

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 3RD DAY OF MARCH, 2014, 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:

Tom Hayden	Mayor (<i>arrived at 6:22</i>)
Steve Dixon	Mayor Pro Tem
Bryan Webb	Deputy Mayor Pro Tem
Michael Walker	Councilmember Place 1
Mark Wise	Councilmember Place 3
Jean Levenick	Councilmember Place 5

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	Assistant Town Manager/CFO
Gary Sims	Executive Director of Community Services

A. CALL REGULAR MEETING TO ORDER

Mayor Pro Tem 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 Phil Cook gave the invocation and Mayor Pro Tem Dixon the pledges.

D. PRESENTATIONS

1. Achievement of Library Excellence Award for the Town of Flower Mound Public Library.

Mayor Pro Tem Dixon presented Sue Ridnour, Director of Library Services, with the Library Excellence Award from the Texas Municipal Library Directors Association.

2. Presentation by the Scottish Rite Foundation to the Police Department for funding of Police Patrol Bicycles.

Ken Curry (President), Sunny Tull (Secretary), and Hal Ray (Member) of the Fort Worth Scottish Rite Foundation presented the Town with a check in the amount of \$2,600 to fund bicycles for the Police Department.

E. PUBLIC PARTICIPATION

No one spoke during public participation.

F. ANNOUNCEMENTS

1. Announce recent and upcoming civic and social events.

Deputy Mayor Pro Tem Webb announced that March 4th is Election Day for the primaries.

Councilmember Levenick announced that the Sr. Center groundbreaking originally scheduled for today has been rescheduled to Fri, March 7th due to weather.

2. Announce a reminder of the upcoming Strategic Planning work session on March 20th to discuss many items such as the possibility of a future site for Town Hall, and the possibility of three-year terms for Council Members.

Mr. Stathatos provided an update on the process to date related to the Strategic Plan and the purpose of the work session on March 20th.

G. TOWN MANAGER'S REPORT

1. Update and status report related to capital improvement projects

No report.

2. Update and discussion on Economic Development projects.

Mr. Stathatos reported that Dunkin Donuts recently broke ground for their new store.

H. CONSENT ITEMS

Councilmember Wise moved to approve by consent Items 1 – 7. Deputy Mayor Pro Tem Webb 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 held on February 3, 2014.

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on February 3, 2014.

2. Consider approval of the minutes from a regular meeting of the Town Council held on February 17, 2014.

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on February 17, 2014.

3. Consider approval of an Agreement with SGR Executive Search for services related to an executive search for a Fire Chief in an amount not to exceed \$25,000 and authorize the Mayor to execute all necessary documents with SGR Executive Search.

RECOMMENDATION: Move to approve an Agreement with SGR Executive Search for services related to an executive search for a Fire Chief in an amount not to exceed \$25,000 and authorize the Mayor to execute all necessary documents with SGR Executive Search.

4. Consider approving waiver for penalty and interest on property tax account: 551075DEN, located at 5508 Clear Creek Drive, and in the amount of \$2.78.

RECOMMENDATION: Move to approve a waiver for penalty and interest on property tax account: 551075DEN, located at 5508 Clear Creek Drive, and in the amount of \$2.78.

5. Consider approval of Change Order No. 1 for the construction of the Chinn Chapel Road Phase I project, amending the contract with XIT Paving & Construction, Inc., for an increase in the amount of \$25,900.27.

RECOMMENDATION: Move to approve Change Order No. 1 for the construction of the Chinn Chapel Road Phase I project, amending the contract with XIT Paving & Construction, Inc., for an increase in the amount of \$25,900.27.

6. Consider approval of a Professional Services Agreement with Fugro Consultants Inc., to provide geotechnical and material testing services, associated with the Senior Center project in the amount of \$54,200.00.

RECOMMENDATION: Move to approve a Professional Services Agreement with Fugro Consultants Inc., to provide geotechnical and material testing services, associated with the Senior Center project in the amount of \$54,200.00.

7. Consider approval of a Professional Services Agreement with Alan Plummer Associates, Inc., to provide professional engineering services associated with the Wastewater Treatment Plant Rehabilitation Phase IV project, in the amount of \$183,255.00.

RECOMMENDATION: Move to approve a Professional Services Agreement with Alan Plummer Associates, Inc., to provide professional engineering services associated with the Wastewater Treatment Plant Rehabilitation Phase IV project, in the amount of \$183,255.00.

VOTE ON MOTION

AYES: Wise, Dixon, Levenick, Webb, Walker

NAYS: None

I. REGULAR ITEMS

- 8. Consider an Ordinance of the Town of Flower Mound, Texas canceling the May 10, 2014, General Election and declaring each unopposed candidate elected to Office, and providing an effective date.**

Staff Presentation

Ms. Scott provided background information related to past elections and stated that Oaths of Office and Certificates of Elections would be issued at the second meeting in May.

Deputy Mayor Pro Tem Webb moved to approve an Ordinance of the Town of Flower Mound, Texas cancelling the May 10, 2014, General Election and declaring each unopposed candidate elected to Office, and providing an effective date. Councilmember Walker seconded the motion.

ORDINANCE NO. 10-14

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS CANCELLING THE MAY 10, 2014 GENERAL ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Walker, Webb, Levenick, Dixon, Wise

NAYS: None

- 9. Consider approval of an ordinance authorizing the issuance of the Town of Flower Mound, Texas, General Obligation Refunding Bonds, Series 2014, establishing parameters for the sale and issuance of such bonds, delegating certain matters to an authorized official of the Town and resolving all matters incident and related thereto.**

Staff Presentation

John Martin, Southwest Securities, Bond Counsel

Mr. Martin gave a presentation identifying or noting:

- Savings anticipated
- Timing associated with pricing the bonds
- Current market conditions

Mr. Martin responded to questions from Council related to:

- Clarification that the Town is leveraging to improve the rate environment and bringing the savings back to the taxpayers

- The Town's current credit rating (ability to issue future debt and potential impact on the rating)

Mayor Pro Tem Dixon moved to approve an ordinance authorizing the issuance of the Town of Flower Mound, Texas, General Obligation Refunding Bonds, Series 2014, establishing parameters for the sale and issuance of such bonds, delegating certain matters to an authorized official of the Town and resolving all matters incident and related thereto. Councilmember Wise seconded the motion.

ORDINANCE NO. 11-14

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "TOWN OF FLOWER MOUND, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED TOWN OFFICIAL.

VOTE ON THE MOTION

AYES: Wise, Dixon, Levenick, Webb, Walker

NAYS: None

J. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

Mayor Hayden encouraged the public to participate at the March 20th work session given the discussion will be about the Town's strategic plan.

K./L. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 6:25 p.m. on March 3, 2014, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.087, 551.072, and 551.071 to discuss matters relating to economic development negotiations, real property and consultation with attorney, and reconvened into an open meeting at 9:50 p.m. on March 3, 2014, to take action on the items as follows:

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

No action taken.

- b. Discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.

No action taken.

c. Consultation with Attorney regarding:

- 1) Texas Open Government law

No action taken.

- 2) Town of Flower Mound and Novak, Sherrie L vs. Charles Thrashers

No action taken.

M. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 9:50 p.m. on Monday, March 3, 2014, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



THOMAS E. HAYDEN, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY