

Charter Review Commission



October 10, 2023
Town Hall
Large Conference Rm #124
2121 Cross Timbers Road
Flower Mound, TX 75028

12:00 p.m.

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 10/4/23 meeting.

D. DISCUSS AND CONSIDER RECOMMENDATIONS FOR THE FOLLOWING PROPOSED CHARTER AMENDMENTS OR POLICY MATTERS

1. Administration - 4.02 (Town Manager)

Description	CRC General Consensus (Concept Only)
Requirement: Town Mgr. need not be a resident when appointed, but become a resident in a not to exceed 6 months time frame.	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.	Remove the requirement that ordinance captions be published in the newspaper.
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3. Council - 3.03.1 (d) - Vacancies

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

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

Cooperation with persons regarding development...	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	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	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	Shift this power to the Town Manager (if can wordsmith for clarity)
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9. Economic Development

a) Tax Increment Reinvestment Zone (TIRZ)	Require a simple majority vote for the creation of a TIRZ, and a super-majority vote for the final approval of the associated agreement.
b) Economic Development Incentives	The Town shall not grant any economic development incentives (i.e. abatement, deferrals, reimbursements) without a super-majority vote of the Town Council.

POLICY/OTHER RECOMMENDATION

1. 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.

2. For property taxes, recommend Council address the topic of high property taxes at a future strategic planning meeting to make sure there are checks and balances in place to protect the taxpayer, particularly as it relates to over 65 or disabled exemptions.

E. COORDINATION OF CALENDARS

1. Next meeting: November 8, 5pm - Public Hearing. Discuss public hearing format would like to use at this meeting.

F. 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: October 6, 2023, at 12:09 p.m., at least 72 hours prior to the scheduled time of said meeting.

Theresa Scott, Town Secretary

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.

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
Ann Martin, Deputy Mayor Pro Tem
Greg Wilson
Mike Wallace
Sandeep Sharma

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 (remotely)
Tommy Dalton, Assistant Town Manager
Ray Watson, Director of Economic Development

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 9/13/23 meeting.
The minutes were approved as presented.

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

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

There was no new discussion on the following previously agreed-upon items.

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 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?	As proposed.
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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.
There was a thorough discussion on this topic, which included various calculation scenarios, including possible alternatives related to over 65 and disabled exemptions, as well as legal and budget consequences. There was a general consensus not to bring this topic forward for a Charter amendment; however, to suggest that Council discuss the topic of high property taxes at a future strategic planning session to ensure that checks and balances are in place to protect taxpayers.

2. Require voter approval for the creation of a new TIRZ and expansion of boundaries of an existing TIRZ.

There was discussion on this topic regarding:

- complexity of presenting something like TIRZ to voters
- the type of information that could be conveyed to the voters (factual limitations)
- possibility of having a super majority vote of Council be required instead of going to the voters
- various aspects involved with the creation of a TIRZ
- possibility of having a 2 tier approach in that a simple majority would be acceptable for the creation of a TIRZ; however, require a super majority vote of Council for the development agreement in conjunction with the 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.

There was a thorough discussion regarding the economic development recruitment process, including typical incentives involved, as well as past incentives the Town has offered. It was noted that what's being proposed is in essence what is currently happening when you look at the last 10 years of data. There was concern about the negative message it would send to companies that are considering Flower Mound as a business location, and missed opportunities. It was mentioned that the purpose of having language in the Charter would establish guardrails for future Councils. There wasn't a consensus on how to proceed on this topic.

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.

There was a thorough discussion regarding whether or not there would be a benefit in having representatives by district, and the pros and cons associated with that type of structure. There was a general consensus not to move forward with the topic as a Charter amendment recommendation.

2. Discuss any comments or Charter recommendations received via Charter@flower-mound.com.

There were no comments or recommendations submitted from the public.

G. COORDINATION OF CALENDARS - NEW TOPICS DEADLINE

- 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

The next regular meeting was set for Tues, 10/10, 12 noon, and a public hearing was scheduled for Wed, November 8, 5pm.

- 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						

It was agreed that November 8th (public hearing date) would be the last day for any new charter amendment topics to come forward, by the public or CRC members, in the interest of meeting the Council calendar deadlines.

H. ADJOURN

Chair Dixon adjourned the meeting at 8:26 p.m.

TOWN OF FLOWER MOUND, TEXAS

STEVE DIXON, CHAIR

ATTEST:

THERESA SCOTT, TOWN SECRETARY