

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

MAY 15, 2017

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

6:00 P.M.

NOTE: At 5:00 p.m. a public reception will be held in the Town Hall lobby for the outgoing and newly elected council members.

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. RECOGNITION OF AND ANNOUNCEMENT FROM OUTGOING COUNCILMEMBER

E. CANVASS GENERAL ELECTION AND OATHS OF OFFICE FOR NEWLY AND RE-ELECTED OFFICIALS

1. Consider approval of an ordinance canvassing and declaring the results of a general election held May 6, 2017, for the purpose of electing the offices of Town Council Places 1, 3, for two year terms each, and Place 5 for a three year term, and providing an effective date.

- a. Administer Oaths of Office and issue Certificates of Election.

F. 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 to discuss matters relating to personnel as follows:

- a. Discuss and consider election of Mayor Pro Tem and Deputy Mayor Pro Tem.

G. RECOGNITION OF AND ANNOUNCEMENTS FROM NEWLY AND RE-ELECTED COUNCILMEMBERS

H. PRESENTATIONS

1. Recognition of Robotics Team World Champions
2. Proclamation for National Police Week
3. Proclamation for National Public Works Week

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I. 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.

J. ANNOUNCEMENTS

1. Announce recent and upcoming civic and social events.

K. TOWN ATTORNEY REPORT

1. Discuss term lengths and limits for the Mayor and Councilmember positions, as well as eligibility to run in future elections in accordance with the Section 3.01 & 3.02 of the Town Charter.

L. TOWN MANAGER REPORT

Update and discussion on:

1. Capital improvement projects
2. Economic Development projects
3. New town hall and library expansion

M. 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).

N. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

1. The next Town Council regular meeting will be held on June 5th.

O. CONSENT ITEMS

1. **Signal Design College & Silveron** - Consider approval of a Professional Services Agreement with Kimley Horn and Associates, Inc., to provide traffic signal designs for the FM 2499 at College Parkway and the FM 2499 at Silveron projects, in the amount of \$28,000.00; and authorization for the Mayor to execute same on behalf of the Town.
2. **Heritage Park Ph3 Testing Award** - Consider approval of a Professional Services Agreement with Professional Services Industries Inc. for construction testing of materials and methods for Heritage Park Phase III project, in the amount of not to exceed \$28,516.50; and authorization for the Mayor to execute same on behalf of the Town.

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3. **Western O&M Facility Final Acceptance** - Consider approval of Change Order No. 5 in the amount of \$14,557.08 and final acceptance with Basic IDIQ Inc., for the Western Operations and Maintenance Facility (Temporary Fire Station No. 6) project, authorization for final payment to Basic IDIQ Inc., in the amount of \$69,576.31; and authorization for the Mayor to execute same on behalf of the Town.
4. **Atmos Rate Settlement** - Consider approval of an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2017 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring reconciliation and rate adjustments if federal income tax rates change; terminating the RRM process for 2018 pending renegotiation of RRM terms and conditions; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; adopted a savings clause; declaring an effective date; and requiring delivery of this ordinance to the Company and the ACSC's legal counsel.
5. **Farm Lease** - Consider approval of Farm Lease between the Town of Flower Mound and the Wayne Haynes Estate for the Lease of Town Property located at 10300 Dunham Road; and authorize the Mayor to execute same on behalf of the Town.

P. REGULAR ITEMS

6. **Minutes 5/1** - Consider approval of the minutes from a regular meeting of the Town Council held on May 1, 2017.
7. **ACMS Agreement** - Consider approval of an agreement with All City Management Services (ACMS), and authorization for the Mayor to execute same on behalf of the Town.
8. **MISC-Lakeside Tower** - Consider approval of a request (MISC17-0005) for a variance to Section 34-182(b)(5), entitled "Construction work," of the Code of Ordinances to allow extended hours for construction of the Lakeside Tower development.
9. **Bradford Park Development Agreement** - Consider approval of a Development Agreement with CalAtlantic Homes of Texas, Inc., for the construction of Town infrastructure associated with the Bradford Parks residential development; and authorization for the Mayor to execute same on behalf of the Town.
10. **Waketon Rd ROW Abandonment** - Consider approval of an ordinance abandoning certain unused Town Right of Way and execution of a partial release of said unused Town Right of Way to abutting property owner, CalAtlantic Homes of Texas, Inc., related to the construction of Town infrastructure associated with the Bradford Parks residential development; and authorization for the Mayor to execute all documents required for the same on behalf of the Town.

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

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**, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and **Transportation Commission**.

R. 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, and 551.072, to discuss matters relating to personnel, economic development negotiations, real property, 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, and 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.

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.

S. 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: May 11, 2017, at 3:20 p.m., at least 72 hours prior to the scheduled time of said meeting.

Theresa Scott, Town Secretary

The Flower Mound Town Hall and Council Chambers 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.