

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING, AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING, HELD ON THE 3RD DAY OF FEBRUARY 2020, 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
Claudio Forest	Deputy Mayor Pro Tem
Jim Pierson	Councilmember Place 1
Ben Bumgarner	Councilmember Place 3
Jim Engel	Councilmember Place 4

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
Lexin Murphy	Director of Planning Services
Tiffany Bruce	Executive Director of Public Works
Matthew Woods	Director of Environmental Services

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 Will Langstaff gave the invocation and Longhorn Council, Scout Troop #262 and Arrow of Light Den Pack 62 led the pledges.

D. PUBLIC COMMENT

Names listed below don't necessarily reflect the order in which each person spoke and all addresses are in Flower Mound unless otherwise indicated.

	Speaker names and address	Subject (as written on the form)
1.	Don McDaniel, 3801 Hideaway Ln	Stewart House

E. PRESENTATIONS

1. Republic Services Recycling Audit Update

Jeri Harwell, Municipal Manager for Republic Services, reported on the results of the Direct-to-Home Public Education Campaign that took place in October 2019.

She responded to the following questions from Council:

- Have any countries stepped up to accept recycling given China is backing off
2. Friends of the Library donation to Town of Flower Mound

Ann Martin, on behalf of the Friends of the Library, presented the Town with a check in the amount of \$10,000.

F. ANNOUNCEMENTS

Mayor Dixon recognized and welcomed Flower Mound Citizen's Academy participants that were present for the meeting.

Deputy Mayor Pro Tem Forest announced the Summit Club Casino Night Fundraiser will be March 7th and he highlighted what the funds are used for.

Mayor Pro Tem Sharma reported on the Martin Luther King, Jr. event held on January 20th.

Councilmember Engel announced that applications are currently being accepted for the Police Department's Citizen Academy.

Councilmember Pierson announced there is a new discounted transportation option for seniors to get to and from the senior center.

G. TOWN MANAGER'S REPORT

Mr. Stathatos reported on the following projects or topics:

1. Capital improvement projects
 - Hound Mound rest room and parking
2. Economic Development projects
 - New or opening soon businesses
 - Stryker expansion
3. Political Signs

Mr. Stathatos, Mr. Dalton, and Mr. Meredith, provided background information regarding a legal interpretation change as it relates to political signs on fences, and they, as well as Mr. Woods, responded to the following questions from Council:

- What other noncommercial signs could appear if the Council wanted to make it allowable
- How much of an issue are political signs on fences and interest in understanding the value

Council Discussion

There was Council discussion regarding

- Concerns about prohibiting people from exercising their first amendment right on personal property

- Concerns about micro managing the sign issue
- The timing as to when political signs typically start to appear in Town and the difference between placement of signs on right of way versus private property

H. FUTURE AGENDA ITEMS

1. Mayor Pro Tem Sharma requested Council have a future agenda item to discuss the possibility of allowing temporary or portable buildings.

There was Council consensus to proceed with a future agenda item on this topic, and with the understanding that some type of sunset provision would be needed.

2. Mayor Pro Tem Sharma requested Council have a future agenda item to possibly expand the allowable dates for seasonal sales on private property.

Mr. Dalton pointed out that in the case of the photography business that initiated the request, they would prefer a carve out within the Ordinance for their kind of use instead of simply expanding Christmas tree sales.

There was Council consensus to proceed with a future agenda item on this topic.

3. Councilmember Bumgarner indicated he would like to continue the discussion on the sign ordinance.

Mayor Dixon proposed that staff put together a Council Communication to include more information for Council to review or consider, and then come back with a specific future agenda item.

Mr. Stathatos indicated that staff needs to know if there is a desire by Council to hold off on enforcing political signs for now while the issue is being discussed.

There was general Council consensus to proceed with enforcement based on how the Ordinance is currently written and the associated legal interpretation as presented.

4. Councilmember Bumgarner indicated he would like to have a discussion regarding the permitting process to make things a bit easier and more streamlined for both contractors and residents.

Mayor Dixon proposed that staff put together a Council Communication to touch base on what the process is today, and at that point Council can identify areas that might need some tweaks, and then decide if there needs to be an Ordinance change.

Mr. Stathatos pointed out that the Town is in the middle of a development process study and the consultant can be asked to review the permitting element as well.

I. COORDINATION OF CALENDARS

1. A regular meeting is scheduled for Monday, February 17.

Mayor Dixon announced the next meeting date as indicated above.

2. Consider canceling the February 20 work session to allow for the Fine Arts Center Feasibility Study public input meeting to be held on this same date.

There was Council consensus to proceed with cancelling the February 20 work session.

3. Consider canceling the March 16 regular meeting and March 19 work session (LISD Spring Break Week).

There was Council consensus to proceed with cancelling the March 16 and March 19 meeting dates.

J. CONSENT ITEMS

1. Consider approval of the first reading of an ordinance granting to a non-exclusive gas franchise to CoServ Gas, LTD.; and authorization for the Mayor to execute the same on behalf of the Town.
2. Consider approval of the minutes from a regular meeting of the Town Council; and Crime Control and Prevention District Special meeting on December 16, 2019, and approval of the minutes from a regular meeting of the Town Council on January 14, 2020.
3. Consider approval of a resolution calling for a general election to be held May 2, 2020, for the offices of Town Council Place 2 and Town Council Place 5; establishing procedures for those elections; and providing an effective date.

RESOLUTION NO. 01-20

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 2, 2020, FOR THE OFFICES OF TOWN COUNCIL PLACE 2, AND PLACE 5, ESTABLISHING PROCEDURES FOR THOSE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

4. Consider approval of the purchase of one (1) 2020 Ford F550 Regular Cab Chassis with Aerial Lift and Service Body per Town of Flower Mound Specifications and Quote from Sam Pack's Five Star Ford.
5. Consider approval of the purchase of one (1) New Dodge 4x4 Skeeter Brush Truck per Town of Flower Mound Specifications and Siddons Martin Emergency Group Proposal.
6. Consider approval of a Contract for Services with the University of Texas Southwestern Medical Center to provide continuing education services for the Department's licensed and certified EMS personnel, and authorization for the Mayor to execute same on behalf of the Town.
7. Consider approval of the award of Request for Bid Number 2020-15-A to the lowest responsive, responsible bidders, Vulcan, Inc. (Group I) and Centerline Supply, Inc. (Groups II, III, and IV) at the unit prices bid, for an estimated annual expenditure of \$285,000; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one-year with four one-year renewal options.
8. Consider approval of Fire Station 3 roof replacement contracted with Paragon Roofing, Inc through TIPS network in the amount of \$56,012.00.
9. Consider approval of a professional services agreement with Oxley Williams Tharp Architects, PLLC., for the Police Department Renovation project-Phase III in the amount of \$18,500.
10. Consider approval of the network wiring installation with Black Box Network Services, for the Library Expansion project, in the amount of \$38,550.00.

11. Consider approval for Schneider Electric to provide and install the INET Access & Security Xpert door control system, for the Library Expansion project at a cost of \$44,322.00.
12. Consider approval of a professional service agreement with Schrickel, Rollins | PSC for the Hound Mound Parking Lot and Restroom project in the amount of \$73,750.00; and authorization for the Mayor to execute same on behalf of the Town.
13. *This item was moved to regular items.*
14. Consider approval of a Professional Services Agreement with Pacheco Koch Consulting Engineers, Inc., for the design phase services associated with the Timber Creek Water Line Replacement Phase 1 project, in the amount of \$25,905.00; and authorization for the Mayor to execute same on behalf of the Town
15. Consider approval of a Contract for Services with Concentra Medical Centers to provide health assessments, fitness for duty assessments, alcohol and drug testing, injury medical treatment and case management, and authorization for the Mayor to execute same on behalf of the Town.
16. Consider approval of the purchase of one (1) new John Bean Bulldog Truck mounted Jetter w/ 700 gal. of water, 4000 psi at 18 gpm w/ 600' of ½" hose mounted on an Isuzu MRR 19,500 GVWR Cab-Over Chassis per Vendor Quote Specifications (Rush Truck Center and CLS Equipment Company).
17. Consider approval of the purchase of one (1) new T770 T4 Bobcat Compact Track Loader per Product Quotation with Specifications from Bobcat of Dallas-Lewisville.

Deputy Mayor Pro Tem Forest moved to approve by consent Items 1 – 12, 14 - 17, as presented in the agenda caption. Mayor Pro Tem Sharma 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, FOREST, BUMGARNER

NAYS: NONE

K. REGULAR ITEMS

13. Consider approval of Change Order No. 1 for the construction of the Morriss Road and 20" Water Line Improvements project, amending the contract with Tiseo Paving Company, to provide for an increase to the contract in the amount of \$480,891.76; and authorization for the Mayor to execute same on behalf of the Town.

Ms. Bruce provided background information regarding the change order and the reason it is needed. She responded to questions from Council regarding:

- Subgrading failure
- Recourse options
- Concerns regarding waviness in sections of Flower Mound Road and 2499

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

VOTE ON MOTION:

Motion passed

AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON

NAYS: NONE

- 18. Public Hearing to consider a request to for a variance (MISC20-0001 - Mingle Alcohol Variance) to permit the sale of alcoholic beverages by a restaurant within 300 feet of a church. The property is located at 650 Parker Square.

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General location

and she responded to the following questions from Council:

- Has staff heard back from Rock Pointe relative to any objections

Mayor Dixon opened the Public Hearing at 7:03 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *Names listed below don't necessarily reflect the order in which each person spoke and all addresses are in Flower Mound unless otherwise indicated.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/ Comments Only
Danny Bristal, Mingle, Parker Square	None	None
Kimberly Pardi, 1714 Clarendon, Lewisville		
Carol Kyer, 2616 Crepe Myrtle		
Dennis Naylor, 5109 Saddle Dr		
Milt McGouirk, 4705 Oak Spring		
David Johnson, 3617 San Paula		
Karen Naylor, 5109 Saddle Dr		
Don McDaniel, 5801 Hide A Way Ln		
Tawna Beck, 1404 Ivywood Dr*		
Mark Kyer, 2616 Crepe Myrtle Dr*		
Doug Ed, no address provided, Denton**		
Bryan Webb, 4112 High Rd**		

**submitted a speaker card indicating in support; however, did not wish to speak*

***did not submit a speaker card for this item*

Mayor Dixon closed the Public Hearing at 7:15 p.m.

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

VOTE ON MOTION:

Motion passed

AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER

NAYS: NONE

- 19. Consider a request for a Site Plan (SP19-0019 - RockPointe Church Parking Expansion) to develop a parking lot addition, with a request for a deviation to computing parking and loading requirements pursuant to Section 82.73 of the Code of

Ordinances. The property is generally located east of Trotter Lane and south of Cross Timbers Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its January 27, 2020, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Site plan
- Deviation
- Site photos
- Landscape plan

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

VOTE ON MOTION:

Motion passed

AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON

NAYS: NONE

Mayor Dixon opened items 20 and 21 at the same time.

20. Consider a request for a Development Plan (DP19-0004 - Lakeside Village) to develop residential, non-residential, and mixed use subdivision, with an exception to the retention pond design requirements, contained in Chapter 4 of the Town's Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway and south of Edgemere Drive. (The Planning and Zoning Commission recommended approval by a vote of 4 to 2 at its January 27, 2020, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- Project location
- Land use and zoning
- Exception request (dry detention pond instead of a wet retention pond)
- Photos of the site
- Lakeside DFW areas included in the development plan
- Development Plan
- Open space plan
- Landscape plan
- Draft ordinance standards
- Exemptions
- Potential interim parking
- Subzone areas

and she, Mr. Dalton, or Mr. Meredith, responded questions from Council regarding:

- Whether the detention pond is even needed
- Clarification regarding any relationship for this item and the next
- If standards for open space with amenities can be included for a dry pond

- Given so many unknowns, concerns regarding getting the project finished out so it's a satisfactory product

Applicant Presentation

Jimmy Archie, Realty Capital Management, 909 Lake Carolyn Pkwy, Ste. 150, Irving and Scott Minnus, McAdams Engineering, 111 Hillside, Lewisville

Mr. Archie and/or Mr. Minnus, gave a presentation identifying or noting:

- Project Phasing
- Zoning
- Detention request
- Parking plan
- Phasing plan

and he, or Mr. Minnus, responded to the following questions from Council:

- What drives the need for a larger pond
- Wet pond versus a dry pond requirement and associated engineering involved
- If Council can require the dry pond area to be an amenity, such as with the dog park
- What is the intent for the dry pond and what can they do with it in the way of aesthetics to add value to the property

Mr. Dalton summarized the applicant's request for this item.

Council Discussion

There was Council discussion regarding:

- Concerns as it relates to the past track record with the applicant and some unknowns

Mayor Pro Tem Sharma moved to approve as presented; however, with the inclusion of the following landscaping standards for any dry detention pond: grass to be planted, irrigation installed, and five (5) trees per acre of land for any dry detention pond. Councilmember Engel seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: PIERSON, ENGEL, SHARMA, FOREST

NAYS: BUMGARNER

21. Public hearing to consider an ordinance for rezoning (MU19-0001 - Lakeside Village) to amend Mixed Use District 1 (MU-1) to allow for phasing of the necessary parking infrastructure in Lakeside Village. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway and south of its intersection with Northwood Drive. (The Planning and Zoning Commission recommended approval as presented, but with the condition to add a Sunset/Renewal Clause of 3 years, by a vote of 4 to 3 at its January 13, 2020, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Draft ordinance standards

and she, Mr. Dalton, or Mr. Meredith responded to the following questions from Council:

- Clarification that the item serves the purpose of allowing the applicant to request the phased parking

Applicant Presentation

Jimmy Archie, Realty Capital Management, 909 Lake Carolyn Pkwy, Ste. 150, Irving

Mr. Archie did not have a presentation; however, he responded to the following questions from Council:

- How will the pedestrian traffic be managed
- How realistic is the sunset clause as recommended by the Planning and Zoning Commission, and if so, what would be a reasonable time
- What is the cost for the interim parking
- Does it make more economical sense to pave the parking lot across the street
- Is it their intent to build all at once
- What is the criteria for the underground garage
- What is the possibility of building a parking garage in MZ 1 and eliminate the surface parking
- Clarification regarding the size and dimensions of underground parking
- What is the building plan for the different buildings
- Is there a potential to increase the parking garage past 230 effectively or to add a layer to it

Mayor Dixon opened the Public Hearing at 8:44 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *Names listed below don't necessarily reflect the order in which each person spoke and all addresses are in Flower Mound unless otherwise indicated.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
Bryan Webb, 4112 High Rd	Jeffrey Blasko, 1720 Milford Dr	Don McDaniel, 3801 Hide A Way

Mayor Dixon closed the Public Hearing at 8:51 p.m.

Council Discussion

There was Council discussion regarding:

- How above ground parking does not fit the definition of a natural area
- How the current need for parking exist and the likelihood that it will not stay parking
- How the sunset clause is appealing from a principle perspective but not from a practical perspective

- Not a fan of surface parking in large swaths but if it is truly temporary there must be a point where the developer needs to get rid of the temporary parking and move on
- The possibility of making the parking lot smaller to allow for savings for future parking options
- Whether one lot with 430 stalls is too big
- How the applicant already came to Council and suggested they go with what was already approved
- Clarification that the item is just to allow the applicant to consider incorporating in their plan
- Interest in considering approval in small segments and in stages
- Allowance of phased parking
- The purpose of the temporary structure and how things change and concerns that building 1, 2, and 3 doesn't get built and the parking lot structure is left there
- How you drive around other neighboring cities and there are no issues with structured parking and it works – why doesn't it work here (at times)
- Concerns regarding the way the current ordinance is written in that they are given the option to do this and the application never comes before Council for final approval
- Concerns regarding oversight elements
- Zoning process and associated site plan
- Preservation of Council discretion for the final layout
- Consider allowing the temporary surface parking but split with no more than 200 – 230 spots per zone instead of one big sea of parking
- No more than 300 parking stalls for the temporary surface parking

Mr. Meredith clarified that this item is the zoning entitlement that would allow these temporary lots to be installed.

Mayor Pro Tem Sharma moved to approve MU19-0001 surface parking; however, with the condition that both the surface and underground parking be built simultaneously, but the structured parking facility in Microzone (MZ) 2 must be completed prior to the completion and opening of the first interim surface parking lot in Microzone (MZ) 1 and based on the issuance of a building final. In addition, the sunset language as recommended by P & Z would be removed. No one seconded the motion.

Motion failed due to lack of a second.

Councilmember Bumgarner moved to deny MU19-0001 as written. Councilmember Pierson seconded the motion.

VOTE ON MOTION:

Motion failed (to deny)

AYES: BUMGARNER, PIERSON

NAYS: FOREST, SHARMA, ENGEL

The Town Council convened into a closed meeting at 9:38 p.m. on February 3, 2020, pursuant to Texas Government Code Chapter 551.071, for consultation with attorney, and reconvened into an open meeting at 10:12 p.m. on February 3, 2020.

Deputy Mayor Pro Tem Forest moved to approve the zoning change as presented, removing the sunset provision, establishing a limitation of 180 parking spaces in MZ5, 300 parking spaces in MZ1, and with the restriction that the first surface lot may not be opened until a building final for

the structured parking garage in MZ2 is issued containing a minimum of 200 parking spaces. Councilmember Engel seconded the motion.

ORDINANCE NO. 01-20

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 09-18, WHICH AMENDED MIXED USE DISTRICT-1 (MU-1), ALSO KNOWN AS THE LAKESIDE DFW MIXED USE DEVELOPMENT; BY AMENDING EXHIBIT B TO INCORPORATE CERTAIN DEVELOPMENT STANDARDS RELATED TO PARKING FACILITIES APPLICABLE ONLY TO SUBZONES MU-TEN AND MU-C(3) TO ALLOW FOR THE PHASING IN OF PARKING INFRASTRUCTURE; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: PIERSON, ENGEL, SHARMA, FOREST

NAYS: BUMGARNER

22. Public Hearing to consider an ordinance amending the Land Development Regulations (LDR19-0006 – Short-Term Rentals) by amending Chapter 98 entitled “Zoning,” of the Town's Code of Ordinances to create a definition and define the standards and review process for Short-Term Rentals, and consider adopting an ordinance providing for said amendment. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its January 13, 2020, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- Previous discussion
- Survey city comparison
- Proposed definition
- General requirements
- SUP process
- 3rd Party Monitoring

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

- Are condos eligible
- Is the 3rd party monitoring an annual cost
- What would be the fine for any violation
- Why is only an SUP process being presented instead of a total ban
- What is the concern regarding not allowing condos to be a part of the SUP process
- Is there a firm number as to the number of short term rentals currently
- How many single-family homes are in existence

Council Discussion

There was Council discussion regarding:

- How it's better not to do a full ban and the SUP process respects homeowner rights
- Don't think the statute should be limited to owner's primary resident (owner occupied)
- There should be no distinction between condos and single-family homes
- Council doesn't need to hear every application for approval (SUP Process) and perhaps have it as part of a permitting process
- Acceptable to either doing nothing or putting a ban on it
- Interest in protecting residents that do live next door to a short-term rental that would include some type of policing; however, not sure if an SUP Process is the correct avenue
- Possibility of establishing a permitting component to identify where they are to start collecting data to identify where they are in the community, and regulation requirements could still be in place
- How Flower Mound is a bedroom community so the demand may not be there
- Figure out a way for homeowners to register through a permitting process, including a potential annual fee and require the homeowner to include the safety requirements (i.e. smoke detectors, etc.)
- The need to have this issue fully vetted and considered carefully because once it's enacted the Town is opening itself to lots of criticism in the marketplace, as well as lawsuits
- How it's difficult to make everyone happy
- Concerns regarding the ability to enforce the Ordinance
- Potential of postponing the item and going back to the drawing board and figure out the enforcement aspect and build it from the ground up instead of the top down
- How there are some things in the proposed ordinance that makes sense (reporting and safety aspects)
- Possibility of having a future work session on the topic

Mayor Dixon opened the Public Hearing at 10:52 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *Names listed below don't necessarily reflect the order in which each person spoke and all addresses are in Flower Mound unless otherwise indicated.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
	Bryan Webb, 4112 High Rd	
	Drew Larson, 3814 Cortadera Ct	

Deputy Mayor Pro Tem Forest moved to deny item 22 as written; however, with the possibility that the item may be considered at a future date. Councilmember Bumgarner seconded the motion.

VOTE ON MOTION:

AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON

NAYS: NONE

Motion passed (to deny)

L./M. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 11:22 p.m. on February 3, 2020, 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 11:51 p.m. on February 3, 2020, to take action on the items as follows:

- a. Consultation with Attorney.
- b. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, cultural arts center, and/or other municipal purposes and all matters incident and related thereto.

Deputy Mayor Pro Tem Forest moved to authorize Staff to purchase the Right-of-Way Property, in association with the Bruton Orand Boulevard at FM 1171 Right Turn Lane project, and to negotiate for the purchase of the Right-of-Way Property up to the settlement amounts described in the closed session document; and authorization of the Town Manager, or his designee, to close on the Right-of-Way Property should a settlement be reached, to pay all costs associated with said closing in addition to the purchase price of the Right-of-Way Property, and to execute all necessary documents at closing on behalf of the Town. Mayor Pro Tem Sharma seconded the motion.

VOTE ON MOTION:*Motion passed***AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER****NAYS: NONE**

- c. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

O. ADJOURN REGULAR MEETING

Mayor Dixon adjourned the meeting at 11:52 p.m. on Monday, February 3, 2020, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS*Steve Dixon***STEVE DIXON, MAYOR****ATTEST:***Theresa Scott***THERESA SCOTT, TOWN SECRETARY**