

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 19TH DAY OF NOVEMBER 2018, 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.

[Click here](#) for meeting video link (subject to change)

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

Steve Dixon	Mayor
Claudio Forest	Deputy Mayor Pro Tem
Sandeep Sharma	Councilmember Place 2
Kevin Bryant	Councilmember Place 3
Jim Engel	Councilmember Place 4

with the following member absent:

Jason Webb	Mayor Pro Tem
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constituting a quorum with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Jimmy Stathatos	Town Manager
Tommy Dalton	Assistant Town Manager
Tiffany Bruce	Executive Director of Public Works
Jeff King	Assistant Fire Chief
Andrea Roy	Economic Development Director

A. CALL REGULAR MEETING TO ORDER

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

D. PRESENTATIONS

1. Small Business Saturday (November 24, 2018) Proclamation

Ms. Roy provided background information about Small Business Saturday and Mayor Dixon presented her with a Proclamation.

2. Discuss and consider the Outstanding Citizen Award Program and adding a new Lifetime Achievement category.

Outstanding Citizenship Award committee member Brit Stock provided background information about the proposed new category.

Ms. Scott recited the proposed criteria that would be used for this award.

There was Council consensus to proceed with the new category called the Lifetime Achievement Award, and with the criteria as presented.

E. PUBLIC COMMENT

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 written on the form)
1.	Steve Smith, 3705 Sarah Springs	2499 Traffic
2.	Paul Stone, 4100 Broadway	Policy changes

F. ANNOUNCEMENTS

Several members of Council expressed well wishes for a Happy Thanksgiving.

Councilmember Sharma announced that the Town's Christmas Parade is scheduled for Dec. 8th.

G. TOWN MANAGER'S REPORT

Mr. Stathatos provided an update on the following projects:

1. Capital improvement projects
 - Fire Station 7 bid opening and construction award dates
 - New Town Hall update
2. Economic Development projects
 - Realty Capital Class A office space update
 - New businesses coming to Flower Mound

H. FUTURE AGENDA ITEMS

1. There were no items requested for a future agenda.

I. COORDINATION OF CALENDARS

Mayor Dixon announced that the next Town Council meeting is Monday, December 3rd, and that there will not be a December 20th work session.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on November 5, 2018.
2. Consider adoption of the Town Council Strategic Plan for Fiscal Year 2018-2019.
3. Consider approval of the lease of 24 Taser X2 units from Axon Enterprise, Inc., in the amount of \$55,285.20 and authorization for the Mayor to execute same on behalf of the Town.

4. Consider approval of a Professional Services Agreement for the 2018 Water and Wastewater Model Update project, with Kimley-Horn, for \$31,450.00; and authorization for the Mayor to execute same on behalf of the Town.
5. Consider approval of the Professional Services Agreement with MHS Design & Planning, LLC, for the design services associated with the Bella Lago Master Plan project, in the amount of \$33,975.00; and authorization for the Mayor to execute same on behalf of the Town.

Councilmember Bryant moved to approve by consent Items 1 – 5, as presented in the agenda caption. Deputy Mayor Pro Tem Forest seconded the motion. Each item, as approved by consent, is restated above, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION:

Motion passed

AYES: SHARMA, BRYANT, ENGEL, FOREST

NAYS: NONE

ABSENT: WEBB

K. REGULAR ITEMS

6. Public Hearing to consider a request for rezoning (ZPD18-0008 – Magnolia Court) from Agricultural District (A) to Planned Development District No. 168 (PD-168) with Single-Family District-10 (SF-10) and Agricultural District (A) uses, with certain exceptions and modifications to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment, and acceptance of cash in lieu of land in the amount of \$263,088 in place of the otherwise required Park Land dedication and Park Development Fees in the amount of \$80,504*. The property is generally located on the northwest corner of the intersection of Gerault Road and Spinks Road. (The Planning and Zoning Commission recommended approval with conditions by a vote of 6 to 0 at its November 12, 2018, meeting.)

Mayor Dixon announced that the applicant has requested that this item be postponed to December 17th.

Councilmember Sharma moved to postpone a request for rezoning (ZPD18-0008 – Magnolia Court) from Agricultural District (A) to Planned Development District No. 168 (PD-168) with Single-Family District-10 (SF-10) and Agricultural District (A) uses, with certain exceptions and modifications to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment, and acceptance of cash in lieu of land in the amount of \$263,088 in place of the otherwise required Park Land dedication and Park Development Fees in the amount of \$80,504 to December 17, 2018, including the public hearing. Councilmember Engel seconded the motion.

VOTE ON MOTION:

Motion to postpone passed

AYES: FOREST, ENGEL, BRYANT, SHARMA

NAYS: NONE

ABSENT: WEBB

7. Public Hearing to consider approval of an ordinance to participate in the Texas Enterprise Zone Program and nominate Thirty-One Gifts, LLC.

Staff Presentation

Ms. Roy gave a presentation identifying or noting:

- Background information regarding the Town’s support of Thirty-One Gifts’ application to the state for Enterprise Project designation status. She also defined the purpose of the item and pointed out what receiving it would mean to the company.

and she responded to the following questions from Council:

- What is the probability of Thirty-One Gifts being a recipient

Mayor Dixon opened the Public Hearing at 6:26 p.m.

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
Paul Stone, 4100 Broadway	None	None

Mayor Dixon closed the Public Hearing at 6:26 p.m.

Councilmember Bryant moved to approve as presented in the agenda caption. Deputy Mayor Pro Tem Forest seconded the motion.

ORDINANCE NO. 36-18

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AUTHORIZING THE TOWN TO PARTICIPATE IN THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; PROVIDING TAX INCENTIVES; NOMINATING THIRTY-ONE GIFTS, LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK (THE “BANK”) FOR DESIGNATION AS AN ENTERPRISE PROJECT UNDER THE ACT; AND DESIGNATING A LIAISON FOR OVERSEEING ENTERPRISE PROJECTS AND COMMUNICATING WITH INTERESTED PARTIES.

VOTE ON MOTION:

AYES: SHARMA, BRYANT, ENGEL, FOREST

NAYS: NONE

ABSENT: WEBB

Motion passed

8. Discussion and possible ratification of effort to deploy Flower Mound firefighters to help combat the California wildfires. (No packet content)

Staff Presentation

Assistant Chief King gave a presentation identifying or noting:

- Detailed information regarding the wildfire assistance provided in California by Town of Flower Mound Firefighters

There was Council discussion regarding:

- Appreciation for the work being done in California by the firefighters
- Background information about the decision to send Flower Mound firefighters to California

Councilmember Bryant moved to approve as presented in the agenda caption. Deputy Mayor Pro Tem Forest seconded the motion.

VOTE ON MOTION:*Motion passed***AYES: FOREST, ENGEL, BRYANT, SHARMA****NAYS: NONE****ABSENT: WEBB****L. BOARDS/COMMISSIONS (Executive Conference Room)**

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

The Town Council convened to the Executive Conference Room to discuss TIRZ #1 board appointments.

The Town Council later reconvened into the Council Chambers and Councilmember Bryant noted that traditionally a member of Council has served on the TIRZ Board, and currently former Council member Bryan Webb is serving in that position.

Councilmember Bryant moved to appoint Jim Engel to the Tax Increment Reinvestment Zone Board # 1, Place 3, and effective immediately and with a term expiration date of 12/31/2019. Councilmember Sharma seconded the motion.

VOTE ON MOTION:*Motion passed***AYES: SHARMA, BRYANT, ENGEL, FOREST****NAYS: NONE****ABSENT: WEBB****M./N. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 6:40 p.m. on November 19, 2018, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087 for consultation with attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, and reconvened into an open meeting at 7:14 p.m. on November 19, 2018, to take action on the items as follows:

a. Consultation with Attorney.

- 1. All matters related to Cause No. 18-9622-431; EagleRidge Operating, LLC v. Town of Flower Mound, et al.; gas well inspection fees

Deputy Mayor Pro Tem Forest moved to authorize the Mayor to retain co-counsel as discussed in executive session. Councilmember Sharma seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: FOREST, ENGEL, BRYANT, SHARMA

NAYS: NONE

ABSENT: WEBB

- b. Discuss and consider purchase, exchange, lease or value of real property for parks and/or other municipal purposes and all matters incident and related thereto.
- c. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.
- d. 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 on above referenced items b. – c.

O. ADJOURN REGULAR MEETING

Mayor Dixon adjourned the meeting at 7:14 p.m. on Monday, November 19, 2018, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

STEVE DIXON, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY