

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 20TH DAY OF JULY, 2015, 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
Steve Dixon	Mayor Pro Tem
Itamar Gelbman	Deputy Mayor Pro Tem
Brian Rountree	Councilmember Place 1
Bryan Webb	Councilmember Place 2
Kevin Bryant	Councilmember Place 3

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
Doug Powell	Executive Director of Development Services
James Hoefert	Environmental Review Analyst
Ken Parr	Director of Public Works
Matt Hotelling	Traffic Engineer
Tiffany Bruce	Engineering Manager
Tommy Dalton	Director of Strategic Services

A. CALL REGULAR MEETING TO ORDER

Mayor Hayden 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

Mark Sherrill gave the invocation and Mayor Hayden led the pledges.

D. PRESENTATIONS

1. Proclamation from Senator Nelson's office to the Town regarding the "First Aid for Drug-Free Living Campaign" to be presented to Kathy O'Keefe of Winning the Fight.

Kathy O'Keefe of Winning the Fight accepted the Town's Proclamation from Senator Nelson for the "First Aid for Drug-Free Living Campaign".

2. DENCO Area 9-1-1 District update from board member Sue Tejml, Mayor of Copper Canyon

Sue Tejml provided an update on the work of DENCO Area 9-1-1 District.

E. PUBLIC PARTICIPATION

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.

	Speaker names and address	Subject
1.	Jim Engel, 5110 Bayberry	Highland Court park fees, and Hawk's hill.
2.	Mick Villers, 1001 Tanglewood Ln	Spinks screening wall
3.	Angie Cox, 7616 Emerson Ln	Spinks screening wall
4.	Carol Kohankie, 4312 Lauren Way	Spinks sound wall, Sagebrush Rd
5.	Denise White, 3104 Beaver Creek	Council concerns, peacocks, Sagebrush, screening wall
6.	Lowell McCracken, 2176 Mahogany St	Council concerns
7.	Marilyn Lawson, 4808 Schooner Ct	KFMB Lend A Hand program project
8.	Jody Smith, 3705 Sarah Springs Trail	Council concerns
9.	Jay Frappier, 2600 Long Ln	Dignity and respect
10.	David Hodges, 2708 Compton Ct	Rheudasil Park
11.	Jeana Bollinger, 1008 Forest Vista Dr	Rheudasil Park
12.	Paul Stone, 709 Lake Bluff Dr	First Amendment
13.	Janvier Scott, 2829 Bob White Ln	Bob White Ln, social media, tree ordinance, peacock ordinance
14.	Phillip VanGuilder, 3800 Sunnyview Ln with the following individuals donating their time: 1. Kristy VanGuilder, 3800 Sunnyview Ln 2. Clare Schroeder Brown, 1721 Ingleside Dr 3. Douglas Brown, 1721 Ingleside Dr 4. Donna Toth, 2020 Skelton St 5. Denis Toth, 2020 Skelton St 6. Lynn Peterson, 3604 Sandhurst Dr 7. Kelly Davenport, Georg Brett 8. Heather Webb, 4112 High Rd	Ethics/Social media
15.	Don McDaniel, 3801 Hideaway Lane	Governance

F. ANNOUNCEMENTS

Councilmember Webb:

- indicated Mr. VanGuilder spoke to him and his family prior to his comments made during pubic participation and offered his thanks.
- announced his thanks to Lt. Colonel David Green who was awarded the Meritorious Service Metal

Councilmember Rountree:

- clarified some of the comments made during public participation, including social media, attacks on each other, and how everyone needs to stop if things will move forward.

G. TOWN MANAGER'S REPORT

Mr. Stathatos reported that in June Debra Wallace, Assistant Town Manager/Chief Financial Officer, was awarded the Linda Keithley Award for Women in Public Management, by the North Texas Council of Government.

1. Report related to capital improvement projects (CIP)

Mr. Stathatos reported on the following CIP projects:

- No announcements since there are CIP items already on the agenda

2. Economic Development (ED) projects

Mr. Stathatos reported on the following ED projects:

- The Table restaurant update

3. The River Walk at Central Park development

Mr. Stathatos and/or Mr. Wood offered an update report, and responded to questions from Council, on the River Walk at Central Park development, including:

- Size and location of the project
- Projects that are already in existence
- What the River Walk will look like by end of 2015, as well as the end of 2016, including:
 - anticipated amenities
 - upcoming retail and restaurant venues
 - the amount of trees expected to be planted (2,500)

H. FUTURE AGENDAS ITEMS

Mayor Hayden explained the process associated with having a future agenda item come forward. In addition, for future agendas he requested a signature line for himself.

1. **Identify interest in discussing the Town's Boards & Commission process and structure, including changing term expiration dates.**

There was Council discussion on the subject regarding:

- whether or not a Charter review is needed relative to some of the items being discussed
- a desire to have term expirations align closer to the elections, resulting in an expectation that there might be some changes

2. **For the Town's Boards and Commissions, identify interest in requiring a super majority vote to remove any board member prior to their term expiration date.**

Councilmember Webb indicated this item would be for the purpose of establishing a policy relative to communicating expectations and a super majority vote would be needed to remove a board members mid-term for non-expiring terms.

For future agenda items one and two, Mayor Hayden summarized that the consensus of Council is to have a discussion on these suggestions at the Council work session in September.

3. Farmers Market and Community Garden to be discussed August 3, 2015

Deputy Mayor Pro Tem Gelbman offered his comments related to the Farmer's Market and Community Garden, and the interest level from the community for these two things.

Mayor Hayden summarized that both of these items will be discussed on August 3rd.

