

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING, TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING, and TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING HELD ON THE 1ST DAY OF FEBRUARY, 2010 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:

Jody Smith	Mayor
Jean Levenick	Mayor Pro Tem
Steve Dixon	Deputy Mayor Pro Tem
Al Filidoro	Councilmember Place 2
Mike Wallace	Councilmember Place 3
Tom Hayden	Councilmember Place 5

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	Assistant Town Manager/Chief Financial Officer
Kenny Brooker	Police Chief
Eric Metzger	Fire Chief
Kent Collins	Assistant Town Manager
Gary Sims	Executive Director of Community Services
Doug Powell	Executive Director of Development Services

A. CALL BRIEFING SESSION TO ORDER

Mayor Smith called the briefing session to order at 6:08 p.m.

B. BRIEFING SESSION

1. Town Council Boards and Commissions Liaison Reports.

Mayor Pro Tem Levenick stated the Planning & Zoning Commission discussed the proposed amendments to Specific Plan Area 8 and the new Montacino Estates. They also conducted a public hearing for SMARTGrowth updates.

2. Discuss Consent and Regular Items.

Mayor Smith stated she would open Items 4 & 5 together, 6 & 7, together and 8 & 9 together.

3. Discuss Future Agenda Items.

Mayor Smith asked if the Council would consider discussing a Code of Conduct in the future, and the consensus was yes.

4. Discuss Council Communications - no discussion

C./D. ADJOURN BRIEFING SESSION AND CALL SPECIAL MEETING TO ORDER

Mayor Smith adjourned the briefing session and called the special meeting to order at 6:10 p.m.

E. INVOCATION

Chaplain Phil Cook gave the invocation.

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

Chaplain Cook led the pledges.

G. PRESENTATIONS

Friends of the Flower Mound Library Donation

Angie Cox, President of the Friends of the Flower Mound Library, presented a check in the amount of \$10,000: \$8,000 for the summer reading program and \$2,000 for books. She announced that the Murder Mystery fundraiser would be held on March 6, 2010.

H. PUBLIC PARTICIPATION

Jill Lee, 4708 Shelley Drive, Flower Mound

Ms. Lee expressed disappointment about the Council's vote regarding gas drilling at the last meeting. She encouraged the Council to listen to the constituents.

Jodie Boutilier, 2201 Jester Lane, Flower Mound

Ms. Boutilier stated she had done an interview on the news about gas drilling, but did not do that to bring fear to the Town. She wanted to get the word out. She wanted to have better data. She commented that the state did not get the data on adult cancers. The present data was from 2007 and would not reflect what was going on in Flower Mound today. She asked if a pipeline would be going only three feet deep in the ground. She asked if a pipeline went across open land, would it make the land undevelopable.

Paul Stone, 709 Lake Bluff Drive, Flower Mound

Mr. Stone stated that the Town had issues to address other than gas drilling. He offered to facilitate a debate, video tape it, and play it on FMTV. Prior to going to the voters with any single capital improvement item, (Cultural Arts Facility, Library, and Town Hall), he recommended having a Blue Ribbon Committee.

Jody Smith, 3705 Sarah Springs Trail, Flower Mound

Mayor Smith asked Councilmember Hayden to explain (verbally or written) what fluids were in the jars at the last meeting. She noted that one jar was marked "toxic." She was concerned for the safety of the citizens who attended the meeting.

Steve Smith, 3705 Sarah Springs Trail, Flower Mound

Mr. Smith stated that the Bible was the most influential book in the world. Next week he planned to ask the Lewisville Independent School District to add the Bible as a course starting in the fall.

Rob Marcoe, 3416 Courtney Drive, Flower Mound

Mr. Marcoe asked the member of the Council who approved Items 17 and 18 at the last meeting to explain their rationale.

Erin Bouck, 3429 Courtney Drive, Flower Mound

Mr. Bouck stated he had lived in Flower Mound for six years. He stated the people felt like they were not heard. He added there was much untold information and now the public was scared. He wondered if Flower Mound was a safe place to live. The gas drilling issue had caused a huge rift in the community. He suggested doing a citizen survey.

