

Town Council Regular Meeting



May 20, 2024
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

MINUTES

A. CALL TO ORDER

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

Cheryl Moore, Mayor
Ann Martin, Mayor Pro Tem (Remotely)
Adam Schiestel, Deputy Mayor Pro Tem
Chris Drew, Councilmember Place 2
Brian Taylor, Councilmember Place 3
Janvier Werner, Councilmember Place 4

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
John Zagurski, Chief Financial Officer
Clay Riggs, Director of Public Works
Ray Watson, Director of Economic Development

B. INVOCATION

Chaplain Plunk 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 Moore led the pledges.

D. PRESENTATION(S)

1. Proclamation and presentation of Hometown Hero banner to Aaron Kovacevich
Mayor Moore recited the proclamation and presented it to Mr. Kovacevich's parents on his behalf.
2. Proclamation for 50th Anniversary of Emergency Medical Services Week May 19 - 25
Mayor Moore recited the proclamation and presented it to Fire Chief Henley.
3. Proclamation for Public Works Week May 19 - 25
Mayor Moore recited the proclamation and presented it to Clay Rigg, Director of Public Works.

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.	Brit Stock, 4005 Rothschild	Integrity
2.	Scott Langley, 800 Carter Ct	Concerts in the Park

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members
There were announcements from the Mayor and Council regarding:
 - congratulations to the newest elected officials
 - concerts in the Park
 - Memorial Day ceremony
 - summer jobs (Town of Flower Mound)
 - congratulations to EMS and Public Works staff for their recognitions and for the work that they do
 - lobby artwork
 - chalk the walk

G. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates

a. Employee Service Recognition

Mayor Moore and Mr. Childers presented Certificates of Appreciation to Town employees with 15 years of service.

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 Moore confirmed that all members of Council plan to attend the following meeting:

1. June 3 - 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: Adam Schiestel moved to approve Consent items 1 - 6 as presented in the agenda caption. Chris Drew seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

1. Budget Amendment FY23-24 - Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2023, and ending on September 30, 2024, as adopted by Ordinance No. 37-23 and amended by Ordinance No. 52-23 for adjustments to the COVID-19 Fund.

ORDINANCE NO. 20-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2023, AND ENDING ON SEPTEMBER 30, 2024, AS ADOPTED BY ORDINANCE NO. 37-23 AND AMENDED BY ORDINANCE NO. 52-23, BY PROVIDING FOR ADJUSTMENTS TO THE COVID-19 FUND; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

2. FY 2023-2024 CIP Amendment No. 4 - Consider approval of CIP Amendment No. 4 to the fiscal year 2023-2024 Capital Improvement Program.
3. Dump Truck Purchase - Consider approval of the purchase of one Mack GR64FR 12 Yard Tandem Dump Truck with Snow Plow Hitch and Hydraulics per the Town of Flower Mound Specifications and vendor quote from Bruckner Truck Sales in the amount of \$224,091.00.
4. Vehicle Purchase-Toyota Highlander for PD - Consider approval of purchasing (1) 2023 Toyota Highlander vehicle, with a police equipment package from Silsbee Toyota as per Town of Flower Mound specifications and vendor estimate via TIPS USA Cooperative Contract #210907, for \$50,626.50.
5. Utility Sites Security Fencing Construction Award - Consider approval of the award of Bid No. 2024-18-B Utility Sites Security Fence and Gate Implementation project to Triple-C Fence, LLC for the construction of security gates and fences at various Public Works utility sites in the amount of \$268,050.00; and authorization for the Mayor to execute same on behalf of the Town.
6. ClearGov Budget Software Agreement - Consider an agreement with ClearGov, Inc for online subscription budgeting software through September 30, 2029.

K. REGULAR ITEM(S)

1. Legislative Priorities - Discuss and provide feedback on the Town's legislative priorities for the 89th Texas Legislative Session.
Mr. Childers provided background information on the item. Brandi Bird, Bird Advocacy and Consulting, gave a presentation identifying or noting:
 - House and Senate Interim Charges
 - housing affordability
 - property tax issues
 - tax issues
 - other issues

- 2025 legislative session

and she responded to questions or comments from Council, or received their feedback regarding:

- interest in meeting opportunities with legislators.

Town Council members had the following priority topics:

- housing
- minimum lot size/unrestricted density and how the infrastructure would be paid for
- accessory dwelling units (adu's)
- property tax relief
- public utilities and interest in requiring Oncor to get permits, or coordinate better with municipalities, especially prior to cutting trees
- anything that preempts the Town at the local level
- local control of easements

and expressed interest in knowing the state's position regarding:

- preemption bill
- transportation (use of cameras at intersections)
- handling of first responders

2. Flower Mound Road Panel Replacements - Consider approval of the purchase of concrete removal and replacement services from F&F Concrete Construction, LLC, for work associated with the Flower Mound Road Panel Replacement project, through the Town of Flower Mound contract No. 2023-56-A, Concrete and Drainage Improvement Services, in the amount of \$2,276,763.00.

Mr. Riggs gave a presentation identifying or noting:

- project scope
- panel replacement locations
- annual contract
- project schedule

and he responded to questions or comments from Council regarding:

- community feedback
- funding source

ACTION: Adam Schiestel moved to approve K.2. as presented in the agenda caption. Janvier Werner seconded the motion.
AYES: Ann Martin, Adam Schiestel, Brian Taylor, Chris Drew, Janvier Werner
NAYS: None
ABSTAIN: None
RESULT: 5 : 0

3. DA23-0004 - VCA Animal Hospital - Consider approval of an amendment to the Development Agreement (DA23-0004) with VCA Real Property Acquisition Corporation, to amend Sections 7, 8, and 9 of the Original Agreement to modify standards related to an existing masonry wall and landscaping within the 25-foot landscape buffer along the northern property line; and authorization for the Mayor to execute same on behalf of the Town.

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- site photos
- site plan
- landscape plan
- sample fencing
- existing language
- proposed language
- caption

and she responded to questions from Council regarding:

- building entrance
- pet relief area, including cleaning frequency
- boarding activity, including large and small dogs
- fencing
- property boundary
- synthetic turf option

ACTION: Adam Schiestel moved to approve K.3. as presented in the agenda caption. Chris Drew seconded the motion.
AYES: Adam Schiestel, Brian Taylor, Chris Drew, Janvier Werner
NAYS: Ann Martin
ABSTAIN: None
RESULT: 4 : 1

4. SUP24-0002 - Petfolk Veterinary Hospital - Public Hearing to consider an ordinance granting Specific Use Permit No. 491 (SUP24-0002- Petfolk Veterinary Hospital) to permit a veterinary hospital (inside pens) use. The property is generally located north of Cross Timbers Road and east of Long Prairie Road. (PZ recommended approval by a vote of 4 to 0 at its April 22, 2024, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- SUP site plan
- site photos
- landscape plan
- hours of operation
- SUP conditions

and she responded to questions or comments from Council regarding:

- neighborhood communication

Applicant presentation (Brianna Moretti, Petfolk)

- delivery model
- space design
- hours of operation
- minimal use of kennels
- exam rooms and neighboring walls

and she responded to questions or comments from Council regarding:

- neighborhood communication (support or opposition)
- convenience pet relief area
- amount of veterinary clinics in vicinity and what makes them different, including market studies

Mayor Moore opened and closed the public hearing at 7:45 p.m. No one spoke.

ORDINANCE NO. 21-24

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. 491 (SUP-491) FOR A VETERINARY HOSPITAL (INSIDE PENS) USE ON CERTAIN PROPERTY DESCRIBED AS 1.6913 ACRES OF LAND AND BEING ALL OF LOT 1, BLOCK A, OF THE TIMBER PRAIRIE PLAZA ADDITION, AND ZONED RETAIL-2 ; 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.

ACTION: Brian Taylor moved to approve K.4. as presented in the agenda caption, and with the addition of a pet relief station as a condition of the SUP and in coordination with Town staff and the landlord. Chris Drew seconded the motion.

AYES: Ann Martin, Adam Schiestel, Brian Taylor, Chris Drew, Janvier Werner

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

5. SP24-0007 - Flower Mound Montessori - Consider a request for a Site Plan (SP24-0007-Flower Mound Montessori) with an exception to Section 82-303, Compatibility setback, of the Code of Ordinances. The property is generally located east of Long Prairie Road and north of Aberdeen Drive. (PZ recommended approval by a vote of 4 to 0 at its May 13, 2024, meeting.) Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- site plan
- site photos
- background
- exception request
- elevations/rendering

Applicant (Jason Kilpatrick) responded to questions from Council regarding:

- height and color of the shade structure
- building color

ACTION: Adam Schiestel moved to approve K.5. as presented in the agenda caption. Chris Drew seconded the motion.

AYES: Ann Martin, Adam Schiestel, Brian Taylor, Chris Drew, Janvier Werner

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

6. CON23-0002 – Smith Tract Conservation - Public Hearing to consider an ordinance amending the zoning (CON23-0002 – Smith Tract Conservation) from Agricultural District (A) uses to Planned Development District No. 197 (PD-197) with Agricultural District (A) uses for a conservation development with certain exceptions, modifications, and waivers to the Code of Ordinances. The property is generally located south of Cross Timbers Road, east of Shiloh Road and west of Scenic Road. (PZ recommended approval by a vote of 3 to 1 at its May 13, 2024, meeting.)

Mayor Moore opened items 6 and 7 at the same time.

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- overall concept plan
- meeting dates
- topographic slope exception
- overhead utility exception
- modifications (zoning standard, agricultural, estate, proposed); fencing
- site photos
- overall concept plan
- concept plan
- concept landscape plan
- concept open space plan, including trails
- tree survey/ECC recommendation
- Parks Board recommendation

and she, Mr. Woods, Mr. Riggs, Ms. Bruce, or Mr. Meredith responded to questions or comments from Council regarding:

- minimum lot sizes/septic systems
- tree survey
- septic inspection, and has the Town had any issues with the new systems
- process to identify and protect Indian marking trees
- drainage
- future bike lanes

Mike Boswell, Toll Brothers (applicant), gave a presentation identifying or noting:

- Toll Brothers values

- proposed development (447+ acres in the Cross Timbers Conservation District)
- subject tract
- what does the plan look like
- development of the plan (site history, trees, slopes, trails and roads (pre-development and master plan)
- trailheads, including concepts
- tree removal, including recycling and repurposing, measuring impacts (critical root zone, theoretical drip line, water courses, uncorrected leans), tree mitigation, tree impacts, Indian marking trees
- overhead exception
- wildlife and open space
- open space management plan
- product history
- site renderings
- the Toll Brothers Advantage
- milestones (various meetings)

and he responded to questions or comments from Council regarding:

- drainage
- construction traffic
- slope impact
- retaining walls
- tree preservation opportunities, including Indian Marking Trees
- wildlife protection plan
- side yard exception
- fencing (why not pipe fencing)
- gas wells on site (clean up process)
- septic systems and environmental impact for the quantity in this area

There was Council discussion regarding:

- tree preservation
- lot width
- open space
- overhead line exception
- quality of the develop
- drainage will be addressed by engineering
- traffic and thoroughfare plan may mitigate the concerns
- park component
- slopes and side yard setbacks

Mayor Moore opened the public hearing for items 6 and 7 at 9:23 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.	Sally Mashburn, 6051 Walnut Hill Dir, Dallas	Christine Payton, 3025 Monet Ct	Bronz Peterson, 5104 Saddle Dr
2.		Bill Milburn, 3036 Hugo Ct	Kenneth Scheepers, 6505 Burning Tree Dr

** Indicates person did not wish to speak*

Mayor Moore closed the public hearing at 9:36 p.m.

ORDINANCE NO 22-24

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 CHANGING THE ZONING ON APPROXIMATELY 446.95 ACRES OF LAND SITUATED IN THE N. A. THOMPSON SURVEY, ABSTRACT NO. 1307, THE L. K. HEATH SURVEY, ABSTRACT NO. 1597, THE M.E.P. AND P.R.R. COMPANY SURVEY, ABSTRACT 935, DENTON COUNTY, TEXAS, FROM A AGRICULTURAL DISTRICT USES TO PLANNED DEVELOPMENT DISTRICT-197 (PD-197) WITH A AGRICULTURAL DISTRICT USES FOR A CONSERVATION DEVELOPMENT IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Adam Schiestel moved to approve K.6. as presented, with the exception of the 15 foot side yard setback as needed for tree preservation, and the requirement for updated exhibits to reflect lot and tree modifications. Ann Martin seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

7. TRP23-0022 - Smith Tract Conservation - Public Hearing to consider an application for a tree removal permit (TRP23-0022) for one hundred and twenty-nine (129) specimen trees on property proposed for development as Smith Tract Conservation. The property is generally located south of Cross Timbers Road, east of Shiloh Road, and west of Scenic Drive. (The Environmental Conservation Commission recommended approval by a vote of 4 - 3 at its April 2, 2024, meeting.)

ACTION: Adam Schiestel moved to approve K.7. as presented, excluding trees 4144, 4163, 4238, 6163, 6164, 6202, 6213, 6223, 6348, 6352 6415 6440. Janvier Werner seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

8. MPA23-0006 - La Estancia - Public Hearing to consider an ordinance for a Master Plan Amendment (MPA23-0006 – La Estancia) to amend Section 1.0, Land Use Plan and Section 2.0, Area Plans, of the Master Plan by changing the current land use designation within the Denton Creek District Area Plan from Campus Industrial and Commercial/Industrial uses to High Density Single Family Detached, High Density, and Retail uses. The property is generally located north of Cross Timbers Road and west of U.S. Highway 377. (PZ recommended approval by a vote of 4 to 0 at its May 13, 2024, meeting.) Mayor Moore opened items 8, 9, and 10 at the same time.

Item 8: Mr. Dalton gave a presentation identifying or noting:

- location
- recap
- lawsuit
- negotiated plans
- density evolution
- land purchase
- settlement of case

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

- current proposal history
- open meetings act
- adherence to legal advice
- entitlements under interim holding, and right to modify
- why newly elected officials did not attend the last Planning and Zoning Commission meeting (when this item on the agenda)

- land cost (fair value) and if marketable

Item 9: Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- master plan exhibit
- conceptual site plan
- site photos
- modification request
- use modifications
- conceptual site plan and landscape plan
- ECC and Parks Board recommendations

and she responded to questions or comments from Council regarding:

- zoning for neighboring developments (Trailwood and Canyon Falls)

Applicant Presentation: Brad Williams, Green Brick

Mr. Williams gave a presentation identifying or noting:

- Green Brick Partners
- DFW Metro area activity map

and he responded to questions from Council regarding:

- projects completed in Flower Mound
- time line for the project
- power lines within the site
- anticipated price points for the homes planned

Item 10: Mr. Dalton gave a presentation identifying or noting:

- TIRZ #2 goals overview
- TIRZ # 2 boundary
- project location
- CIA - Projects
- process
- CIA additions
- CIA corrections

and he, or Mary Petty, TIRZ consultant, responded to questions or comments from Council regarding:

- process for dissolving the boundary (if all obligations fulfilled)
- clarification regarding what the agreement entails
- what would happen if not for the TIRZ
- overall funding sources

Council Discussion

There was Council discussion regarding:

- adjacency
- retail space needs
- Green Brick's reputation for past projects in Flower Mound
- appreciation for longer driveways
- communication restrictions due to pending litigation
- benefit for the Town entering into the real estate transaction component of the project
- how the plan negotiated down the original amount of multi family units

Mayor Moore opened and closed the public hearing for items 8, 9, and 10 at 11:36 p.m. No one spoke.

ORDINANCE NO. 18-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN OF THE TOWN, BY AMENDING SECTION 1.0, "LAND USE PLAN," AND SECTION 2.0, "AREA PLANS," TO CHANGE THE CURRENT LAND USE DESIGNATION WITHIN THE DENTON CREEK DISTRICT AREA PLAN AND REFLECTED ON THE LAND USE PLAN MAP FROM COMMERCIAL/INDUSTRIAL OR MIXED DENSITY RESIDENTIAL, COMMERCIAL/INDUSTRIAL, AND CAMPUS INDUSTRIAL TO HIGH DENSITY SINGLE FAMILY DETACHED, HIGH DENSITY, AND RETAIL USES, ALONG WITH APPROPRIATE TEXT AMENDMENTS, ON CERTAIN PROPERTY DESCRIBED AS AN APPROXIMATELY 263.6 ACRE TRACT OF LAND IN THE JOEL WILBURN SURVEY, ABSTRACT NO. 1416, MEP&P RR CO. SURVEY, ABSTRACT NO. 922, AND BBB&C RR CO SURVEY, ABSTRACT NO. 154, DENTON COUNTY, TEXAS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ACTION:	Adam Schiestel moved to approve K.8. as presented in the agenda caption. Brian Taylor seconded the motion.
AYES:	Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS:	None
ABSTAIN:	None
RESULT:	5 : 0

9. ZPD23-0014 - La Estancia - Public Hearing to consider an ordinance amending the zoning (ZPD23-0014 – La Estancia) from Planned Development District No.188 (PD-188) with Campus Industrial (CI) and Industrial District-2 (I-2) uses to Planned Development District No.202 (PD-202) with Single Family District-5 (SF-5), Single Family-Attached (SF-A), Multi-Family (MF), and Retail District-2 (R-2) uses, with certain waivers, exceptions, and modifications to the Code of Ordinances. The property is generally located north of Cross Timbers Road and west of U.S. Highway 377. (PZ recommended approval by a vote of 4 to 0 at its May 13, 2024, meeting.)

