

THE FLOWER MOUND CHARTER REVIEW COMMISSION MEETING HELD ON THE 26th DAY OF MAY 2016, AT THE FLOWER MOUND PUBLIC LIBRARY, LOCATED AT 3030 BROADMOOR ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

The Charter Review Commission met in a regular meeting with the following members present:

Tim Trotter	Vice Chair
Kia Mastey	Commissioner
Connie Smith	Commissioner
Amy Wallace	Commissioner

With the following members absent:

Jody Smith	Chair
Robert Rawson	Commissioner

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

Theresa Scott	Town Secretary
Ashley Dierker	Town Attorney

A. CALL MEETING TO ORDER

Vice Chair Trotter called the meeting to order at 6:05 p.m.

B. MINUTES

1. Consider approval of May 12, 2016, Minutes

Commissioner Smith moved to approve the May 26, 2016 minutes. Commissioner Wallace seconded the motion.

VOTE ON MOTION:

AYES: MASTEY, SMITH, TROTTER, WALLACE

ABSENT: RAWSON

C. REVIEW ITEMS OUTLINED IN RESOLUTION NO. 08-16 (COUNCIL CHARGE):

1. 1. Discuss options for processing charter violations (Item #5 in Resolution)

There was Commission discussion regarding:

- A review and discussion of the memo as provided by the Town Attorney identifying cases from cities that had experienced Charter violations (and included in the agenda packet)
- Whether or not Council should be tasked with the details of a path to take in processing charter violations, or if the CRC should provide an actionable plan to determine a resolution

- Vice Chair Trotter suggested that each member come up with notes regarding a potential process that could be used relative to Charter violations, followed by submitting those notes to the Town Secretary for inclusion with the June 9th CRC packet
- whether or not it should be a public meeting or a public hearing
- determine steps as to what would happen if a Charter violation should occur
- Interest in getting feedback from the community on the topic

Ms. Scott outlined the summary points to date on this topic.

2. Review and discuss provisions relating to term limits and consecutive terms for elected officials (Item #6 in Resolution)

There was Commission discussion regarding:

- The legality of calling a special election instead of appointing a replacement should the term be extended to 3 years
- Overall voter turnout
- The learning curve associated with two year terms
- Pros and cons associated with three year and two year terms
- Important to limit the amount of power and influence anyone should have in the community
- Term limits as it relates to resetting the clock should a member of Council decide to run for the office of mayor
- Pros and cons associated with term limits, and, including not wanting a person to run for mayor just because their seat is soon to expire. It was noted that this could happen in the event a term limit allowed for a councilmember goes away should they run for mayor, ultimately extending their term to twelve years
- Option of eliminating term limits altogether
- Interest in getting public input on the topic

Ms. Scott responded to questions from the Commission as follows:

- Clarification regarding the current Charter provision as it relates to term limits
- Longest and average time served in office for elected officials

Commissioner Smith requested to have information relative to which parts of the Charter and Ordinances would be impacted as it relates to a supermajority should the size of Council be enlarged.

Commissioner Mastey requested to have information relative to the cost associated with a member of Council for consideration when discussing enlarging the size of Council.

3.
 1. Review and discuss any provisions that would improve efficiencies and/or result in a cost savings for the Town (Item #4 in Resolution)
 - a) Charter Section 9.14 relative to changing the text from transfer of funds from the department level to the fund level

§9.14. Transfer of Appropriations.

During the fiscal year, the Town Council shall have the power to transfer funds allocated by the budget from one ~~department~~ fund to another ~~department~~ fund, and to re-estimate revenues and expenditures. If the Town Council determines it is in the best interest of the Town to apply for and accept a private, county, state or federal grant of funds for a particular purpose, the Council's action in accepting the award of said grant and any corresponding expenditures shall constitute a budget appropriation in the amount of said grant funds.

Ms. Scott requested that the CRC postpone this item until June 9th so the Director of Finance can address this item at that time. There was consensus by the Commission to do so.

D. OTHER ITEMS OUTLINED IN RESOLUTION NO. 08-16 (COUNCIL CHARGE)

The purpose of this item is to allow commission members an opportunity to discuss the following Charter amendments previously determined by a general consensus to be recommendations that will come forward at a future meeting given they were deemed to be in the category of housekeeping or efficiency improvement.

Vice Chair Trotter pointed out that the following items have already been reviewed and they have been placed on the agenda mainly in case any of the Commission members wanted to discuss further. There was no additional discussion by the CRC on these items.

Discuss and Review:

- a) Charter Section 9.10 regarding the procedure of filing the budget with the State Comptroller
- b) Charter Section 3.07(w) regarding the publication of ordinance captions in the newspaper
- c) Charter Section 8.04 regarding the removal of the provisions relating to the Parks, Arts, and Library Services Board (Item #7 in Resolution)

E. ITEMS INITIATED BY CHARTER REVIEW COMMISSION MEMBERS

The purpose of this item is to allow commission members an opportunity to bring forward any items for consideration relative to proposed Charter amendments.

There was consensus of the Commission to have a future agenda item on the topic of expanding the size of Council to include with the discussion on term limits and consecutive terms.

Commissioner Wallace asked to have a discussion on single member districts and/or having a dedicated seat on Council for the east and west side, and more specifically for the east side.

F. 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.

Paul Stone, 709 Lake Bluff Dr

Mr. Stone spoke regarding the topic of a process for what must happen in order to remove a member of Council in the event they violate the Charter.

Mary Kay Walker, 3229 Oak Meadow Dr

Ms. Walker offered appreciation for the commission and their comments. She also pointed out that quite often people come to the polls uninformed and there needs to be an education component. She was in favor of terms remaining limited to six years regardless of seat.

Randall Wilson, 3005 Oak Meadow Dr

Mr. Wilson provided background information relative to his time serving as a Charter Review Commission chair; concerns regarding the spending of taxpayer dollars to charity organizations, term limits, and other topics as it relates to the charter. He also suggested that there should be a charter change that allows the mayor to vote.

G. PUBLIC COMMENTS

Ms. Scott read an email that was received from a resident via charter@flower-mound.com.

H. ADDITIONAL FUTURE AGENDA ITEMS FOR CONSIDERATION

Vice Chair Trotter summarized the meeting discussion.

I. COORDINATION OF CALENDARS

Vice Chair Trotter announced the following upcoming meeting dates:

1. Next meeting date(s):
 - Thursday, June 9, 6pm, Town Hall, 2121 Cross Timbers Rd.
 - Tuesday, June 21, 6pm, Town Hall (Public Hearing)
 - Thursday, June 30, 6pm, Town Hall (Public Hearing)
2. Discuss and consider providing an interim update report to Council at the June 6th regular meeting.

Charter Review Commission

May 26, 2016

Page 5

Ms. Scott summarized the purpose of providing an interim report to Council. There was discussion about how there have been items considered but not voted on and caution needs to be used there. There was consensus by the Commission to provide an interim report to Council on June 6, 2016, with the request that Ms. Scott reach out to Chair Smith to coordinate.

J. ADJOURNMENT

Vice Chair Trotter adjourned the meeting at 7:50 p.m. on May 26, 2016, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

TIM TROTTER, VICE CHAIR

ATTEST:

THERESA SCOTT, TOWN SECRETARY