Tony Robson, 3421 Courtney Drive, Flower Mound

Mr. Robson stated people moved to Flower Mound based on the promises of the SMARTGrowth Plan. Many people were concerned with the direction that the Town was going. He stated the Town received \$100,000 from the drilling companies. He felt property values would decline. He did not think the Council represented the majority of the citizens. He respected that people had mineral rights. He asked the Council to be conscious of how to protect property values, citizens, and children.

Kimberly McCary, Municipal Court Judge

Ms. McCary stated she was the Town's Municipal Court Judge and a juvenile court specialist. She stated she would be running for the Juvenile Court Judge position in Denton County.

John Todd, 5600 Wichita Trail, Flower Mound

Mr. Todd stated he had previously requested street lights at the intersection of McKamy and Simmons and at the intersection of Skillern and Flower Mound Road. Regarding gas drilling, he stated there was much fear, fiction, and fact. He knew people who worked on wells were high paid workers and they were not dying from cancer. Cattle were not dying. He noted that the roadside park on I-35W had been removed. He was concerned that valuable assets were destroyed and now there was no place for truckers to park.

Patsy Mizeur, 1821 Castle Court, Flower Mound

Ms. Mizeur stated she attended an informational meeting hosted by County Commissioner Andy Eads and State Representative Tan Parker last week. Guest speakers included representatives from TCEQ, the State Health Department, and the Texas Railroad Commission. A large number of people did not show up. She stated if people were truly interested, they should attend all types of meetings. She noted that when the members of the Council took their Oaths of Office, they swore to uphold state laws also. She added that if citizens had a problem with a state law, they needed to address the state legislature, not the Council.

Debbie Jennings, 3100 Cedar Ridge Drive, Flower Mound

Ms. Jennings asked if the mayor had ever addressed the Council as a citizen.

I. ANNOUNCEMENTS

- **Announce recent and upcoming civic and social events**

Councilmember Wallace announced that the Flower Mound Police Department Citizens Police Academy spring session was starting soon. He noted that the 2010 TML Elected Officials Conference would be held in El Paso between February 12 and 14. He added that he would be receiving an Award of Recognition for participating in TML events over the past several months.

Councilmember Hayden stated he would like to have a future agenda item to answer Mayor Smith's question about the water.

Mayor Smith stated she had attended Vine and Dine (Rotary) recently. She noted that the meeting arranged by Commission Eads and Representative Park was very informative. She noted it was attended by many specialists in the field of gas drilling. She pledged that the Town would continue to have updated information on the website.

J. TOWN MANAGER'S REPORT

- **Update and status report related to operational issues, capital improvement projects, budget projections, grants, legislation and regulatory activities**

Town Manager Harlan Jefferson gave an update on the citizen survey that ranked the quality of Town services. The Library ranked 5 out of all the services surveyed. He noted that Fire Station #4 became operational today. The new station would greatly improve the quality of services and response times. Mr. Jefferson responded to questions or comments made during Public Participation.

Q. What would prevent a produced water pipeline going across vacant property?

A. He was not aware of any restrictions at this time, and he was not aware of the depth associated with the pipelines.

Mr. Jefferson stated staff was working to provide links to many documents on the website regarding drilling. The consultant had been collecting data to finalize the research on air quality. The consultant was collecting air samples in canisters at eight locations, and the Town should have the results at the end of the month. Staff was also hoping the TCEQ tests would be finalized by the end of the month. Mr. Jefferson noted that TCEQ would be placing two more air monitoring stations in the area, and one would be in Flower Mound.

Mr. Jefferson stated staff would look at Mr. Todd's requests for street lights. He noted that the removal of the rest stop on I-35W was prioritized at the retreat last year. The removal would reduce crime and paved the way for the future diamond interchange. He noted that TxDOT was also eliminating little-used rest stops across the state.

K. CONSENT ITEMS

Deputy Mayor Pro Tem Dixon made a motion to approve by consent, Items 1 and 2. Councilmember Wallace seconded the motion. Each item, as approved by consent, is restated below along with the approved recommendation for each, for the record.

1. **Consider approval of an ordinance agreeing to the abandonment of an unused existing 10-foot-wide utility easement located on Lot 4, Block 1, Firewheel Village Addition, and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Approve Ordinance No. 07-10 agreeing to the abandonment of an unused existing 10-foot-wide utility easement located on Lot 4, Block 1, Firewheel Village Addition, and authorize the Mayor to execute same on behalf of the Town. The caption of the ordinance reads as follows:

ORDINANCE NO. 07-10

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, VACATING AND ABANDONING THE 10-FOOT-WIDE FRANCHISE UTILITY EASEMENT LOCATED WITHIN THE SIDE YARD OF LOT 42, BLOCK 1, FIREWHEEL VILLAGE ADDITION, AN ADDITION TO THE TOWN OF FLOWER MOUND, DENTON

COUNTY, TEXAS; DETERMINING THAT THERE IS NO CURRENT NOR PROJECTED FUTURE NEED FOR THE SAID EASEMENT DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B"; REQUIRING A HOLD HARMLESS AGREEMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

2. Consider approval of Change Order No. 2 and final acceptance for the construction of Twin Coves/Northlake Highlands I, water line improvements, amending the contract with Dowager Utility Construction, for a decrease in the amount of \$7,436.00; acceptance of the project; authorization for final payment to the contractor, Dowager Utility Construction, in the amount of \$28,079.36; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Approve Change Order No. 2 and final acceptance for the construction of Twin Coves/Northlake Highlands I, water line improvements, amending the contract with Dowager Utility Construction, for a decrease in the amount of \$7,436.00; acceptance of the project; authorization for final payment to the contractor, Dowager Utility Construction, in the amount of \$28,079.36; and authorize the Mayor to execute same on behalf of the Town.

VOTE ON THE MOTION

AYES: Hayden, Wallace, Levenick, Dixon, Filidoro
NAYS: None

L. REGULAR ITEMS

3. Public Hearing to consider approval of an ordinance adopting updated land use assumptions and updated capital improvements plans, and to update and amend certain provisions of Chapter 42, "Impact Fees," regarding the imposition of impact fees and amending Appendix A, "Fee Schedule," accordingly. (The Capitol Improvement Advisory Committee recommended approval by a vote of 8 to 1 at its January 11, 2010, meeting.)

Staff Presentation

Edith Marvin, Town Engineer, introduced the item.

Glenn Gary, Kimley Horn & Associates

Mr. Gary gave the presentation. Due to the length of the presentation, it is on file in the Town Secretary's Office.

Questions from the Governing Body and Answers

Councilmember Hayden clarified that impact fees were not affected by the Tax Increment Reinvestment Zone (TIRZ) District.

Town Manager Harlan Jefferson stated they were two separate "pots" of money. The Town would not be mixing capital items on two separate lists.

Mr. Gary stated the TIRZ money was subtracted out. This would be money that the Town would spend for growth.

Deputy Mayor Pro Tem Dixon asked if staff received any comments from the

development community.

Assistant Town Manager Kent Collins replied no.

Councilmember Wallace asked why residential and non-residential fees were separate.

Mr. Jefferson stated it was done that way when the SMARTGrowth Plan was implemented.

Public Comments **None**

Close Public Hearing

Council Deliberation

Councilmember Wallace stated that previously the Council made amendments to the economic development policy in order for the Town to be more competitive, and recently had a significant win with Continuum. He stated Flower Mound was trying to be more competitive with non-residential development and be similar to Southlake and Colleyville.

Mr. Jefferson commented that under the incentive policy, there was another tier to move non-residential down to 25%.

Mayor Pro Tem Levenick moved to approve Ordinance No. 08-10 adopting updated land use assumptions and updated capital improvements plans, and to update and amend certain provisions of Chapter 42, "Impact Fees," regarding the imposition of impact fees and amending Appendix A, "Fee Schedule," accordingly. The motion was seconded by Councilmember Filidoro. The caption of the ordinance reads as follows:

ORDINANCE NO. 08-10

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 AMENDING SUBPART A OF THE CODE OF ORDINANCES THROUGH THE AMENDMENT OF CHAPTER 42, "IMPACT FEES," TO ADOPT UPDATED LAND USE ASSUMPTIONS, UPDATED CAPITAL IMPROVEMENTS PLANS AND TO UPDATE CERTAIN ORDINANCES REGARDING THE IMPOSITION OF IMPACT FEES, THROUGH THE AMENDMENT OF ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 42-1, "CAPITAL IMPROVEMENT PLANS ADOPTED;" THROUGH THE AMENDMENT OF ARTICLE II, ENTITLED "WATER AND WASTEWATER IMPACT FEE," BY AMENDING SECTION 42-34, "DEFINITIONS," SECTION 42-37, "FEE CALCULATION," AND SECTION 42-38, "CREDITS;" THROUGH THE AMENDMENT OF ARTICLE III, ENTITLED "ROAD IMPACT FEES," BY AMENDING SECTION 42-74, "DEFINITIONS," SECTION 42-76, "FEE ASSESSMENT," SECTION 42-77, "FEE CALCULATION," AND SECTION 42-78, "CREDITS;" BY THE DELETION OF CURRENT EXHIBITS A, B AND C TO CHAPTER 42 AND THE ADOPTION OF NEW EXHIBITS A THROUGH E DESCRIBED HEREIN BELOW; AND BY AMENDING APPENDIX A "FEE SCHEDULE" OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND RELATIVE TO CHAPTER 42 IMPACT FEES; MAKING FINDINGS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Wallace, Levenick, Dixon, Filidoro, Hayden
NAYS: None

Mayor Smith opened Items 4 and 5 together.

4. **Public Hearing to consider a request for a Comprehensive Sign Package (CSP 02-09 - Sonic Drive-In Morriss Road) for Sonic Drive-In. The property is located at 6210 Morriss Road. (The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its January 11, 2010, meeting.)**
5. **Public Hearing to consider a request for a Comprehensive Sign Package (CSP 03-09 - Sonic Drive-In Flower Mound Road) for Sonic Drive-In. The property is located at 2541 Flower Mound Road. (The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its January 11, 2010, meeting.)**

Staff Presentation

Executive Director of Development Services Doug Powell stated the land use and zoning were appropriate for the sites. Signs had been up since the buildings were in place. He was not certain that they were ever permitted, so this action would fix that issue. He stated the Planning & Zoning Commission recommended approval. Approval of these two items would allow these two Sonics to have the same sign package as the other Sonic in the Town (that was approved last year).

Questions from the Governing Body and Answers None

Public Comments

Paul Stone, 709 Lake Bluff Drive, Flower Mound

Mr. Stone stated he had no objections to the requests. He noted that the use of the Comprehensive Sign Package ordinance had been an effective way for developers to use the zoning ordinance, however most of the time, it was used for multi-tenant developments. He stated the Council should look at the intent of the Comprehensive Sign Package option, as it should not be used to avoid going to the Board of Adjustment. He stated it might be time to look at the sign ordinance and to get input from the community and from the Chamber of Commerce.

Close Public Hearing

Council Deliberation Item 4.

Councilmember Hayden thanked Sonic for being a good neighbor.

Councilmember Wallace moved to approve a Comprehensive Sign Package (CSP 02-09 - Sonic Drive-In Morriss Road). The motion was seconded by Councilmember Hayden.

VOTE ON THE MOTION

AYES: Hayden, Wallace, Levenick, Dixon, Filidoro
NAYS: None

Council Deliberation item 5.

Mayor Pro Tem Levenick moved to approve a Comprehensive Sign Package (CSP 03-09 - Sonic Drive-In Flower Mound Road) for Sonic Drive-In. The motion was seconded by Councilmember Filidoro.

VOTE ON THE MOTION

AYES: Filidoro, Dixon, Levenick, Wallace, Hayden

NAYS: None

Mayor Smith opened Items 6 and 7 together.

6. **Public Hearing to consider a request to amend the Master Plan (MPA 08-09 - Medians and Rights-of-Way Master Plan) by amending various provisions of Section 4.0 Urban Design Plan to update and modify the existing landscaping guidelines applicable to the Town's medians and rights-of-way and to consider adopting an ordinance providing for said amendment. (The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its January 11, 2010, meeting.)**
7. **Consider approval of a resolution adopting the Median and Rights-of-Way Design Guidelines.**

Staff Presentation

Jack Jones, Director of Parks and Recreation, and Doug Powell, Executive Director of Development Services, introduced the item.

Tim May, Teague Nall and Perkins

Mr. May reviewed the Median and Rights-Of-Way Master Plan. Due to the length of the document, it is **on file in the Town Secretary's Office for review.**

Questions from the Governing Body and Answers

Councilmember Filidoro asked staff to look at the cul-de-sac on West Windsor.

Mr. Jefferson commented that was not necessarily part of this project, however staff would hold the discussion when looking at the improvements to West Windsor.

Mr. May stated the guidelines would address how that specific median could be improved.

Councilmember Filidoro asked if there was a plan for implementation and a maintenance schedule.

Mr. May responded that they planned to use native plants and xeroscaping. The Town would reap the economic benefits and keep the workers out of the rights-of-way. The trees would be bubbled separately from the turf areas.

Councilmember Hayden asked for the cost differential to maintain the areas when fully developed.

Mr. May stated they would be minimizing turf and populating the areas with as many

trees as possible.

Mr. Powell stated that Item 6 would clean up the Town's standards for streetscapes and/or entry monuments.

Public Comments

Paul Stone, 709 Lake Bluff Drive, Flower Mound

Mr. Stone stated that former Park Board members John Thomas and Andre Gerault would be so pleased. He thanked the Council for re-establishing the scenic corridors.

Close Public Hearing

Council Deliberation on Item 7.

Mayor Pro Tem Levenick moved to approve Resolution 01-10 adopting the Median and Rights-of-Way Design Guidelines. The motion was seconded by Councilmember Filidoro. The caption of the resolution reads as follows:

RESOLUTION NO. 01-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ADOPTING MEDIAN AND RIGHT-OF-WAY GUIDELINES FOR THE TOWN OF FLOWER MOUND; MAKING FINDINGS RELATIVE THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Filidoro, Dixon, Levenick, Wallace, Hayden
NAYS: None

Council Deliberation on Item 6.

Councilmember Wallace stated he was a member of the 2006 Master Plan Steering Committee and he was pleased to see the items. He noted that the Town was going to apply for the Scenic City Certification Program through the Texas Municipal League. He stated this would meet with the ideals and values already in the **Town's** Master Plan. He hoped Flower Mound would be chosen as one of the first Scenic Cities in Texas.

Councilmember Wallace moved to approve a request to amend the Master Plan (MPA 08-09 - Medians and Rights-of-Way Master Plan) by amending various provisions of Section 4.0 Urban Design Plan to update and modify the existing landscaping guidelines applicable to the Town's medians and rights-of-way, and Ordinance No. 09-10 providing for said amendment. The motion was seconded by Mayor Pro Tem Levenick. The caption of the ordinance reads as follows:

ORDINANCE NO. 09-10

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING MASTER PLAN 2001, BY AMENDING ORDINANCE NO. 24-01 IN PART, WHICH ADOPTED MASTER PLAN 2001, THROUGH THE AMENDMENT OF

SECTION 4.0 URBAN DESIGN PLAN TO RECOGNIZE THE ADOPTION OF AND APPLYING THE MEDIAN AND RIGHTS-OF-WAY DESIGN GUIDELINES UPDATING THE TOWN'S LANDSCAPE REQUIREMENTS FOR MEDIANS AND RIGHTS OF WAY TO CERTAIN PROVISIONS OF SECTION 4.0 URBAN DESIGN PLAN AND DELETING THOSE PROVISIONS THAT CONFLICT WITH THE NEWLY ADOPTED GUIDELINES; REPEALING ALL CONFLICTING ORDINANCES, ORDERS, OR RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Hayden, Wallace, Levenick, Dixon, Filidoro
NAYS: None

Mayor Smith opened Items 8 and 9 together.

8. **Public Hearing by the Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider approval of a resolution authorizing the imposition of the Fire Control, Prevention, and Emergency Medical Services District Sales and Use Tax at the rate of one-fourth of one percent on gas and electricity for residential use.**
9. **Public Hearing by the Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to consider approval of a resolution authorizing the imposition of the Crime Control and Prevention District Sales and Use Tax at the rate of one-fourth of one percent on gas and electricity for residential use.**

Staff Presentation

Assistant Town Manager/Chief Financial Officer Chuck Springer stated the proposed items, if approved would fully fund the Crime and Fire Districts. Currently they did not receive sales tax. There was a change in the last legislative session that required resolutions to be passed after January 1, 2010.

Mayor Smith stated that State Senator Jane Nelson and State Representative Soloman Ortiz helped get the legislation passed.

Questions from the Governing Body and Answers None

Public Comments None

Close Public Hearing

Council Deliberation

Mayor Pro Tem Levenick moved to approve Resolution No. 02-10 by the Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District authorizing the imposition of the Flower Mound Fire Control, Prevention, and Emergency Medical Services District sales tax at the rate of one-fourth of one percent on gas and electricity for residential use. The motion was seconded by Councilmember Wallace. The caption of the resolution reads as follows:

RESOLUTION 02-10

A RESOLUTION OF THE TOWN OF FLOWER MOUND COUNCIL ACTING AS THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, AUTHORIZING THE IMPOSITION OF THE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SALES AND USE TAX AT THE RATE OF ONE-FOURTH OF ONE PERCENT ON GAS AND ELECTRICITY FOR RESIDENTIAL USE; PROVIDING FOR THE NOTIFICATION OF THE STATE COMPTROLLER'S OFFICE; PROVIDING FOR THE NOTIFICATION OF GAS AND ELECTRIC COMPANIES WITHIN THE BOUNDARIES OF THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT; PROVIDING FOR THE PUBLICATION OF SAID RESOLUTION; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Hayden, Wallace, Levenick, Dixon, Filidoro
NAYS: None

Questions from the Governing Body and Answers None

Public Comments None

Close Public Hearing

Council Deliberation

Councilmember Filidoro moved to approve Resolution No. 03-10 by the Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District authorizing the imposition of the Flower Mound Crime Control and Prevention District Sales and Use Tax at the rate of one-fourth of one percent on gas and electricity for residential use. The motion was seconded by Councilmember Wallace. The caption of the resolution reads as follows:

RESOLUTION NO. 03-10

A RESOLUTION OF THE TOWN OF FLOWER MOUND COUNCIL ACTING AS THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT, AUTHORIZING THE IMPOSITION OF THE CRIME CONTROL AND PREVENTION DISTRICT SALES AND USE TAX AT THE RATE OF ONE-FOURTH OF ONE PERCENT ON GAS AND ELECTRICITY FOR RESIDENTIAL USE; PROVIDING FOR THE NOTIFICATION OF THE STATE COMPTROLLER'S OFFICE; PROVIDING FOR THE NOTIFICATION OF GAS AND ELECTRIC COMPANIES WITHIN THE BOUNDARIES OF THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT; PROVIDING FOR THE PUBLICATION OF SAID RESOLUTION; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Filidoro, Dixon, Levenick, Wallace, Hayden

NAYS: None

M. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

- February 15 - regular meeting
- February 18 - work session, including a proposed mixed use project along FM 2499 and Lakeside
- March 1 - regular meeting
- March 15 - cancel (due to spring break)
- March 25 - special meeting and work session, if needed

N. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 8:24 pm on February 1, 2010 pursuant to Texas Government Code Sections 551.071, 551.072, 551.074 and 551.087 to discuss matters relating to consultation with Town Attorney, real property, personnel, and economic development negotiations and reconvened into an open meeting at 10:07 p.m. on February 1, 2010 to take action on the items as follows:

- a. Discuss and consider economic development incentives.

No action taken.

- b. Discuss and consider acquisition and/or lease of real property for municipal purposes and all matters incident and related thereto.

No action taken.

- c. Discuss and consider appointments to the Animal Services Board, Board of Adjustment, Community Development Corporation, Environmental Conservation Commission, Parks, Arts and Library Services Board, Planning and Zoning Commission, Tax Increment Reinvestment Zone Board and Transportation Commission.

No action taken.

P. ADJOURN REGULAR MEETING

Mayor Smith adjourned the regular meeting at 10:08 p.m. and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

JODY A. SMITH, MAYOR

ATTEST:

PAULA J. PASCHAL, TOWN SECRETARY