

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 2ND DAY OF DECEMBER 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).

Administrative Note: No audio for the first 1:36 minutes of the meeting due to technical difficulties

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 member 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 6:00 p.m.

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

Chaplain Richard Plunk gave the invocation and Mayor Dixon led the pledges.

D. PUBLIC COMMENT

There were no speakers.

E. ANNOUNCEMENTS

Councilmembers Pierson and Engel announced the Christmas Parade and Tree Lighting event scheduled for Saturday, December 7th at 6:00 p.m.

Councilmember Bumgarner announced the “Paws N Claus” fundraiser for the homeless animals at the Flower Mound Adoption Center.

F. TOWN MANAGER'S REPORT

Mr. Stathatos provided an update on the following projects:

1. Capital improvement projects
 - Morriss Road 20-inch water line
2. Economic Development projects
 - New businesses now open or coming soon

G. FUTURE AGENDA ITEMS

No request for future agenda items.

H. COORDINATION OF CALENDARS

Mayor Dixon announced that the next Town Council regular meeting is scheduled for Monday, December 16, 2019.

I. CONSENT ITEMS

1. Minutes 11/18- Consider approval of the minutes from a regular meeting of the Town Council held on November 18, 2019.
2. HUD 2018 CAPER- Consider approval of a resolution authorizing the adoption of the Program Year 2018 Consolidated Annual Performance & Evaluation Report for the Community Development Block Grant; and authorization for the Mayor to execute same on behalf of the Town and submit to the U.S. Department of Housing and Urban Development.

RESOLUTION NO. 28-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING FOR THE ADOPTION OF FLOWER MOUND'S PROGRAM YEAR 2018 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; PROVIDING AUTHORIZATION FOR THE MAYOR TO EXECUTE SAID REPORT; AND PROVIDING AN EFFECTIVE DATE.

3. Huntington-Ch 380/Tax Abate. Assignment- Consider approval of an Assignment of the Chapter 380 and Tax Abatement Agreement between the Town of Flower Mound and HIP DFW North DC IV LLC, to BTC III DFW North IV LLC; and authorization for the Mayor to execute same on behalf of the Town.
4. Axon Master Service Agreement- Consider approval of these purchase agreements from Axon Enterprise, Inc., for the acquisition of Axon Fleet in car video camera systems, Axon body worn camera licensing, and Axon electric control devices; and authorization for the Mayor to execute same on behalf of the Town.

5. 2020 Independence Fest- Consider approval of the sale and consumption of alcoholic beverages (beer and wine) at Bakersfield Park, during the 2020 Independence Fest (The Parks Board recommended approval by a vote of 6 to 0 at its November 7, 2019 meeting).
6. SIM Auxiliary's Elite Chef Competition- Consider approval of the consumption of alcoholic beverages at the Flower Mound Senior Center during the SIM Auxiliary's Elite Chef Competition fundraiser.
7. Disc Golf Fees- Consider approval of an ordinance amending Article II, "Park Regulations" of Chapter 54, "Parks and Recreations" of the Code of Ordinances by amending Section 54-2 to adopt regulations regarding the Disc Golf Course; amending appendix A "Fee Schedule"; providing this ordinance shall be cumulative of all ordinances; providing a severability clause; providing a penalty for violation hereof in accordance with Section 1-13 of the Code of Ordinances; providing for publication in the official newspaper; and providing an effective date (The Parks Board recommended approval by a vote of 6 to 0 at its May 2, 2019, regular meeting).

ORDINANCE NO. 58-19

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ARTICLE II, "PARK REGULATIONS" OF CHAPTER 54, "PARKS AND RECREATION" OF THE CODE OF ORDINANCES BY AMENDING SECTION 54-2 TO ADOPT REGULATIONS REGARDING THE DISC GOLF COURSE; AMENDING APPENDIX A "FEE SCHEDULE"; 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; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

8. Youth Programs - Standards of Care- Consider approval of Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code - Section 42.041 and to adopt an ordinance providing for said Standards.

ORDINANCE NO. 62-19

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, TOWN OF FLOWER MOUND, TEXAS; AMENDING CHAPTER 54, "PARKS AND RECREATION," SECTION 54-202, "ADOPTION;" ADOPTING UPDATED STANDARDS OF CARE FOR YOUTH RECREATION PROGRAMS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

9. Morriss Rd 20" WL Testing Award- Consider approval of a Professional Services Agreement with HVJ North Texas – Chelliah Consultants, Inc. to provide construction materials engineering and testing, for the Morriss Road 20-inch Water Line (Forest Vista to Lake Bluff) project, in the amount of \$45,175.00; and authorization for the Mayor to execute same on behalf of the Town.

Mayor Pro Tem Sharma moved to approve by consent Items 1 – 9, 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:*Motion passed***AYES: BUMGARNER, SHARMA, ENGEL, PIERSON****NAYS: NONE****ABSENT: FOREST****J. REGULAR ITEMS**

10. ZPD19-0009 - Windsor Professional Centre- Public Hearing to consider an ordinance for rezoning (ZPD19-0009 – Windsor Professional Centre) to amend Planned Development District No. 92 (PD-92) with Office District (O) uses, to add the Health club or athletic club use as a permitted use for Lot 4, only. The property is generally located north of Windsor Centre Drive and west of Long Prairie Road. (The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its November 11, 2019, meeting.)

Mayor Dixon announced that the applicant has requested this item be postponed to the December 16, 2019 meeting.

Mayor Pro Tem Sharma moved to postpone item 10 to the December 16, 2019 Town Council meeting, including the associated Public Hearing. Councilmember Engel seconded the motion.

VOTE ON MOTION:*Motion passed (to postpone)***AYES: PIERSON, ENGEL, SHARMA, BUMGARNER****NAYS: NONE****ABSENT: FOREST**

11. Morriss Rd 20" WL Construction Award- Consider approval of a Construction Agreement with Western Municipal Construction of Texas, LLC., for the Morriss Road 20-inch Water Line (Forest Vista to Lake Bluff) project, in the amount of \$1,640,384.00; and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

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

- Are there more water line projects coming forward on Morriss
- Where is the line going to cross over into the median

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

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

12. Lakeside Crossing-Ch 380 Assignment- Public Hearing to consider an assignment of the Chapter 380 Agreement with Newstream Hotels & Resorts, LLC, (through Lakeside Crossing Land Partners, LP & Newstream Retail Partners-FM, LLC) to BI 43 LLC, for Lots

1-3, 6, 7, and 8x, and to BI 50 LLC, for Lots 4 & 5, and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Ms. Roy gave a presentation identifying or noting:

- Lakeside Crossing aerial of site
- Site plan
- Current request summary

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

- Interest in tying the satisfactory completion of the four outstanding comments to the new agreement
- What are the consequences if the four outstanding comments are not satisfied

Mayor Dixon opened the Public Hearing at 6:15 pm. No one spoke. Mayor Dixon closed the Public Hearing at 6:15 pm.

Mayor Pro Tem Sharma moved to approve item 12 as presented. Councilmember Engel seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: PIERSON, ENGEL, SHARMA, BUMGARNER

NAYS: NONE

ABSENT: FOREST

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.

- a. TIRZ appointment- Discuss and consider appointment of Chair to the Tax Increment Reinvestment Zone (TIRZ).

Administrative Note: Town Council did not convene to the pre-council room. Discussion and deliberation for this item was conducted in open session.

Ms. Scott provided background information regarding this item and responded to the following questions from Council:

- Have any of the members expressed interest in serving as Chair

Councilmember Bumgarner moved to appoint Paul Stone as Chair to the Tax Increment Reinvestment Zone (TIRZ) for the term of January 1, 2020 through December 31, 2020. Mayor Pro Tem Sharma seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: BUMGARNER, SHARMA, ENGEL, PIERSON

NAYS: NONE

ABSENT: FOREST

L./M. CLOSED/OPEN MEETING

The Town Council did not convene into a closed meeting.

N. ADJOURN REGULAR MEETING

Mayor Dixon adjourned the meeting at 6:19 p.m. on Monday, December 2, 2019, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

Steve Dixon

STEVE DIXON, MAYOR

ATTEST:

Theresa Scott

THERESA SCOTT, TOWN SECRETARY