

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING; TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING; AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING HELD ON THE 17TH DAY OF JANUARY 2017, 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.

Meeting Video Link: <http://flowermoundtx.swagit.com/play/01172017-1302> (subject to change)

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

Tom Hayden	Mayor
Kevin Bryant	Mayor Pro Tem
Bryan Webb	Deputy Mayor Pro Tem
Jason Webb	Councilmember Place 1
Don McDaniel	Councilmember Place 4
Itamar Gelbman	Councilmember Place 5

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

Theresa Scott	Town Secretary
Drew Larkin	Town Attorney
Jimmy Stathatos	Town Manager
Debra Wallace	Deputy Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Doug Powell	Executive Director of Development Services
Ken Parr	Executive Director of Public Works
James Hoefert	Environmental Review Analyst

**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**

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

**D. 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.*

	<b>Speaker names and address</b>	<b>Subject (as written on the form)</b>
1.	Pravachan Lokesh, Holden Edmondson, Michael Rathon	Graffiti
2.	Andrew Berry, 1804 Richwood Dr, Austin <small>(administrative note: Mr. Berry spoke when Mayor Hayden reopened public participation after the Town Manager Report/senior housing discussion)</small>	Skilled nursing facility (community needs waiver application)

3.	Paul Stone, 709 Lake Bluff	MLK <sup>+</sup>
4.	Ron Newton, 2257 Shoreline Dr	Green Acres Farm Tree Farm & Public safety of access to Green Acres Farm along Hide-A-Way Ln
5.	Carol Kohankie, 4312 Lauren Way	Book Sale – library
6.	Laura Dillon, 6013 Rock Cove	Senior housing

**E. ANNOUNCEMENTS**

Several members of Council expressed concern for the police officer that was shot today in the Town of Little Elm.

Councilmember Jason Webb reflected on his service on Council and announced that he will be running for reelection, Town Council Place 1, this May.

Councilmember McDaniel expressed concern regarding various misstatements and omissions in an article recently submitted and published in a local paper by Councilmember Gelbman on the topic of housing.

Mayor Pro Tem Bryant had the following announcements:

- Reported on the recent Martin Luther King, Jr. event
- Announced that the FMHS football team and their boosters will be going to Sunset High School in Dallas tomorrow night to provide that football team a football banquet
- He reflected on his service on Council and announced that he plans to run for reelection in May

Mayor Hayden had the following announcements:

- Expressed his appreciation for the young men that came forward earlier in the meeting to apologize and how it took courage
- He indicated there is a need for the Town to bank land for future park use while there is still an opportunity to do that, and how that will be important 15 – 20 years from now

Deputy Mayor Pro Tem Webb recited excerpts from an article recently submitted and published in a local paper by Councilmember Gelbman, followed by offering clarification on some of the statements.

Councilmember Gelbman offered clarification regarding statements he made in the article he wrote and submitted to a local paper.

**F. TOWN MANAGER’S REPORT**

**Update and discussion on:**

1. Update and status report related to capital improvement projects.

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

- Sagebrush Drive should be finished next week

2. Update and discussion on Economic Development projects.

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

- Parkview Commerce Center update
- Fit Manufacturing is now open
- Taco Brone in Parker Square has reopened under the name of Gabriela & Sofia's Tex-Mex
- Edison Coffee is soon to open in Parker Square
- Taco Bueno is expected to open February 17

3. Update and discussion on new town hall and library expansion

Mr. Stathatos gave an update on the status of the new town hall and noted next steps regarding what would be needed for a library expansion.

4. Update on the Town Council strategic initiatives.

Mr. Dalton gave a progress report on the Council's strategic initiatives.

5. Update and discussion on senior housing.

*Administrative Note: This item was heard last on the Town Manager's Report.*

Mr. Dalton gave a presentation identifying or noting:

- A review of past discussions
- Senior housing types
- Existing facilities
- Summary of direction to seek senior housing developers
- November 21 update
- Senior housing overlay boundary and requirement of amendment of Section 1.0 of the Town's Master Plan
- Development interest
- Next steps

There was Council discussion as follows:

- How the marketplace will dictate the number of units for a senior project; however, it doesn't need to be 3,000+ units
- How the overlay serves the purpose of showing developers Council is serious
- How there is a void for senior housing in Flower Mound
- Given the impact to adjacent property owners there should be a master plan amendment
- How the draft boundary map takes into account the proximity to medical facilities, shopping, and the senior center amenity
- The pros and cons associated with having a senior housing overlay boundary
- When decisions are made relative to a developer for a senior housing project, consideration needs to be given to the type of project and not necessarily the first one that comes along
- Encouraged developers that are interested in constructing a senior housing facility to visit with the seniors in the community for their input

