

**THE 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 HELD ON THE 21ST DAY OF SEPTEMBER 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
Debra Wallace	Interim & Deputy Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Lexin Murphy	Director of Planning Services
Tiffany Bruce	Executive Director of Public Works
Kay Wilkinson	Budget Manager
Andrea Roy	Director of Economic Development
Eric Greaser	Fire Chief

**A. CALL REGULAR MEETING TO ORDER**

Mayor Dixon called the regular meeting to order at 6:00 p.m.

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

Chaplain Langstaff 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.*

	<b>Speaker names and address</b>	<b>Subject (as written on the form)</b>
1.	David Johnson, 3617 San Paula Dr	Public comments
2.	Ginger Simonson, 3104 Native Oak Dr	Veterans Committee
3.	Claire Schroeder-Brown, 1721 Ingleside Dr	Veterans Committee
4.	Doug Brown, 1721 Ingleside Dr	Veterans Committee
5.	Katie Mayer, 3612 Burlington Dr With donated time from: Nancy Kleckner, 2608 Wisdom Creek Dr	Tennis Center

6.	Rebecca Stanley, 3900 Edna Valley Ct*	Tennis Center
7.	Tonya Balusek, 3705 Hillsdale Dr*	Tennis Center

\*Submitted a speaker card in support of a tennis center; however, didn't wish to speak.

#### **E. ANNOUNCEMENTS**

Deputy Mayor Pro Tem Forest and Mayor Pro Tem Sharma announced that early voting begins on October 13<sup>th</sup>.

Councilmember Engel announced that the Farmer's Market is back open.

Councilmember Pierson reported on a community conversation event that the City of Lewisville had regarding ways they could improve in the area of community diversity.

#### **F. TOWN MANAGER'S REPORT**

Ms. Wallace provided an update on the following projects or topics:

1. Capital improvement projects
  - Library expansion and renovation
2. Economic Development projects
  - Businesses that recently opened or coming soon
3. Financial updates
  - Sales tax revenue

#### **G. FUTURE AGENDA ITEMS**

1. There were no items requested for a future agenda.

#### **H. COORDINATION OF CALENDARS**

Mayor Dixon announced the following future meetings:

1. A regular meeting is scheduled for Monday, October 5.
2. A joint work session with the Planning & Zoning Commission to discuss Master Plan infill locations is scheduled for Thursday, October 15.

#### **I. CONSENT ITEMS**

1. 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 8, 2020.
2. Consider approval of the minutes from a regular meeting of the Town Council held on September 15 and September 17, 2020.
3. Consider approval of a resolution adopting Atmos Energy Corp., Mid-Tex Division's rate tariffs that reflect the negotiated rate change pursuant to the Rate Review Mechanism process.

**RESOLUTION NO. 14-20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.**

4. Consider approval of a resolution authorizing the Town to participate in Texas Coalition for Affordable Power, Inc.’s Strategic Hedging Program.

**RESOLUTION NO. 15-20**

**RESOLUTION OF THE TOWN OF FLOWER MOUND TEXAS ADOPTING TCAP’S PROFESSIONAL SERVICES AGREEMENT AND GEXA ENERGY’S COMMERCIAL ELECTRIC SERVICE AGREEMENT FOR POWER TO BE PROVIDED ON AND AFTER JANUARY 1, 2023.**

5. Consider approval of purchasing additional licenses with TimeClock Plus.
6. Consider approval of a resolution adopting an Investment Policy for funds for the Town of Flower Mound as required annually by the Public Funds Investment Act.

**RESOLUTION NO. 16-20**

**A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS (“TOWN”), ADOPTING AN INVESTMENT POLICY FOR FUNDS FOR THE TOWN AS REQUIRED ANNUALLY BY THE PUBLIC FUNDS INVESTMENT ACT; AND PROVIDING AN EFFECTIVE DATE.**

7. Consider approval of an ordinance amending Appendix A of the Code of Ordinances by amending the charges for residential and non-residential water and sewer service; providing a severability clause; providing for publication; and providing an effective date.

**ORDINANCE NO. 26-20**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING APPENDIX A, “FEE SCHEDULE,” OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND BY AMENDING THE CHARGES CONTAINED THEREIN FOR RESIDENTIAL AND NON-RESIDENTIAL WATER AND SEWER SERVICE;**

**PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

8. Consider approval of a resolution amending the financial policies of the Town of Flower Mound.

**RESOLUTION NO. 17-20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING FOR THE ADOPTION OF AMENDED FINANCIAL POLICIES; AND PROVIDING AN EFFECTIVE DATE.**

9. Consider approval of Amendment No. 1 to the Professional Services Agreement for the Rippey Road project with CP&Y, Inc., to provide additional drainage investigation and design services in the amount of \$38,140.00; and authorization for the Mayor to execute same on behalf of the Town.
10. Consider approval of Change Order No. 2 for the Wastewater Treatment Plant Ultraviolet System Upgrade project, amending the contract with Felix Construction in the amount of \$102,265.77; and authorization for the Mayor to execute same on behalf of the Town.
11. Consider approval of the purchase of one wastewater pump, at the wastewater treatment facility, from Xylem Water Solutions USA Inc., a sole source provider, in the amount of \$71,384.49.
12. Consider approval of a Professional Services Agreement with Alliance Geotechnical Group to provide construction materials engineering and testing, for the Blue Ridge Trail Reconstruction project, in the amount of \$28,997.50; and authorization for the Mayor to execute same on behalf of the Town.
13. Consider approval of Change Order No. 1 for the construction of the Forest Vista Drive Reconstruction Phase II (Morriss to Chancellor) project, amending the contract with Pavecon Public Works, LP, to provide for an increase to the contract in the amount of \$25,221.35; and authorization for the Mayor to execute same on behalf of the Town.
14. Consider approval of a Professional Services Agreement with Plummer Associates, Inc., Inc. in the amount of \$25,000.00, to assist in securing Texas Pollution Discharge Elimination System (TPDES) permit renewal for the wastewater treatment plant; and authorization for the Mayor to execute same on behalf of the Town.

Deputy Mayor Pro Tem Forest moved to approve by consent Items 1 – 14, as presented in the agenda caption. Councilmember Bumgarner 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:**

**AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON**

**NAYS: NONE**

*Motion passed*

**J. REGULAR ITEMS**

Mayor Dixon opened items 15 – 17 at the same time.

15. Consider approval of an ordinance adopting the budget for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021, and making appropriations for each fund and department.
16. Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider approval of a resolution adopting the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021.
17. Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to consider approval of a resolution adopting the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021.

**Staff Presentation**

Ms. Wallace or Ms. Wilkinson gave a presentation identifying or noting:

- Proposed budget overview
- Budget process
- 2021 Budget assumptions
- Budget timeline
- Timeline and next steps
- Financial goals
- Financial policy update
- Strategic goals
- Required budget and tax rate adoption language
- 2020 debt service and tax rate
- Changes since proposed budget published
- Compensation/benefits
- General fund
- Prior year budgets
- Utility fund
- Water/Wastewater rates
- Stormwater utility fund
- Special revenue funds
- Crime control and prevention district budget
- Fire control, prevention & emergency medical services district budget
- Capital improvement projects (streets, parks, water, wastewater, stormwater)
- Capital improvement program total

and she, Chief Greaser, Ms. Bruce, or Mr. Dalton, responded to the following questions or comments from Council:

- Clarification regarding the movement of funds for the memorial park
- Clarification regarding timing for the tennis center
- Are there opportunities for residents to purchase/donate benches
- What is the status of the joint fire training facility now that The Colony is out

- In relation to the 1171/Canyon Fall traffic signal, are future developments slated for Flower Mound or Northlake
- Who benefits the most for the proposed Garden Ridge signal
- Clarification if the traffic signal would be warranted given the traffic pattern changes as a result of COVID

Councilmember Engel proposed removal of the two traffic signals (Garden Ridge/Forest Vista as well as 1171/Canyon Falls) be removed from the budget.

Councilmember Bumgarner proposed the bridge at Canyon Falls be removed from the CIP.

### **Item 15 (1 of 2)**

#### 1<sup>st</sup> motion

Deputy Mayor Pro Tem Forest moved to approve an ordinance adopting the budget for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021, and making appropriations for each fund and department, and to remove the traffic signal at FM 1171 at Canyon Falls to the following year CIP. Councilmember Pierson seconded the motion.

#### **VOTE ON MOTION:**

*Motion failed*

**AYES: FOREST, PIERSON**

**NAYS: BUMGARNER, SHARMA, ENGEL**

#### 2<sup>nd</sup> motion

Councilmember Engel moved to approve an ordinance adopting the budget for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021, and making appropriations for each fund and department, with the removal of traffic signals at Canyon Falls and FM 1171 and also Garden Ridge at Forest Vista. Councilmember Bumgarner seconded the motion.

### **ORDINANCE NO. 27-20**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021, AND MAKING APPROPRIATIONS FOR EACH FUND AND DEPARTMENT; PROVIDING FOR THE LEVYING AND COLLECTION OF A SUFFICIENT TAX TO PAY THE INTEREST ON SINKING FUND AND OTHER OBLIGATIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

#### **VOTE ON MOTION:**

*Motion passed*

**AYES: ENGEL, SHARMA, BUMGARNER**

**NAYS: PIERSON, FOREST**

### **Item 15 (2 of 2)**

Deputy Mayor Pro Tem Forest moved to ratify the property tax revenue increase reflected in the FY 2020-2021 budget. Mayor Pro Tem Sharma seconded the motion.

**VOTE ON MOTION:***Motion passed***AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER****NAYS: NONE****Item 16**

Mayor Pro Tem Sharma moved that The Town Council, acting as the Board of Directors for the Fire Control, Prevention, and Emergency Medical Services District, move to approve a resolution adopting the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021. Councilmember Engel seconded the motion.

**RESOLUTION NO. 18-20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ACTING AS THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, ADOPTING AND APPROVING THE BUDGET FOR THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**VOTE ON MOTION:***Motion passed***AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON****NAYS: NONE****Item 17**

Mayor Pro Tem Sharma moved to approve The Town Council, acting as the Board of Directors for the Crime Control and Prevention District, move to approve a resolution adopting the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021. Deputy Mayor Pro Tem Forest seconded the motion.

**RESOLUTION NO. 19-20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ACTING AS THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT, ADOPTING AND APPROVING THE BUDGET FOR THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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

18. Public Hearing to consider approval of an ordinance adopting the 2020 tax rolls and fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.436500 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2020.

Mayor Dixon opened the Public Hearing at 7:34 p.m. No one spoke. Mayor Dixon closed the Public Hearing at 7:34 p.m.

#### Council Discussion

There was Council discussion regarding:

- Possibility of lowering the tax rate to .432

Ms. Wallace clarified that when Council approved the budget, they also approved the revenue.

Deputy Mayor Pro Tem Forest moved that the property tax rate be increased by the adoption of a tax rate of \$0.436500 per \$100 of assessed value, which is effectively a 2.34 percent increase in the tax rate; and move to approve an ordinance adopting the 2020 tax rolls and fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.436500 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2020. Councilmember Engel seconded the motion.

#### **ORDINANCE NO. 28-20**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2020, AND ENDING ON SEPTEMBER 30, 2021, AND FOR EACH FISCAL YEAR THEREAFTER UNTIL OTHERWISE PROVIDED, AT A RATE OF \$0.4365 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN AS OF JANUARY 1, 2020; DIRECTING THE ASSESSMENT THEREOF TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE TOWN; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING FOR APPROVAL OF THE 2020 TAX ROLLS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

#### **VOTE ON MOTION:**

**AYES: FOREST, SHARMA, ENGEL, PIERSON  
NAYS: BUMGARNER**

*Motion passed*

19. Public Hearing to consider an ordinance amending the Land Development Regulations (LDR20-0001 – Economic Development Waiver Removal) by amending Chapter 98 entitled “Zoning,” of the Town's Code of Ordinances, as well as the SMARTGrowth Implementation Manual, to remove the option for economic development waivers of either



environmental or community character SMARTGrowth requirements within the Town of Flower Mound. (The SMARTGrowth Commission recommended approval by a vote of 8 to 0 at its September 14, 2020, meeting.) (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 14, 2020, meeting.)

### **Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- Previous discussion (background)
- Proposed updates
- Other ED References

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

- Clarification that economic development incentives will remain at the discretion of the Council
- Clarification regarding the exception language, and possibility of a super majority versus simply majority
- Clarification regarding the economic development exemptions
- What are the traffic impact analysis requirements

### **Council Discussion**

- How the item before Council is taking the economic development piece out of SMARTGrowth

Mayor Dixon opened the Public Hearing at 8:07 p.m. No one spoke. Mayor Dixon closed the Public Hearing at 8:07 p.m.

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

## **ORDINANCE NO. 29-20**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 98, "ZONING," OF THE TOWN'S CODE OF ORDINANCES, SECTION 98-33, "SMARTGROWTH IMPLEMENTATION MANUAL-AMENDMENTS," TO REMOVE REFERENCES TO OUTDATED EXHIBITS; AMENDING SECTION 98-140 "ECONOMIC DEVELOPMENT INCENTIVE POLICY," TO REMOVE REFERENCES TO PROJECT TYPES; AMENDING SECTION 93-148, "WATER IMPOUNDMENT PROTECTION," TO INCORPORATE AN EXCEPTION REQUEST; REMOVING IN ITS ENTIRETY SECTION 98-151, "WAIVER OF ENVIRONMENTAL QUALITY CRITERIA;" REMOVING IN ITS ENTIRETY SECTION 98-169, "WAIVER OF COMMUNITY CHARACTER CRITERIA;" AMENDING SMARTGROWTH ANALYSIS SECTION D, "ECONOMIC DEVELOPMENT," AND SMARTGROWTH ANALYSIS SECTION E, "ENVIRONMENTAL QUALITY," SUBSECTION 4, "WATER IMPOUNDMENT PROTECTION," AS SHOWN IN EXHIBIT A; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; 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, BUMGARNER****NAYS: NONE**

20. Public Hearing to consider an ordinance amending Specific Use Permit No. 421 (SUP20-0006 - Justin Road Storage Center) to allow expansion of an existing mini-warehouse facility, with an exception for meritorious design and a waiver to the Architectural Standards of the Town's Urban Design Plan. The property is generally located south of Justin Road and west of Meadow View. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 14, 2020, meeting.)

**Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Concept plan
- Waiver request
- Site photos
- Landscape plan
- Elevations

and she responded to the following questions from Council:

- When this was first platted out, why wasn't it stretched out for the whole area

Mayor Dixon opened the Public Hearing at 8:14 p.m. No one spoke. Mayor Dixon closed the Public Hearing at 8:14 p.m.

*Administrative Note: A public comment card was submitted by Jon Stanley, 3900 Edna Valley Ct, Flower Mound; however, he was not available at the time of the public hearing. There was no indication of "for" or "against" on the card.*

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

**ORDINANCE NO. 30-20**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 16-14 THAT GRANTED SPECIFIC USE PERMIT NO. 421 (SUP-421) TO PERMIT EXPANSION OF AN EXISTING MINIWAREHOUSE FACILITY, IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO, ON CERTAIN PROPERTY DESCRIBED AS 5.5226 ACRES OF LAND AND BEING ALL OF LOTS 1R AND 2R, BLOCK A, OF THE UNIFIED ADDITION, AND ZONED INDUSTRIAL DISTRICT-1 (I-1); GRANTING WAIVERS AND EXCEPTIONS TO CERTAIN ARCHITECTURAL STANDARDS IN THE TOWN'S URBAN DESIGN PLAN; 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.**

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

21. Public Hearing to consider a request for rezoning (Z20-0006 – Grace Park Residential) from Agricultural District (A) to Single-Family District-15 (SF-15). The property is generally located south of Cross Timbers Road and east of Regency Park Court. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 14, 2020, meeting.)

**Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Zoning exhibit
- Site photos

And she responded to the following questions from Council:

- Clarification that it is currently zoned ag

Council Discussion

- 

Mayor Dixon opened the Public Hearing at 8:20 p.m. No one spoke. Mayor Dixon closed the Public Hearing at 8:20 p.m.

Mayor Pro Tem Sharma moved to approve as presented and Councilmember Engel seconded the motion.

**ORDINANCE NO. 31-20**

**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 OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 9.796 ACRES OF LAND SITUATED IN THE P. MALONE SURVEY, ABSTRACT NUMBER 836, FROM AGRICULTURAL DISTRICT (A) USES TO SINGLE FAMILY RESIDENTIAL DISTRICT-10 (SF-15) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

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

22. Consider approval of a Construction Agreement with Fort Worth Civil Constructors, LLC, for the Lift Station Improvements and Decommissioning Phase II project, in the amount of \$1,293,798.00; and authorization for the Mayor to execute same on behalf of the Town.

**Staff Presentation**

Ms. Wallace provided background information regarding the item, and she, or Ms. Bruce, responded to the following questions from Council:

- Clarification regarding the improvements or actual work to be done

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

**VOTE ON MOTION:***Motion passed***AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON****NAYS: None****K. BOARDS/COMMISSIONS (Pre-Council Room)**

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

For the Parks Board Mayor Pro Tem Sharma moved to reappoint:

Allen Pichon, Place 2

Richard Kenyon, Place 4

Mark Mayer, Place 6

Holly Royer, Place 10, Alternate

With terms beginning October 1, 2020 and ending on September 30, 2022. Councilmember Engel seconded the motion.

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

For the Environmental Conservation Commission, Councilmember Bumgarner moved to appoint:

Rich Murchek, Place 8, Alternate

With terms beginning October 1, 2020, and ending on September 30, 2022. Councilmember Engel seconded the motion.

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

23. Discuss and consider expanding the Veterans Liaison position to a committee, and with additional responsibilities.

**Council Discussion**

There was Council discussion regarding:

- What prompted the interest in expanding the Veterans Liaison position to a board
- Establish a small committee, led by Mr. Brown, and let them develop some criteria and scope to take the program to the next level in the interest of Flower Mound Veterans

There was Council consensus to formulate a task force comprised of Doug Brown (current Veterans Liaison) and his contacts, as well as those individuals that applied to serve as the Veterans Liaison, to come up with ideas, and present their recommendations to Council later.

24. Discuss and consider expanding the Veterans Liaison position to a committee, and with additional responsibilities.

Ms. Scott gave a presentation identifying or noting:

- Flower Mound students enrolled at the school districts outside of LISD

### **Council Discussion**

There was Council discussion regarding:

- Interest in having this person provide a periodic report to Council (written or orally on some type of rotation)
- How their influence with the school district will be minimal
- There could be a benefit if they attend an ISD meetings and serve as an informational conduit for things that impact Flower Mound
- Possibility of getting someone that lives in the district to be the representative
- Have the people that expressed interest in the LISD Liaison position serve as a task force and come up with recommendations regarding what this person should do
- Past situation with a liaison where that person made a request indicating they were speaking on behalf of the Town, and it wasn't the true direction of Council
- Possibility of expanding the program to include special needs

There was Council consensus to formulate a task force comprised of individuals that applied for the LISD Liaison position, to come up with ideas and present their recommendations to Council later.

### **L./M. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 8:37 p.m. on September 21, 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 9:54 p.m. on September 21, 2020, to take action on the items as follows:

- a. Consultation with Attorney.

No action taken.

- 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.

No action taken.

- c. Discuss the employment and recruitment process associated with the Town Manager, and all matters incident and related thereto.

No action taken.

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

No action taken.

- e. Annual review of Town Secretary.

No action taken.

- f. 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.

For the Community Development Corporation Mayor Pro Tem Sharma moved to reappoint:

Mehul Desai, Director, Place 2

Michele Langenberg, Director, Place 4

With terms beginning January 1, 2021, and ending on December 31, 2022. Councilmember Bumgarner seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

**AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON**

**NAYS: NONE**

**N. ADJOURN REGULAR MEETING**

Mayor Dixon adjourned the meeting at 9:54 p.m. on Monday, September 21, 2020, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**

*Steve Dixon*

**STEVE DIXON, MAYOR**

**ATTEST:**

*Theresa Scott*

**THERESA SCOTT, TOWN SECRETARY**