

THE FLOWER MOUND TOWN COUNCIL SPECIAL 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 6TH DAY OF SEPTEMBER, 2011 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.

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

Melissa Northern	Mayor
Steve Lyda	Deputy Mayor Pro Tem
Kendra Stephenson	Councilmember Place 1
Mark Wise	Councilmember Place 3
Tom Hayden	Councilmember Place 5

Absent: Mayor Pro Tem Al Filidoro

constituting a quorum with the following members of the Town Staff participating:

Harlan Jefferson	Town Manager
Theresa Scott	Town Secretary
Terrence Welch	Town Attorney
Kent Collins	Assistant Town Manager
Chuck Springer	Assistant Town Manager/CFO
Gary Sims	Executive Director of Community Services
Doug Powell	Director of Development Service
Matthew Woods	Director of Environmental Services
Chuck Jennings	Recreation Superintendent

A. CALL BRIEFING SESSION TO ORDER

Mayor Northern called the briefing session to order at 6:04 p.m.

B. BRIEFING SESSION

1. Town Council Boards and Commissions Subcommittee Reports

Councilmember Hayden reported attending the Seniors in Motion Board meeting.

2. Discuss Consent and Regular Items

Councilmember Stephenson requested Item 6 be pulled from Consent.

3. Discuss Future Agenda Items

No discussion.

4. Discuss Council Communications

Two Council Communications were discussed.

1. Mr. Jefferson indicated there was a Council Communication provided around August 17th regarding the possession of live Chickens within the Town limits. This communication included results from an in-house survey on this topic from area communities. He indicated the feedback from Council is that there is a preference this issue be forwarded to the Animal Services Board for consideration. Their next meeting is in November.
2. The second communication was regarding the Public Arts Policy. Mr. Jefferson mentioned that background information was provided, and comments received to date indicate there is a preference to discuss this matter at the October 20th work session.

There was consensus by Council members to proceed in that manner.

C./D. ADJOURN BRIEFING SESSION/ CALL SPECIAL MEETING TO ORDER

Mayor Northern adjourned the Briefing Session and opened the special meeting at 6:09 p.m.

E. INVOCATION

Chaplain Mike Liles gave the invocation.

F. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Troop 451 led the pledges.

G. PRESENTATIONS

1. **Certificate of Achievement – Eagle Scout, Evan Curl**
Mayor Northern presented Evan Curl with a Certificate of Achievement for his Eagle Scout Project, which including a raising money through car washes and other donations, to provide food and snacks for troops to take with them to Afghanistan.
2. **Certificate of Achievement – Boy Scout Troop 451**
Mayor Northern presented Troop 451 with a Certificate of Achievement for their participation with Evan's Eagle Scout Project.
3. **Constitution Week (Proclamation)**
Mayor Northern read a Proclamation recognizing Constitution Week for the Cross Timbers Chapter of the National Society of the Daughters of the American Revolution. No society members were present to accept.
4. **Environmental Conservation Commission (ECC) progress update**
Russ McNamer, Chairman of the ECC, provided a background of the formation of the ECC and a summary of work completed by the ECC in relation to established goals.

Mayor Northern introduced and welcomed Molly Fox to the Town's Community Affairs Department.

H. PUBLIC PARTICIPATION

Geoff Talbott, 3705 Burlington Dr, Flower Mound, TX 75022.

Spoke in support of funding for the Flower Mound Community Orchestra.

Barbara D'Angelo, 330 Whittier St, Highland Village, TX, 75077.

Spoke in support of funding for the Flower Mound Community Orchestra.

Paul Stone, 709 Lake Bluff, Flower Mound, TX.

Extended thanks to Councilmember Hayden for his work with the Upper Trinity Water District.

I. MAYOR AND TOWN COUNCILMEMBER ANNOUNCEMENTS

Several council members expressed condolences to Deputy Mayor Pro Tem Al Filidoro and his family due to the passing of his mother.

Councilmember Stephenson commented about a procedure request from the Mayor's office regarding pulling consent items prior to 11:00 a.m. on the day of the meeting. She stated it's not always possible to do so and should be more of a guideline.

Mayor Northern clarified it is a guideline and is for the purpose of allowing staff ample time to prepare responses and background information in the event they need to offer a presentation on that item.

Councilmember Wise had the following announcements:

- reported going on a ride-along with the Police Department.
- He announced that we are approaching the 9/11 10th anniversary date and mentioned it's a good opportunity to remember the trial and tribulations our country went through during that time and to be thankful for the great country we live in. He further added there will be a Remember and Reflect 9/11 Rejoice Concert on Sunday, benefitting Christian Community Action (CCA), at First Baptist Church Lewisville on 9/11.

Councilmember Hayden announced he has been exchanging e-mails with Tom Taylor with the Upper Trinity Water District (UTWD). He stated a formal invitation was extended to Mr. Taylor, and Mr. Fisher, President of the UTWD, to come before Council for the purpose of offering an explanation to Council and residents why their water bills are going up, in addition to the various issues occurring at this time that will impact the Town.

Mayor Northern expressed condolences to the Lewisville Town Council for the passing of Councilman David Thornhill.

Mayor Northern had the following announcements:

- The Public Arts Committee will be presenting their vision and scope of work at an October Town Council Work Session. In addition, they will be offering a presentation to the Parks, Arts, and Library Services Board.
- Flower Mound Jaguars play their first home football game this weekend and the following week Marcus plays theirs.
- Lewisville Education Foundation is having their annual event this Saturday at the Hilton Garden Inn at 7:00 p.m.
- The Humane Society is having their tails and tuxes event at the Circle R Ranch on Saturday.

Deputy Mayor Pro Tem Lyda announced that on September 15th the Town will have a ribbon cutting for the road opening of Garden Ridge, Phase 3.

J. TOWN MANAGER'S REPORT

Mr. Jefferson reported on the following:

Texas Fires:

He stated that based on the governor's report, there were 50 fires burning across the state of Texas, and Town fire personnel are offering assistance in Possum Kingdom and in Bastrop. Mr. Jefferson also stated there was a local fire situation on Simmons, however, it was brought under control quickly.

Deputy Mayor Pro Tem Lyda noted that the fire danger remains for our area as well and requested residents exercise caution with regard to potential fire hazards.

Water usage update:

He stated peak usage for a single month was 743 million gallons (June of 2006). That record was broken in July with 849 million, and again in August with 880 million gallons of water.

Councilmember Hayden commented that the Town has ample water capacity, even in a dry month.

Texas Department of Transportation (TxDot) report

He provided a brief summary of the Texas Department of Transportation's report of the states 100 most congested roads.

Comments from governing body:

Councilmember Hayden commented that the seniors mentioned to him that animal waste is a problem on the Town's trails.

Mayor Northern noted the importance of maintaining trees in drought conditions and referenced the Town's web site as a resource on tips to do so.

K. CONSENT AGENDA

Deputy Mayor Pro Tem Lyda made a motion to approve by consent Items 1, 2, 3, 4, 5, 7, 8, 9, and 10. Councilmember Wise seconded the motion. Each item, as approved by consent, is restated below along with the approved recommendation, and if applicable, the Ordinance or Resolution caption for each, for the record.

1. Consider approval of the minutes from a work session of the Town Council held on July 21, 2011.
2. 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 held on August 1, 2011.
3. Consider approval of a resolution casting the Town of Flower Mound's vote for Olive Stephens as a member of the Board of Managers of the Denco Area 9-1-1 District for a two-year term beginning October 1, 2011.

Res. 21-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, NOMINATING OLIVE STEPHENS TO THE BOARD OF MANAGERS OF THE DENCO AREA 9-1-1 DISTRICT.

4. Consider approval of a Resolution authorizing the acceptance of grant funds, and the execution of an agreement with the Texas Comptroller of Public Accounts, State Energy Conservation Office (SECO), to help purchase an E-85 alternative fuel tank; and authorization for the Mayor to execute said agreement on behalf of the Town.

Res. 22-11

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS, EXECUTION OF AN AGREEMENT WITH THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, STATE ENERGY CONSERVATION OFFICE, FOR SAID GRANT FUNDS UNDER THE STATE ENERGY PROGRAM, AND DECLARING AN EFFECTIVE DATE.

5. Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning on October 1, 2010, and ending on September 30, 2011, as adopted by Ordinance No. 59-10, and amended by Ordinance Nos. 69-10, 06-11, and 11-11, for adjustments to the General Fund and the Vehicle, Equipment, and Technology Replacement Fund.

Ord. 46-11

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2010, AND ENDING ON SEPTEMBER 30, 2011, AS ADOPTED BY ORDINANCE NO. 59-10, AND AMENDED BY ORDINANCE NOS. 69-10, 06-11, AND 11-11; FOR ADJUSTMENTS TO THE GENERAL FUND AND THE VEHICLE, EQUIPMENT, AND TECHNOLOGY REPLACEMENT FUND; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

6. *This item pulled from consent by Councilmember Stephenson.*
7. Consider approval of the purchase and installation of an air-cooled chiller from Trane, through an interlocal agreement with The Cooperative Purchasing Network, in the amount of \$76,296; and authorization for the Mayor to execute same on behalf of the Town.
8. Consider approval of the award of Bid No. 76-11-B for the Flower Mound Road Landscape & Irrigation Improvements to American Landscape Systems, Inc., in the amount of \$244,829.41; and authorization for the Mayor to execute same on behalf of the Town.
9. Consider approval of an ordinance amending Chapter 66, Article V, Section 66-214 of the Code of Ordinances of the Town of Flower Mound, relating to a new reduced speed 20 mph school zone on the southbound lanes of Duncan Lane from Flower Mound Road (FM 3040) to approximately 1,400 feet south of Flower Mound Road (FM 3040) and repealing Ordinance No. 45-11, adopted August 18, 2011.

Ord. 48-11

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY AMENDING SUBPART A, CHAPTER 66 OF THE CODE OF ORDINANCES, ENTITLED "TRAFFIC AND VEHICLES," THROUGH THE AMENDMENT OF ARTICLE V, "SPEED LIMITS," BY AMENDING SECTION 66-214, "ENUMERATION FOR SPECIFIC STREETS," BY ADDING ONE STREET LOCATION TO THE LIST OF EXISTING STREETS ENUMERATED THEREIN AND IDENTIFYING THE MAXIMUM PRIMA FACIE SPEED LIMITS FOR SPECIFIC LOCATIONS ALONG SAID STREET AND THE TIME FRAMES FOR SUCH REDUCED SPEEDS, IF APPLICABLE, AND REPEALING ORDINANCE NO.45-11, ADOPTED AUGUST 18, 2011; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

10. 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 prima facie speed limits for specific streets by lowering the prima facie speed limits for Bluffview Court, Bluffview Lane, Elmridge Drive, Heather Wood Drive, Meadow Glen Drive, Meadow Green Drive, Meadow Vista Drive, Meadow Wood Drive, Meadowbrook Lane, Moss Haven Circle, Northshore Boulevard west of FM 2499 to approximately 170 feet south of Heather Wood Drive, Tophill Drive, Tophill Lane, Wood Trail, Woodberry, Woodhill Drive, Woodhollow, Woodland Boulevard, Woodmont and Woodpark Drive to 25 mph.

Ord. 49-11

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY AMENDING SUBPART A, CHAPTER 66 OF THE CODE OF ORDINANCES, ENTITLED "TRAFFIC AND VEHICLES," THROUGH THE AMENDMENT OF ARTICLE V, "SPEED LIMITS," BY AMENDING SECTION 66-214, "ENUMERATION FOR SPECIFIC STREETS," BY THE ADDITION OF TWENTY STREETS TO THE EXISTING LIST OF STREETS ENUMERATED THEREIN AND IDENTIFYING THE MAXIMUM PRIMA FACIE SPEED LIMITS FOR SAID TWENTY STREETS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Hayden, Wise, Lyda, Stephenson
NAYS: None.

L. REGULAR ITEMS

Item 6 removed from the consent agenda at the request of Councilmember Stephenson.

6. Consider approval of an ordinance amending Appendix A "Fee Schedule" of the Code of Ordinances, Town of Flower Mound, Texas, by revising fees relative to Food Establishments, Alcoholic Beverage Permits, Seismic Survey and Oil and Gas Permits, Flower Mound Community Activity Center Rental Rates, the Storm water Utility System, and Police Administration.

Staff Presentation

Mr. Springer stated the storm water fees are increasing and the Town Council has a policy to review major fees regularly during the budget process and two years ago the Town increased the storm water fees by the CPI of the prior two years. Staff is recommending the same, which means 1.28% of the fees will increase. The fee increase allows the Town to keep up with inflation in order to maintain the drainage system as necessary.

The other fee is a change from a \$10.00 permit fee for a three-year period to \$25.00 for a five-year period for a food protection manager. The change in time is to match with the Department of State Health Services certification renewal.

Councilmember Stephenson indicated the two main questions she received were on increases on the utility fees. She stated there was a concern expressed that while the health services food protection manager's fee appeared to be small, there was a perception that the Town had increased other fees for food establishments in a prior year and they wanted to make sure this wasn't an incremental increase overall over time. She inquired about fees that were put in place in the prior year.

Mr. Woods indicated there was a health service permit fee, which is an annual permit fee that was part of last year's budget cycle in which that fee was increased. He noted this is a state required fee for a food protection manager. He further added, each restaurant has a certified food manager on staff so they are required to register, which occurs with the Town and this fee is not associated with their health permit fee. Subsequently, it is a change to match the language with the state to make it five years instead of three, which is currently in the Town's code, so the fee primarily covers the administrative cost for processing them when they come in.

Councilmember Stephenson asked if the Town received any concerns that fees for this type of establishment are out of line with our comparative cities.

Mr. Woods stated the Town did an informal survey, and with the increase of \$25 over the five year period, the Town would fall right around mid range.

Councilmember Hayden indicated that within the Agenda Item being reviewed there is a fee increase; however, eighty-eight percent of what is being looked at is for the storm water utility system. He pointed out that for the average resident in Flower Mound, their rate increase (for property owners with less than an acre) is four cents per month, and the largest increase is for commercial property owners with 50,000 square feet, and their bill would be about sixty cents more.

Deputy Mayor Pro Tem moved to approve an ordinance amending Appendix A "Fee Schedule" of the Code of Ordinances, Town of Flower Mound Texas by revising fees relative to Food Establishments, Alcoholic Beverage Permits, Seismic Survey and Oil and Gas Permits, Flower Mound Community Activity Center rental rates, the Stormwater Utility System, and Police Administration. Councilmember Hayden seconded the motion.

Ord. 47-11

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND THROUGH THE AMENDMENT OF APPENDIX A "FEE SCHEDULE" OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND RELATIVE TO CODE SECTION NUMBER 18-123 REGARDING FOOD ESTABLISHMENT FEES; RELATIVE TO CODE SECTION NUMBERS 18-602 AND 18-603 REGARDING FEES FOR THE INITIAL ISSUANCE AND SUBSEQUENT RENEWALS OF A PERMIT ALLOWING FOR THE SALE OF ALCOHOLIC BEVERAGES; RELATIVE TO CODE SECTION NUMBERS 30-420 AND 34-423 REGARDING THE FEE FOR SEISMIC SURVEY AND OIL AND GAS PERMITS; RELATIVE TO CODE SECTION NUMBER 70-777 BY REVISING THE CHARGES CONTAINED THEREIN FOR RESIDENTIAL AND NON-RESIDENTIAL STORMWATER SERVICE; ADDING A NEW MISCELLANEOUS FEES SECTION TO APPENDIX A; ADOPTING A FINGERPRINT FEE IN THE MISCELLANEOUS FEES SECTION; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Stephenson, Lyda, Wise, Hayden

NAYS: None.

11. Consider approval of naming the parkland on the Wilson/Carmel Tract Heritage Oaks Park. *(The Parks, Arts and Library Services Board recommended approval by a vote of 4 to 0 at its July 28, 2011, meeting.)*

Staff Presentation

Mr. Jennings provided background information regarding the committee that was formed for the purpose of naming this park. He stated the Parks, Arts, and Library Services approved of the proposed name as well. He stated the committee believed the name Heritage Oaks represents Flower Mound's history, with the oak tree being a dominate tree in the park, and it's also part of the Town's logo.

Mayor Northern indicated that this is going to be the community's largest park and council was looking for something that identified it as the signature park. She indicated not being excited about the name as it doesn't stand out as a signature park name.

Councilmember Hayden stated the committee really wanted the name of Flower Mound Gardens. He indicated the committee came up with many

suggestions and discussed various ideas presented. Heritage Oaks had historical significance and connects to the Town.

Mayor Northern noted she liked the idea of Heritage Park, however, would like to see Flower Mound to be associated with the name.