ORDINANCE NO. 19-24

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 CHANGING THE ZONING ON CERTAIN PROPERTY DESCRIBED AS AN APPROXIMATELY 263.6 ACRE TRACT OF LAND IN THE JOEL WILBURN SURVEY, ABSTRACT NO. 1416, MEP&P RR CO. SURVEY, ABSTRACT NO. 922, AND BBB&C RR CO SURVEY, ABSTRACT NO. 154, DENTON COUNTY, TEXAS, FROM PLANNED DEVELOPMENT DISTRICT-188 (PD-188) WITH CAMPUS INDUSTRIAL (CI) AND INDUSTRIAL DISTRICT-2 (I-2) USES TO PLANNED DEVELOPMENT DISTRICT-202 (PD-202) WITH SINGLE FAMILY DISTRICT-5 (SF-5), SINGLE FAMILY-ATTACHED (SF-A), MULTI FAMILY (MF), AND RETAIL DISTRICT-2 (R-2) USES, IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Adam Schiestel moved to approve K.9. as presented in the agenda caption. Brian Taylor seconded the motion.
AYES: Ann Martin, Adam Schiestel, Brian Taylor, Janvier Werner
NAYS: Chris Drew
ABSTAIN: None
RESULT: 4 : 1

10. La Estancia Capital Improvement Agreement - Public Hearing to consider approval of a Capital Improvement Agreement for the La Estancia Development, establishing a process and providing for the reimbursement of impact fees, and TIRZ #2 revenues for qualified capital improvement costs.

ACTION: Adam Schiestel moved to approve K.10. as presented, and with the identified corrections. Brian Taylor seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS: None
ABSTAIN: None
RESULT: 5 : 0

11. Residential Homestead Increase - Consider approval of an ordinance increasing the residential homestead ad valorem (property) tax exemption to 15%.
Mr. Zagurski gave a presentation identifying or noting:

- strategic linkage
- homestead history
- financial impact

and he responded to questions from Council regarding:

- voter approval rate
- tax rate
- budget impact - next fiscal
- homestead exemption - other cities
- commercial tax rate impact and potential burden
- service levels if approved
- available tools to relieve the tax rate for homeowners
- sales tax rate

ORDINANCE NO. 23-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 62-55, "RESIDENCE HOMESTEAD EXEMPTION," DIVISION 2, "EXEMPTIONS," ARTICLE II, "PROPERTY TAXES," OF CHAPTER 62, "TAXATION", OF THE CODE OF ORDINANCES, TOWN OF FLOWER MOUND, TEXAS, BY INCREASING THE RESIDENTIAL HOMESTEAD AD VALOREM (PROPERTY) TAX EXEMPTION TO 15 PERCENT (15%) OF THE APPRAISED VALUE OF THE RESIDENCE HOMESTEAD; PROVIDING A SAVINGS/REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Ann Martin moved to approve K.11. as presented in the agenda caption. Adam Schiestel seconded the motion.
AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS: None
ABSTAIN: None
RESULT: 5: 0

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, Community Development Corporation, Cultural Arts Commission, Denton County Transportation Authority, Environmental Conservation Commission, Historical Commission, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number (TIRZ #1), Tax Increment Reinvestment Zone Number (TIRZ #2), Transportation Commission, and Veterans Liaison Board.

No action taken.

M. CLOSED MEETING

The Town Council to convene into closed meeting 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 Town Attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, as indicated below. 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 below-referenced items.

1 of 2

Mayor Moore announced that the Town Council is convening into a closed meeting at 10:41 p.m., pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087. The Town Council reconvened into an open meeting at 10:57 p.m., and took no action on the following items.

2 of 2

Mayor Moore announced that the Town Council is convening into a closed meeting at 12:06 a.m., on Tuesday, May 21 pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087. The Town Council reconvened into an open meeting at 12:20 a.m. on Tuesday, May 21, and took no action on the following items.

1. Consultation with Town Attorney.
 - a. La Estancia Investments, L.P. v. Town of Flower Mound, Texas, et al
2. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural arts, public safety, public rights-of-way, economic development, and/or other municipal purposes and all matters incident and related thereto.
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, and Planning and Zoning Commission.
4. Discuss and consider economic development incentives, including retail centers, grocers, corporate relocation/expansion/retention, hospitality projects, health care facilities, performance related to certain incentive agreements, and Tax

Increment Reinvestment Zone (TIRZ) #1, TIRZ #2, River Walk PID No. 1,
Proposed PID, MMDs, and MUDs

5. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Judge, Alternate Judge, and Associate Judge.

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

Noted in Item M. above.

O. ADJOURN

Mayor Moore adjourned the meeting at 12:20 a.m. on Tuesday, May 21 and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



CHERYL MOORE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY