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

October 7, 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
Adam Schiestel, Deputy Mayor Pro Tem
Chris Drew, Councilmember Place 2 (Remotely)
Brian Taylor, Councilmember Place 3 (arrived at 7:56 p.m.)
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
JP Walton, Chief Strategic Officer
Ray Watson, Director of Economic Development
Julie Taylor, Director of Treasury
Clay Riggs, Director of Public Works

B. INVOCATION

Chaplain McNamer 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. PUBLIC COMMENT

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.	Alex Stein, 7509 Inwood Rd, Dallas, Tx	Flower Mound City
2.	Anurag Sharma, 4521 Delaina Dr	Diwali event
3.	Joni Cook, 1980 Harbor View Dr	J5 (Dakota)
4.	Elaine Takacs, 2101 Beachview Dr with donated time from Richard Ratliff (no address provided)	J5 (Dakota)
5.	Patty Sherman, 2100 Beachview	J5 (Dakota) (opposition)
6.	Janet Takacs, 2101 Beachview	J5 (Dakota) (opposition)
7.	Kristy Anderson, 1815 Chestnut Ct	substance use and mental health board
8.	James Sherman, 2100 Beachview Dr	J5 (Dakota) (opposition)

** Indicates person did not wish to speak*

E. ANNOUNCEMENTS

F. TOWN MANAGER'S REPORT

1. Capital Improvement Projects

2. Economic Development Projects

3. Organizational Updates

   a. National Community Planning Month

   Ms. Murphy provided background information about the recent accolades the planning department received.

4. Scooter Regulation Update

   Mr. Childers provided a status update and confirmed that the direction is to discuss scooter regulations at the October 17th work session, and with a possible agenda item coming forward on October 21st.

G. FUTURE AGENDA ITEM(S)

There were no future agenda item request.

H. COORDINATION OF CALENDARS

Mayor Moore confirmed that all members of Council plan to attend the following meeting dates.

1. October 17 - Work Session

2. October 21 - Regular Meeting

I. CONSENT ITEM(S)

ACTION:	Ann Martin moved to approve consent items I.1 - 5 as presented in the agenda caption. Adam Schiestel seconded the motion.
AYES:	Ann Martin, Adam Schiestel, Chris Drew, Janvier Werner
NAYS:	None
ABSENT:	Brian Taylor
RESULT:	4 : 0

1. Minutes: 9/16, 9/17, 9/19 - Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting on September 16, 2024, and Work Sessions held on September 17 & 19, 2024.

2. Custodial Supplies Services - Consider approval of Bid No. 2024-92-A, Custodial Supplies Services to Complete Supply, Inc. and Empire Paper Company at the unit prices bid, in the estimated annual amount of $170,000.00; and authorization for the Mayor to execute on behalf of the Town.

3. Veterans Liaison Board - Discuss and consider adopting a resolution to modify the duties and add members to the Veterans Liaison Board.
   RESOLUTION NO. 16-24

   A RESOLUTION TO MODIFY THE VETERANS LIAISON BOARD FOR THE TOWN OF FLOWER MOUND, AND TO REDEFINE THE NUMBER OF MEMBERS; CREATE THE TITLE OF SECRETARY, INCLUDING ROLES AND RESPONSIBILITIES; AND PROVIDING FOR THE APPOINTMENT OF MEMBERS TO THE BOARD; ESTABLISHING THE TERM OF OFFICE FOR EACH BOARD MEMBER; AND PROVIDING AN EFFECTIVE DATE.

4. WWTP Step Screen Repair Services - Consider approval of the purchase of repair services with Huber Technology for the repair of the Wastewater

Preliminary Treatment Area Screen equipment, in the amount of $66,535.96; and authorization for the Mayor to execute same on behalf of the Town.

5. Purchase of Cardiac Monitors/Defibrillators - Consider approval of the purchase of six (6) Zoll X series Cardiac Monitors/Defibrillators for Fire and Emergency Services frontline apparatus in the amount of $321,298.52 under NPP Contract # PS20200; and authorization for the Mayor to execute same on behalf of the Town.

J. REGULAR ITEM(S)

1. School Liaison Committee - School Liaison Committee quarterly report and discuss and consider adopting a resolution to modify the duties and add members to the School Liaison Committee.

Ms. Scott provided background information on the item. School Liaison Committee member Mindy Bumgarner shared her thoughts about the committee's structure and scope of work. She expressed support for the proposed changes in the resolution.

There was Council discussion regarding:

- scope of work (expectations)
- committee structure

RESOLUTION NO. 19-24

A RESOLUTION TO MODIFY THE SCHOOL LIAISON COMMITTEE OF THE TOWN OF FLOWER MOUND; AND TO REDEFINE THE NUMBER OF MEMBERS; CREATE THE TITLE OF CHAIR, VICE-CHAIR, AND SECRETARY, INCLUDING ROLES AND RESPONSIBILITIES; AND PROVIDING FOR THE APPOINTMENT OF MEMBERS TO THE COMMITTEE; ESTABLISHING THE TERM OF OFFICE FOR EACH COMMITTEE MEMBER; AND PROVIDING AN EFFECTIVE DATE.

