CRC General Consensus
Requirement: Town Mgr. need not be a resident when appointed, but become a resident in a not to exceed 6 months time frame.	TBD	Add language that authorizes a 1-year extension by Council

2. Administration - 3.07(w) (Powers of the Council)

Cause captions of ordinances to be published in the newspaper.	Shall 3.07 of the FMHRC be amended to require ordinance captions to be published on the Town's website and included in the	As proposed.
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	Town Council minutes, as well as the Town's Code Book, instead of being published in the newspaper except those as required by state law?	
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3. Council - 3.03.1 (d) - Vacancies

Reference to 2 year terms	TBD	Clean up item
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4. Council - 3.05 (Mayor)

Mayor authorization for TM to sign contracts not to exceed \$15,000.	TBD	Change to \$50,000
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5. Development - 8.02

Cooperation with persons regarding development...	TBD	Strike the 1st sentence - The TC shall cooperate with persons interested in the development of...
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6. Election - 7.17

Election required for certain PPP	TBD	Replace election required for certain PPP to Super Majority of the Town Council...
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7. Finance - 9.10 (Budget)

Copy of the budget filed with Denton County	TBD	Needs to include Tarrant County.
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8. Finance - 9.14 (Transfer of Appropriations)

Council has the power to transfer funds between departments	TBD	Shift this power to the Town Manager (if can wordsmith for clarity)
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POLICY RECOMMENDATION:

Election - 7.16 (Election required for MUD or PID)

Recommend Council adopt a policy that developers be responsible for election costs related to the creation of a MUD or PID.

E. REVIEW PREVIOUS TOPICS (ADDITIONAL DISCUSSION NEEDED)

1. Set a municipal tax ceiling for homestead exempt properties of 5% increase over the prior year tax bill, excluding new improvements which would be taxed normally. A tax ceiling of 105% (last year's bill plus 5%) could not be exceeded regardless of appraised/assessed value or tax rate, except when the homestead exemption is removed, the property is sold, or valuation is changed due to new improvements (and then only the new improvements would be considered above the tax ceiling for that year).
2. Require voter approval for the creation of a new TIRZ and expansion of boundaries of an existing TIRZ.
3. The Town shall not grant any economic development incentives, abatements, deferrals, payments, etc. without approval by a Super Majority (3/4) vote of the Town Council.

F. REVIEW NEW TOPICS

1. Council Districts: Discuss and consider the [City of Richardson](#) model, which for Flower Mound could mean the mayor and two council members reside anywhere in Town, and 3 council members reside in a certain district (TBD) within the Town.
2. Discuss any comments or Charter recommendations received via Charter@flower-mound.com.

G. COORDINATION OF CALENDARS - NEW TOPICS DEADLINE

1. Discuss next CRC meeting dates (proposed) - all with 6 pm start times:
Wed, 10/11
Wed, 10/18 (if needed)
Wed, 11/8 - Public Hearing (Jody Smith Hall) for each proposed Charter amendment
Wed, 11/15 (if needed)
Thur, 11/16 - Interim report to Council (work session) and this is a move from 11/6 (regular meeting) as previously outlined to 11/16 (work session)

Wed, 11/29

Mon, 12/4 - Final report to Council

2. Discuss setting a deadline date for new topics from CRC members or public based on the following schedule:

11/16 - interim CRC report to Council

12/4 - final report to Council

October						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

H. ADJOURN

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: Friday, September 29, 2023, at 11:10 a.m., at least 72 hours prior to the scheduled time of said meeting.

Theresa Scott, Town Secretary

Charter Review Commission



September 13, 2023
Town Hall
Large Conference Rm #124
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

Comments can be sent to the Charter Review Commission by emailing charter@flower-mound.com.

DRAFT MINUTES

A. CALL TO ORDER

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

Steve Dixon, Chair
Rick Lust
Sandeep Sharma
Greg Wilson
Ann Martin
Mike Wallace

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
Julie Taylor, Director of Treasury Operations
Kay Wilkinson, Director of Budget Services

B. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the commission regarding any item on this agenda or provide general comments regarding the Town's Charter as it relates to the Commission's charges, duties and responsibilities. Speakers are limited to three minutes. Time limits may be adjusted by the Chairperson.

No one spoke.

C. MINUTES

1. Consider approval of minutes from the August 31, 2023 meeting

The minutes were approved as presented.

D. REVIEW PREVIOUS TOPICS

There was discussion on the following topics, including new topics related to density, impact fees, and Council qualifications.

1 The following topics were discussed:

	Category	Charter Section	Title	Description	CRC Direction
1.	Administration	4.01	Administrative Depts.	Are we too big for one Dept Head to manage 2 or more depts?	No future discussion
2.	Administration	4.02	Town Manager	Review the residency within 6 months provision for the Town Manager with consideration for a longer time frame given a fluctuating housing market.	Yes, with language that authorizes a 1-year extension by Council.
3.	Administration	11.07	Rearrangement & Renumbering	Add "TC shall have power... to correct typos, grammar, and references." For example, p26, line 3, "... and all of his or her opponents..." this is inconsistent with p43, 11.01 Construction of Charter re: use of pronouns.	No future discussion
4.	Administration	3.07 (w)	Powers of the Council.	For items required to be published in the official newspaper, when not required by state law, update	Yes, as proposed.

				language requiring publication to the Town website, with printed copies in the public library, instead of to the official newspaper.	
5.	Administration	9.06	Notice of Public Hearing on Budget	Budget publication	No future discussion
6.	Administration	10.02		Franchise: Powers of Town Council.the full text of such ordinance shall be published once each week for two (2) consecutive weeks in the official newspaper of the TOFM, and the expense of such publication shall be borne by the proponent of the franchise.	No future discussion
7.	Council	3.03.1 (d)	Vacancies	NA, no longer have 2 yr. terms	Yes, single ballot clean up item
8.	Council	3.05	Mayor	Review the designation by the mayor to authorize the Town Manager to sign contracts not to exceed \$15,000 with consideration for a higher amount due to market changes since this amount was established in 2004.	Yes, change to \$50,000
9.	Development/Land	8.02	Development of property.	Reword "shall cooperate" to "shall	No future discussion

				give due consideration"	
10.	Development/Land			Prohibit master plan land use overlays. A master plan overlay is defined as a secondary land use designation that does not follow the boundaries of the underlying land use.	No future discussion
11.	Election	7.04	Council Either to Pass Ord or Call Election	Why "300?" Huge discrepancy between 5% and 300. Change#?	No future discussion
12.	Election	7.15	Referendum Petition Requirements	Why "300?" Huge discrepancy between 5% and 300. Change#?	No future discussion
13.	Election	7.16	Election Required for MUD or PID	Can the "Requestor" be charged for full or apportioned cost of election?	Yes; policy change
14.	Election	7.17	Election required for certain public-private partnerships	Study economic development implications of the public-private partnership provision. Reconsider need for special election; examine qualifying factors	Yes, change to Supermajority vote instead of election requirement
15.	Election			Require voter approval for creation of a new TIRZ and expansion of	Future discussion

				boundaries of an existing TIRZ	
16.	Finance	3.13	Audit & Examination of Town Books & Accounts	Redesignating same accountant or firm. Add time component?	No future discussion
17.	Finance	9.10	Effective Date of Budget; Certification of Copies, Copies Made Available	copy in the Library for any/all to reference or check out?	No future discussion
18.	Finance	9.13	Reserve	"not less than 10%" should this be increased?	No future discussion
19.	Finance	9.14	Transfer of Appropriations	During the fiscal year, the Town Council shall have the power to transfer funds allocated by the budget from one department to another department. The Town Council shall have the power to re-estimate revenues and expenditures. If the Town Council determines it is in the best interest of the Town to apply for and accept a private, county, state or federal grant of funds for a particular purpose, the Council's action in accepting the award of said grant and any corresponding expenditures shall constitute a budget	Yes, if can wordsmith for clarity

				appropriation in the amount of said grant funds	
20.	Finance	9.15	Power to Tax	eliminate "personal property"	No future discussion
21.	Finance	9.16	Property Subject to Tax	"All real and Personal property..."	No future discussion
22.	Finance			Set a municipal tax ceiling for homestead exempt properties of 5% increase over the prior year tax bill, excluding new improvements which would be taxed normally. A tax ceiling of 105% (last year's bill plus 5%) could not be exceeded regardless of appraised/assessed value or tax rate, except when the homestead exemption is removed, the property is sold, or valuation is changed due to new improvements (and then only the new improvements would be considered above the tax ceiling for that year.	Future discussion

E. REVIEW NEW TOPICS

The following new topics as submitted by CRC members or the public was discussed:

1. Density: Any residential density in the Town of Flower Mound above 15 units per acre requires the approval of a Super Majority (3/4) vote of the Council.
2. Impact fees: The Town shall not waive, or modify, any impact fees without a Super Majority (3/4) vote by Council.
3. Map overlays: The Town shall prohibit the use of so-called "map overlays", or any other method that modifies zoning, or Master Plan land use designations, by bypassing established ordinances for that purpose.
4. Qualifications: Mayor/Councilmember shall be a current property owner for at least 5 years, and pre-employment requirements should apply (i.e. drug/medical and background checks)

After a thorough discussion on all of the above topics, there was a consensus that no Charter amendment recommendations or future discussion is needed.

F. COORDINATION OF CALENDARS

1. Discuss future meeting date(s) and location
The Town Secretary will coordinate with members via email for future meeting date options.

G. ADJOURN

Chair Dixon adjourned the meeting at 8:40 p.m.

TOWN OF FLOWER MOUND, TEXAS

STEVE DIXON, CHAIR

ATTEST:

THERESA SCOTT, TOWN SECRETARY

