

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 3RD DAY OF JUNE 2019, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

[Click here](#) for meeting video link (subject to change)

The Town Council met in a regular meeting with the following members present:

Steve Dixon	Mayor
Sandeep Sharma	Mayor Pro Tem
Jim Pierson	Councilmember Place 1
Ben Bumgarner	Councilmember Place 3
Jim Engel	Councilmember Place 4

With the following members absent:

Claudio Forest	Deputy Mayor Pro Tem
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constituting a quorum with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Jimmy Stathatos	Town Manager
Debra Wallace	Deputy Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Tiffany Bruce	Executive Director of Public Works

A. CALL REGULAR MEETING TO ORDER

Mayor Dixon called the regular meeting to order at 6:01 p.m.

B./C. INVOCATION/PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Chaplain Mike Liles gave the invocation and Mayor Dixon 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 names and address	Subject (as written on the form)
	No speakers	

E. ANNOUNCEMENTS

Mayor Pro Tem Sharma reported on the success of the Kid Fish event.

Councilmember Engel offered congratulations to the Flower Mound Boys High Baseball team for going as far as they did and for a great year.

F. TOWN MANAGER'S REPORT

Mr. Stathatos provided an update on the following items:

1. Capital improvement projects.

No updates

2. Development projects

- New business openings

3. Legislative updates

Ms. Wallace provided a status update on the Texas legislative session

4. Dockless Electric Scooters

Mr. Stathatos provided background information about the use of dockless electric scooters in other communities. Mr. Meredith provided information regarding the Town's authority to regulate them.

There was Council consensus to discuss the topic at the Strategic Planning Session.

G. FUTURE AGENDA ITEMS

There were no request for future agenda items.

H. COORDINATION OF CALENDARS

Mayor Dixon announced that the next regular meeting is scheduled for Monday, June 17.

I. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on May 20, 2019.
2. Consider approval of a resolution accepting the Jeanette & Jim Larson Grant from the Texas Library Association for the purchase of mystery books for the Library

RESOLUTION NO. 09-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS AUTHORIZING THE ACCEPTANCE OF THE JEANETTE & JIM LARSON GRANT FROM THE TEXAS LIBRARY ASSOCIATION FOR THE PURCHASE OF MYSTERY BOOKS FOR THE LIBRARY; PLEDGING THAT THE TOWN OF FLOWER MOUND WILL COMPLY WITH ALL PROGRAM REQUIREMENTS OF THE JEANETTE & JIM LARSON GRANT; AND PROVIDING AN EFFECTIVE DATE.

3. *This item was moved from consent to regular items.*

4. Consider approval of a Food Service Sales Agreement between the Town of Flower Mound and Ben E. Keith, to provide food and beverage supplies for the Community Activity Center and the Seniors In Motion program.
5. Consider approval of Amendment No. 4 to the Fiscal Year 2018-2019 Capital Improvement Program.
6. Consider approval of an ordinance amending Chapter 66, Article V, Section 66-214 of the Code of Ordinances of the Town of Flower Mound, Texas, relating to the prima facie speed limits for specific streets by lowering the prima facie speed limit on various streets within the Brookstone Subdivision to 25 mph.

ORDINANCE NO. 22-19

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 66-214, "ENUMERATION FOR SPECIFIC STREETS;" PROVIDING FOR THE ADDITION OF SIX STREETS TO THE LIST OF STREETS ENUMERATED THEREIN; IDENTIFYING A MAXIMUM PRIMA FACIE SPEED LIMIT FOR SAID STREETS; PROVIDING A PENALTY NOT TO EXCEED \$200 FOR VIOLATIONS HEREOF; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Sharma moved to approve by consent Items 1-2; 4-6 as presented in the agenda caption. Councilmember Engel seconded the motion. Each item, as approved by consent, is restated above, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION:

Motion passed

AYES: PIERSON, ENGEL, SHARMA, BUMGARNER

NAYS: NONE

ABSENT: FOREST

J. REGULAR ITEMS

3. Consider approval of the engagement letter with Pattillo, Brown & Hill, L.L.P., to perform external auditing services for the fiscal year ending September 30, 2019; and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Ms. Wallace gave a presentation identifying or noting:

- Background information regarding vendors
- Evaluation criteria

and she responded to the following questions from Council:

- When was the last time the Town had a lead auditor change
- Why Waco given the Metropolitan area of Dallas
- Clarification regarding what was meant by audit approach
- Concerns regarding the use of the same firm over a long period of time and how it might lead to automatic approvals
- Does the firm specialize in municipalities or do they do other work

Councilmember Engel moved to approve as presented in the agenda caption. Mayor Pro Tem Sharma seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: BUMGARNER, SHARMA, ENGEL, PIERSON

NAYS: NONE

ABSENT: FOREST

7. Consider approval of a resolution approving and authorizing publication of notice of intention to issue Certificates of Obligation, Series 2019, in the principal amount not to exceed \$30,500,000.

Staff Presentation

Ms. Wallace gave a presentation identifying or noting:

- Background information on the purpose of the item
- Annual process
- CIP budget
- CIP Debt schedule
- Project and status
- Current debt
- Debt facts
- Proposed calendar

and she or Mr. Stathatos responded to the following questions from Council:

- What options are looked at before issuing debt
- It would be helpful when looking at an item to understand when debt will be issued (cost and source)
- Clarification regarding what is included in the \$30 million
- How can the Town work themselves in a position where not adding debt on top of debt
- Why does the Town use Certificates of Obligations (CO) instead of a bond election
- Interest in having a full understanding of the financial impact regarding agenda items
- Possibility of revenue bonds for large items and certificates of obligation for smaller projects
- Difference between CO and revenue bonds
- Are there future phases of the various projects that require debt service
- What would the Town do if a project was awarded
- Is there verbiage in the contract regarding funding appropriations
- How will the Town repay the debt (what sources)

There was Council discussion regarding:

- Clarification regarding the process
- How in a way the current Council is signing off on money that a previous Council approved as many of the projects are already obligated

Consultant Presentation

John Martin, Hilltop Securities

Mr. Martin provided background information regarding why the Town issues debt and the Town's approach, and he responded to the following questions from Council:

- Why do cities issue Certificates of Obligation instead of going to the voters with General Obligation Bonds

Mayor Pro Tem Sharma moved to approve as presented in the agenda caption. Councilmember Engel seconded the motion.

RESOLUTION NO. 08-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

VOTE ON MOTION:

AYES: ENGEL, SHARMA, BUMGARNER

NAYS: PIERSON

ABSENT: FOREST

Motion passed

K. BOARDS/COMMISSIONS (Pre Conference Room)

Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: **Animal Services Board, Cultural Arts Committee**, Environmental Conservation Commission, Parks Board, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

Councilmember Engel moved to appoint Ben Bumgarner to the Animal Services Board, Place 9, Alternate, effective immediately, and with a term expiration date of September 30, 2019. Mayor Pro Tem Sharma seconded the motion.

VOTE ON MOTION:

AYES: BUMGARNER, SHARMA, ENGEL, PIERSON

NAYS: NONE

ABSENT: FOREST

Motion passed

L./M. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 7:26 p.m. on June 3, 2019, 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, and reconvened into an open meeting at 7:58 p.m. on June 3, 2019, and no action was taken on the following items:

- a. Consultation with Attorney as follows:
 - 1. Lakewood slope exception demand
- b. Discuss and consider purchase, exchange, lease or value of real property for parks and/or other municipal purposes and all matters incident and related thereto.
- c. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: **Board of Adjustment/Oil & Gas Board of Appeals**, Community Development Corporation, and Planning and Zoning Commission.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

N. ADJOURN REGULAR MEETING

Mayor Dixon adjourned the meeting at 7:58 p.m. on June 3, 2019, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

STEVE DIXON, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY