

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 7TH DAY OF DECEMBER 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
Mark Wise	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
Gary Sims	Executive Director of Community Services
Doug Powell	Executive Director of Development Services
Ken Parr	Executive Director of Public Works
Mark Wood	Director of Economic Development
Matt Woods	Director of Environmental Services
Matt Hotelling	Traffic Engineer
Eric Greaser	Fire Chief
Thomas Vyles	Environmental Health Manager

A. CALL REGULAR MEETING TO ORDER

Honorary Mayor for the Day Ryan Holliday and 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

Chaplain Russ McNamer gave the invocation and Mayor Hayden and Ryan Holliday led the pledges.

D. PRESENTATIONS

1. Special Recognition - Ryan Holliday (Honorary Mayor for the Day)

Ryan, along with his family, accepted proclamation.

2. Present the Flower Mound Outstanding Citizenship Award(s) to recipients chosen by the Outstanding Citizen Committee (individual and group category)

Ms. Scott gave a presentation identifying or noting:

- Background information
- Purpose
- Criteria
- Committee members
- Meetings overview
- Nominations
- Committee feedback

Chairman Seastrom offered his comments regarding the committee and the selection process.

Doug Graves accepted the Outstanding Citizenship Award (individual category) and Coach Mark Larriba and Nesa Grider (Booster club president), accepted the Outstanding Citizenship Award (group category) on behalf of the Flower Mound Lady Jaguars softball team.

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 (as indicated on the speaker form)
1.	Al Picardi	STAR program
2.	Carol Kohankie	1. Passing of former Mayor Gary Pressler 2. Investigation
3.	Don McDaniel, 3801 Hideaway Ln	Stated there is a need for a pedestrian crosswalk at Heatfield and Old Settlers
4.	Warner Watkins, 2800 London Ln	1. Need for unity and togetherness in the Town 2. investigation
5.	Patsy Mizeur, 1821 Castle Court	Investigation
6.	Jean Levenick, 2716 Gentle Dr	River Walk update & questions would like answers to

F. ANNOUNCEMENTS

Deputy Mayor Pro Tem Gelbman extended well wishes for a Happy Hanukah and Merry Christmas.

Mayor Pro Tem Dixon announced having recently attended the Town's holiday parade and suggested for future parades to offset the fences from the curb to allow the children to collect the candy.

Councilmember Bryant also announced having recently attended the Town's

recent holiday parade and suggested that for future parades the Town can coordinate with the high schools so the bands can participate.

G. TOWN MANAGER'S REPORT

Update and discussion on:

1. Report related to capital improvement projects

Mr. Stathatos gave an update on the following CIP projects:

- FM 1171 construction update
- FM 2499 roadway and drainage improvements update

2. Economic Development projects

Mr. Stathatos gave an update on the following ED topics or projects:

- Entrepreneur center
- Incentive report

Mr. Wood, at the request of Mayor Hayden, provided an announcement that North Texas Child magazine has once again named Flower Mound as the best place to raise a family.

3. Update on Town Council investigation.

Mr. Stathatos gave an update on the investigation and indicated a final report was received and shared with the Council last week.

4. The following comments or questions were presented by the Mayor or members of Council during the Town Manager report:

- A request that the Town do more with LISD schools for their homecoming parade, and more specifically as it relates to the route
- If Green Acres Farm is identified as a location for the tree farm, now might be a good time to start notifying the residents in that area.
- Tax Increment Reinvestment Zone (TIRZ) and interest in having that board review the current proposed projects, and to set priorities
- Interest in organizing a job fair, in coordination with the Chamber, to help Flower Mound businesses fill job vacancies
- Communication received from residents about higher utility poles on Wichita Trail, and a request for staff to verify the amount of additional poles planned for that area, along with a request to provide Council an update once the clarification is obtained. In addition, there are multiple double poles due to the transition and interest in having the duplicate poles removed prior to the contractor leaving the job site.

H. FUTURE AGENDA ITEMS

1. Councilmember Webb requested an update on the residential rehabilitation incentive program.

I. COORDINATION OF CALENDARS

1. The next Town Council meeting is a scheduled for December 17th. (*work session*)

Mr. Stathatos noted the December 17th meeting will be a public meeting to look at the different options for Rippy Road, and further clarified that it is not an official meeting.

2. The next Town Council regular meeting is a scheduled for December 21st.

Councilmember Webb indicated he will not be available on the 21st. Deputy Mayor Pro Tem Gelbman indicated there is a possibility he may not be at the meeting on the 21st either.

There was Council and staff discussion relative to MPA items currently scheduled that might need to be rescheduled due to the supermajority requirement.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on November 16, 2015.

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on November 16, 2015.

2. Consider approval of the minutes from a work session of the Town Council held on November 19, 2015.

RECOMMENDATION: Move to approve the minutes from a work session of the Town Council held on November 19, 2015.

3. Consider acceptance of grant funds from the Department of Justice Office of Justice Programs for the FY 2015 Bulletproof Vest Partnership.

RECOMMENDATION: Move to approve grant funds from the Department of Justice Office of Justice Programs for the FY 2015 Bulletproof Vest Partnership.

RESOLUTION NO. 21-15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS FOR THE BULLETPROOF VEST PARTNERSHIP PROGRAM; APPROVING THE PURCHASE OF BULLETPROOF VESTS FOR THE TOWN USING AWARDED GRANT FUNDS; PLEDGING THAT THE TOWN OF FLOWER MOUND WILL COMPLY WITH ALL PROGRAM REQUIREMENTS OF THE BULLETPROOF VEST PARTNERSHIP PROGRAM.

4. *Item 4 was pulled from consent to regular items.*
5. Consider approval of a service agreement with Active Network, LLC to provide service, support, and software access for the technical management of park facilities and recreational programs, and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve a service agreement with Active Network, LLC to provide service, support, and software access for the technical management of park facilities and recreational programs, and authorization for the Mayor to execute same on behalf of the Town.

6. Consider approval of a Development Agreement with Elan Flower Mound Venture, LLC., to provide for reimbursement for the reconstruction of Northwood Drive, in the amount of \$417,553.37; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve a Development Agreement with Elan Flower Mound Venture, LLC., to provide for reimbursement for the reconstruction of Northwood Drive, in the amount of \$417,553.37; and authorization for the Mayor to execute same on behalf of the Town.

7. *Item 7 was pulled from consent to regular items.*
8. Consider approval of Final Change Order No. 7 for the Wichita Trail Phase II project, final acceptance of the project, amending the contract with Felix Associates of Florida, Inc., DBA Lone Star Civil Construction, Inc., for a decrease in cost of \$11,231.97, authorization of final payment to the contractor, the amount of \$157,250.03; and authorization for the Mayor to execute the same on behalf of the Town.

RECOMMENDATION: Move to approve Final Change Order No. 7 for the Wichita Trail Phase II project, final acceptance of the project, amending the contract with Felix Associates of Florida, Inc., DBA Lone Star Civil Construction, Inc., for a decrease in cost of \$11,231.97, authorization of final payment to the contractor, the amount of \$157,250.03; and authorization for the Mayor to execute the same on behalf of the Town.

9. Consider approval of the Final and Change Order No. 4 for the 2013 Street Reconstruction Projects (Colony Street, Sheffield Court, and Colonial Drive) project, amending the contract with FNH Construction, LLC, for a decrease in the amount of \$676,238.20; acceptance of the project; authorization of final payment to the contractor, in the amount of \$21,366.26; and authorization for the Mayor to execute the same on behalf of the Town.

RECOMMENDATION: Move to approve the Final and Change Order No. 4 for the 2013 Street Reconstruction Projects (Colony Street, Sheffield Court, and

Colonial Drive) project, amending the contract with FNH Construction, LLC, for a decrease in the amount of \$676,238.20; acceptance of the project; authorization of final payment to the contractor, in the amount of \$21,366.26; and authorization for the Mayor to execute the same on behalf of the Town.

10. Consider approval of a Professional Service Agreement with Alliance Geotechnical Group, for construction materials testing associated with the Twin Coves Park Improvements project, in the amount of \$40,872.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve a Professional Service Agreement with Alliance Geotechnical Group, for construction materials testing associated with the Twin Coves Park Improvements project, in the amount of \$40,872.00; and authorization for the Mayor to execute same on behalf of the Town.

11. Consider approval of a Professional Services Agreement to produce a Parks, Recreation, and Open Space Master Plan, with Pros Consulting, LLC, for a not to exceed amount of \$197,605.00; and authorization for the Mayor to execute the same on behalf of the Town.

RECOMMENDATION: Move to approve a Professional Services Agreement to produce a Parks, Recreation, and Open Space Master Plan, with Pros Consulting, LLC, for a not to exceed amount of \$197,605.00; and authorization for the Mayor to execute the same on behalf of the Town.

12. 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 Clearpoint Drive to 25 mph, raising the prima facie speed limit on High Meadow Road to 40 mph, adding a reduced school speed zone for Argyle Independent School District in Canyon Falls and raising the prima facie speed limit on Chinn Chapel Road south of Justin Road (FM 407) to 35 mph. *(The Transportation Commission recommended approval of the exception request for Clearpoint Drive by a vote of 4 to 0 at its September 22, 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 on Clearpoint Drive to 25 mph, raising the prima facie speed limit on High Meadow Road to 40 mph, adding a reduced school speed zone for Argyle Independent School District in Canyon Falls and raising the prima facie speed limit on Chinn Chapel Road south of Justin Road (FM 407) to 35 mph. *(The Transportation Commission recommended approval of the exception request for Clearpoint Drive by a vote of 4 to 0 at its September 22, 2015, meeting.)*

ORDINANCE NO. 68-15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 66-214, "ENUMERATION FOR SPECIFIC STREETS;" PROVIDING FOR THE MAXIMUM PRIMA FACIE SPEED LIMIT FOR CERTAIN STREETS AND PORTIONS OF CERTAIN STREETS WITHIN THE TOWN AT CERTAIN TIMES; 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.

13. Consider approval of a Professional Services Agreement for the design, construction documents, and bidding phase services for the Rheudasil and Wilkerson Park Ponds Dredging and Bank Stabilization project, with Garver, LLC, for \$206,600.00, and authorization for the Mayor to execute the same on behalf of the Town.

RECOMMENDATION: Move to approve a Professional Services Agreement for the design, construction documents, and bidding phase services for the Rheudasil and Wilkerson Park Ponds Dredging and Bank Stabilization project, with Garver, LLC, for \$206,600.00, and authorization for the Mayor to execute the same on behalf of the Town.

Councilmember Webb moved to approve by consent Items 1-3; 5, 6; 8-13. 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:

Motion passed.

AYES: WISE, WEBB, BRYANT, DIXON, GELBMAN

NAYS: NONE

K. REGULAR ITEMS

4. Consider approval of a resolution authorizing the adoption of the Program Year 2014 Consolidated Annual Performance & Evaluation Report for the Community Development Block Grant; and authorization for the Mayor to execute same on behalf of the Town and submit to the U.S. Department of Housing and Urban Development.

Deputy Mayor Pro Tem Gelbman requested the item be pulled to inquire if this is part of a subsidized housing program from the government, and Mr. Stathatos responded to his question.

Councilmember Webb moved to approve a resolution authorizing the adoption of the Program Year 2014 Consolidated Annual Performance & Evaluation Report for the Community Development Block Grant; and authorization for the Mayor to execute same on

behalf of the Town and submit to the U.S. Department of Housing and Urban Development. Mayor Pro Tem Dixon seconded the motion.

RESOLUTION NO. 22-15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING FOR THE ADOPTION OF FLOWER MOUND'S PROGRAM YEAR 2014 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; PROVIDING AUTHORIZATION FOR THE MAYOR TO EXECUTE SAID REPORT; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed.

AYES: GELBMAN, DIXON, BRYANT, WEBB, WISE

NAYS: NONE

7. Consider approval of a Professional Services Agreement for monthly gas well pad site air monitoring by Modern Geosciences, LLC., in the amount of \$139,800; and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Mr. Wood provided background information regarding the monitoring program, and he later outlined what Town staff is doing in addition to the efforts of Dr. Tramm and his team.

Consultant Presentation

Dr. Kenneth Tramm, Principal of Modern Geosciences

Dr. Tramm provided an update relative to the work associated with the inspections in conjunction with the monitoring program. He pointed out the number of leaks that have been identified and addressed in the past year, and he also announced new testing efforts coming forward in 2016, and noted that overall the Town is good.

Mayor Pro Tem Dixon moved to approve a Professional Services Agreement for monthly gas well pad site air monitoring by Modern Geosciences, LLC., in the amount of \$139,800; and authorization for the Mayor to execute same on behalf of the Town. Councilmember Bryant seconded the motion.

VOTE ON MOTION:

Motion passed.

AYES: WISE, WEBB, BRYANT, DIXON

NAYS: NONE

ABSENT: GELBMAN

14. Update on River Walk at Central Park.

Developer Presentation

Bobby Dollak, G & A Consulting, Civil Engineer for the River Walk, 111 Hillside Drive, Lewisville, TX

Mehrdad Moayed, Centurion American, 1800 Valley View Lane, Farmers Branch, TX

Mr. Dollak provided a progress update on the River Walk development project, and more specifically on the following elements:

- Developed areas pre August 2013
- Timeline
- Concept plan
- Developers agreement enhancement area
- Amenities and enhancements
 - Timber trail park
 - Water wall
 - Artwork
 - Amphitheater
 - Chapel
 - Reception hall
 - Waterfront alley
 - Entertainment district
- Development agreement comparison (requirement versus proposed/providing)
- FM 2499 retail
- Central promenade
- Farmer's market
- Courtyard by Marriott
- The villas (97 total – single family patio homes)
- Riverside Point townhomes (72 total)
- The Pinnacle at River Walk (55 three-story town homes)
- Parkmont Place (52 luxury townhomes)
- Lakeshore Terrace townhomes (84 total)
- LOMAR (Letter of Map Revision)
- Restaurant plans

Mr. Dollak or Mr. Moayed, responded to the following questions from Council:

- Clarification regarding the location of River Walk building 101
- When will the farmer's market be open
- Are things not getting done in accordance with the established time lines
- Is infrastructure going to be in place for the hotel to begin their work (since it's anticipated to open the first quarter of 2017)
- Concerns that what is being seen in past presentations is not being put in the River Walk within the anticipated time frames
- Concerns that the residential component of the project is coming along much quicker than the commercial
- When is the river going to be flowing
- How many trees will be planted
- Isn't there an independent senior living center planned

- Some concerns about the appearance of the reception building, noting that it resembles a prison
- When will the water wall be completed
- When will someone be able to have a wedding in the chapel
- When will the amphitheater be ready
- When will the restaurants be coming on line

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

- Who makes sure that the developer agreement is being followed
- How does the Town ensure that the architectural renderings coming forward are in line with what was envisioned
- Are there penalties associated with delays

Mr. Powell, Mr. Dollak, or Mr. Moayedi responded to the following questions from Council:

- Is everything in the PID map being followed

Several members of Council acknowledged that weather has been a factor, as well as multiple changes; and communicated to the developer a desire to see more progress.

15. Consider waiving the Attorney/Client privilege for the Town Council investigation report.

Deputy Mayor Pro Tem Gelbman requested that any deliberation or vote on this item take place after tonight's executive session.

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

- Explanation of the attorney-client privilege as it relates to a governing body
- Why is the item on the agenda prior to executive session
- Purpose and intent for the agenda item
- How would the items be made available to the public
- Clarification that the item presented is simply for the purpose of releasing the data, and no further action

The Town Council convened into a closed meeting at 8:23 p.m. on December 7, 2015, pursuant to Texas Government Code Chapter 551.071 for consultation with attorney, and reconvened into an open meeting at 8:40 p.m. on December 7, 2015, to take action on the items as follows:

Councilmember Webb moved to release the investigation report prepared by Ross Foster for the Town of Flower Mound, along with all documents returned to the Town supporting the report, and any communication between the Town Council, the Town Manager, and Town Attorney pertaining to the subject matter of the investigation and report, and to waive attorney-client privilege for all documents. Councilmember Bryant seconded the motion.

Council Discussion

- Interest in having not only the report be released, but all of the associated documents that have been provided to Council
- Clarification that if there is a need to get a legal question Council should convene into closed session

- Acceptable to releasing the actual report; however, reservations regarding putting all of the supporting documents on the Town's website; however, making them readily available to the public upon request
- Why just release the report – why not everything
- Comment relative to the content that will be coming forward in the report that is soon to be released

VOTE ON MOTION:

Motion passed.

AYES: WISE, WEBB, BRYANT, DIXON, GELBMAN

NAYS: NONE

There was Council discussion relative to the method that would be used for making the report and supporting documents available to the public. As a result, there was a unanimous decision to put the report on the website; however, some members of Council had reservations relative to putting all of the supporting documentation on the website.

Mayor Hayden sought confirmation from each member of Council regarding their preferences relative to releasing the supporting investigation documents via the Town's website. The majority of Council members indicating a preference to use the method of the website.

16. Public Hearing to consider at least one connection from the Pecan Acres subdivision to West Windsor Drive at either one or both of the roundabout locations. *(Transportation Commission recommended to consider a connection at Mulberry Street by a vote of 3 to 1 at its September 22, 2015 meeting).*

Staff Presentation

Mr. Hotelling gave a presentation identifying or noting:

- History of West Windsor and Roundabout connections
- Vicinity map of schematics
- Petition and survey
- Survey results
- Survey feedback
- Emergency services feedback
- Pros and cons
- TRC recommendation

Mr. Hotelling, Chief Greaser, or Mr. Parr responded to questions from Council as follows:

- Clarification regarding the timing associated with emergency access and the connection options
- Any capacity issues as it relates to Central Station and Station 4 relative to responses
- What were the issues raised some time ago when the residents in that area did not want the access

- What was the recommendation of the traffic team at the time the West Windsor project came through
- Clarification that the streets are non-curb and gutter
- What is the cost of the project to allow the connectivity, and what does it include
- Why did the Transportation Commission select the Mulberry over Pinon connection (if only one connection is to be made)
- Clarification regarding the statement that there are less people that reside on Mulberry than Pinon
- Which is closer to 2499 (Mulberry or Pinon)
- Does the Town already own the right-of-way or is there a need to purchase land
- Would the road need to be widened, and if so, by how much
- What are the differences with the two options presented, particularly as it relates to response times for fire and emergency personnel, and would either one of those put the Town at risk relative to losing the current ISO rating
- If positive action was taken this evening, when would work start taking place, and would the improvement be made and then the connection
- What happens to the trail afterwards
- How long does this type of project take

There was Council discussion regarding:

- Survey results
- Appreciation for the opportunity to revisit the discussion in the interest of safety, including egress and ingress for the area

Mayor Hayden opened the Public Hearing at 9:16 p.m. Mayor Pro Tem Dixon noted that in the past there was opposition to having the connection for specific reasons. For that reason he requested that if there are any residents in that area who plan on speaking, to communicate with Council what has changed that they are now in favor of the connection.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *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.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
Greg Rank, 4611 Birch St	Kelly Casey, 4621 Pinon St	
Steve Edgemon, 4617 Birch	Conrad Roach, 3106 Pecan Dr	
Louis Wittkower, 3417 Pecan Dr		Leonard Best, 4617 Pinon St

Mayor Hayden closed the Public Hearing at 9:32 p.m.

Councilmember Bryant moved to approve a connection from Pecan Acres subdivision to West Windsor Drive only at Mulberry Street. Councilmember Wise seconded the motion.

VOTE ON MOTION:

Motion passed.

AYES: GELBMAN, DIXON, BRYANT, WEBB, WISE

NAYS: NONE

17. Consider Third Amendment to the Contract of Sale Agreement for a public access and utility easement from Janvier Scott; and authorize the Mayor to execute same on behalf of the Town.

Staff Presentation

Mr. Meredith noted that this item is purely legal and allows an amendment to the termination date of the contract, noting that all three fully executed agreements are expected to come forward soon.

Deputy Mayor Pro Tem Gelbman moved to authorize the Mayor to execute a Third Amendment to the Contract of Sales Agreement for a public access and utility easement from Janvier Scott for Bob White Lane to February 15, 2016. Councilmember Bryant seconded the motion.

VOTE ON MOTION:

Motion passed.

AYES: WEBB, BRYANT, DIXON, GELBMAN

NAYS: NONE

ABSTAIN: WISE

18. Review and discuss current regulations and possible variances to Chapter 18 "Businesses", Article III "Food and Food Establishments", related to dogs on patios.

Staff Presentation

Mr. Woods gave a presentation identifying or noting:

- Background information
- Texas food establishment rules
- Variance process

Mr. Woods or Mr. Vyles responded to questions from Council as follows:

- Did any of the survey cities have additional inspections due to having a dog friendly patio
- If approved, what will be the process for someone to get a variance
- If a sign is not displayed are dogs not allowed
- Is it restrictive to just dogs
- What are the penalty elements for any violators

There was a consensus of Council to proceed with an ordinance amendment to establish a variance process to allow dogs on patios.

L. BOARDS/COMMISSIONS (Executive Conference Room)

Administrative note: Council opted to discuss the following items in the Council Chambers.

19. Consider approval of a resolution casting the vote of the Town of Flower Mound, Texas, for the election of the Board of Directors of the Denton Central Appraisal District (DCAD) and the Tarrant Appraisal District (TAD).

Ms. Scott provided background information about the item and pointed out the section of the packet that includes the nomination information. She also pointed out that Mr. Hassett was unable to attend this evening; however, he sent Council an email and that correspondence is included in the packet.

Ms. Smith (Board of Directors candidate) indicated she would continue serving on the Board and asked for Council's vote for the Flower Mound allotted allocations. She also defined the role and responsibilities of the Board of Directors.

There was Council discussion as follows:

- Candidate nominations overview
- Options Council has

Councilmember Webb moved to approve a resolution casting the vote of the Town of Flower Mound, Texas, for the election of Connie Smith (62 votes) and Mike Hassett (61 votes) to the Board of Directors of the Denton Central Appraisal District (DCAD). Deputy Mayor Pro Tem Gelbman seconded the motion.

RESOLUTION NO. 23-15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CASTING THE TOWN OF FLOWER MOUND'S ONE HUNDRED TWENTY THREE (123) ALLOCATED VOTES FOR THE ELECTION OF THE BOARD OF DIRECTORS FOR THE DENTON CENTRAL APPRAISAL DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed.

AYES: GELBMAN, DIXON, BRYANT, WEBB, WISE

NAYS: NONE

There was Council consensus to take no action regarding candidates for the Tarrant County Appraisal District Board of Directors.

20. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions:

- a. Animal Services Board vacancy (Place 3, veterinarian position)

For the Animal Services Board, Councilmember Bryant moved to appoint Caitlin Freeny to Place 3 (veterinarian position), with a term expiration date of September 30, 2017. Deputy Mayor Pro Tem Gelbman seconded the motion.

VOTE ON MOTION:

Motion passed.

AYES: WISE, WEBB, BRYANT, DIXON, GELBMAN

NAYS: NONE

- b. Tax Increment Reinvestment Zone Number One (TIRZ #1) and 12/31/15 term expiration dates

For the Tax Increment Reinvestment Zone, Mayor Pro Tem Dixon moved to appoint Bill Collins to Place 1; Jeff Tasker, Place 2 (Chair); and Bryan Webb, Place 3; with terms beginning January 1, 2016, and ending December 31, 2017. Deputy Mayor Pro Tem Gelbman seconded the motion.

VOTE ON MOTION:

Motion passed.

AYES: GELBMAN, DIXON, BRYANT, WEBB, WISE

NAYS: NONE

- c. Community Development Corporation and 12/31/15 term expiration dates.

For the Community Development Corporation, Councilmember Webb moved to appoint Scott Lang, Director Place 1; Tom Hayden, Director Place 3; Jodi Seay, Director Place 5; and Mark Wise, Director Place 7. Councilmember Bryant seconded the motion.

Administrative Note: This item was posted on the agenda for closed session; however, Council opted to discuss it with the regular items.

VOTE ON MOTION:

Motion passed.

AYES: WISE, WEBB, BRYANT, GELBMAN

NAYS: NONE

ABSTAIN: DIXON

M./N. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 10:03 p.m. on December 7, 2015, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.074, 551.087, 551.072, and 551.071 to discuss matters relating to personnel, economic development negotiations, real property, and consultation with attorney, and reconvened into an open meeting at 10:38 p.m. on December 7, 2015, to take action on the items as follows:

- a. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or

commissions:

- i) Board of Adjustment/Oil & Gas Board of Appeals vacancy (position of Place 6, Alternate)

For the Board of Adjustment/Oil & Gas Board of Appeals, Mayor Pro Tem Dixon moved to appoint Jason Webb to Place 6 (Alternate), with a term ending September 30, 2016. Councilmember Bryant seconded the motion.

VOTE ON MOTION:

Motion passed.

AYES: GELBMAN, DIXON, BRYANT, WEBB, WISE

NAYS: NONE

- a. Community Development Corporation and 12/31/15 term expiration dates

Council action was taken on this item in open session.

- b. 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.

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.

No action taken.

- d. Consultation with Attorney as follows:

1. Consultation with Town Attorney regarding the Town Council investigation.

No action taken.

2. Hillside at Flower Mound Development by Rembert Enterprises, Inc.

No action taken.

O. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 10:39 p.m. on Monday, December 7, 2015, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY