

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**

12/6/2021

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

6:00 P.M.

An agenda information packet is available online at www.flower-mound.com/AgendaCenter

Please silence or turn off all electronic devices in Jody Smith Hall

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. PUBLIC COMMENT

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
- Please state your name and address when speaking

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

E. PRESENTATIONS

1. Proclamation and presentation of Hometown Hero to Bailey Rogers
2. Santa Cops Program and update
3. Announcement and Presentation of 2021 Outstanding Citizen Award(s)

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members

G. TOWN MANAGER'S REPORT

Update and discussion on:

1. Capital Improvement projects
2. Economic Development projects
3. Pepper Creek subdivision acceptance update

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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 work session is scheduled for Thursday, December 16.
2. A regular meeting is scheduled for Monday, January 3.
3. Discuss and consider scheduling a January meeting.

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 11/15 and 11/18- Consider approval of the minutes from a regular meeting of the Town Council held on November 15, 2021; and a work session held on November 18, 2021.
2. TIRZ 2021 Annual Report- Consider approval of the 2021 Annual Report for the Flower Mound Tax Increment Reinvestment Zone #1 (TIRZ #1) in accordance with Chapter 311 of the Texas Tax Code. (The TIRZ #1 Board recommended approval by a vote of 5 to 0 at its November 29, 2021, meeting)
3. Wireless Access Point Replacement- Consider approval of replacing 54 Town wireless network access points through Blue Reef Networks in the amount of \$49,274.00
4. PSA- Modern Geosciences- Consider approval of a Professional Services Agreement for monthly gas well pad site air monitoring by Modern Geosciences, LLC, in the amount of \$120,000.00; and authorization for the Mayor to execute same on behalf of the Town.
5. Emergency Operations Training- Consider approval of a Memorandum of Agreement between the Town of Flower Mound and Texas A&M Extension Service (TEEX) for customized training of executive and command staff for the Emergency Operations Center in the total amount of \$20,715.00 and authorization for the Mayor to approve same on behalf of the Town.
6. Denton Co. Library Interlocal- Consider approval of an Interlocal Cooperation Agreement with Denton County for the provision of library services for the benefit of the citizens of Denton County, and authorization for the mayor to execute same on behalf of the Town.
7. Purchase of Env. Serv. Vehicles- Consider approval of the purchase of two (2) 2022 Ford F150 Super Cab 1/2 Ton Trucks with 6.5 foot bed per Town of Flower Mound Specifications and Vendor Quote in the amount of \$66,405.34.
8. Purchase of Police Vehicles- Consider approval of the purchase of two (2) 2022 Ford Pursuit Rated Hybrid Police Interceptor Utility with Police Equipment Packages and two (2) 2022 Chevrolet Tahoe PPV with emergency equipment as per Town of Flower Mound Specifications and Vendor Quotes from the Holiday Auto Group for Police Services in the amount of \$240,072.00.

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9. Purchase of Public Works Vehicle- Consider approval of the purchase of one new Ford F450 Pick-Up Truck with Utility Body per the Town of Flower Mound Specification and Vendor Quote in the amount of \$61,280.72.
10. 5th and Final FY 20-21 Budget Amendment- Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2020, and ending on September 30, 2021, as adopted by Ordinance No. 27-20 and amended by Ordinance No. 37-20, No. 09-21, No. 18-21 and No. 28-21 for adjustments to the General Fund, COVID-19 Fund, and Health/ Flex Fund.
11. 1st FY 21-22 Budget Amendment- Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2021, and ending on September 30, 2022, as adopted by Ordinance No. 38-21 for adjustments to the General Fund, Utility Fund, Tree Preservation Fund, Parks and Recreation Special Activities Fund, Flower Mound Log Cabin Fund, IRS Equitable Sharing Fund, Vehicle & Equipment Replacement Fund, Technology Replacement Fund and Health Insurance/Flex Account Fund.
12. 1st Crime District Budget Amendment- 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, 2021, and ending on September 30, 2022, as adopted by Resolution No. 24-21.
13. Final Fire District Budget Amendment- Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider approval of a resolution amending the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021, as adopted by Resolution No. 18-20 and amended by Resolution No. 07-21.
14. HUD CDBG Annual Report- Consider approval of a resolution authorizing the adoption of the Program Year 2020 Consolidated Annual Performance & Evaluation Report for the Community Development Block Grant; and authorization for the Mayor to execute same on behalf of the Town and submit to the U.S. Department of Housing and Urban Development.
15. Water Meter Fee Schedule- Consider a request to amend the Town's Code of Ordinances by amending Appendix A, "Fee Schedule," Referenced in Chapter 70, "Utilities," by amending Section 70-56(d), entitled "Water Meter Fee Schedule," by repealing all conflicting ordinances; providing a severability clause; and providing an effective date.
16. Stormwater Repair Strait Lane- Consider approval of the purchase of creek bank stabilization and erosion control services from KEC Retaining Walls & Construction, Inc., a sole source provider, for work associated with Bakers Branch Stabilization at 1600 & 1612 Strait Lane project, in the amount of \$211,849.00; and authorization for the Mayor to execute on behalf of the Town.
17. WWTP Phase V - Change Order- Consider approval of Change Order No. 5 for the Wastewater Treatment Plant Rehabilitation Phase V project, amending the contract with Archer Western Construction, LLC, to provide for an increase to the contract in the amount of \$23,615.50; and authorization for the Mayor to execute same on behalf of the Town.

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18. 377@1171 Water Line Design- Consider approval of the First Amendment to the Professional Services Agreement with Jacobs Engineering Group for the design services associated with the US 377 at FM 1171 Water Line Loop/Relocation project, in the amount of \$156,700.00; and authorization for the Mayor to execute same on behalf of the Town.
19. Recon Design- Lopo/Wood Crk- Consider approval of a Professional Services Agreement with Pacheco Koch Consulting Engineers, Inc., for the design phase services associated with the Lopo Road Reconstruction and Wood Creek Circle Reconstruction project, in the amount of \$153,447.00; and authorization for the Mayor to execute same on behalf of the Town.
20. Upgrade LED Lighting - Glenwick Pk- Consider approval of the purchase and installation of light poles and LED fixtures for the Glenwick Park Upgrade CIP project, from Musco Sports Lighting, LLC, through the Texas Local Government Purchasing Cooperative, in the amount of \$201,543.00.
21. LED Lighting - L&H Johns Pk- Consider approval of the purchase and installation of light poles and LED fixtures for the Leonard & Helen Johns Park CIP project, from Musco Sports Lighting, LLC, through the Texas Local Government Purchasing Cooperative, in the amount of \$207,452.00.
22. Install Playground Surfacing- Consider approval of the purchase and installation of playground safety surfacing at five parks for the Individual Park Improvements CIP project, from WeBuildFun, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$441,188.61.
23. Standards of Care- Consider approval of Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code - Section 42.041 and to adopt an ordinance providing for said Standards. (The Parks Board recommended approval by a vote of 6 to 0 at its November 4, 2021 regular meeting).
24. Baseball Infield Renovations- Consider approval of the renovation of softball and baseball infields at Bakersfield Park and Gerault Park, from MasterTurf Products and Service, Inc., through the Texas Local Government Purchasing Cooperative, in an amount not-to-exceed \$186,133.00.
25. 2022 Independence Fest- Consider approval of the sale and consumption of alcoholic beverages (beer and wine) at Bakersfield Park, during the 2022 Independence Fest (The Parks Board recommended approval by a vote of 6 to 0 at its September 2, 2021 meeting).

K. REGULAR ITEMS

26. MPA21-0007 Emerald Place- Public Hearing to consider an ordinance amending the Master Plan (MPA21-0007 – Emerald Place) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Estate Residential to Low Density Residential uses. The property is generally located west of Wager Road and south of Kirkpatrick Lane. (On August 30, 2021, the Planning and Zoning (P & Z) Commission tabled this item to their September 13, 2021 meeting by a vote of 6 to 0.) (P & Z recommended denial by a vote of 6 to 0 at its September 13, 2021, meeting.) (The Town Council moved to postpone this item by a vote of 4 to 1 at its October 4, 2021, meeting.)

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27. ZPD21-0005 Emerald Place PD-183- Public Hearing to consider an ordinance amending the zoning (ZPD21-0005 – Emerald Place) from Agricultural District uses to Planned Development District No. 183 (PD-183) with Single Family District-15 (SF-15) uses and with certain modifications and exceptions to the Code of Ordinances. The property is generally located west of Wager Road and south of Kirkpatrick Lane. (On August 30, 2021, the Planning and Zoning (P & Z) Commission tabled this item to their September 13, 2021, meeting by a vote of 6 to 0.) P & Z recommended denial by a vote of 6 to 0 at its September 13, 2021, meeting.) (The Town Council moved to postpone this item by a vote of 5 to 0 at its October 4, 2021, meeting.)
28. TRP21-0014 Emerald Place- Public Hearing to consider an application for a tree removal permit (TRP21-0014) for four (4) specimen trees on property proposed for development as Emerald Place. The property is generally located west of Wager Road and north of Trails End Drive. (The Environmental Conservation Commission recommended denial by a vote of 6 to 0 at its August 3, 2021, meeting).
29. Reinsurance- Consider approval of a contract with Blue Cross and Blue Shield in the amount of \$1,029,609 for reinsurance for the Town's Group Health Plan and authorization for the Mayor to execute same on behalf of the Town.
30. Appraisal District Vote- Consider approval of a resolution casting the vote of the Town of Flower Mound, Texas, for the election of the Board of Directors of the Denton Central Appraisal District (DCAD).

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 attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, as follows:

- a. Consultation with Attorney.
 1. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications
 2. Cause No. 18-9622-431; EagleRidge Operating, LLC v Town of Flower Mound, Texas, et al
- 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, 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.

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- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

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: December 3, 2021, at 3:00 p.m., at least 72 hours prior to the scheduled time of said meeting.

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.