Councilmember Lyda suggested the idea of Flower Mound Heritage Oaks Park.

Councilmember Hayden commented that in the end it will be known as Heritage Park, and if Council wanted an official name it could be called Heritage Park of Flower Mound.

Mayor Northern, Councilmember Wise, and Councilmember Stephenson indicated they agree with that name the name of Heritage Park of Flower Mound.

Deputy Mayor Pro Tem Lyda moved to approve naming the parkland located on the Wilson/Carmel Tract as *The Heritage Park of Flower Mound*. Councilmember Hayden seconded the motion.

VOTE ON THE MOTION

AYES: Hayden, Wise, Lyda, Stephenson

NAYS: None.

12. ***Proposed Budget***

Public Hearing

Public Hearing to consider the Proposed Budget for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012.

Staff Presentation

Mr. Springer provided a presentation on the following topics:

- History on the Town's tax rate
- Summary of revenues and expenditures
- General fund and reserve levels
 - decision package
 - projections
- Utility fund budget
 - fee adjustments and changes
 - decision packages
- Stormwater utility budget
- Special revenue funds

Councilmember Hayden inquired about fund reserve levels, and asked Mr. Springer what he was comfortable with regarding a target level. Mr. Springer indicated around 18%, however, due to financial uncertainties he's more comfortable in the 19 – 20% for unforeseen emergencies.

Mayor Northern inquired if the needed drainage improvement projects referenced are on Town owned land or land that is impacting residents, as she indicated it would be nice to see some of those improvement benefit residents that have experienced problems.

Mr. Collins stated the funds are budgeted as part of the capital budget to address erosion in our streams. He further added that when there is a situation where erosion in the streams is impacting a residential property, the Town does offer limited erosion on that property. He noted these funds are for creek stabilization projects.

Mr. Collins gave a presentation on Capital Improvement Projects (CIP). He identified park, road, water line, and waste water projects proposed for the upcoming year. In addition, he outlined CIP proposed funding.

Mayor Northern asked if the Town had any updates for the right of way for Chinn Chapel.

Mr. Collins indicated there has not been an update. He stated there have been some discussions with representatives of the property owners between Dixon and FM 407 and he believes there is a willingness to dedicate the right of way.

Mayor Northern opened the Public Hearing at 7:49 p.m.

No participation.

Mayor Northern closed and reopened the Public Hearing at 7:49 p.m. at the request of Councilmembers to discuss Community Support Funding.

Deputy Mayor Pro Tem Lyda asked to discuss community support funding prior to items 13 and 14.

Mayor Northern indicated she received direction from Councilmembers Wise, Lyda, and Filidoro that they would like to stay with the same funding levels that was presented last year.

Mr. Springer asked if there was any level for the Lewisville Civic Chorale, the new request for this year.

Mayor Northern indicated not at this time.

Councilmember Hayden indicated he cannot support not making any changes because in 2010-11 the Town reduced some organizations due to a reduction in revenues, and now with an increase in revenues, they should restore them to where they were in the previous year, which is a difference of \$6,000. He further added he would like to see funding allocated for the New Hope Learning Center.

Councilmember Stephenson commented that its important Flower Mound is participating in its fair share based on individuals being served. She indicated it is worthy of doing a review to identify if there is a need to do more in these area.

Councilmember Wise indicated that if it's a matter of \$6,000, then the Town should restore them to those previous year levels. He also indicated there may be a need for a review to allocate funding to New Hope.

Deputy Mayor Pro Tem Lyda requested Mr. Springer enter some numbers in the spreadsheet they are reviewing based on the consensus being heard.

Mr. Springer created an excel spreadsheet that reflected the previous year's funding based on input from Council Mr. Springer

Councilmembers agreed that the figures entered will be considered "penciled in" and what has been entered equates to a 4.8% increase overall from last year and the changes will be presented at the next Town Council meeting.

Mayor Northern closed the Public Hearing at 8:08 p.m.

Mayor Northern opened both Items 13 and 14 at 8:09 p.m.

13. ***Proposed Budget – Fire Control, Prevention, and Emergency Medical Services*** ***Public Hearing***

Public Hearing by the Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider the Flower Mound Fire Control, Prevention, and Emergency Medical Services District proposed budget for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012.

