

ACTION AGENDA

FLOWER MOUND TOWN COUNCIL SPECIAL MEETING; TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING; AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING

SEPTEMBER 4, 2012

The information contained in this document is unofficial until such time as the minutes are approved by the Town Council.

CONSENT AGENDA - Consent Items. Items 1, 3, 5 – 13. Approved. Vote 5-0.

1. Consider approval of the minutes from a Joint Town Council/ECC work session held on July 19, 2012.

Item 2 pulled from Consent.

3. Consider approval of the minutes from a Joint Town Council/Parks, Arts and Library Services (PALS) work session held on August 16, 2012.

Item 4 pulled from Consent.

5. Consider approval of Change Order No. 1 for the Wastewater Treatment Plant Rehabilitation Phase II project, amending the contract with North Texas Contracting, Inc., for an increase of \$40,187.00; and authorization for the Mayor to execute same on behalf of the Town.

6. Consider approval of an ordinance vacating and abandoning the eastern 7.5-foot-wide and the western 7.5-foot-wide utility easements located in the back yards of Lots 3, 4, 12, and 13, Block 28, Pecan Acres, which lots are more commonly known as 5000 Bayberry Street, 4920 Bayberry Street, 5001 Dogwood Street, and 4925 Dogwood Street. The Pecan Acres Addition is generally located west of Rippy Road and north of West Windsor.
Ordinance No. 33-12.

7. Consider approval of Change Order No. 4 for The Heritage Park of Flower Mound Phase I project, amending the contract with 2L Construction LLC, for an increase of \$91,060.00; and authorization for the Mayor to execute same on behalf of the Town.

8. Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012, as adopted by Ordinance No. 52-11 and amended by Ordinance No. 63-11 and Ordinance No. 05-12, for adjustments to the General Fund. **Ordinance No. 34-12.**

9. 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 amending the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012, as adopted by Resolution No. 26-11.
Resolution No. 12-12.

10. Consider approval of a resolution adopting an Investment Policy for funds for the Town of Flower Mound as required annually by the Public Funds Investment Act.
Resolution No. 13-12.

11. Consider approval of proposed changes to the Town's Personnel and Administrative Regulations Manual, Title I, Personnel Regulations, Chapter 5 Workers' Compensation Leave, effective immediately.

12. Consider approval of an amendment to a contract with Brandnu Marketing for marketing services regarding the Living Local FM program; and authorization for the Mayor to execute same on behalf of the Town.
13. Consider approval of the Second Amended Commercial Lease Agreement between the Town of Flower Mound, Texas, and the Atrium at FM, amending the current First Amended Commercial Lease by providing for a term of three years, with two one-year renewals, effective September 29, 2012; and authorization for the Mayor to execute same on behalf of the Town.

REGULAR ITEMS

Items 2 and 4 pulled from Consent.

2. Consider approval of the minutes from a regular meeting and 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 held on August 6, 2012. **Approved with a text amendment on Book 40/Page 582 second paragraph. Vote 5 – 0.**
4. Consider approval of a Service Agreement for Demand Response Transit Service with Special Programs for Aging Needs, Inc., in an amount not-to-exceed \$35,000.00, 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. **Approved with a contract amendment to change the amount not to exceed \$36,500.00, as well as the Town's participation rate be changed from 23.25 per one way trip to \$24.25 per one way trip to amend. Vote 5 – 0.**
14. Public Hearing to consider a request for rezoning (Z 01-10 - Ridge Bluff Estates) from Agricultural District (A) uses and Single-Family District-10 (SF-10) uses to Single-Family District-15 (SF-15) uses, and to consider adopting an ordinance providing for said amendment. The property is generally located west of Simmons Road and south of Holly Lane. ***(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its June 25, 2012, meeting.) (This item was tabled until September 4, 2012, at the July 16, 2012, Town Council meeting.) Ordinance No. 35-12. Approved. Vote 5 - 0.***
15. Public Hearing to consider an application for a tree removal permit for the removal of two specimen trees on property proposed for development as Ridge Bluff Estates. The property is generally located west of Simmons Road and south of Holly Lane. ***(The Environmental Conservation Commission recommended approval by a vote of 4 to 0 at their June 5, 2012, regular meeting). Approved. Vote 5 - 0.***
16. Consider a request for a Development Plan (DP 02-10 - Ridge Bluff Estates) to develop a residential subdivision, subject to the terms and conditions in the attached Development Agreement; and authorization for the Mayor to execute same on behalf of the Town. The property is generally located west of Simmons Road and south of Holly Lane. ***(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its June 25, 2012, meeting.) (This item was tabled until September 4, 2012, at the July 16, 2012, Town Council meeting.) Approved. Vote 5 - 0.***

17. Public Hearing to consider approval of a street name change for the entire length of West Windsor Drive between Long Prairie Road (FM 2499) and Bridlewood Boulevard; and adopt an Ordinance providing for said change. ***(The Transportation Commission recommended a ranking of proposed street names by a vote of 4 to 3 at its June 12, 2012, meeting.) (Rescheduled from 7/16/2012 Town Council Meeting) Motion to postpone indefinitely (resulting in the decision of no change to the street name). Approved 5 – 0.***

CLOSED/OPEN MEETING

- 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, Oil and Gas Board of Appeals, Community Development Corporation, Environmental Conservation Commission, Parks, Arts and Library Services Board, Public Arts Committee, Planning & Zoning Commission, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.
No action taken.
- d. Discuss and consider Presiding Judge, Alternate Judge, and addition of second Alternate Judge position.
No action taken.

The meeting was adjourned at 11:14 p.m. on September 4, 2012.