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

- Did staff contact the two developers coming forward tonight or did they contact the Town
- Will the overlay have the option to be removed once it's served its use
- What is the benefit of having the overlay and what specifically would it allow
- Would the possibilities be limited to the boundary map as presented
- How many votes would it take to pass the overlay
- How many groups have staff contacted for senior housing projects, and was the overlay option discussed
- Interest in irrevocable deed restrictions to keep it from being flipped to another in the distant future (i.e. 20 years)
- How tax credit calculations work
- What is the necessity of a resolution of support to coincide with an application
- Clarification regarding the formal approval process and property owner entitlements

*Administrative Note: The following individuals completed speaker cards for the public participation portion of the meeting; however, Mayor Hayden opted to have them speak during the Town Manager's report/senior housing update.*

Todd Wind, Vice President – Development, Picerne Development Corporation of Florida

Mr. Wind gave a presentation identifying or noting:

- Picerne Real Estate group background information, including past projects
- Timber Place proposal (100 units)
  - Age restricted – 55 and over
  - Proposed unit mix (50 1 bdrm units, 50 2 bdrm units)
  - Income set asides
    - 60% of AMI – 45 units
    - 50% of AMI – 36 units
    - 30% of AMI – 9 units
    - Market – 10 units
  - Average renter age

Mr. Wind responded to questions from Council as follows:

- What are typical amenities
- What would the proposed rent be
- How is the development maintained for the long term
- If there is an income test how is this not considered lower income housing
- Has there been a market study, and if so, is there a market for senior housing in Flower Mound
- Are they set on the location identified on Cross Timbers

Linda S. Brown, 2010 Kessler Pkwy, Dallas and Moe Mohanna, 330 W Victoria, Gardena, CA

Mr. Mohanna or Ms. Brown gave a presentation identifying or noting:

- Background information about the company
- How housing tax credits work
- No rental subsidy from a government program
- How state regulations are a factor for developers
- Financial structure is designed for the long term cash flow
- In addition to age and income verification, they also conduct background checks

Mr. Mohanna or Ms. Brown responded to questions from Council as follows:

- Clarification regarding the application process

Mayor Hayden summarized that Council will have a more in depth discussion at the work session on Thursday, January 19<sup>th</sup>.

6. Update and discussion on the Town's underground utilities ordinance.

Mayor Hayden reiterated Councilmember McDaniel's idea of initiating fees instead of granting waivers, with the understanding that those funds could be placed in escrow to be used later for burying overhead utility lines in key locations in Flower Mound.

There was Council discussion as follows:

- Legality and mechanics associated with the possibility of creating an escrow fund for that purpose
- The distance required by providers to bury a line
- Direct versus indirect impact

Mr. Stathatos, Mr. Dalton, or Mr. Larkin responded to questions from Council or offered comments as follows:

- Clarification that funds would need to be reinvested in the same area in which the project funds were collected from
- Who or what statute determines the radius in which those funds can be used
- Funds would need to be given back to a developer if not used within ten years
- Cost associated with burying power lines
- Challenge of determining rough proportionality of the lines

Mayor Hayden summarized that Council would like to have a future discussion at the next strategic planning session relative to the option of creating an escrow account, or to explore other options for the purpose of addressing the issue of overhead utility lines, along with feasibility aspects.

**G. FUTURE AGENDA ITEMS**

1. There was Council consensus to discuss and consider authorizing the mayor to initiate a letter of support at the next Council meeting, and as requested by Mr. Andrew Berry (representing CL Healthcare, LLC), to coincide with a community needs waiver application with the Department of Aging and Disability Services for a

skilled nursing facility. Mr. Berry offered comments during public participation indicating that the waiver would allow the facility the right to treat Medicaid recipients, and a letter from the Town would show that the community is in support of additional health care resources. Based on an informational brochure previously provided to Council, the project is described as follows:

- 6-acres
- 52,000 square foot skilled nursing and rehabilitation facility
- 116 beds
- Total project costs, including operational expenses, should exceed \$14 million
- 140 full time employees with an annual payroll of more than \$4 million
- The facility will contain: multiple dining areas, a chapel, beauty shop, day area, television lounge, snack bar, multiple nursing stations, administrative offices and an extensive rehabilitation gym
- Some of the services the facility will provide:
  - Physician care and practitioner services
  - 24-hour skilled nursing care
  - Speech therapy
  - Occupational therapy
  - Activities of daily living (ADL) services
  - Custodial care
  - Dementia management
  - IV therapy
  - Medication administration
  - Social services
  - Wound care

**H. COORDINATION OF CALENDARS**

Mayor Hayden announced that the next Town Council meeting is a work session scheduled for Thursday, January 19, 2017.

**I. CONSENT ITEMS**

1. Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting held on December 19, 2016.

**RECOMMENDATION:** Move to approve Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting held on December 19, 2016.

2. Consider a resolution of the Town of Flower Mound Town Council requesting the members of the 85th Legislative Session of the State of Texas to support legislation that provides a fair and equitable distribution of the sporting goods sales tax revenue for local and state parks.

**RECOMMENDATION:** Move to approve a resolution of the Town of Flower Mound Town Council requesting the members of the 85th Legislative Session of the State of Texas to support legislation that provides a fair and equitable distribution of the sporting goods sales tax revenue for local and state parks.

**RESOLUTION NO. 01-17**

**A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS, TOWN COUNCIL REQUESTING THE MEMBERS OF THE 85<sup>th</sup> LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES A FAIR AND EQUITABLE DISTRIBUTION OF THE SPORTING GOODS SALES TAX REVENUE FOR LOCAL AND STATE PARKS.**

3. Consider approval of an Interlocal Cooperation Agreement with Denton County for the provision of fire protection services for the benefit of the citizens of Flower Mound and Denton County, 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 provision of fire protection services for the benefit of the citizens of Flower Mound and Denton County, and authorization for the Mayor to execute same on behalf of the Town.

4. Consider approval of an Interlocal Cooperation Agreement with Denton County for the provision of ambulance services for the benefit of the citizens of Flower Mound and Denton County, 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 provision of ambulance services for the benefit of the citizens of Flower Mound and Denton County, and authorization for the Mayor to execute same on behalf of the Town.

5. Consider approval of the purchase of The Brazos Technology eCitation/Accident Reporting Data Capture System by the Flower Mound Police.

**RECOMMENDATION:** Move to approve the purchase of The Brazos Technology eCitation/Accident Reporting Data Capture System by the Flower Mound Police.

*Item 6 was moved from consent to regular items at the request of Deputy Mayor Pro Tem Bryan Webb.*

7. Consider approval of a Professional Services Agreement for design phase services for the Upper Timber Creek Interceptor Phase IV project, with Kimley-Horn and Associates, Inc., for \$230,000.00; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve a Professional Services Agreement for design phase services for the Upper Timber Creek Interceptor Phase IV project, with Kimley-Horn and Associates, Inc., for \$230,000.00; and authorization for the Mayor to execute same on behalf of the Town.

8. Consider approval of Change Order No. 2 and final acceptance of the Timber Creek Road Paving Improvements project, amending the contract with XIT Paving and Construction, Inc., for a decrease to the contract in the amount of \$13,465.50, and authorizing final payment to XIT Paving and Construction, Inc., in the amount of \$29,987.96; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve Change Order No. 2 and final acceptance of the Timber Creek Road Paving Improvements project, amending the contract with XIT Paving and Construction, Inc., for a decrease to the contract in the amount of \$13,465.50, and authorizing final payment to XIT Paving and Construction, Inc., in the amount of \$29,987.96; and authorization for the Mayor to execute same on behalf of the Town.

9. Consider approval to purchase materials and installation for the renovation of the Police Department's Jail and Locker Room areas, for the Police and Courts Facility Upgrades project, from Tiffin Metal Products Co., a Buy Board participant; in the amount of \$124,216.00.

**RECOMMENDATION:** Move to approve the purchase materials and installation for the renovation of the Police Department's Jail and Locker Room areas, for the Police and Courts Facility Upgrades project, from Tiffin Metal Products Co., a Buy Board participant; in the amount of \$124,216.00.

10. Consider approval of Amendment No. 3 to the Fiscal Year 2016-2017 Capital Improvement Program.

**RECOMMENDATION:** Move to approve Amendment No. 3 to the Fiscal Year 2016-2017 Capital Improvement Program.

11. Consider approval of an amended Professional Services Contract with Promoter Line, Inc. to extend the terms of the contract and provide the necessary authority to increase the event budget, and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve an amended Professional Services Contract with Promoter Line, Inc. to extend the terms of the contract and provide the necessary authority to increase the event budget, and authorization for the Mayor to execute same on behalf of the Town.

Councilmember Jason Webb moved to approve by consent Items 1 – 5; 7 – 11. Mayor Pro Tem 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: J. WEBB, MCDANIEL, BRYANT, B. WEBB, GELBMAN**

**NAYS: NONE**

**J. REGULAR ITEMS**

6. Consider approval of a Professional Services Agreement for design phase services for the High Road Water Line Replacement Phase 1 project, with Kimley-Horn and Associates, Inc., for \$296,000; and authorization for the Mayor to execute same on behalf of the Town.

Mr. Parr gave a presentation identifying or noting:

- Purpose of the water line repair project
- Scope of work
- Challenges associated with the project

Councilmember McDaniel moved to approve a Professional Services Agreement for design phase services for the High Road Water Line Replacement Phase 1 project, with Kimley-Horn and Associates, Inc., for \$296,000; and authorization for the Mayor to execute same on behalf of the Town. Mayor Pro Tem Bryant seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

**AYES: GELBMAN, BRYANT, MCDANIEL, J. WEBB**

**RECUSED: B. WEBB**

**NAYS: NONE**

12. Consider approval of a resolution approving and authorizing publication of notice of intention to issue Certificates of Obligation, Series 2017, in the principal amount not to exceed \$10,000,000.

**Staff Presentation**

Ms. Wallace described the purpose of the item.

Mayor Hayden summarized that the revenue source is the Tax Increment Reinvestment Zone (TIRZ) and the use of funds is for the new Town Hall.

Mayor Pro Tem Bryant moved to approve a resolution approving and authorizing publication of notice of intention to issue Certificates of Obligation, Series 2017, in the principal amount not to exceed \$10,000,000. Councilmember Jason Webb seconded the motion.

**RESOLUTION NO. 02-17**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.**

**VOTE ON MOTION:**

*Motion passed*

**AYES: GELBMAN, B. WEBB, BRYANT, MCDANIEL, J WEBB**

**NAYS: NONE**

13. Public Hearing to consider an application for a tree removal permit for five (5) specimen trees on property proposed for development as Hillside of Flower Mound. The property is generally located south of Cross Timbers Road and west of Shiloh Road. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its January 3, 2017, meeting).

**Staff Presentation**

Mr. Hoefert gave a presentation identifying or noting:

- Location (aerial view)
- Project information
- How the item is coming back under the new standards for post oak specimen size
- Photographs of the trees being requested to be removed

Mr. Hoefert or Mr. Larkin responded to questions from Council regarding:

- Were the three trees there when the first tree removal request came forward
- Why is the item coming back to Council
- Legalities associated with a denial
- Is the applicant following all standards and requirements necessary for mitigation

At 8:56 p.m. Town Council convened into closed session in accordance with Texas Government Code Chapter 551.071 for consultation with the Town Attorney and reconvened at 9:05 p.m.

There was Council discussion relative to how this item is following the new tree ordinance Council recently approved.

Mayor Hayden opened the Public Hearing at 9:08 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.*

<b>Support: Comments/Questions</b>	<b>Opposition: Comments/Questions</b>	<b>Question(s)/Comments Only</b>
Jim Engel, 5110 Bayberry St	None.	None.

Mayor Hayden closed the Public Hearing at 9:08 p.m.

Deputy Mayor Pro Tem Bryan Webb moved to approve an application for a tree removal permit for five (5) specimen trees on property proposed for development as Hillside of Flower Mound. The property is generally located south of Cross Timbers Road and west of Shiloh Road. Councilmember McDaniel seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

**AYES: J. WEBB, MCDANIEL, BRYANT, B. WEBB, GELBMAN**

**NAYS: NONE**

- Public Hearing to consider an application for a tree removal permit for one (1) specimen tree on property proposed for development as Estancia Estates. The property is generally located at the southeast corner of Dixon Lane and Chinn Chapel Road. (The Environmental Conservation Commission recommended approval by a vote of 4-2-0 at its January 3, 2017, meeting).

**Staff Presentation**

Mr. Hoefert gave a presentation identifying or noting:

- Aerial image of the property demonstrating the full extent of the location
- Project information
- Zoomed in aerial image, noting the tree well
- Original tree survey from 2011/2012
- Photograph of the tree requested to be removed

Mr. Hoefert responded to questions from Council as follows:

- Is there any concern as it relates to the lean of the tree
- If mitigation is restricted to the site associated with the request for removal or could it be anywhere within the Town
- What is the possibility of mitigation on site for this development

**Applicant Presentation**

Will Swerdlow, Associate Landscape Designer, and Ron Stewart, Senior Landscape Architect, G & A Landscape Architecture, 111 Hillside Dr, Lewisville, TX

Mr. Swerdlow or Mr. Stewart gave a presentation identifying or noting:

- Background information on the project, including the change of ownership with the development
- Project location

- Lot and floor plan, including setback information
- Why they are requesting the tree to be removed

Mr. Swerdlow or Mr. Stewart responded to questions from Council as follows:

- Is there not any way they can build on the lot without removing the tree, albeit with a different house plan
- Are there models in existence that could be built on this property without the tree being removed
- Clarification regarding his relationship with the developer
- Was the buyer of the lot made aware that a condition of this lot is that authorization for the tree removal would need to be granted

There was Council discussion as follows:

- Original intent was to preserve the trees indefinitely, particularly because of the expense of the tree well that was constructed
- Acknowledgement of having received a petition from area residents relative to saving the tree
- Whether there is ample room to build a home on this lot with the tree in place

Mayor Hayden opened the Public Hearing at 9:23 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.*

<b>Support: Comments/Questions</b>	<b>Opposition: Comments/Questions</b>	<b>Question(s)/Comments Only</b>
None.	1. Leanne Edwards, 5808 Naples Drive 2. Jim Engel, 5110 Bayberry St	None.

Mayor Hayden closed the Public Hearing at 9:30 p.m.

Councilmember McDaniel moved to deny an application for a tree removal permit for one (1) specimen tree on property proposed for development as Estancia Estates. The property is generally located at the southeast corner of Dixon Lane and Chinn Chapel Road.

Councilmember Jason Webb seconded the motion.

**VOTE ON MOTION:**

*Motion passed(for denial)*

**AYES: GELBMAN, B. WEBB, BRYANT, MCDANIEL, J. WEBB**

**NAYS: NONE**

15. Public Hearing to consider an application for a tree removal permit for four (4) specimen trees on property proposed for development as Canyon Falls – Village 10B. The property is generally located north of Canyon Falls Drive and east of Prairie Ridge Road.. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its January 3, 2017, meeting).

**Staff Presentation**

Mr. Hoefert gave a presentation identifying or noting:

- Aerial photograph to demonstrate the full extent of the area
- Project information
- Upland habitat impact area
- Specific trees being requested for removal, including photographs of each
- Health condition of trees

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

- Clarification regarding the disqualification of one of the trees
- Are the trees numbered 2003 and 2004 having to be removed because of the road
- What changed from the original application that the tree removal is needed now versus when it originally came forward
- Tree protection guidelines
- What process is in place to ensure the developer is doing everything they can within reason to save the tree
- If crushed concrete stabilization instead of lime, or other related options, could be used on this segment of the roadway in the interest of saving the tree
- What is the largest tree that the Town can move and what is the success rate for trees that the Town has moved in the past

**Applicant Presentation**

Bob Ditthardt, Senior Project Manager, NASH Canyon Falls, LLC, 4835 LBJ Freeway, Ste 690, Dallas, TX

Mr. Ditthardt responded to questions from Council as follows:

- If there are utilities going under one or both of those trees (2003 or 2004)

Mayor Hayden opened the Public Hearing at 9:46 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.*

<b>Support: Comments/Questions</b>	<b>Opposition: Comments/Questions</b>	<b>Question(s)/Comments Only</b>
None	None	Leanne Edwards, 5808 Naples Dr

Mayor Hayden closed the Public Hearing at 9:47 p.m.

There was Council discussion as follows:

- If there is interest (as expressed by the applicant) in saving the 39" post oak tree, how is approving it's removal incentivizing the developer to save the tree

- How waiting two weeks is not going to change the answer of the developer that they will try and save the trees
- There is a financial incentive for the applicant to save the tree

Mayor Hayden summarized that Council would like the applicant to utilize creativity in doing everything they can to save the 39" post oak.

Deputy Mayor Pro Tem Bryan Webb moved to approve an application for a tree removal permit for four (4) specimen trees on property proposed for development as Canyon Falls – Village 10B. The property is generally located north of Canyon Falls Drive and east of Prairie Ridge Road. Councilmember McDaniel seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

**AYES: J. WEBB, MCDANIEL, BRYANT, B. WEBB**

**NAYS: GELMAN**

**K. BOARDS/COMMISSIONS(Executive Conference Room)**

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.

No action taken.

**L./M. CLOSED/OPEN MEETING**

The Town Council did not convene into closed meeting.

- a. 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.

- 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.

No action taken.

- 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.

No action taken.

d. Consultation with Attorney as follows:

1. Regarding the Low-Income Housing Tax Credit program.

No action taken.

**N. ADJOURN REGULAR MEETING**

Mayor Hayden adjourned the meeting at 9:51 p.m. on Tuesday, January 17, 2017, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**

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**THOMAS E. HAYDEN, MAYOR**

**ATTEST:**

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**THERESA SCOTT, TOWN SECRETARY**

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