

## AGENDA

### 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

8/22/2022

FLOWER MOUND TOWN HALL, 2121 CROSS TIMBERS ROAD  
FLOWER MOUND, TEXAS

6:00 P.M.

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An agenda information packet is available online at [flower-mound.com/AgendaCenter](http://flower-mound.com/AgendaCenter)

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Comments regarding any agenda item can be sent to the Town Council by emailing [towncouncil@flower-mound.com](mailto:towncouncil@flower-mound.com) or by calling 972.874.6005 and leaving a message.

**A. CALL MEETING TO ORDER**

**B. INVOCATION**

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

*"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*

**D. PRESENTATIONS**

1. International Drug Overdose Awareness Day Proclamation
2. Suicide Prevention Awareness Month Proclamation
3. Keep Flower Mound Beautiful (KFMB) Annual Update

**E. PUBLIC COMMENT**

The purpose of this item is to allow the public an opportunity to address the Town Council regarding any item on this agenda that is not a "Public Hearing". Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972.874.6000 during business hours.

In accordance with the Texas Open Meetings Act, the Town Council is restricted from discussing or acting on items not listed on the agenda.

To speak to Council during public comment, please fill out a [comment form](#).

- Speakers are limited to 3 minutes, a tone will sound at 30 seconds left and when time has expired, and times may be adjusted by the mayor
- Speakers must address their comments to the Town Council
- Please state your name and address when speaking

**F. ANNOUNCEMENTS**

1. Announcements from the mayor and council members

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### G. TOWN MANAGER'S REPORT

Update and discussion on:

1. Capital Improvement projects
2. Economic Development projects
3. Organizational updates

### H. FUTURE AGENDA ITEMS

The purpose of this item is to allow the Mayor and members of Council an opportunity to bring forward items they wish to discuss at a future meeting, with the understanding a consensus of Council is needed in order for that item to be placed on a future agenda and in accordance with the Town Council Agenda Setting Policy (Ord. 65-15).

### I. COORDINATION OF CALENDARS

1. A special meeting is scheduled for Tuesday, September 13, and Thursday, September 15 at 6:00 p.m. for Board & Commission interviews
2. A regular meeting is scheduled for Monday, September 19, 2022

### J. CONSENT ITEMS

This part of the agenda consists of non-controversial or "housekeeping" items required by law. Items may be removed from Consent by any council member by making such request prior to a motion and vote.

1. Minutes 8/8- 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 on August 8, 2022.
2. Minutes 8/18- Consider approval of the minutes from a work session 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 on August 18, 2022.
3. Gerault Park - Design PSA- Consider approval of the Professional Services Agreement with Freese and Nichols, Inc., for the design services associated with the Gerault Park Improvements project, in the amount of \$51,580.00; and authorization for the Mayor to execute same on behalf of the Town.
4. LISD Football Agreement- Consider approval of the 2022 Lewisville Independent School District for Contract with the Town of Flower Mound for law enforcement services at all Marcus High School & Flower Mound High School Varsity and Jr. Varsity home games and authorize the Mayor to execute same on behalf of the Town.
5. SPAN Contract- Consider approval of a Service Agreement for Demand Response Transit Service with SPAN, Inc., in an amount not-to-exceed \$53,611.20, to provide transportation service for Town citizens who are age 65 or older and Town citizens with verifiable disabilities that prevent them from driving; and authorization for the Mayor to execute same on behalf of the Town.

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6. Lopo Rd & Wood Crk Recon Testing Award- Consider approval of a Professional Services Agreement with ECS Southwest, LLP to provide construction materials engineering and testing, for the Lopo Road Reconstruction and Wood Creek Circle Reconstruction project, in the amount of \$78,025.00; and authorization for the Mayor to execute same on behalf of the Town.
7. Annual PID SAP & Assessment Roll- Consider approval of an ordinance adopting the 2022-2023 annual update to the River Walk Public Improvement District No. 1 (PID) Service and Assessment Plan (SAP) and Assessment Roll.
8. Landscape contract funding- Consider approval to increase the contract funding for additional grounds maintenance and landscape services performed by American Landscape.
9. 2022 Street Recon Construction Award- Consider approval of a Construction Agreement with XIT Paving & Construction, Inc., for the 2022 Street Reconstruction project, in the amount of \$855,073.00; and authorization for the Mayor to execute same on behalf of the Town.
10. Historical Commission Task Force- Consider approval of a resolution establishing a Historical Commission Task Force.

### **K. REGULAR ITEMS**

11. MPA21-0010 - Parks and Trails Plan- Public Hearing to consider an ordinance amending the Master Plan (MPA21-0010 - Parks and Trails Plan) by removing and replacing Section 5.0, "Parks and Trails Plan," and adopting the 2022 Trails and Bikeways Master Plan. (The Parks Board recommended approval by a vote of 7 to 0 at its June 2, 2022, meeting.) (The Transportation Commission recommended approval by a vote of 6 to 0 at its June 14, 2022, meeting.) (PZ recommended approval by a vote of 6 to 0 at its June 27, 2022, meeting.) (The Town Council postponed this item to a date not certain by a vote of 4 to 0 at its July 18, 2022, meeting.)
12. Town Budget Public Hearing- Public Hearing to consider the proposed budget for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023, including discuss and consider the tax rate and community support funding.
13. Crime District Budget Public Hearing- 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 the Flower Mound Crime Control and Prevention District proposed budget for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023.
14. Fire District Budget Public Hearing- 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 the Flower Mound Fire Control, Prevention, and Emergency Medical Services District proposed budget for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023.
15. Tax Rate - CSF- Discuss and consider tax rate, budget, and Community Support Funding.
16. DP21-0005 Townlake Phase Five & Six- Consider a request for a Development Plan (DP21-0005 – Townlake Phase Five and Six) to develop a residential subdivision. The property is generally located south of Cross Timbers Road and east of Scenic Drive. (PZ recommended approval by a vote of 5 to 0 at its August 15, 2022, meeting.)

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17. SP21-0008 Mclver Flower Mound- Consider a request for a Site Plan (SP21-0008 – Mclver Flower Mound) to develop an office, warehouse and distribution facility with an exception to the access management policy and criteria, regarding driveway spacing, contained in the Town's Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances. The property is generally located north and west of Lakeside Parkway and Enterprise Road. (PZ recommended approval by a vote of 6 to 0 at its July 11, 2022, meeting.)
18. TRP22-0010 Mclver Flower Mound- Public Hearing to consider an application for a tree removal permit (TRP22-0010) for five (5) specimen trees on property proposed for development as Mclver Flower Mound. The property is generally located south of Lakeside Parkway and west of Enterprise Road. (The Environmental Conservation Commission recommended approval for specimen trees #'s 106, 161, 172 and 198A and denial of specimen tree #188 by a vote of 4-2-0 at its July 5, 2022, meeting).
19. SUP22-0003 Stay N' Play- Public Hearing to consider an ordinance granting Specific Use Permit No. 480 (SUP22-0003 – Stay N' Play) to permit an amusement and recreation (indoors) facility. The property is generally located west of Yucca Drive and south of Churchill Drive. (PZ recommended approval by a vote of 6 to 0 at its July 25, 2022, meeting.)
20. Z22-0003 Radionov Estate- Public Hearing to consider an ordinance amending the zoning (Z22-0003- Radionov Estate) from Agricultural District (A) uses to Single-Family Estate District (SF-E) uses. The property is generally located west of Morriss Road and south of Hazy Meadows Lane. (PZ recommended approval by a vote of 6 to 0 at its August 15, 2022, meeting.)
21. DCAD Budget- Consideration of a resolution and possible action to disapprove the Denton Central Appraisal District's 2023 annual budget.

### L. BOARDS/COMMISSIONS *(Bold text represents boards with vacancies)*

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

### M. CLOSED MEETING

The Town Council to convene into closed meeting 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 Town Attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, as follows:

- a. Discuss and consider duties and responsibilities of Mayor Pro Tem and Deputy Mayor Pro Tem.

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- b. Consultation with Town Attorney.
  - 1. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Application
  - 2. Housing Discrimination Complaint
  - 3. La Estancia Investments, L.P., v. Town of Flower Mound
- c. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, and/or other municipal purposes and all matters incident and related thereto.
- d. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.
- e. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, performance related to certain incentive agreements, and proposed Tax Increment Reinvestment Zone (TIRZ).

The Town Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Town Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the above referenced items.

### **N. RECONVENE TO REGULAR MEETING**

The Town Council to reconvene into an open meeting to take any action deemed necessary as a result of the closed meeting.

### **O. ADJOURN MEETING**

I do hereby certify that the Notice of Meeting was posted on the bulletin board at the Town Hall for the Town of Flower Mound, Texas, in a place convenient and readily accessible to the general public at all times and said Notice was also posted on the Town's website in accordance with GC Section 551.056 on the following date and time: August 19, 2022, at 3:15 pm, at least 72 hours prior to the scheduled time of said meeting.

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**Theresa Scott, Town Secretary**

The Flower Mound Town Hall and Jody Smith Hall are wheelchair accessible. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting by contacting Theresa Scott, Town Secretary, at 972.874.6076. Additional time limits will be provided to members of the public that need to address the Town Council through a translator.