

THE FLOWER MOUND TOWN COUNCIL SPECIAL MEETING AND WORK SESSION HELD ON THE 17TH DAY OF JULY 2008 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 special meeting and work session with the following members present:

Tim Trotter	Mayor Pro Tem
Joel Lindsey	Deputy Mayor Pro Tem
Al Filidoro	Councilmember, Place 2
Jean Levenick	Councilmember, Place 4
Jeff Tasker	Councilmember, Place 5

with the following members absent:

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

Harlan Jefferson	Town Manager
Paula Paschal	Town Secretary
Terry Welch	Town Attorney
Chuck Springer	Chief Financial Officer
Kent Collins	Town Engineer
Doug Powell	Executive Director of Development Services
Bart Stevenson	Executive Director of Community Services

A. CALL TO ORDER

Mayor Pro Tem Trotter called the meeting to order at 6:06 p.m.

B. INVOCATION

Deputy Mayor Pro Tem Lindsey gave the Invocation.

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

Deputy Mayor Pro Tem Lindsey led the pledges.

D/E. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 6:10 p.m. on July 17, 2008 pursuant to Texas Government Code Sections 551.071 and 551.074, to discuss matters relating to consultation with Town Attorney and personnel, and reconvened into open session at 7:24 p.m. on July 17, 2008 to take action on the items as follows:

- a. Discuss Red Oak Sabine LP, Red Oak Gas LP, Red Oak Gas Operating Company LP, Red Oak Gas II LP vs the Town of Flower Mound, and the Flower Mound Oil and Gas Board of Appeals, Cause No. 2008-10189-16, pending in the 16th Judicial District Court of Denton County, Texas.

No action taken. Mayor Pro Tem Trotter announced that the Town Attorney was directed to file an answer to the pending lawsuit.

- b. Discuss and consider personnel issues.

No action taken.

- c. Discuss and consider appointments to the Animal Services Board, Board of Adjustment/Oil and Gas Board, Community Development Corporation, Environmental Conservation Commission, LISD Liaison, Parks, Arts, and Library Services (PALS) Board, Planning & Zoning Commission, Tax Increment Reinvestment Zone (TIRZ) Board, and the Transportation Advisory Committee.

No action taken.

F. ADJOURN SPECIAL MEETING

Mayor Pro Tem Trotter adjourned the Special Meeting at 7:25 p.m. on July 17, 2008 and all were in favor.

G. CALL WORK SESSION TO ORDER

Mayor Pro Tem Trotter called the work session to order at 7:26 p.m.

H. WORK SESSION ITEMS

1. Receive a report, hold a discussion, and provide direction regarding review of the Town's SMARTGrowth program.

Staff Presentation

Doug Powell, Executive Director of Development Services, and Kent Collins, Town Engineer, gave the following presentation.

Questions and Answers

Mr. Powell stated the Council had asked the SMARTGrowth Commission to review and report back on the elements of the SMARTGrowth Program that they felt might need to be reviewed by the Council. He noted the Commission was interested in hearing feedback from the Council and they offered their services to help initiate any of the higher-priority changes.

Town Engineer Kent Collins stated the Town contracted for treated water supply with Dallas Water Utilities (11 MGD) and the Upper Trinity Regional Water District (30 MGD). In the SMARTGrowth Program, there was a 15% reserve capacity for economic development projects, and that equated to 6.2 MGD. He noted that with the Upper Trinity, the Town paid for the contracted amount of water, whether it used it or not. At the demand rate with the Upper Trinity, it would cost over \$1.8 million annually for that 6.2 MGD, therefore that was a large price to consider. There was a similar reserve capacity for wastewater. The question was should the Town trigger the improvements before the majority of the capacity was used for that infrastructure. He asked if 85% was the right number. The Town was permitted for 10 MGD at the Town's Wastewater Treatment Plant. He noted the Lift Station and Interceptor Capacity thresholds were at 5% reserve capacity.

Mr. Collins stated staff looked at links and intersections regarding the transportation issue. He noted the standard for the Town was Level of Service C, and the Commission had looked at determining if C was the right level of service. Another issue was the rough proportionality with regard to state law. A project might not be able to proceed under SMARTGrowth, and a developer might have to build more than their proportional share in order for a project to go forward. He stated the analyses needed to be brought in line with the state statutes. Tables and spreadsheets need to be clarified in SMARTGrowth. He added that Canyon Falls was an 8-10 year phased project and there could be a huge impact on infrastructure. He stated the data tables - methodologies and data points - needed to be updated. One Commissioner questioned if there should be some tie between SMARTGrowth and the Town's water conservation ordinance. He stated when it got to Stage 4 of the water conservation ordinance, no new or expanded connections were allowed.

Mayor Pro Tem Trotter asked about the inclusion of state roads in the SMARTGrowth analysis.

Mr. Collins stated the Town was not in control of the programming of state roads, and if the state lost funding, the development would be tied to something of which the Town had no control. If the Town included state roads now (FM 2499 for example, north of FM 1171) and were to do an analysis of that road, it would be analyzed as a six lane arterial, because it was programmed for construction in the following fiscal year.

Mr. Powell noted that the Parks, Arts, and Library Services (PALS) Board questioned if the park land availability ratio was adequate. There was also discussion about purchasing or leasing undeveloped land from the Corp and/or implementing possible joint use agreements. Regarding Police, Fire, and Emergency Medical Services, staff informed the Commission about what would be happening with the sales tax monies. The Commission desired to revalidate the maximum response times to make sure they were meeting national and survey city standards.

Councilmember Tasker asked if the Town was suggesting moving response times up or down based on benchmarks.

Mr. Powell stated the Commission wanted to revalidate the times based on national and

survey city benchmarks. He did note that some flexibility could be used when a road was under construction. Mr. Powell commented that the Commission wanted to look at: measuring economic development status; comparisons with other municipalities; and benchmarking that would insulate an economic development project from market fluctuations. He noted that the Commission requested a work session with the Economic Development Advisory Committee.

Councilmember Tasker stated the economic development policy was an important tool but questioned if it should be in the SMARTGrowth analysis.

Mr. Powell did note that many parts of SMARTGrowth were actually reviewed by other Boards and Commissions. They could offer suggestions that would come back to the Commission and Town Council. Mr. Powell referred to the topographical slope protection in the analysis, and stated it was hard to read where the standard should be applied. Some developers were concerned there was no waiver mechanism or exception for the 12% slope requirement.

Councilmember Tasker asked for the status on the hydraulic study.

Mr. Collins responded probably at 50%. The first task was to fully model and complete the mapping on one tributary, and he felt significant progress had been made.

Mr. Powell referred to Community Character, adding it dealt with urban design and reflected other parts of the Town's Master Plan. The Commission asked that the Council look at putting overhead utilities underground.

Councilmember Tasker stated the Planning & Zoning Commission made it very clear that they wanted the Council to address the overhead power lines.

Mr. Powell informed the Council that some of the issues would take a while to formulate policies or new ways. He asked for Council direction on the issues that had been brought forward.

Mayor Pro Tem Trotter summarized that the top priority items were (1) process for analysis of large multi-phased projects, (2) putting overhead utilities underground, (3) the need for roadways for east/west access, (4) potential conflict with state provisions. If The Council had any changes, they should contact staff.

Mr. Jefferson believed staff had the direction needed to proceed.

Mr. Welch commented there were a couple of minor issues that would not take much to handle.

- 2. Discuss and provide direction regarding transportation for Town citizens who are age 60 or older and Town citizens with verifiable disabilities of any age.**

Staff Presentation

Bart Stevenson, Executive Director of Community Services, gave the following presentation.

Questions and Answers

Mr. Stevenson noted that the correspondence he had received from affected residents had been positive. He noted the Town had previously had an annual contract with SPAN for \$25,000. SPAN chose to shift money from supporting Flower Mound to funding fleet and requested an increase to the Town's contract. Mr. Stevenson noted that DCTA needed more time to provide a formal proposal and it should be ready some time next month. He noted that some of the citizens he had spoken to were concerned with not being able to get to NCTC to attend a disabled persons class. He added that as of July 21, 2008, people could call SPAN for rides, however there would be limited availability.

Councilmember Tasker stated he was not interested in a Town-operated system.

Mr. Stevenson stated he would bring back information at the August work session or through a Council Communication.

Deputy Mayor Pro Tem Lindsey suggested that staff contact the Northeast Transportation Service in Tarrant County.

I. ADJOURN - WORK SESSION

Mayor Pro Tem Trotter adjourned the work session at 8:28 p.m. on July 17, 2008 and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

TIM TROTTER, MAYOR PRO TEM

ATTEST:

PAULA PASCHAL, TOWN SECRETARY

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