4. Identify interest in modifying the rules of procedure for the conduct of meetings of the Town Council to include hard stops, or other practices, for late meetings.

Mayor Hayden summarized that the consensus of Council is to have a discussion on this topic at the next Council work session in August. Note, it was later decided to move this item to the September work session given the amount of items already coming forward for that work session.

5. Identify interest in expanding the Town's tree ordinance, including whether or not to add Heritage Oak as a protected tree.

There was Council discussion on the subject regarding:

- having an incentive in place where people can be encouraged to protect trees
- exploring lot to lot drainage, such as what is being done in Austin
- interest in spading and transplanting trees to allow for full tree credit
- a desire to add the Heritage Oak as a protected tree
- instead of cash in lieu of, would like to see trees being planted to equal a certain caliper inch
- interest in getting an ad hoc committee to conduct a thorough review of the Town's tree ordinance, and then come forward with recommendations and proposals.

Mayor Hayden summarized that the consensus of Council is to have a discussion on these suggestions at the next Council work session in August.

6. Identify interest in modifying the Town's sex offender residency ordinance.

Deputy Mayor Pro Tem Gelbman offered his comments regarding his interest in updating the Town's sex offender residency ordinance, and the potential need for a more stringent ordinance.

Mayor Hayden summarized that the consensus of Council is to discuss it at a future meeting, including the legalities as it relates to setbacks in the protected areas.

7. Identify interest and receive direction regarding a proposal to direct the Town Manager to direct the appropriate staff to conduct an investigation into possible violations of the Code of Ethics and/or Open Government Laws.

Councilmember Rountree pointed out his concerns regarding disclosure of information, by a member of Council, about the changing of board members during closed session, and that information was later made public with willful intent. For that reason he noted that the issue needs to be dealt with and he would like Council to continue the discussion to get their input.

Deputy Mayor Pro Tem Gelbman indicated that if he ever broke any rules he should be investigated as well.

Councilmember Bryant and Mayor Pro Tem Dixon offered their comments and the need to work together as a Council in the best interest of the Town and for the benefit of the citizens of Flower Mound.

Mr. Meredith responded to questions from council related to:

- if it is a violation of the Charter to speak about what happened in executive session
- is it expressly prohibited in the Town's ordinance to talk about what happened in executive session
- clarification regarding the legal opinion rendered on the subject matter

Councilmember Webb indicated being acceptable to a full and complete investigation on himself related to possible violations of the Code of Ethics, and/or open government laws, and should be undertaken by an independent third party.

Mayor Pro Tem Dixon commented that if it's going to be a true investigation, all the information from everyone on Council should be reviewed.

Deputy Mayor Pro Tem Gelbman supported the option presented by Mayor Pro Tem Dixon.

Councilmember Bryant indicated not being in favor of proceeding in that direction because that's not what he is on Council to do.

Mayor Hayden summarized that the direction to the Town Manager is to move forward in conducting an investigation into possible violations of the Code of Ethics and/or Open Government Laws, including the Town Charter, and related to all members of Council. Furthermore, with the expectation that a third party representative could be contacted within a week.

Mr. Stathatos sought clarification from the Town Attorney relative to the not to exceed \$15,000 expenditure authority, and if an agenda item is needed to come forward.

Mr. Meredith recommended that if a third party is to be retained, and there is an engagement associated contract for their services, the contract should come back before Council for consideration or action.

Mayor Hayden suggested in the interest of getting the investigation done sooner than later, to authorize the Town Manager to use his authority, by Charter, in executing a contract in the event it is below the \$15,000. He also requested the Town Manager follow up with Council in confirming they are going forward with the investigation, and including the name of third party that will be conducting the investigation.

He also stated the importance of the investigation being done within a short window of time, such as in 30 days, with perhaps an update for Council at the next meeting.

Councilmember Webb indicated that while he believed it shouldn't drag on, he also wants to make sure it's complete and thorough, and the results can't be questioned.

8. Identify interest in modifying the Town's Code of Ethics ordinance.

Councilmember Webb indicated he would like the investigation to take place first. There were no other comments by Councilmembers on the subject.

I. CONSENT ITEMS

1. **Minutes 6/15 (Special)** - Consider approval of the minutes from a special meeting of the Town Council held on June 15, 2015.

RECOMMENDATION: Move to approve the minutes from a special meeting of the Town Council held on June 15, 2015.

2. **Minutes 6/15 (Regular)** - Consider approval of the minutes from a regular meeting of the Town Council held on June 15, 2015.

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on June 15, 2015.

3. **External Financial Audit Services** - Consider approval of an agreement with Pattillo, Brown & Hill, L.L.P. for external financial audit services, in the amount of \$49,475, and authorization for the Mayor to execute the same on behalf of the Town.

RECOMMENDATION: Move to approve an agreement with Pattillo, Brown & Hill, L.L.P. for external financial audit services, in the amount of \$49,475, and authorization for the Mayor to execute the same on behalf of the Town.

4. **Ad Valorem Taxes Assessment & Collection** - Consider approval of an Interlocal Cooperation Agreement with Denton County for the assessment and collection of ad valorem taxes for the period beginning October 1, 2015, and ending September 30, 2016, subject to renewal for an additional one-year term; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve an Interlocal Cooperation Agreement with Denton County for the assessment and collection of ad valorem taxes for the period beginning October 1, 2015, and ending September 30, 2016, subject to renewal for an additional one-year term; and authorization for the Mayor to execute same on behalf of the Town.