Staff Presentation

Mr. Springer provided a budget summary for the Flower Mound Fire Control, Prevention, and Emergency Medical Services District, and the Flower Mound Crime Control and Prevention District. He provided an accomplishments update for those districts.

There was some discussion regarding potential resident benefit gained from

changing from an ISO rating of two to one. Mr. Jefferson clarified that the financial benefit through insurance reductions is minimal and the administrative work that goes into doing this might not be justified. He further added, there is an impact on insurance rates when this status changes from a two to a three.

The Town is at the high end of the ISO two rating, so there is not a risk of losing the ISO two status.

Mayor Northern opened the public hearing for Item 13 at 8:21 p.m.

No participation.

Mayor Northern closed the public hearing at 8:21 p.m.

14. ***Proposed Budget – Crime Control and Prevention District Public Hearing***
Public Hearing by the Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to consider the Flower Mound Crime Control and Prevention District proposed budget for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012.

Mayor Northern opened the Public Hearing for Item 14 at 8:22 p.m.

No participation.

Mayor Northern closed the Public Hearing for Item 14 at 8:22 p.m.

15. Consider approval of an ordinance amending Appendix A of the Code of Ordinances relative to Sections 70-361, 70-362, and 70-381 by revising the charges for residential and non-residential water and wastewater service.

Staff Presentation

Mr. Springer gave a presentation that included:

- Utility system strengths
- Utility rate requirements
- Fixed costs vs. variable costs
- Water purchases and demand vs. volume costs
- Purchased water comparison and demand charge
- History of water demand purchases
- FY 2010-11 projections
- FY 2011-12 utility budget
- Rate structure goals
- Normalized year projections
- Projected utility budget
- Recommended rates

- Rate comparison with inflation
- Rate comparison of survey cities
- Comparison of Upper Trinity largest customers
- Timetable outline

Councilmember Hayden and Deputy Mayor Pro Tem Lyda commented about how Upper Trinity has increased their demand charges higher than their recommended rate.

Councilmember Hayden inquired what has changed that has allowed the Upper Trinity Water District to be so far off the budget. Mr. Springer indicated it is assumed that it is due to their capital expenses in building out their system beyond their needs and there is not the amount of customers anticipated.

Councilmember Wise moved to approve an ordinance amending Appendix A of the Code of Ordinances relative to Sections 70-361, 70-362, and 70-381 by revising the charges for residential and non-residential water and wastewater service. Councilmember Hayden seconded the motion.

Ord. 50-11

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 RELATIVE TO CODE SECTION NUMBERS 70-361, 70-362, AND 70-381 BY REVISING THE CHARGES CONTAINED THEREIN FOR RESIDENTIAL AND NON-RESIDENTIAL WATER AND WASTEWATER SERVICE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Hayden, Wise, Lyda, Stephenson

NAYS: None.

M. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

Mayor Northern announced the next Council meeting is on September 7th for interviews of board and commission candidates, and then the regular meeting is September 19th. Deputy Mayor Pro Tem Lyda indicated he would not be available until after 7:00 p.m. for the September 7th meeting.

N./O. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 8:51 p.m. on September 6, 2011, pursuant to Texas Government Code Sections 551.071, 551.072, 551.074, and 551.087 to discuss matters relating to consultation with Town Attorney, pending litigation, real property, personnel, and economic development negotiations and reconvened into an open meeting at 10:20 p.m. on September 6, 2011, to take action on the items as follows:

a. Discuss and consider economic development incentives.

No action taken

b. Discuss and consider acquisition and/or lease of real property for municipal purposes and all matters incident and related thereto.

No action taken.

c. Consultation with Town Attorney regarding legal issues associated with acquisition of extraterritorial jurisdiction tracts, boundary adjustment agreements relative to such tracts, and all matters incident and related thereto.

No action taken.

d. Discuss and consider appointments to the Animal Services Board, Board of Adjustment, Oil and Gas Board of Appeals, Community Development Corporation, Environmental Conservation Commission, Parks, Arts and Library Services Board, Public Arts Committee, Planning & Zoning Commission, SMARTGrowth Commission, Tax Increment Reinvestment Zone Board, and Transportation Commission.

No action taken.

P. ADJOURN SPECIAL MEETING

Mayor Northern adjourned the special meeting at 10:22 p.m. on September 6, 2011, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



MELISSA D. NORTHERN, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY

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