

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

JUNE 20, 2016

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 the Council Chambers.

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. Proclamation for National Parks and Recreation Month
2. Certificate of Achievement to Sam White for National Archery in the Schools Program All-Star Team

E. PUBLIC PARTICIPATION

Please fill out a speaker form, available in the Town Hall on the night of the meeting, in order to address the Council and turn it in to the Town Secretary prior to Public Participation. Speakers are normally limited to three minutes. Time limits can be adjusted by the Mayor as to accommodate more or fewer speakers. For additional instructions or to complete your speaker form in advance [click here](#).

The purpose of this item is to allow the public an opportunity to address the Town Council on issues that are not the subject of a public hearing. Any item requiring a public hearing will allow the public to speak at the time that item appears on this agenda as indicated as a "Public Hearing." Items that are the subject matter jurisdiction of the Town Council include Town policy and legislative issues. Issues regarding daily operational or administrative matters should first be dealt with at the administrative level by calling Town Hall at 972-874-6000 during business hours.

F. ANNOUNCEMENTS

1. Announce recent and upcoming civic and social events.

G. TOWN MANAGER'S REPORT

1. Update and status report related to capital improvement projects.
2. Update and discussion on Economic Development projects.
3. Update and discussion on town hall and library expansion.

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).

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I. COORDINATION OF CALENDARS

1. The next regular Town Council meeting is scheduled for July 18th.
2. The July 21st work session has been canceled.
3. The Strategic Planning Session is scheduled for Fri, July 22nd (5pm start), with a tentative overflow date of Sat, July 23rd (9am start) and to be held at the Town's Operations & Maintenance facility located at 201 Spinks Rd

J. CONSENT AGENDA - Consent Items

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

1. **Minutes 6/6** - Consider approval of the minutes from a regular meeting of the Town Council held on June 6, 2016.
2. **Auditing services** - Consider approval of the engagement letter with Pattillo, Brown & Hill, L.L.P., to perform external auditing services for the fiscal year ending September 30, 2016; and authorization for the Mayor to execute same on behalf of the Town.
3. **Log Cabin Fund resolution** - Consider approval of a resolution designating all funds collected and received through the Flower Mound Log Cabin Fund for the purpose of restoring the log cabin and maintaining the log cabin park.
4. **Budget FY15/16 amendment** - Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2015, and ending on September 30, 2016, as adopted by Ordinance No. 52-15 and amended by Ordinance No. 70-15, No. 04-16, No. 09-16 and No. 13-16 for an adjustment to the General Fund and the Vehicle and Equipment Replacement Fund.
5. **Atmos rate tariff ordinance** - Consider approval of an ordinance adopting Atmos Energy Corp., Mid-Tex Division's rate tariffs that reflect the negotiated rate change pursuant to the Rate Review Mechanism process.
6. **Oncor franchise ordinance** - Consider approval of the first reading of an ordinance granting a non-exclusive electric franchise to Oncor Electric Delivery Company LLC; and authorization for the Mayor to execute the same on behalf of the Town.
7. **Pumper truck purchase** - Consider approval of the purchase of one 2017 Velocity PUC Pumper truck for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program, in the total amount of \$595,137.00; and authorization for the Mayor to execute same on behalf of the Town.
8. **Fire Code adoption** - Consider approval of an ordinance amending Chapter 38 of the code of ordinances, entitled "Fire Prevention and Protection" to provide for adoption of the International Fire Code, 2015 edition and local amendments thereto.

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9. **Int'l Building Code** - Consider approval of an ordinance amending Chapter 14, "Buildings and Building Regulations," Article II of the Code of Ordinances of the Town of Flower Mound, by amending Section 14-31, "International Building Code", and by adopting the 2015 edition of the International Building Code with amendments.
10. **Int'l Plumbing Code** - Consider approval of an ordinance amending Chapter 14, "Buildings and Building Regulations," Article III of the Code of Ordinances of the Town of Flower Mound, by adopting the 2015 edition of the International Plumbing Code and by adopting the 2015 edition of the International Fuel Gas Code together and local amendments to such codes.
11. **Int'l Mechanical Code** - Consider approval of an ordinance amending Chapter 14, "Buildings and Building Regulations," Article IV, of the Code of Ordinances of the Town of Flower Mound, by adopting the 2015 edition of the International Mechanical Code and local amendments thereto.
12. **Int'l Residential Code** - Consider approval of an ordinance amending Chapter 14, "Buildings and Building Regulations," Article XIV, of the Code of Ordinances of the Town of Flower Mound, by adopting the 2015 edition of the International Residential Code and local amendments thereto.
13. **Int'l Energy Conservation Code** - Consider approval of an ordinance amending Chapter 14, "Buildings and Buildings Regulations," Article XV, of the Code of Ordinances of the Town of Flower Mound, by adopting the 2015 edition of the International Energy Conservation Code and local amendments thereto.
14. **Lakeside construction easement** - Consider approval of an agreement releasing a Temporary Construction Easement executed by Lakeside DFW Land, Ltd. for the purpose of construction activities for Lakeside Parkway, and consider adopting an ordinance providing for said release.
15. **Lakeside right of way easement** - Consider approval of an agreement releasing a Right-of-Way Easement executed by D.E. Box Estate for the purpose of construction of a water line within the Lakeside DFW development, and consider adopting an ordinance providing for said release.
16. **CIP amendment** - Consider approval of Amendment No. 5 to the Fiscal Year 2015-2016 Capital Improvement Program.
17. **Gerault Game Field** - Consider approval of final acceptance of the Individual Parks Improvement (Gerault Game Field) project; authorization for final payment to Brownstone Companies, LLC, in the amount of \$11,081.25; and authorization for the Mayor to execute the same on behalf of the Town.

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18. **Bakersfield Park Pedestrian Bridge** - Consider approval to award Bid No. 2016-63 to Humphrey & Morton Construction Co., Inc., for the construction of the Bakersfield Park Pedestrian Bridge project, in the amount of \$252,492.00; and authorization for the Mayor to execute same on behalf of the Town.
19. **FM2499/FM3040 waterline project** - Consider approval to award Bid No. 2016-66 to Mountain Cascade of Texas, LLC., for the construction of the FM2499/FM3040 24-inch Waterline Crossing Replacement project, in the amount of \$442,210.00; and authorization for the Mayor to execute same on behalf of the Town.
20. **Street Reconstruction projects** - Consider approval of the Professional Services Agreement with Criado and Associates, Inc., to provide professional engineering services, for the Yucca Drive and Woodbine Street Reconstruction projects, at an amount not to exceed \$181,249.00; and authorization for the Mayor to execute same on behalf of the Town.
21. **Police security agreement** - Consider approval of an Intergovernmental Cooperative/Mutual Aid Agreement for Operational Assistance in Providing Security for the 2016 Republican National Convention in Cleveland, Ohio.

K. REGULAR ITEMS

22. **Certificates of Obligation resolution** - Consider approval of a resolution approving and authorizing publication of notice of intention to issue Certificates of Obligation, Series 2016, in the principal amount not to exceed \$13,950,000.
23. **LISD resolution** - Discuss and consider a resolution of the Flower Mound Town Council affirming its support for the LISD in seeking fair and appropriate methods for educating local students.
24. **Record Plat – Longhorn Addition** - Consider a request for a Record Plat (RC16-0005 – Longhorn Addition) to create a residential subdivision, with an exception to allow residential access from a rural collector pursuant to Section 82-134 of the Code of Ordinances. The property is generally located east of Scenic Drive and south of Kensington Court. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its June 13, 2016, meeting.)*

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

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

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M. CLOSED MEETING

The Town Council to convene into closed meeting pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.074, 551.087, 551.072, and 551.071 to discuss matters relating to personnel, economic development negotiations, real property, and consultation with attorney, as follows:

- a. 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, **Planning and Zoning Commission**.
- b. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.
- 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. Consultation with Attorney as follows:
 1. Cause No. 2010-40418-362; *Keystone Exploration, Ltd. and Expro Engineering, Inc. v. The Town of Flower Mound and the Flower Mound Oil and Gas Board of Appeals*; in the 442nd Judicial District Court of Denton County, Texas
 2. Cause No. CV-2012-01997; *State Farm Mutual Automobile Insurance Company, as subrogee of Sandra Terrell v. Town of Flower Mound*; in the County Court at Law No. 2 of Denton County, Texas
 3. Cause No. 15-01176-158; *GTE Southwest, Inc. d/b/a Verizon Southwest v. Town of Flower Mound*; in the 158th Judicial District Court of Denton County, Texas
 4. Cause No. 2012-40480-362; *Lanette Williams a/n/f A.W., a Minor Child vs. Town of Flower Mound*; in the 362nd District Court of Denton County, Texas
 5. Case No. 6:16CV103 MHS/KNM; *Victor Vega #1447025 v. Town of Flower Mound, Chief of Police, and Martha Kotila*; in the United States District Court for the Eastern District of Texas, Tyler Division

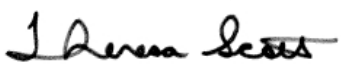
Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda.

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 posted on the following date and time: June 16, 2016, at 2:00 p.m. at least 72 hours prior to the scheduled time of said meeting.


Theresa Scott, Town Secretary