5. **River Walk PID Collection of Assessments** - Consider approval of an Interlocal Cooperation Agreement with Denton County for the collection of assessments for River Walk Public Improvement District No. 1 for the period beginning October 1, 2015, and ending September 30, 2016, subject to renewal for an additional one-year term; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve an Interlocal Cooperation Agreement with Denton County for the collection of assessments for River Walk Public Improvement District No. 1 for the period beginning October 1, 2015, and ending September 30, 2016, subject to renewal for an additional one-year term; and authorization for the Mayor to execute same on behalf of the Town.

6. **Sanitary Sewer Line Agreement** - Consider approval of two Pro-Rata Agreements between Usama Sorial and the Town of Flower Mound for the construction of approximately 342 feet of 6-inch water line and approximately 270 feet of 8-inch sanitary sewer line and associated apparatuses on Walnut Street in the Pecan Acres Addition; and consider adopting two ordinances providing for said Pro-Rata Agreements; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve two Pro-Rata Agreements between Usama Sorial and the Town of Flower Mound for the construction of approximately 342 feet of 6-inch water line and approximately 270 feet of 8-inch sanitary sewer line and associated apparatuses on Walnut Street in the Pecan Acres Addition; and consider adopting two ordinances providing for said Pro-Rata Agreements; and authorization for the Mayor to execute same on behalf of the Town.

ORDINANCE NO. 38-15

AN ORDINANCE ESTABLISHING A PRO RATA CONNECTION FEE TO DEVELOPERS OF PROPERTIES LOCATED ALONG WALNUT STREET NORTH OF PECAN DRIVE BENEFITTING FROM THE WATER LINE EXTENSION NORTH OF THE INTERSECTION OF PECAN DRIVE AND WALNUT STREET; BASING SUCH CHARGE UPON THE FRONT FOOT OF THE PROPERTY TO BE SERVICED BY SUCH WATER LINE; PROHIBITING THE ISSUANCE OF BUILDING OR OTHER PERMITS WITHOUT PAYMENT OF SUCH CONNECTION FEE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 44-15

AN ORDINANCE ESTABLISHING A PRO RATA CONNECTION FEE TO DEVELOPERS OF PROPERTIES LOCATED ALONG WALNUT STREET NORTH OF PECAN DRIVE BENEFITTING FROM THE SANITARY SEWER LINE EXTENSION NORTH OF THE INTERSECTION OF PECAN DRIVE AND WALNUT STREET; BASING SUCH CHARGE UPON THE FRONT FOOT OF THE PROPERTY TO BE SERVICED BY SUCH SANITARY SEWER LINE; PROHIBITING THE ISSUANCE OF BUILDING OR OTHER PERMITS WITHOUT PAYMENT OF SUCH CONNECTION FEE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

7. **Timberview Dr Speed Limit** - 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 the prima facie speed limits for specific streets by lowering the prima facie speed limit on Timberview Drive to 25 mph. (*The Transportation Commission recommended approval of the exception request by a vote of 6 to 0 at its June 9, 2015, meeting.*)

RECOMMENDATION: Move to approve an ordinance amending Chapter 66, Article V, Section 66-214 of the Code of Ordinances of the Town of Flower Mound, Texas, relating to the prima facie speed limits for specific streets by lowering the prima facie speed limit Timberview Drive to 25 mph.

ORDINANCE NO. 39-15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 66-214, "ENUMERATION FOR SPECIFIC STREETS;" PROVIDING FOR THE ADDITION OF ONE STREET TO THE LIST OF STREETS ENUMERATED THEREIN; IDENTIFYING A MAXIMUM PRIMA FACIE SPEED LIMIT FOR SAID STREET; PROVIDING A PENALTY NOT TO EXCEED \$200 FOR VIOLATIONS HEREOF; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

8. **Concrete Contract** - Consider approval of the award of Bid No. 2015-74, to Apex Concrete Construction Inc., for an annual contract to construct Utility Cut Repairs & Park Improvements at the unit bid prices bid, in the estimated annual amount of \$145,000.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the award of Bid No. 2015-74, to Apex Concrete Construction Inc., for an annual contract to construct Utility Cut Repairs & Park Improvements at the unit bid prices bid, in the estimated annual amount of \$145,000.00; and authorization for the Mayor to execute same on behalf of the Town.

Item 9 was pulled from Consent by Councilmember Bryant.

10. **Wastewater Treatment Plant rehab project** - Consider approval of a Professional Services Agreement with Alan Plummer Associates, Inc., to provide professional engineering services in preparing detailed plans and specifications relating to the Wastewater Treatment Plant Rehabilitation Phase IV project (Solids Facility Improvements Part 1), in the amount of \$315,108.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve a Professional Services Agreement with Alan Plummer Associates, Inc., to provide professional engineering services in preparing detailed plans and specifications relating to the Wastewater Treatment Plant Rehabilitation Phase IV project (Solids Facility Improvements Part 1), in the amount of \$315,108.00; and authorization for the Mayor to execute same on behalf of the Town.

11. **Water System Leak Detection & Repair project** - Consider approval of a proposal from Pure Technologies U.S. Inc., to provide condition assessment services for the Water System Leak Detection & Repair project, in the amount of \$499,425.00.

RECOMMENDATION: Move to approve a proposal from Pure Technologies U.S. Inc., to provide condition assessment services for the Water System Leak Detection & Repair project, in the amount of \$499,425.00.

12. **Sidewalk Links project CO3** - Consider approval of the Final Acceptance and Change Order No. 3 for the construction of the 2013/2014 Sidewalk Links project, amending the contract with 2L Construction, LLC, for an increase in the amount of \$5,711.00, acceptance of the project, and authorization of final retainage payment to the contractor, 2L Construction, LLC, in the amount of \$33,082.53; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the Final Acceptance and Change Order No. 3 for the construction of the 2013/2014 Sidewalk Links project, amending the contract with 2L Construction, LLC, for an increase in the amount of \$5,711.00, acceptance of the project, and authorization of final retainage payment to the contractor, 2L Construction, LLC, in the amount of \$33,082.53; and authorization for the Mayor to execute same on behalf of the Town.

13. **Sidewalk Links bid** - Consider approval of the award of Bid No. 2015-75, to 2L Construction, LLC, for an annual contract to construct Sidewalk Links & ADA Improvements at the unit bid prices bid, in the estimated annual amount of \$190,000.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the award of Bid No. 2015-75, to 2L Construction, LLC, for an annual contract to construct Sidewalk Links & ADA Improvements at the unit bid prices bid, in the estimated annual amount of \$190,000.00; and authorization for the Mayor to execute same on behalf of the Town.

14. **Regency Park Booster Station project CO1** - Consider approval of Change Order No. 1 for an increase to the Regency Park Booster Station project contract with Rey-Mar Construction, to provide for an upgrade to the pump enclosure building to a no-maintenance structure, in the amount of \$50,576.95; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve Change Order No. 1 for an increase to the Regency Park Booster Station project contract with Rey-Mar Construction, to provide for an upgrade to the pump enclosure building to a no-maintenance structure, in the amount of \$50,576.95; and authorization for the Mayor to execute same on behalf of the Town.

15. **Street reconstruction project CO3** - Consider approval of Change Order No. 3 for the 2013 Street Reconstruction Projects (Sheffield Court, Colony Street, and Colonial Drive projects), amending the contract with FNH Construction, LLC, for an increase of \$39,000.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve Change Order No. 3 for the 2013 Street Reconstruction Projects (Sheffield Court, Colony Street, and Colonial Drive projects), amending the contract with FNH Construction, LLC, for an increase of \$39,000.00; and authorization for the Mayor to execute same on behalf of the Town.

16. **CIP Amendment No. 5** - Consider approval of Amendment No. 5 to the Fiscal Year 2014-2015 Capital Improvement Program.

RECOMMENDATION: Move to approve Amendment No. 5 to the Fiscal Year 2014-2015 Capital Improvement Program.

17. **PSA Engineering services – Pintail Pump** - Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services associated with the Pintail Pump Station Improvements project, in the amount of \$222,500.00; and authorization for the Mayor to execute the same for the Town.

RECOMMENDATION: Move to approve a Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services associated with the Pintail Pump Station Improvements project, in the amount of \$222,500.00; and authorization for the Mayor to execute the same for the Town.

Item 18 was pulled from consent by Councilmember Bryant.

Mayor Pro Tem Dixon moved to approve by consent Items 1 - 8; 10 - 17, and Councilmember Bryant seconded the motion. Each item, as approved by consent, is restated above along with the approved recommendation, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION

AYES: ROUNTREE, WEBB, BRYANT, DIXON, GELBMAN

NAYS: NONE

J. REGULAR ITEMS

9. **Advance Funding Agreement** - Consider approval of Amendment No. 3 to the Advance Funding Agreement with the State of Texas, acting by and through the Texas Department of Transportation, for the use of surplus tolling revenue from the SH 121 Subaccount to construct portions of Flower Mound Road, Garden Ridge Boulevard, Morriss/Gerault, and Spinks Road; and authorization for the Mayor to execute same on behalf of the Town.

Councilmember Bryant asked for an explanation as to if this item includes additional lanes for Morriss Road.

Staff Presentation

Ms. Wallace, Mr. Stathatos, or Mr. Parr provided an explanation regarding the purpose of this item in that it's meant to improve traffic flow in the area of the flyover pass the traffic signal.

Councilmember Bryant moved to approve Amendment No. 3 to the Advance Funding Agreement with the State of Texas, acting by and through the Texas Department of Transportation, for the use of surplus tolling revenue from the SH 121 Subaccount to construct portions of Flower Mound Road, Garden Ridge Boulevard, Morriss/Gerault, and Spinks Road; and authorize the Mayor to execute same on behalf of the Town, and Deputy Mayor Pro Tem Gelbman seconded the motion.

VOTE ON MOTION**AYES: GELBMAN, DIXON, BRYANT, WEBB, ROUNTREE****NAYS: NONE**

18. **PSA Engineering services – FM 2499** - Consider approval of Amendment No. 1 to the Professional Services Agreement with Northgate Constructors, to provide professional engineering services for the FM 2499 Roadway, Traffic Signal, and Drainage project, for an increase of \$383,092.00; and authorization for the Mayor to execute same on behalf of the Town.

Councilmember Bryant indicated there is not a need to pull this item from consent after all.

Councilmember Bryant moved to approve Amendment No. 1 to the Professional Services Agreement with Northgate Constructors, to provide professional engineering services for the FM 2499 Roadway, Traffic Signal, and Drainage project, for an increase in the amount of \$383,092.00;and authorize the Mayor to execute same on behalf of the Town, and Councilmember Webb seconded the motion.

VOTE ON MOTION**AYES: ROUNTREE, WEBB, BRYANT, DIXON, GELBMAN****NAYS: NONE**

19. **Bob White Ln – MPA15-0008** - Consider a request for a Master Plan Amendment (MPA15-0008 – Specific Plan Area 2) to amend Section 3, Specific Plans, by modifying the access standards and map for Specific Plan Area 2 (SPA 2) to address the Bob White Lane public access, utility and sidewalk easements per the terms of the approved Contract of Sales Agreement, and to consider adopting an ordinance providing for said amendment. SPA 2 is generally located on both sides of Long Prairie Road (FM 2499) between Sagebrush Drive and Chaparral Lane. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 11, 2015, meeting.) (The Town Council postponed this item at its June 15, 2015, meeting.)*

Mayor Hayden indicated that given this item is making progress in the efforts to save some of the trees, and if there are no objections by Council, to have it postponed until August 17, 2015.

Mr. Meredith responded to questions from Council regarding:

- is there a problem if Council takes action to postpone this item

Deputy Mayor Pro Tem Gelbman moved to postpone this item to August 17, 2015, and Mayor Pro Tem Dixon seconded the motion.

VOTE ON THE MOTION**AYES: GELBMAN, DIXON, BRYANT, ROUNTREE****NAYS: NONE****ABSENT: WEBB**

20. Public Hearing to consider deleting Subsection (8), which is the mitigation exception for tree removals within the Lakeside Business District, Denton Creek District, and specific plan areas (SPAs), from Section 94-81, entitled "Exceptions," of Chapter 94, Article VII of the Land Development Regulations (LDR15-0003 – Tree Mitigation Exception) of the Code of Ordinances. *(The Environmental Conservation Commission recommended approval by a vote of 6-0 at its July 7, 2015, meeting. The Planning and Zoning Commission recommended approval by a vote of 6-0 at its July 13, 2015, meeting).*

Staff Presentation

Mr. Hoefert gave a presentation identifying or noting:

- Chapter 94 "Trees" – background
- An outline of the current language in the tree mitigation exception
- Proposed amendment language
- Existing language map
- ECC & P & Z recommendations

There was Council discussion regarding:

- The level of outreach that has been done related to this item and if the people in the Town that have property equity in Town know about this
- Past discussions when the subject previously came up

Mayor Pro Tem Dixon opened the public hearing at 8:22 p.m.

The following individuals spoke in either support, opposition, or had questions. Names listed below don't necessarily reflect the order in which each person spoke.

Support	Opposition	Questions/Comments
Alton Bowman, 6524 Orchard Dr	Imer Bardhi , 3175 Long Prairie Rd	Harvey Earles, 2202 Cedar Elm Ter, Westlake, TX
Dru Murray, 284 Stratford		
Janvier Scott, 2829 Bob White Ln		Sam Swanson, 7309 Clayshire Cir, Dallas, TX
Linda Martin, 2849 Sagebrush Rd		

Mayor Hayden closed the public hearing at 8:38 pm.

Mr. Meredith responded to questions from Council regarding the notification process.

Councilmember Rountree moved to approve the deletion of Subsection (8), which is the mitigation exception for tree removals within the Lakeside Business District, Denton Creek District, and specific plan areas (SPAs), from Section 94-81, entitled "Exceptions," of Chapter 94, Article VII of the Land Development Regulations (LDR15-0003 – Tree Mitigation Exception) of the Code of Ordinances, and Councilmember Bryant seconded the motion.

ORDINANCE NO. 43-15

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 DELETING SUBSECTION (8) OF SECTION 94-81, THE EXCEPTION FOR ALL PROPERTY ZONED FOR NONRESIDENTIAL USE AND INCLUDED WITHIN THE LAKESIDE BUSINESS DISTRICT, THE DENTON CREEK DISTRICT AND ALL SPECIFIC PLAN AREAS FROM THE REQUIREMENTS OF REPLACEMENT TREES AND OR CASH EQUIVALENTS FOR THE REMOVAL OF PROTECTED, SPECIMEN, MAJESTIC AND/OR HISTORIC TREES PURSUANT TO A TREE REMOVAL PERMIT GRANTED BY THE TOWN COUNCIL, FROM SUBPART B, "LAND DEVELOPMENT REGULATIONS," CHAPTER 94, "TREES," ARTICLE VII, "MISCELLANEOUS;" RENUMBERING SUBSECTION (9) TO SUBSECTION (8); REPEALING ALL CONFLICTING ORDINANCES, ORDERS, AND RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: ROUNTREE, WEBB, BRYANT, DIXON, GELBMAN

NAYS: NONE

21. Discuss and receive direction on Sagebrush Road construction project between FM 2499 and Old Settlers Road.

Staff Presentation

Mr. Ken Parr, Mr. Hotelling, and Ms. Bruce gave a presentation regarding:

- Introduction/review of discussion items
- Raised medians – length/width
- Layout of raised median at Devonshire
- Pros and cons associated with the reduction of the median at Devonshire
- Design for long trailers and example of the western median
- Circular driveway option as chosen by the Thornley's
- Cost associated with elimination of medians
- Traffic calming options
- Why there wasn't a 100% design meeting
- Public meetings

Ms. Bruce, Mr. Hoteling, Mr. Parr, or Mr. Stathatos responded to questions from Council regarding:

- At what point in time did the Thornley's agree to the option presented
 - Interest in seeing any agreements made in writing
 - How long has Sagebrush been closed
 - If any complaints have been received from the residents
 - Median opening access points and what will they look like
 - Communication conducted to date
 - What were some of the suggestions from residents during recent resident meetings
 - Clarification that the circular drive and sliding gate issues have been resolved
 - Location of sidewalks
-

Council Discussion:

- What type of things they believe should be amended, if any
- Compromise opportunities to meet resident concerns or complaints
- Use of a dynamic speed sign and the possibility of introducing the Town’s temporary speed trailer, to better understand if there is interest by the residents prior to expending the dollars for this equipment
- Notification process
- Sidewalk options
- Available options to save some of the trees

Mayor Hayden opened public participation on this item at 9:36 p.m., although it is not a public hearing. All addresses are located in Flower Mound unless otherwise indicated.

Support	Opposition	Questions/Comments
Bill Garcia, 3031 Sagebrush Rd	Tad Marko, 2829 Sagebrush Rd	
	Linda Martin, 2849 Sagebrush	
	Tom Marshall, 3200 Heatfield	

Mayor Hayden summarized that there is Council consensus to move forward with the project given the various resident concerns and issues have been resolved or addressed, and due to the efforts staff is taking on an administrative level to continue reviewing resolution options related to any new issues.

22. Discuss and receive direction on additional screening wall and/or landscape buffering options along the south side of Spinks Road between Aberdeen Drive and Gerault Road within the Lakeside Business District.

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Problem identification
- Town’s actions (concern and action taken)
- Video of Spinks Road between Aberdeen Drive and Gerault Road
- Aerial of FM 2499, Spinks, and Gerault
- Master Plan for area
- Shadowridge South and 50’ buffering next to Spinks
- Plats put in place
- Land use plan
- Master Plan from the 1980s
- Spinks Road urban minor arterial
- Master plan requirement for district arterial and urban design plan
- Spinks Road condition (straight line) and condition across Tanglewood at Spinks Road
- Site plan
- Options

Mr. Powell, Mr. Dalton, or Mr. Stathatos responded to questions from Council as follows:

- How is screening interpreted
- Who paid for the screening walls that are there now
- Does the Town own the right of way where a wall is being requested
- Why are trees being planted under the utility lines
- What can be done relative to having truck deliveries take place during daylight hours

Council Discussion:

There was Council discussion as follows:

- How the situation is a case of misaligned expectations
- How the cost of a wall wasn't a viable option due to the expense
- Interest in maintaining the vegetation screening, and making sure plants put in meet the size expectations, recognizing however, it will take some time to grow in
- Interest in exploring a requirement that prevents trees from being planted under utility lines
- Encourage staff to make it clear in the ordinance what screening means
- If the neighborhood by Spinks is an HOA and there might be an option for a wall agreement, with a sharing cost like there was for the neighborhood by FM 1171

Town Council recessed at 10:47 p.m. and reconvened at 10:54 p.m.

23. Consider approval of an ordinance authorizing the issuance of the Town of Flower Mound, Texas, Certificates of Obligation, Series 2015A, 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, Financial Advisor: Southwest Securities

Mr. Martin offered a report on the Town's financial status and next steps.

Ms. Wallace or Mr. Parr responded to questions from Council as follows:

- Clarification regarding the Pintail ground storage tank project and any overlap with respect to another Pintail project

Councilmember Webb moved to approve an ordinance authorizing the issuance of the Town of Flower Mound, Texas, Certificates of Obligation, Series 2015A, 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, and Deputy Mayor Pro Tem Gelbman seconded the motion.

ORDINANCE NO. 37-15

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "TOWN OF FLOWER MOUND, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2015A"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE TOWN AND A LIMITED PLEDGE OF THE NET REVENUES DERIVED FROM THE OPERATION OF THE TOWN'S WATERWORKS AND SEWER SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SUCH CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY AND DELIVERY OF SAID CERTIFICATES OF OBLIGATION; DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID CERTIFICATES TO AN AUTHORIZED TOWN OFFICIAL; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: GELBMAN, DIXON, BRYANT, WEBB, ROUNTREE

NAYS: NONE

24. Presentation and update on Entrepreneur Center feasibility report, and Council to offer direction in response to the report.

Staff Presentation

Mr. Woods gave a presentation identifying or noting:

- Background information, including what has been done to date to determine if Flower Mound could benefit from having a Center
- Parker Square was identified as a possible location and what was negotiated with the property owner (building 600)
- Outline of details related to the agreement such as facility management, revenue, startup and operational costs, and how incentive recapture dollars would be used to help pay for the startup costs
- Next steps

Mr. Woods responded to questions from Council as follows:

- What is the exit clause should the center not be successful (before three years) and interest in having some type of contingency
- Breakdown of operational costs
- Is it just for Flower Mound residents
- Where is the savings coming from
- Tenant improvement expense

Council Discussion:

- Some concerns related to the overall investment amount and the real return on investment
- Interest in visiting a few centers to identify success stories to develop a comfort level

Mayor Hayden summarized that it's the consensus of Council to move forward with pursuing the center; however, with consideration for Councilmembers Rountree and Webb for a visit to an existing center(s).

25. Consider approval of an amended Development Agreement for Lakeside DFW and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Background information
- Revised concept plan proposal
- Aerial of property

Applicant Presentation

Scott Polikov, Gateway Planning Group, 3100 McKinnon St., Dallas, TX

Mr. Polikov gave a presentation identifying or noting:

- Background information as to why they are requesting an amendment to the development agreement
- Observation plaza
- Sunset green and community lawn
- Activation (Woodhouse)

Mr. Polikov responded to questions from Council as follows:

- What is the cost difference between the observation plaza versus the tower, as well as the amphitheater and the sunset green and the lawn

Council Discussion:

There was Council discussion related to:

- Concerns relating to deviating from originally approved concepts
- How the dynamics change in a project that triggers the need for revised agreements
- How the area will be available for the public

Mayor Pro Tem Dixon moved to approve an amended Development Agreement for Lakeside DFW, and authorize the Mayor to execute same on behalf of the Town, and Councilmember Bryant seconded the motion.

VOTE ON THE MOTION

AYES: ROUNTREE, WEBB, BRYANT, DIXON, GELBMAN

NAYS: NONE

26. Public Hearing to consider a request for a Specific Use Permit No. 434 (SUP15-0011 - Kawalek Accessory Dwelling) to permit an accessory dwelling, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Raintree Place and east of Sarah Springs Trail. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its July 13, 2015, meeting)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Site location
- Land use and zoning
- Photos of the site
- No comments have been received to date

No Council discussion.

Mayor Hayden opened the public hearing at 11:48 p.m. There were no speakers. Mayor Hayden closed the public hearing at 11:48 p.m.

Councilmember Webb moved to approve Specific Use Permit No. 434 (SUP15-0011 - Kawalek Accessory Dwelling) to permit an accessory dwelling, and adopt an ordinance providing for said amendment, and Deputy Mayor Pro Tem Gelbman seconded the motion.

ORDINANCE NO. 42-15

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 APPROVING SPECIFIC USE PERMIT NO. 434 (SUP-434) FOR AN ACCESSORY DWELLING ON CERTAIN PROPERTY DESCRIBED AS LOT 3, BLOCK B, OF IMMELL ESTATES PHASE II AND ZONED AGRICULTURAL DISTRICT (A); 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 OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: GELBMAN, DIXON, BRYANT WEBB, ROUNTREE

NAYS: NONE

27. Public Hearing to consider a request for a Specific Use Permit 435 (SUP15-0013 - Footlights Dance Studio) to permit a dancing, drama, or music school or studio, and to consider adopting an ordinance providing for said amendment. The property is generally located north of Northshore Boulevard and east of Long Prairie Road. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its July 13, 2015, meeting)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- General location
- Land use and zoning
- SUP requirement for a dance studio
- No comments from the public have been received

Mayor Hayden opened the public hearing at 11:50 p.m. There were no speakers. Mayor Hayden closed the public hearing at 11:50 p.m.

No Council discussion.

Councilmember Bryant moved to approve specific Use Permit 435 (SUP15-0013 - Footlights Dance Studio) to permit a dancing, drama, or music school or studio, and adopt an ordinance providing for said amendment. Deputy Mayor Pro Tem Gelbman seconded the motion.

ORDINANCE NO. 41-15

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 APPROVING SPECIFIC USE PERMIT NO. 435 (SUP-435) FOR A DANCING, DRAMA, OR MUSIC SCHOOL OR STUDIO ON CERTAIN PROPERTY DESCRIBED AS LOT 1 OF THE CORNERSTONE LEARNING CENTER ADDITION AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 60 (PD-60) WITH OFFICE DISTRICT (O) USES, SUBJECT TO SPECIFIC USE PERMIT NO. 159 FOR A DAYCARE CENTER; 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 OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: ROUNTREE, WEBB, BRYANT, DIXON, GELBMAN

NAYS: NONE

28. Consider a request for a Development Plan (DP15-0004 – Bunn Gourley West) to develop a residential subdivision and acceptance of cash in lieu of land in the amount of \$97,020.00 in place of the otherwise required Park Land Dedication and Park Development Fees in the amount of \$145,740.00. The property is generally located south of Cross Timbers Road and west of Flower Mound Road. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its July 13, 2015, meeting)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- General location
- Concept plan, including trail plan
- Development plan, and the shift from the emergency access entrance as requested by the residents

Mr. Powell responded to questions from Council as follows:

- Clarification regarding the access change
- Clarification as to what the motion actually does in relation to the park development fees

Councilmember Webb moved to approve a Development Plan (DP15-0004 – Bunn Gourley West) to develop a residential subdivision and acceptance of cash in lieu of land in the amount of \$97,020.00 in place of the otherwise required Park Land Dedication and Park Development Fees in the amount of \$145,740.00, and Deputy Mayor Pro Tem Gelbman seconded the motion.

VOTE ON THE MOTION

AYES: GELBMAN, DIXON, BRYANT, WEBB, ROUNTREE

NAYS: NONE

29. Consider a request for a Development Plan (DP15-0006 - Magnolia Park) to develop a residential subdivision and acceptance of cash in lieu of land in the amount of \$65,520.00 in place of the otherwise required park land dedication, and park development fees in the amount of \$36,088.00. The property is generally located east of Flower Mound Road and north of Quail Run Road. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its July 13, 2015, meeting)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- General location
- Land use and zoning
- Photos of the site
- Development plan

Mr. Powell or Ms. Stathatos responded to questions from Council as follows:

- An explanation regarding how park dedication fees in lieu of land works and how the valuation is set
- What would the size of the park be in order to understand what the fair market value calculation is

Applicant Presentation

Aaron Ketchand, 2150 S Central Expressway, McKinney, TX

Mr. Ketchand responded to questions from Council as follows:

- What were the issues involved in removing the seventeen proposed trees
- How many existing trees in the tree survey are being incorporated into the development
- Interest in seeing where the largest and oldest trees are being saved when possible

Councilmember Webb moved to approve a Development Plan (DP15-0006 - Magnolia Park) to develop a residential subdivision, and acceptance of cash in lieu of land in the amount of \$65,520.00 in place of the otherwise required park land dedication, and park development fees in the amount of \$36,088.00, and Councilmember Bryant seconded the motion.

VOTE ON THE MOTION

AYES: WEBB, BRYANT, DIXON

NAYS: ROUNTREE, GELBMAN

30. Consider approval of an ordinance amending Chapter Six, Article VII of the Town's Code of Ordinances to add section 6-283, "taking of peafowl prohibited," providing that it shall be unlawful to hunt, molest, capture or kill any peafowl.

Staff Presentation

Mr. Dalton gave a presentation identifying or noting:

- Background information
- Ordinance provisions
- Options

Council Discussion:

There was discussion by council related to:

- If the peacock rises to this level
- The beauty peacocks bring
- Past experiences with peacocks

Mr. Meredith responded to questions from Council related to:

- What happens if someone wants to remove peacocks from their yard

Deputy Mayor Pro Tem Gelbman moved to approve an ordinance amending Chapter Six, Article VII of the Town's Code of Ordinances to add section 6-283, "taking of peafowl prohibited," providing that it shall be unlawful to hunt, molest, capture or kill any peafowl, and authorize the Mayor to execute same on behalf of the Town, and Councilmember Rountree seconded the motion.

ORDINANCE NO. 40-15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER SIX, ARTICLE VIII OF THE CODE OF ORDINANCES TO ADD SECTION 6-283, "TAKING OF PEAFOWL PROHIBITED;" PROVIDING THAT IT SHALL BE UNLAWFUL TO HUNT, MOLEST, CAPTURE OR KILL ANY PEAFOWL; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY TO FOR VIOLATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION**AYES: GELBMAN, BRYANT, ROUNTREE****NAYS: DIXON, WEBB**

31. Public Hearing to consider approval of a Chapter 380 Agreement between the Town of Flower Mound and Taco Ocho LLC, and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Mr. Wood gave a presentation identifying or noting:

- Purpose of the 380 agreement
- Benefit to the Town

Mayor Hayden opened the public hearing at 12:19 a.m. on Tuesday, July 21, 2015. There were no speakers. Mayor Hayden closed the public hearing 12:19 a.m. on Tuesday, July 21, 2015.

No Council discussion.

Deputy Mayor Pro Tem Gelbman moved to approve a Chapter 380 Agreement between the Town of Flower Mound and Taco Ocho LLC, and authorize the Mayor to execute same on behalf of the Town, and Councilmember Bryant seconded the motion.

VOTE ON THE MOTION**AYES: ROUNTREE, WEBB, BRYANT, DIXON, GELBMAN****NAYS: NONE**

32. Public Hearing to consider approval of a Chapter 380 Agreement between the Town of Flower Mound and Crossfire Management Group LLC, and authorization for the Mayor to execute same on behalf of the Town.

Deputy Mayor Pro Tem Gelbman indicated he will be recusing himself for this item as he has been in discussions with Mr. Vaught relative to becoming a business partner; however, no agreement has been made as of today.

Staff Presentation

Mr. Wood gave a presentation identifying or noting:

- Crossfire 380 Agreement details
- Cost benefit over a 10 year period

Council Discussion:

- Some concerns regarding the amount of the incentive and if it's in line with the type of business, recognizing however, the amount of employees and the return on investment satisfies those concerns
- Some concerns regarding the location
- Clarification regarding the term of the agreement
- Some concerns on the date of the certification of occupancy, however, recognizing there might be a need to require more time

Applicant Presentation

David Vaught, 2208 Lake Lugano, Flower Mound

Mr. Vault responded to questions from Council as follows:

- If other locations are being considered
- Clarification regarding the numbers that were used to come up with the amounts specified in the agreement
- Would there be a willingness to work with Flower Mound law enforcement officers to utilize the facility for training opportunities, including the possibility of a reciprocal agreement

Mayor Hayden opened the public hearing at 12:31 a.m., Tuesday, July 21, 2015. The following speakers stated their support, opposition, or had questions:

Support	Opposition	Questions
Sherilyn Flick, 3220 Miracle Ln	Katie Lowe, 3113 Springwood Rd (opted not to speak)	
Don McDaniel, 3801 Hideaway Ln	Linda Martin, 2849 Sagebrush (waiver of permit fees element)	
Eric Jellison, 2705 Lake Ville		
Ryan Young, 2304 Sherwood Dr		
Patricia Gonzalez, 4208 Marbella Dr		
Eddie White, 3104 Beaver Creek		
Denise White, 3104 Beaver Creek Dr		
Carol Kohankie, 4312 Lauren Way		

Mayor Hayden closed the public hearing at 12:38 a.m. on Tuesday, July 21, 2015.

Councilmember Webb moved to approve a Chapter 380 Agreement between the Town of Flower Mound and Crossfire Management Group LLC, and authorize the Mayor to execute same on behalf of the Town, and Mayor Pro Tem Dixon seconded the motion.

VOTE ON THE MOTION**AYES: ROUNTREE, WEBB, BRYANT, DIXON****NAYS: NONE****ABSTAIN: GELBMAN****K. BOARDS/COMMISSIONS**

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

L./M. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 12:38 a.m. on Tuesday, July 21, 2015, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.087, 551.072, 551.071, and 551.074 to discuss matters relating to economic development negotiations, real property, consultation with attorney, and personnel and reconvened into an open meeting at 12:50 a.m. on Tuesday, July 21, 2015, to take action on the items as follows:

- a. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Community Development Corporation, and Planning and Zoning Commission.
- b. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the presiding Municipal Court Judge.
- c. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the alternate Municipal Court Judge.

Deputy Mayor Pro Tem Gelbman moved to approve the settlement agreement per executive session, and Councilmember Bryant seconded the motion.

VOTE ON THE MOTION**AYES: ROUNTREE, WEBB, BRYANT, DIXON, GELBMAN****NAYS: NONE**

- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.
- e. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights of way, and/or other municipal purposes and all matters incident and related thereto.

N. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 12:51 a.m. on Tuesday, July 21, 2015, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY

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