ACTION:	Adam Schiestel moved to approve J.1. as presented in the agenda caption. Janvier Werner seconded the motion.
AYES:	Ann Martin, Adam Schiestel, Chris Drew, Janvier Werner
NAYS:	None
ABSENT:	Brian Taylor
RESULT:	4 : 0

2. Legislative Priorities - Consider approval of the Town of Flower Mound 2025 Legislative Priorities for the upcoming 89th Texas State Legislature.

Mr. Walton introduced Brandi Bird, Bird Advocacy & Consulting

Ms. Bird gave a presentation on legislative priorities, including:

- Protecting community character
- Preserving individual property rights and privacy
- enhancing financial stewardship and flexibility
- next steps
- legislative calendar

and she responded to questions or comments from council regarding:

- incentivising debt
- future input
- council involvement level for future meetings
- if other municipalities support the priorities presented
- calendar and timing

ACTION:	Ann Martin moved to approve J.2. as presented in the agenda caption. Chris Drew seconded the motion.
AYES:	Ann Martin, Adam Schiestel, Chris Drew, Janvier Werner
NAYS:	None
ABSENT:	Brian Taylor
RESULT:	4 : 0

3. Economic Development Strategic Plan - Presentation of the Economic Development Strategic Plan created by TIP Strategies, Inc.

Mr. Watson introduced John Roberts and Victoria Wilson, with TIP Strategies, Inc.

Mr. Roberts and Ms. Wilson gave a presentation identifying or noting:

- company background
- project overview and goal
- what we proposed (discovery, opportunity, implementation)
- what we learned (stakeholder engagement)
- Hillwood development
- demographic comparison
- residents would like more businesses and amenities
- varying perceptions by age cohort
- community identity is a top priority
- retail inventory is concentrated in east Flower Mound
- job count by industry sector

- incremental employment change
- many Flower Mound residents commute out for work
- young, modest earners are more likely to commute in
- strategic framework, including plan framework: vision and goals, goals and strategic initiatives
- goal 1: business development
- goal 2: community engagement
- goal 3: purposeful development and redevelopment
- goal 4: quality placemaking
- implementation matrix

and they, or Mr. Dalton, responded to questions, concerns, or comments from Council regarding:

- changes since the strategic planning session
- implications should the residents disagree with the plan
- Section 3.5 of the plan - housing options (potential government overstep)
- future's committee (whether needed; balanced representation)
- favor of medical district, business retention/redevelopment support, professional employment for Flower Mound residents, preservation of natural amenities, River Walk vision
- economic development and the Town's Master Plan
- use of FloMo Convos
- priorities

No council action was required on this item.

4. <u>Reimbursement Resolution</u> - Consider approval of a resolution declaring expectation to reimburse expenditures with proceeds of future debt and authorizing the preparation of the documents associated with the issuance, sale, and delivery of the debt obligations; and providing an effective date.

Ms. Taylor or Mr. Zagurski gave a presentation identifying or noting:

- background information
- certificates of obligation
- Blue Ribbon Bond Committee

and they responded to questions from Council regarding:

- next steps

RESOLUTION NO. 17-24

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT, AND AUTHORIZING

THE PREPARATION OF THE DOCUMENTS ASSOCIATED WITH THE ISSUANCE, SALE AND DELIVERY OF THE DEBT OBLIGATIONS; AND PROVIDING AN EFFECTIVE DATE.

ACTION:	Adam Schiestel moved to approve J.4. as presented in the agenda caption. Ann Martin seconded the motion.
AYES:	Ann Martin, Adam Schiestel, Chris Drew, Janvier Werner
NAYS:	None
ABSENT:	Brian Taylor
RESULT:	4 : 0

5. RC23-0002 - Dakota - Consider a request for a Record Plat (RC23-0002 – Dakota) to develop a residential subdivision with certain exceptions, modifications, and waivers to the Code of Ordinances. The property is generally located south of Meadow Lark and east of Deer Path. (PZ recommended approval by a vote of 6 to 0 at its September 23, 2024, meeting)

Town Council recessed at 7:46 p.m. and reconvened at 7:56 p.m.

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- record plat
- site photos
- exceptions
- drainage
- development plan versus record plat
- landscape plan
- turn around exhibit
- queuing capacity at the entrance gate
- traffic
- walls and guard house
- board recommendations (2021 and 2024)

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

- lot-to-lot drainage, including pipe size, flood plain, grading, maintenance
- straight-zoning
- Cross Timbers Protection Area
- septic or sewer use requirements
- consequences if exceptions weren't approved
- one way in and out
- slope exception

- credibility of assumptions by applicant
- SMART Growth
- condition options for the approval of the slope exception, such as no retaining walls

At 8:48 p.m. Mayor Moore announced that the Town Council is convening into a closed meeting pursuant to Texas Government Code Section 551.074. Town Council reconvened into an open meeting at 9:14 p.m. No action taken.

Applicant Presentation:
Terry Holmes, John Dostert, Holmes Builders, 225 E Hwy 121, Coppell
Rob Adams, Principal, Langan Engineering, 2999 Olympus, Dallas

Mr. Holmes or Mr. Adams gave a presentation identifying or noting:

- background information on why they bought the property
- company background
- Dakota plan (26 residential lots, homes planned for 4,000+ square feet, $3+ million, and preserving just under 5 acres of upland and riparian habitat
- housing renderings
- how they met with the neighbors
- trees
- prairie habitat restoration
- lot-to-lot drainage
- slope exception

and they responded to questions from Council regarding:

- lot-to-lot drainage, including maintenance responsibilities
- current drainage pattern
- preserving the natural slope language in CCRs of the HOA
- concerns regarding other builders that don't have the same mindset to protect the trees
- safety concerns as it relates to the slope differences
- plans for supporting the wildlife
- possibility of using the town's rural fencing standards instead of masonry walls

Council Discussion

There was Council discussion regarding:

- limited discretion
- exceptions

- legal requirements
- appreciation for the applicant working with the land instead of against it (i.e., topography and trees)
- neighborhood engagement
- wildlife on site
- property owner's rights dictated by the state

ACTION:	Adam Schiestel moved to approve J.5. with conditions provided by staff and slope exceptions provided by the applicant in the current exhibit. Brian Taylor seconded the motion.
AYES:	Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS:	None
ABSTAIN:	None
RESULT:	5 : 0

6. TIRZ #1 - Presentation and discussion regarding Tax Increment Reinvestment Zone No. 1, including current status, expiration date and potential extension.

Mayor Moore announced that the Town Council is convening into a closed meeting at 10:01 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 10:22 p.m. and no action was taken.

For item J.6., Mr. Childers provided background information and Mary Petty, P3 Works (TIRZ Consultant) gave a presentation identifying or noting:

- TIRZ boundary
- original project costs to be paid by TIRZ No. 1
- additional project costs to be paid by TIRZ No. 1
- TIRZ No. 1 information
- original feasibility study
- 2024 expected fund balance
- next steps/options
- potential 5 year forecast
- feasibility study - extension

and she, or Mr. Childers responded to the following questions or comments from Council:

- dollar amount associated with the off-ramp option

- revenue cap for the extension
- cultural arts center budget and use of TIRZ dollars
- council review schedule
- TIRZ board responsibility
- timing and deadline
- interest in coming up with a number that contemplates the needs

Ms. Petty summarized that the direction is to go ahead and prepare a final plan amendment in anticipation of a future council meeting, which would include a 5-year extension and a drop in the percentage starting with the 80% so it would match the county. It would have a cap (TBD) for discussion when the final plan comes before Council. There would be no changes to the boundary, extend 5 years, decrease the increment, add one new project(Cultural Arts Center), and all the other projects would stay in place.

K. 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.

1. <u>DCAD Board - Nomination(s) only</u> - Town Council to consider approval of a resolution to nominate individuals to be voted on by taxing jurisdictions for the Board of Directors for the Denton Central (DCAD) Appraisal District.

   Ms. Scott provided background information and clarified the DCAD structure. There was Council discussion regarding nominating Sandeep Sharma.

   RESOLUTION NO. 18-24

   A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING THE TOWN OF FLOWER MOUND'S NOMINATION(S) FOR THE ELECTION OF THE BOARD OF DIRECTORS FOR THE DENTON CENTRAL APPRAISAL DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

   ACTION: Janvier Werner moved to approve a resolution to nominate Sandeep Sharma for consideration by the Denton County taxing jurisdictions for the Denton County Appraisal District Board of Directors. Adam Schiestel seconded the motion.

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

2. Discuss and consider the Outstanding Citizen Award selection process.

   Ms. Scott provided background information regarding the process. There was Council consensus to keep with the same format used in the past.

L. CLOSED MEETING

Mayor Moore announced that the Town Council is convening into a closed meeting at 10:59 p.m., pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087.

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

2. Annual evaluation - Town Secretary

3. Consultation with Town Attorney.

   a. Tax exemptions for property located in Riverwalk Public Improvement District.

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

5. 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.

6. 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.

M. RECONVENE

The Town Council reconvened into an open meeting at 12:49 a.m. on October 8, 2024 and no action was taken.

N. ADJOURN

Mayor Moore adjourned the meeting at 12:49 a.m. on October 8, 2024 and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

CHERYL MOORE, MAYOR

ATTEST:

Theresa Scott

THERESA SCOTT, TOWN SECRETARY