

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 19TH 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
Al Filidoro	Mayor Pro Tem (arrived at 7:04 p.m.)
Steve Lyda	Deputy Mayor Pro Tem
Kendra Stephenson	Councilmember Place 1
Mark Wise	Councilmember Place 3
Tom Hayden	Councilmember Place 5

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

Harlan Jefferson	Town Manager
Theresa Scott	Town Secretary
Terrence Welch	Town Attorney
Chuck Springer	Assistant Town Manager/CFO
Gary Sims	Executive Director of Community Services
Doug Powell	Director of Development Services
Edith Marvin	Town Engineer
Eric Metzger	Fire Chief

A. CALL BRIEFING SESSION TO ORDER

Mayor Northern called the briefing session to order at 6:03 p.m.

B. BRIEFING SESSION

1. Town Council Boards and Commissions Subcommittee Reports

Councilmember Stephenson reported attending the Environmental Conservation Commission (ECC) meeting, which included a visit to the Town's tree farm/outdoor learning center, as well as the proposed tree farm site. She further added the ECC started their work on development of a sustainability plan for Flower Mound which has been initiated by a review of other area towns and city's sustainability plans.

Councilmember Lyda reported attending the Transportation Commission in which they discussed a new evaluation policy for the Town's crossing guards.

Councilmember Wise reported attending the Planning and Zoning (P & Z) meeting on September 12th and two medical office buildings near the hospital were approved, as well as the Rosewood Assisted Living and Memory Care facility.

Councilmember Hayden: no report

2. Discuss Consent and Regular Items

Councilmember Hayden requested Consent Agenda Item 2 be pulled.

3. Discuss Future Agenda Items

None.

4. Discuss Council Communications

Mr. Jefferson reported there are no outstanding council communications.

C./D. ADJOURN BRIEFING SESSION AND CALL REGULAR MEETING TO ORDER

Mayor Northern adjourned the briefing session and called the regular and special meeting to order at 6:06 p.m.

E. INVOCATION

Chaplain Phil Cook gave the invocation.

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

Deputy Mayor Pro Tem Lyda led the pledges.

G. PRESENTATIONS

Transportation Commission progress update – Mike Walker

Mike Walker, Transportation Commission Chair, gave a presentation on the following:

- Roles and responsibilities of the Transportation Commission
- Policy topics
- Ongoing topics

H. PUBLIC PARTICIPATION

Leonard Best, 4617 Pinon, Flower Mound, TX 75028

Expressed safety concerns about Pinon Street being extended.

Gary Kapelman, 4622 Pinon St, Flower Mound, TX 75028

Expressed safety concerns about Pinon Street being extended.

Jean Mollenkopf, 4626 Pinon St, Flower Mound, TX 75028

Expressed safety concerns about Pinon Street being extended.

Conrad Roach, 3106 Pecan, Flower Mound, TX 75028

Doesn't want the roads in Pecan Acres expanded.

Steve Koehler, 5951 Windridge, Flower Mound, TX

Requested assistance from the Town to build a permanent fence to buffer his home from the street.

I. MAYOR AND TOWN COUNCILMEMBER ANNOUNCEMENTS

Mayor Northern and several council members expressed condolences on the passing of Bob Rheudasil, first mayor of Flower Mound.

Mayor Northern had the following announcements:

- National Night Out scheduled for October 4th
- Reminder regarding the trash collection transition starting October 1st

Mayor Northern reported attending the following meetings or events:

- Grapefest with other area mayors
- Ribbon cutting for Garden Ridge Road
- Precinct 4 Task Force meeting in Krum
- Rejoice Concert (Remember/Reflect 9/11)
- Lewisville Education Foundation fundraiser
- Humane Society annual benefit

Deputy Mayor Pro Tem Lyda had the following announcements:

- Attended the Garden Ridge Road ribbon cutting

Councilmember Wise had the following announcements:

- Attended the Humane Society annual benefit as well as three other events he stated were already mentioned by Mayor Northern

Councilmember Hayden had the following announcements:

- There is an upcoming meeting on West Windsor on September 28th seeking input for the road and parks.
- The next meeting of P & Z will be the last for Chairman Nick Hollingshad
- Expressed concern for Paige Boutilier and mentioned efforts are being made to host a garage sale on October 15th to raise money to assist the family with medical cost.
- Visited New Hope Learning Center, one of the organizations that applied for funding from the Town, and was disappointed the Town is unable to offer funding assistance because one of the eligibility requirements is that they need to be in operation for three years. He further added this organization helps homeless high school children.

Councilmember Stephenson had the following announcements:

- Attended the Garden Ridge Road ribbon cutting.

Mayor Pro Tem Filidoro had the following announcements:

- Attended the Rejoice Concert (Remember/Reflect 9/11).
- Attended the Garden Ridge Road ribbon cutting.

J. TOWN MANAGER'S REPORT

Mr. Jefferson reported the Seniors in Motion program passed the 500-member mark with 501 members.

Councilmember Lyda indicated that with regard to the Garden Ridge opening, he did receive one concern from a resident about why the sidewalks weren't complete and asked Mr. Jefferson to comment on that.

Ms. Marvin indicated the resident may be referring to the areas along the undeveloped sections of the park tract. She stated it is typical for street projects along undeveloped property that have foreseeable developments to not construct the sidewalks. Primarily because the sidewalks would get torn up when the new development goes in. In these circumstances the sidewalks would get put in as the area develops.

K. CONSENT ITEMS

Deputy Mayor Pro Tem Lyda made a motion to approve by consent Items 1, 3, 4, 5, 6, 7, 8, 9. Mayor Pro Tem Filidoro 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 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 15, 2011.**

RECOMMENDATION: Move to approve the minutes from a regular and special meeting of the Town Council held on August 15, 2011.

Item 2 moved from Consent to Regular Items by Councilmember Hayden.

3. **Consider approval of the award of Competitive Sealed Bid No. 88-11-B for FM 1171 to HWY 377 Water Line Phase 1 project (White's Branch), to Wilson Contractor Services, LLC, in the amount of \$186,415.00; and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Move to approve the award of Competitive Sealed Bid No. 88-11-B for FM 1171 to HWY 377 Water Line Phase 1 project (White's Branch), to Wilson Contractor Services, LLC, in the amount of \$186,415.00; and authorization for the Mayor to execute same on behalf of the Town.

4. Consider approval of Change Order No. 1 and final acceptance of Bid No. 83-10-B Lake Forest Trail Extension, for a decrease in the contract amount of \$1,252.00; final payment to Estrada Concrete Co., LLC, in the amount of \$21,463.50; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the approval of Change Order No. 1 and final acceptance of Bid No. 83-10-B Lake Forest Trail Extension, for a decrease in the contract amount of \$1,252.00; final payment to Estrada Concrete Co., LLC, in the amount of \$21,463.50; and authorization for the Mayor to execute same on behalf of the Town.

5. Consider approval of Change Order No. 1 and final acceptance of Bid No. 22-11-B the Cross Timbers Trail Head project, for an increase in the contract amount of \$1,257.40; final payment to Riverway Contractors and Management, Inc., in the amount of \$27,177.46; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the approval of Change Order No. 1 and final acceptance of Bid No. 83-10-B Lake Forest Trail Extension, for a decrease in the contract amount of \$1,252.00; final payment to Estrada Concrete Co., LLC, in the amount of \$21,463.50; and authorization for the Mayor to execute same on behalf of the Town.

6. Consider approval of an ordinance amending Chapter 2 "Administration" of the Town's Code of Ordinances, by amending Article III, Division 4, entitled "Environmental Conservation Commission."

ORDINANCE NO. 51-11

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 2 OF ORDINANCE 46-05 OF THE TOWN OF FLOWER MOUND, TEXAS ADOPTED BY THE TOWN COUNCIL ON OR ABOUT THE 6th DAY OF JUNE 2005 WHICH ESTABLISHED THE ENVIRONMENTAL CONSERVATION COMMISSION; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

RECOMMENDATION: Move to approve an ordinance amending Chapter 2 "Administration" of the Town's Code of Ordinances, by amending Article III, Division 4, entitled "Environmental Conservation Commission."

7. Consider approval of amended Equitable Sharing Agreements and Certifications with the Internal Revenue Service for fiscal year ending September 30, 2003, through fiscal year ending September 30, 2010; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve approval of amended Equitable Sharing Agreements and Certifications with the Internal Revenue Service for fiscal year ending September 30, 2003, through fiscal year ending September 30, 2010; and authorization for the Mayor to execute same on behalf of the Town.

8. Consider approval of First Amendment to Facilities Site Lease at 2230 Waketon Road dated September 16, 1996, between the Town of Flower Mound, Texas, and Time Warner Cable, Inc.; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve approval of First Amendment to Facilities Site Lease at 2230 Waketon Road dated September 16, 1996, between the Town of Flower Mound, Texas, and Time Warner Cable, Inc.; and authorization for the Mayor to execute same on behalf of the Town.

9. Consider approval of a resolution committing all funds collected and received through the Animal Care Fund for the purpose of caring for animals at the Animal Adoption Center.

RECOMMENDATION: Move to approve approval of a resolution committing all funds collected and received through the Animal Care Fund for the purpose of caring for animals at the Animal Adoption Center.

RESOLUTION NO. 24-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS DESIGNATING ALL FUNDS COLLECTED AND RECEIVED THROUGH THE "ANIMAL CARE FUND" FOR THE PURPOSE OF CARING FOR ANIMALS AT THE ANIMAL ADOPTION CENTER FACILITY AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Stephenson, Filidoro, Lyda, Wise, Hayden

NAYS: None.

L. REGULAR ITEMS

Item 2 moved from Consent to Regular Items by Councilmember Hayden

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

Mayor Northern noted her appreciation for Councilmember Hayden pulling this item as it highlights the work of Council with regard to long-term planning and efforts to provide funding for some of the Town's major assets such as roads and parks.

Staff Presentation

Mr. Springer summarized the additions and one major change associated with the Town's current financial policies. The following items represent what is being proposed for inclusion in the amended financial policies for the Town:

- Goal to double the funding for street maintenance out of the general fund from the current level of approximately \$680,000 to \$1.36 million by September of 2018.
- Plan to use 75% of the decreases in tax supported debt beginning in Fiscal Year 2018-19 to fund street maintenance
- To use 75% of additional general fund revenue from the expiration of the Tax Increment Reinvestment Zone (TIRZ) No. 1 to fund street maintenance when that ends at the end of the 20 year period.
- Goal to use a minimum of 75% of the funds received and budgeted from park development fees and park dedication fees for the Town's trail system and the development of Twin Coves Park during the next two fiscal years.
- Goal in the utility fund for maintenance of infrastructure to use 75% of the decreases in utility fund debt service to fund capital replacement in the utility fund.
- Changing of terminology to unassigned fund balance from unreserved fund balance based on some accounting language change.

Council Discussion

Councilmembers discussed Tax Increment Reinvestment Zone District funding, Capital Improvement funding for Twin Coves and trails, and park dedication fees.

RESOLUTION NO. 23-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ADOPTING FINANCIAL POLICIES; MAKING FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE OF SAID RESOLUTION.

Mayor Pro Tem Filidoro moved to approve a resolution amending the financial policies of the Town of Flower Mound. Councilmember Wise seconded the motion.

VOTE ON MOTION

AYES: Hayden, Wise, Lyda, Filidoro, Stephenson

NAYS: None.

10. SP 06-11 – Flower Mound Presbyterian Church - Explorations Prep

Consider a request for a Site Plan (SP 06-11 - Explorations Preparatory School) to add a classroom building with an exception to Section 82-302, Compatibility buffer of the Code of Ordinances, an exception to Section 82-303, Compatibility

setback of the Code of Ordinances and a meritorious design exception to the Architectural Standards of the Town's Urban Design Plan. The property is located at 1501 Flower Mound Road. (The Planning and Zoning Commission recommended approval by a vote of 4 to 2 at its August 22, 2011, meeting.)

Staff Presentation

Mr. Powell provided a presentation identifying:

- the location of the site
- historical significance of the buildings on the property and past uses
- the site plan and where structures are now and where the new ones would be added to the rear of the property
- a list of concerns raised by P & Z (fire protection, lack of rest rooms, and relationship between the school and church).

Mr. Powell noted normally site plans can be approved by P & Z except for cases where there are waivers being requested. He stated there are two related waivers in this case and they are the setback to the southern boundary and the compatibility buffer.

Council Discussion

Council members expressed concerns in relation to fire suppression, lack of rest rooms, type of construction materials being used for the building, whether or not it was a permanent building, and why they chose not to add on to the existing structure.

Answers from Applicant and/or Town Staff

Structure

Brandon Bush, Building Consultant, Custom Homes of Texas, 102 North American Lane, Roanoke, TX 76262, responded that the majority of the structure will be built off-site and will later sit on the foundation. The structure will match what is on site and it will be a permanent structure.

Mr. Powell clarified the term modular, meaning the building construction materials will be as if it was built on site (i.e. use of wood, meeting the building code standards, etc.). It's modular because it is being brought on site.

Why opted not to add on to the existing structure.

Andrea Slaughter, Director of Explorations Preparatory School, 1501 Flower Mound Rd, Flower Mound, TX, stated they are a math and science school so they do a lot of science outdoor activities, and the cemetery is to the east and to the west is an open field area that they use not only for playground but for classroom instruction. Every week classrooms are in that area so to use up that space wasn't appealing to them.

Rest Room Facilities

Ms. Slaughter stated there are 80 students enrolled, however no more than 45 students will be using that particular building at a given time and the nearest rest

room is in the church and 65 feet away. She further added that in the future they plan to put a walkway between the existing and new building. She said it hasn't been an issue before for parents or students as the teachers use umbrellas to escort the children between the buildings.

Fire Suppression

Chief Metzger noted the building exceeds what the minimum requirements for the Town of Flower Mound as the Town requires properties with over 5,000 square feet to be sprinkled. He pointed out that sprinkler protection is not really about life safety, however, for property protection because it takes quite a bit of thermal heat for the sprinkler to activate. The building does have a fire alarm sensor which is quicker to alert than a sprinkler system. They will also be required to provide periodic fire and emergency drills throughout the school year. He further added there are two exits and exit in such a way that they go into a controlled location.

Councilmember Hayden moved to approve a request for a Site Plan (SP 06-11 - Explorations Preparatory School) to add a classroom building with an exception to Section 82-302, Compatibility buffer of the Code of Ordinances, an exception to Section 82-303, Compatibility setback of the Code of Ordinances and a meritorious design exception to the Architectural Standards of the Town's Urban Design Plan. The property is located at 1501 Flower Mound Road. Councilmember Stephenson seconded the motion.

VOTE ON THE MOTION

AYES: Stephenson, Filidoro, Lyda, Wise, Hayden

NAYS: None.

- 11. Public Hearing to consider approval of an exception to Section 90-423 of the Flower Mound Code to permit the installation of one new electric pole and approximately 370 feet of overhead electric line to extend electric service from the existing pole adjacent to the house at 2461 Sherri Lane to a newly constructed barn on an adjacent property.**

Staff Presentation

Mr. Powell provided a presentation outlining the location of the property. He indicated there is a new barn being built on the property and the Town's code requires utilities to be put underground in this scenario and noted exceptions can be granted by Council through a Public Hearing. The applicant is requesting an exception to that requirement. Mr. Powell identified both underground and overhead scenarios and the impacts for each. He stated this is the first residential exception to this standard being brought forward; however, there have been other exceptions for commercial sites.

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

Public Participation

Don McDaniel, 3801 Hideaway Lane, Flower Mound

Mr. McDaniel had two questions.

- 1) Is the request being made for financial or aesthetic reasons?
- 2) What is the elevation of the lines over Mr. Hilliard's driveway and if it is a concern?

Bryan Webb, 4112 High Rd, Flower Mound, TX

Mr. Webb stated he was in favor of the project as he indicated it doesn't harm the aesthetics of the community.

Chris Raines, 526 Post Oak Dr, Newark, TX, (Contractor for Mr. Hilliard)

Mr. Raines spoke in favor of the project. He stated the cost of underground is three times more expensive than overhead.

Mayor Northern closed the Public Hearing at 8:19 p.m.

Council Deliberation

There was in depth discussion amongst council members and Mr. Welch regarding past practices with regard to exceptions and how those were either granted or denied.

Further discussion took place with regard to height off the roadway.

Mr. Raines indicated the height would be at least 15' – 20' off the roadway from his driveway.

Mr. Powell indicated they would be placed at a height that would not impede vehicles underneath it and Ms. Marvin indicated they would fall under Coserv regulations and standards.

Councilmember Hayden moved to approve an exception to Section 90-423 of the Flower Mound Code to permit the installation of one new electric pole and approximately 370 feet of overhead electric line to extend electric service from the existing pole adjacent to the house at 2461 Sherri Lane to a newly constructed barn on an adjacent property. Councilmember Stephenson seconded the motion.

VOTE ON THE MOTION

AYES: Hayden, Wise, Stephenson

NAYS: Lyda, Filidoro

Mayor Northern opened items 12, 13, 14, and 15 at the same time.

12. Consider approval of an ordinance adopting the budget for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012, and making appropriations for each fund and department.

Staff Presentation

Mr. Springer provided one presentation for items 12, 13, 14, and 15 which identified:

- Proposed tax rate of .4497 and pointed out it is below the effective tax rate and rollback rate
- Last year tax rates in comparison to other cities

For September 30, 2012 budget:

- Proposed budget for the general fund
- Utility fund budget
- Storm water utility fund
- Crime Control and Prevention budget
- Fire Control Prevention Emergency Medical Services

Also included in the presentation:

- A list of special revenue funds
- Park development fund
- Tax Increment Reinvestment Zone (TIRZ) fund
- Vehicle equipment replacement fund
- Capital Improvement Program fund
- Community Support funding

Council Discussion

Council discussion took place regarding the CIP budget, TIRZ funding, Town staff compensation, innovative approaches in economic development, and community support funding.

ORDINANCE NO. 52-11

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30, 2012, AND MAKING APPROPRIATIONS FOR EACH FUND AND DEPARTMENT; ESTABLISHING A SINKING FUND FOR EXISTING TOWN FINANCIAL OBLIGATIONS; PROVIDING FOR THE LEVYING AND COLLECTION OF A SUFFICIENT TAX TO PAY THE INTEREST ON SUCH SINKING

FUND OBLIGATIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

1. Mayor Pro Tem Filidoro moved to approve an ordinance adopting the budget for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012, and making appropriations for each fund and department. Deputy Mayor Pro Tem Lyda seconded the motion.

VOTE ON THE MOTION

AYES: Stephenson, Filidoro, Lyda, Wise, Hayden

NAYS: None.

2. Mayor Pro Tem Filidoro moved to ratify the property tax revenue increase reflected in the FY 2011-2012 budget. Councilmember Wise seconded the motion.

VOTE ON THE MOTION

AYES: Hayden, Wise, Lyda, Filidoro, Stephenson

NAYS: None.

13. **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, 2011, and ending on September 30, 2012.**

RESOLUTION NO. 25-11

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, 2011, AND ENDING SEPTEMBER 30, 2012; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Deputy Mayor Pro Tem Lyda moved to approve 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 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, 2011, and ending on September 30, 2012. Mayor Pro Tem Filidoro seconded the motion.

VOTE ON THE MOTION

AYES: Stephenson, Filidoro, Lyda, Wise, Hayden

NAYS: None.

14. **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, 2011, and ending on September 30, 2012.

RESOLUTION NO. 26-11

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, 2011, AND ENDING SEPTEMBER 30, 2012; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Mayor Pro Tem Filidoro moved to approve the 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, 2011, and ending on September 30, 2012. Councilmember Wise seconded the motion.

VOTE ON THE MOTION

AYES: Hayden, Wise, Lyda, Filidoro, Stephenson

NAYS: None.

15. Consider approval of an ordinance fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.4497 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2011.

ORDINANCE NO. 53-11

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, 2011, AND ENDING ON SEPTEMBER 30, 2012, AND FOR EACH FISCAL YEAR THEREAFTER UNTIL OTHERWISE PROVIDED, AT A RATE OF \$0.4497 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN AS OF JANUARY 1, 2011; 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; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Mayor Pro Tem Filidoro moved to approve an ordinance fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.4497 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2011. Councilmember Wise seconded the motion.

VOTE ON THE MOTION

AYES: Stephenson, Filidoro, Lyda, Wise, Hayden

NAYS: None.

M. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

No discussion.

N./O. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 9:25 p.m. on September 19, 2011, pursuant to Texas Government Code Sections 551.087, 551.072, and 551.074 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 10:04 p.m. on September 19, 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. 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, SMART Growth Commission Board, Tax Increment Reinvestment Zone Board, and Transportation Commission.

No action taken.

P. ADJOURN REGULAR MEETING

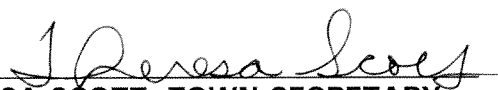
Mayor Northern adjourned the meeting at 10:05 p.m. on September 19, 2011, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



MELISSA D. NORTHERN, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY