

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 2ND DAY OF AUGUST 2021, 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:

Derek France	Mayor
Ben Bumgarner	Mayor Pro Tem
Sandeep Sharma	Deputy Mayor Pro Tem
Adam Schiestel	Councilmember Place 1
Jim Engel	Councilmember Place 4
Ann Martin	Councilmember Place 5

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

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Debra Wallace	Interim Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Tiffany Bruce	Assistant Town Manager/Town Engineer
Lexin Murphy	Director of Planning Services
JP Walton	Assistant to the Town Manager/Interim Economic Development Director

A. CALL REGULAR MEETING TO ORDER

Mayor France called the meeting to order at 6:00 p.m.

B./C. INVOCATION/PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Chaplain Russ McNamer gave the invocation and Mayor France led the pledges.

D. 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.	Marcos Delorbe, 824 Stone Trail	Interest in Veterans Board
2.	CharlySue Delorbe, 824 Stone Trail	Welcome as new elected 3026 R Precinct Chair
3.	Vince Gallo, 3201 Walnut Grove	ATFM
4.	Warner Watkins, 2800 London Ln	ATFM
5.	Jackie Stanfield, 4905 Stone Ct	ATFM
6.	Joyce Brown, 2117 Fairmont Dr	ATFM
7.	Susan Borella, 4109 Hide A Way	ATFM

8.	Cheryl Moore, 1900 Tennyson	ATFM
9.	Avery Jerina, 1900 Tennyson	ATFM
10.	Sandy Fambrough, 4105 Spring Meadow Ln With donated time from Stacey Langley, 800 Carter Ct	ATFM
11.	Ashley Jones, no address provided	ATFM
12.	Robert Sheets, 2509 Cross Haven Dr	ATFM
13.	Narayan Srinivasan, 3813 Appleton Ln	ATFM
14.	Don Shields, 3815 Cortadera Ct	ATFM
15.	Nirbhik Modi, 4272 Riverside Dr	Water logging & dead trees
16.	Jackie Shaw, 5204 Timber Park Dr	ATFM
17.	Geoffrey Dennis, 2104 Margie Ct	ATFM
18.	Brenda Gribbin, 3217 Oak Meadow Dr	E3
19.	Marty Robbins, 6100 Long Prairie Rd	Cultural Arts Center
20.	Early VanCleve, 4253 Broadway Ave	River Walk
21.	Steve Mammen, Trinity Management, 6713 Hewitt St, North Richland Hills	River Walk
22.	Brigitte Rousseau, 4205 Broadway*	ATFM (support)

**indicated did not wish to speak*

E. PRESENTATIONS

1. Keep Flower Mound Beautiful (KFMB) Annual Update

Marilyn Lawson, Chair, Keep Flower Mound Beautiful, reported on the work of Keep Flower Mound Beautiful.

2. Presentation by Dianne Edmondson, Denton County Commissioner, Precinct 4

Commissioner Edmondson provided an update on Denton County, Precinct 4.

3. Presentation of the Cultural Arts Center Business Plan

Mr. Walton introduced Duncan Webb, Consultant, Webb Management

Mr. Webb gave a presentation identifying or nothing.

- Company background
- Background information
- Study brief
- Assessment components
- How facilities are changing
- The market
- Indoor performance facilities
- User demand
- Potential project partners
- Public forum observations
- Needs assessment conclusions
- Facility concept

- Operating goals
- Programming plan
- Governance
- Operating policy
- Staffing
- Activity summary
- Budget summary (5 years)
- Regional income benchmarks
- Total annual economic impacts on Denton County
- Qualitative impacts
- Arts center critical path plan

and he responded to questions regarding:

- Quality of regional indoor performance facilities
- Whether such a facility would hurt area facilities
- Clarification regarding capturing revenue and grants
- Comparative studies
- Type of facilities

F. ANNOUNCEMENTS

Councilmember Martin had the following announcements:

- Expressed thanks to Fish City Grill for supporting our area nonprofits
- Encouraged everyone to review the Parks & Recreation Adventures magazine for the many programs and events

Councilmember Engel announced there will be a Boards and Commissions Information Session on August 12th between 6 – 7:30 p.m/

Mayor Pro Tem Bumgarner provided a reminder about school opening soon and to be mindful of school zones, crossing guards, children, and buses.

Deputy Mayor Pro Tem Sharma had the following announcements:

- The board application will be available tomorrow
- The Town has positions available for crossing guards

Mayor France announced the results of the Mayor Pizza Cook Off event.

G. TOWN MANAGER'S REPORT

Ms. Wallace provided an update on the following projects:

1. Capital improvement projects
 - 1171 Westbound turn lane
 - Tennis center feasibility study

Ms. Bruce provided an update on the following projects:

- Blue Ridge Trail reconstruction
- Morriss Rd/Valley Ridge reconstruction
- Waketon Rd/2499 intersection

2. Economic Development projects
 - New and coming soon businesses

H. FUTURE AGENDA ITEMS

1. Mayor France indicated interest in exploring the possibility of having the *DCTA GoZone* transportation option in Flower Mound. No consensus.

I. COORDINATION OF CALENDARS

Mayor France announced the following upcoming meetings and confirmed that all members of Council will be present:

1. A budget work session is scheduled for Thursday, August 19.
2. A regular meeting is scheduled for Monday, August 23 (rescheduled from August 16 to accommodate budget scheduling requirements).

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council and Town of Flower Mound Crime Control and Prevention District Special meeting held on July 19, 2021.
2. Consider approval of an ordinance establishing the 2021 certified appraisal roll.

ORDINANCE NO. 34-21

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING THE 2021 APPRAISAL ROLL; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

3. Consider accepting the submission of the certified collection rate of 100 percent for the fiscal year beginning October 1, 2021, and ending September 30, 2022.
4. Consider proposing a maximum tax rate of \$0.405000 per \$100 valuation for the fiscal year beginning October 1, 2021, and ending September 30, 2022; and scheduling August 23, 2021, public hearing on the budget, scheduling September 20, 2021, public hearing on the tax rate, and scheduling the September 20, 2021, adoption of said budget and tax rate; with each meeting to be held at 6:00 PM, at Town Hall, located at 2121 Cross Timbers Road.
5. Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to schedule a public hearing for August 23, 2021, on the Flower Mound Crime Control and Prevention District budget and to schedule a meeting for September 20, 2021, to take action on the proposed budget; with each meeting to be held at 6:00 PM, at Town Hall, located at 2121 Cross Timbers Road.

6. Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to schedule a public hearing for August 23, 2021, on the Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget and to schedule a meeting for September 20, 2021, to take action on the proposed budget; with each meeting to be held at 6:00 PM, at Town Hall, located at 2121 Cross Timbers Road.
7. *Item 7 was moved from consent to regular.*
8. Consider approval of an Interlocal Cooperation Agreement with Denton County for the assessment and collection of ad valorem taxes for the period beginning October 1, 2021, and ending September 30, 2022, subject to automatic renewal for subsequent one-year terms; and authorization for the Mayor to execute same on behalf of the Town.
9. Consider approval of an Interlocal Cooperation Agreement with Denton County for the collection of assessments for River Walk Public Improvement District No. 1 for the period beginning October 1, 2021, and ending September 30, 2022, subject to automatic renewal for subsequent one-year terms; and authorization for the Mayor to execute same on behalf of the Town.
10. Consider accepting the submission of the notice of an no-new-revenue tax rate of \$0.422069 per \$100 assessed valuation and a voter-approval tax rate of \$0.419471 per \$100 assessed valuation for the fiscal year beginning October 1, 2021, and ending September 30, 2022.
11. Consider approval of an ordinance amending Chapter 66, Article V, Section 66-214 of the Code of Ordinances of the Town of Flower Mound, Texas, relating to the prima facie speed limits for specific streets by lowering the prima facie speed limit on River Walk Drive and Riverside Drive to 25 mph. (The Transportation Commission recommended approval of the speed limit change by a vote of 4 to 0 at its July 13, 2021, meeting.)

ORDINANCE NO. 35-21

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 66-214, "ENUMERATION FOR SPECIFIC STREETS;" PROVIDING FOR THE MAXIMUM PRIMA FACIE SPEED LIMIT FOR CERTAIN STREETS AND PORTIONS OF CERTAIN STREETS WITHIN THE TOWN AT CERTAIN TIMES; PROVIDING A PENALTY NOT TO EXCEED \$200 FOR VIOLATIONS HEREOF; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

12. *Item 12 was moved from consent to regular.*
13. Consider approval of an increase to the annual purchase contract for asphalt overlay services from Reynolds Asphalt & Construction Company, through a City of Grand Prairie Contract (#16112) from an estimated total of \$500,000.00 to an estimated total of \$780,000.00.

Deputy Mayor Pro Tem Sharma moved to approve by consent Items 1-6, 8-11, 13, as presented in the agenda caption. Mayor Pro Tem Bumgarner 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: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE****K. REGULAR ITEMS**

7. Consider approval of a resolution authorizing the adoption of the Program Year 2021 Action Plan for the Community Development Block Grant Program and authorizing the Mayor to execute same on behalf of the Town and submit to the U.S. Department of Housing and Urban Development.

Staff Presentation

Ms. Wallace provided background information regarding this item, including what the funding is used for.

and she responded to questions from Council regarding:

- Rules related to applying for the funds
- Possibility of programs that could be started to make sure the funds are being used
- If strings are attached as part of receiving the federal funds
- Interest in being made aware of any changes related to the acceptance of the funds

Mayor Pro Tem Bumgarner moved to approve as presented. Councilmember Engel seconded the motion.

RESOLUTION NO. 35-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING FOR THE ADOPTION OF THE PROGRAM YEAR 2021 ACTION PLAN UNDER THE TOWN'S COMMUNITY DEVELOPMENT BLOCK GRANT; AUTHORIZING THE MAYOR TO EXECUTE THE ACTION PLAN ON BEHALF OF THE TOWN AND SUBMIT IT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:*Motion passed***AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL****NAYS: NONE**

12. Consider approval of a purchase for the Library Expansion project, of a Laser Engraver for the Library Creation Lab, from Engraving Concepts in the amount of \$21,595.00.

Staff Presentation

Ms. Wallace provided background information regarding the item.

Deputy Mayor Pro Tem Sharma moved to approve as presented. Mayor Pro Tem Bumgarner seconded the motion.

Motion passed

VOTE ON MOTION:**AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE**

14. Public Hearing to consider a request for a Comprehensive Sign Package (CSP21-0001 - My Garage Self Storage) for My Garage Self Storage. The property is generally located north of Canyon Falls Drive and east of Stonecrest Road. (The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its July 26, 2021, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Proposed sign (requested)
- Site plan
- Existing display
- Current conditions
- Photos of the site

and she responded to questions from Council regarding:

- Clarification regarding the adjacent land

Mayor France opened the Public Hearing at 8:47 p.m. No one spoke. Mayor France closed the Public Hearing at 8:47 p.m.

Mayor Pro Tem Bumgarner moved to approve as presented. Deputy Mayor Pro Ten Sharma seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL**NAYS:**

15. Consider approval of a resolution creating the All Together Flower Mound Commission (ATFMC) for the Town of Flower Mound.

Staff Presentation

Ms. Wallace provided background information regarding the item.

There was Council discussion regarding:

- Comments and concerns from the public
- Proposed revised language
- Clarification regarding the purpose of the Commission
- Staff resource use
- Scope of work
- Membership make up (including councilmember)

Councilmember Martin moved to approve item 15 as written with the exception of whereas clause number four, substituting the word appreciation for the word diversity, and striking sentence f) of section one. Deputy Mayor Pro Tem Sharma seconded the motion.

Council Deliberation

There was Council deliberation regarding:

- Appreciation for all speakers and those who wrote and expressed their thoughts and/or concerns
- Modifications to the original Resolution address those concerns

RESOLUTION NO. 18-21

A RESOLUTION CREATING THE ALL TOGETHER FLOWER MOUND COMMISSION FOR THE TOWN OF FLOWER MOUND, DEFINING THE DUTIES AND TERMS OF THE COMMISSION; AND DECLARING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: SCHIESTEL, SHARMA, ENGEL, MARTIN

NAYS: BUMGARNER

L. BOARDS/COMMISSIONS

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

No action taken.

M./N. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 9:06 p.m. on August 2, 2021, 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 10:53 p.m. on August 2, 2021, and no action was taken on the following items:

- a. Consultation with Attorney.
 1. Texas Local Government Code Chapter 54, Enforcement of Municipal Ordinances
 2. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158
- b. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, cultural arts center, 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, senior housing, hospitality projects, and performance related to certain incentive agreements.
- e. Discuss and consider the recruitment process for the Town Manager, and all matters incident and related thereto.
- f. Discuss the duties of the Municipal Court Judge, including the June report regarding court activities.

O. ADJOURN REGULAR MEETING

Mayor France adjourned the meeting at 10:53 p.m. on Monday, August 2, 2021, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



DEREK FRANCE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY