

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

3/21/2022

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. PRESENTATIONS

1. Proclamation and presentation of Hometown Hero-Austin McDaniel
2. Recognition of the Flower Mound Citizens Academy - Class of 2022
3. Book presentation by Tarrant County Clerk (2020 Coronavirus Pandemic Book).
4. School Liaison Committee (SLC) Update

E. 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.

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. Organizational updates

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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 regular meeting is scheduled for Monday, April 4.

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 3/7- Consider approval of the minutes from a regular meeting of the Town Council held on March 7, 2022.
2. Printer Management Agreement- Consider approval of updated 3-year agreement for Town Printer Management Agreement and authorization for the Mayor to execute same on behalf of the Town.
3. Water and Wastewater Cost of Service- Consider approval of a proposal to conduct a Water and Wastewater Cost of Service and Rate Design Study with NewGen Strategies & Solutions for \$35,000.
4. Firefighter Dual-Certification Gear- Consider approval of the purchase of dual-certified Firefighter gear in the amount of \$61,625.00 from Casco Industries through BuyBoard Contract 603.20 and authorization for the Mayor to approve same on behalf of the Town.
5. Agenda Management System- Consider approval of Agenda Management System with CivicClerk in the amount of \$18,900 and authorization for the Mayor to execute same on behalf of the Town.

K. REGULAR ITEMS

6. 9/30/21 ACFR- Consider approval of the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended September 30, 2021.
7. Town Curfew Ordinance- The first of two Public Hearings to review Chapter 50, Article III, "Offenses regarding Minors," Division 2, "Curfew."
8. Bosco Boat Dealership- Public Hearing to consider an ordinance granting Specific Use Permit No. 472 (SUP21-0005 – Bosco Boat Dealership) to permit inclusion of Retail, general (outdoors) use for a boat dealership within an existing car dealership facility. The property is generally located south of Justin Road and east of Stone Hill Farms Parkway. (P&Z recommended approval with conditions by a vote of 6 to 0 at its December 13, 2021, meeting.) (On February 2, 2022 Town Council postponed this item to the March 21, 2022 meeting by a vote of 5 to 0 at the Applicant's request).
9. I-35W Growth Corridor- Presentation and discussion on land development along the I-35W corridor.

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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. Consultation with Town Attorney.
 1. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications
- b. 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.
- 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.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.
- e. Deliberate the appointment, employment, evaluation, reassignment, duties and responsibilities, of the Presiding and Alternate Municipal Court Judge.

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.

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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: March 18, 2022, at 1:45 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.



TOWN COUNCIL AGENDA ITEM NO. 1

CONSENT ITEM

DATE: March 21, 2022

FROM: Theresa Scott, Town Secretary

ITEM: Consider approval of the minutes from a regular meeting of the Town Council held on March 7, 2022.

BACKGROUND INFORMATION: The Town Council held a regular meeting on March 7, 2022.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Draft minutes 3/7

DRAFT MOTION: Move to approve as presented in the agenda caption.

FLOWER MOUND TOWN COUNCIL MEETING OF MARCH 7, 2022**PAGE 1**

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 7TH DAY OF MARCH 2022, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

[Click here](#) for meeting video link (subject to change)

The Town Council met in a regular meeting with the following members present:

Derek France	Mayor
Ben Bumgarner	Mayor Pro Tem
Sandeep Sharma	Deputy Mayor Pro Tem
Adam Schiestel	Councilmember Place 1
Jim Engel	Councilmember Place 4
Ann Martin	Councilmember Place 5

constituting a quorum with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
James W. Childers	Town Manager
Tommy Dalton	Assistant Town Manager
Tiffany Bruce	Assistant Town Manager/Town Engineer
Lexin Murphy	Director of Planning Services
Paul Henley	Fire Chief

A. CALL MEETING TO ORDER

Mayor France called the regular meeting to order at 6:00 p.m.

B./C. INVOCATION/PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Chaplain Russ McNamer gave the invocation and Mayor France led the pledges.

D. PRESENTATIONS

1. Proclamation for Winning the Fight BetteRx Safe Than Sorry Program

Mayor France recited the Proclamation and presented it to Kathy O'Keefe, Executive Director of Winning the Fight, and representative Leslie Martin.

2. Texas Municipal Library Directors Association (TMLDA) "Achievement of Library Excellence" Award

Mayor France, Councilmember Martin, President of the Friends of the Library, and Ron Miller, Chair of the Cultural Arts Commission, presented Sue Ridnour, Director of Library Services with this Award. Ms. Ridnour reported on various accomplishments that led to the Town being a recipient of this award.

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3. Environmental Conservation Commission (ECC) update

James Seastrom, ECC Chair, and Marilyn Lawson, Vice Chair, gave a presentation identifying or noting:

- ECC purpose and vision
- ECC powers and duties
- Recent Accomplishments
- ECC subcommittees
- 2022 objectives

E. PUBLIC COMMENT

Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

	Speaker names and address	Subject (as written on the form or stated)
1.	Don Ledbetter, 3453 Courtney	DCTA GoZone
2.	Carol Kyer, 2616 Crepe Myrtle Dr	Council Texas Open Meeting Act
3.	Kathy Duke, 2605 Russwood Dr	Endorsement
4.	Paul Stone, 1868 Meyerwood	Questions
5.	Brit Stock, 4005 Rothschild With donated time from: Alexis Grossman, 1868 Meyerwood	Visibility
6.	Scott Langley, 800 Carter Ct	Thank you, Flower Mound Town Council
7.	David Johnson, 3617 San Paula	Public Comments
8.	Katy Collins Grote, 165 Double Oak Dr, Double Oak	Thank you
9.	Angela Hammond, 1705 Twistleaf, Northlake	Warehouses
10.	Lauren Goodman, 7017 Broomslodge, Argyle	Warehouses
11.	Melanie Bostick, 11383 Misty Ridge With donated time from: David Bostick, 11383 Misty Ridge	Warehouses
12.	Jennifer Zenuch, 11608 Slumber Falls Dr	Warehouses
13.	Candice Pettit, 11359 Gable Cir	No warehouses
14.	Karl Ginder, 9116 Apache Tr	Navajo Bluffs Ct
15.	Luke Strensrud, 5232 Ravine Ridge	Warehouses
16.	Aaron Zqmura, 7120 Elk Springs Dr	Warehouses
17.	Joshua Bostick, 11383 Misty Ridge Dr	Warehouse/truck yard
18.	Maria Brown, 6709 Canyon Oak Ct	Distribution Center
19.	Eric Jensen, 6209 Savannah Oak Trail	Dist. Warehouses
20.	Chris Drew, 5209 Ravine Ridge Ct	Cross Timbers Business Park
21.	Todd Bayuk, 10845 Pedernales Falls Dr	Cross Timbers Business Park
22.	Stacie Bambauer, 6928 Basket Flower	Cross Timbers Business Park
23.	James Larza, 11371 Bull Head Ln	Warehouse
24.	Sonny Gann, 11616 Cedar Grove	Warehouse opposition
25.	Fred Buttrell, 5009 Lighthouse Dr	No warehouses distribution
26.	Jerry Brown, 11324 Bull Head Ln	Warehouse/dist. Center
27.	Larry Mathis, 6336 Savanah Oak Tr	Opposition to distribution center

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28.	Marsha Gavitt, 6501 Meadow Crest Ln	Distribution Center
29.	Lori Varnell, 10841 Pedernales Falls	Warehouses
30.	Yvette Elliott, 1309 Homestead	Thank you
31.	Dan Klemetsen, 6925 Basket Flower	Warehouses
32.	Dr. Kirran Moss, 5609 Muirfield Ct	Warehouses
33.	Christa Call, 10612 Smoky Oak Trl, Argyle	Warehouses
34.	Damien Ludwick, 11574 Winecup Rd, Argyle	Warehouses
35.	JP Parnell, 5909 Southern Hills Dr	Warehouses near high school
36.	Dave Aistrup, 6641 Elderberry Way*	
37.	Barbara Murrell, 10841 Pedernales Falls*	
38.	William & Cindy Thomas, 11709 N Little Elm Creek Rd*	
39.	Kushal Dhody, 11608 Cedar Grv*	
40.	Bulbul Rai, 11608 Cedar Grove*	
41.	Janice Varnell, 10841 Pedernales Falls*	
42.	Haylie Leonard, 1150 Anther Ridge Way, Argyle*	
43.	Shiva Kumer Julakonti, 11508 Misty Ridge Dr*	
44.	Celeste and JP Parnell, 5901 Southern Hills Dr*	
45.	Nicole Allen, 11504 Feather Reed Rd*	
46.	Cheryl Moore, 1900 Tennyson Dr*	
47.	Shannon Robbins, 5201 Ravine Ridge Ct*	
48.	Carolyn Strensrud, 5232 Ravine Ridge Ct*	
49.	Tiffany Drew, 5209 Ravine Ridge Ct*	
50.	Dennis Daliso, 11395 Misty Ridge*	
51.	Donna Perrin, 1509 Twistleaf Rd*	
52.	Sally Allen, 11621 Cedar Grv*	
53.	John Jobe, 11358 Misty Ridge*	
54.	KC Walsh, 2120 Helmsford Dr*	
55.	Ciro Panico, 11617 Cedar Grove*	
56.	Michele Carlson, 11325 Bull Head Ln*	
57.	Richard Perrin, 1509 Twistleaf Rd*	
58.	Michelle Jobe, 11358 Misty Ridge*	
59.	Robert Carlson, 11325 Bull Head Ln*	
60.	Mary Panico, 11617 Cedar Grove*	
61.	Beth Soderberg, 3100 Wager Rd*	
62.	Julie Soderberg, 3100 Wager Rd*	
63.	Randy Soderberg, 3100 Wager Rd*	
64.	Angel Guieb, 1536 Twistleaf Rd*	
65.	Jeff Ritty, 6200 Sawgrass Ct*	
66.	Jackie Saxon, 5113 High Ridge*	
67.	James William Saxon, 5113 High Ridge Tr*	
68.	Maggie Mistretta, 1009 Daylily Dr, Northlake*	
69.	Joseph Mistretta, 1009 Daylily Dr, Northlake*	
70.	Diana Mestas, 6224 Cupleaf Rd*	
71.	Anthony Daliso, 11395 Misty Ridge*	
72.	Ron Rennington, 5213 Ravine Ridge Ct*	
73.	Pam Pennington, 5213 Ravine Ridge Ct*	

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74.	Sandra Ogden, 11212 Bull Head Ln*
75.	Ronald Hall, 11367 Bull Head Ln*
76.	Valerie Hall, 11367 Bull Head Ln*
77.	Nathan Hodges, 11355 Gable Cir*
78.	Mia Aldridge, 6201 Whiskerbrush Rd*
79.	Rodney Aldridge, 6201 Whiskerbrush*
80.	Alyssa Francis, 8109 Firestone Dr*
81.	Holly McKinney, 4709 Valley Peak Cr*
82.	Rob Jenkins, address not provided*
83.	Shrijan Shrestha, 11355 Misty Ridge Dr*
84.	Tayton Morgan, 6409 Whiskerbrush*
85.	Reid Farrington, 7112 Basket Flower Rd*
86.	Erika Torres, 7112 Basket Flower Rd*
87.	Ruth Angel, 11300 Dusty Trail Ct*
88.	Scott Howell, 6555 Dolan Falls Dr*
89.	Matt Schwalm, 1108 Berrydale Dr, Northlake*
90.	Dawn Schwalm, 1108 Berrydale Dr, Northlake*
91.	Zachary Leonard, 1005 Coralberry Dr, Northlake*
92.	Tracy V. Arriage, 10913 Smoky Oak Trl*
93.	Lori. V. Arriage, 10913 Smoky Oak Trl*
94.	Rick Berns, 6612 Dolan Falls*
95.	Robert Haug, 4904 Long Pond*
96.	Lori Haug, 4904 Long Pond*
97.	Heidi Schultz-Bern, 6612 Dolan Falls*
98.	Linda Lange, 4201 Cozy Pine, Northlake*
99.	Richard Lange, 4201 Cozy Pine, Northlake*
100.	Laura Brown, 11324 Bull Head Ln*
101.	Greg Anderson, 3509 Northdale Ln, Northlake*
102.	Dana Anderson, 3509 Northdale Ln, Northlake*
103.	Stacy Pace, 11609 Cedar Grv*
104.	Lindsey Test, 11609 Cedar Grv*
105.	Greg Crouse, 5904 Pine Valley*
106.	Cherie Hart, 11625 Slumber Falls Dr*
107.	Keith Hart, 11625 Slumber Falls Dr*
108.	Wesley Parton, 10833 Pedernales Falls*
109.	Carlos Caban, 11304 Bull Head Ln*
110.	Kevin Yutani, 11455 Misty Ridge Dr*
111.	Ajjala Eruorigho, 11216 Dusty Trail Ct*
112.	Vicki Warner, 3529 Misty Meadows, Northlake*
113.	Rick Warner, 3529 Misty Meadows, Northlake*
114.	Pat Thomas – Aistrup, 6641 Elderberry Way
115.	Danielle Barfield, 11382 Misty Ridge*
116.	Caleb Barfield, 11382 Misty Ridge Dr*
117.	Craig Morrow, 4508 Tour 18 Dr*
118.	Elizabeth Barber, 4508 Tour 18 Dr*
119.	Judi Faust, 6363 Prairie Brush Trl*
120.	Mark Faust, 6363 Prairie Brush Trl*

121.	Clauda Villasana-Munoz, 11604 Slumber Falls Dr*
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*Indicated do not wish to speak but to record opposition to warehouses/Cross Timbers Business Park

F. ANNOUNCEMENTS

Deputy Mayor Pro Tem Sharma expressed appreciation for everyone that came to the meeting to participate.

Mayor Pro Tem Bumgarner congratulated McKamy Middle School Orchestra for winning their division in the UIL competition, and for their conductor Ms. Shockley.

Mayor France announced the tri-cities chili cook off is scheduled for March 31st.

Councilmember Schiestel announced the Flower Mound Republican Club is hosting the first local candidate forum tomorrow night at The River Walk at 6:30 p.m.

Councilmember Martin provided a statement regarding her position on serving the community.

The Town Council recessed at 8:15 p.m. and reconvened at 8:25 p.m.

G. TOWN MANAGER'S REPORT

1. Capital improvement projects
2. Economic Development projects
3. Operational updates

No discussion.

H. FUTURE AGENDA ITEMS

There were no future agenda item request.

I. COORDINATION OF CALENDARS

1. The next Town Council regular meeting is scheduled for Monday, March 21.

Mayor France confirmed that all councilmembers plan to be present at the above referenced meeting date.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on February 21, 2022.
2. Consider approval of an ordinance amending Appendix A "Fee Schedule" to update Library fees. (The Cultural Arts Commission recommended approval by a vote of 4 to 0 at its July 22, 2021, meeting.)

ORDINANCE NO. 07-22

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 46-1 OF CHAPTER 46 "LIBRARY" OF APPENDIX A "FEE SCHEDULE," OF SUBPART B OF THE CODE OF ORDINANCES, TOWN OF FLOWER MOUND, TEXAS, TO AMEND THE FEES FOR LIBRARY SERVICES; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

3. Consider approval of the 2022 US Army Corps of Engineer (USACE) solicitation for contract with the Town of Flower Mound for law enforcement services at Lake Grapevine and authorize the Mayor to execute same.
4. Consider approval of a Construction Agreement with Four Star Excavating for the Hillside Water Line Connection project, in the amount of \$197,687.50; and authorization for the Mayor to execute same on behalf of the Town.
5. Consider approval of a Professional Services Agreement with Parkhill, for the design phase services associated with the Chinn Chapel Soccer Complex Drainage Improvements project, in the amount of \$53,700.00; and authorization for the Mayor to execute same on behalf of the Town.
6. Consider approval of a First Amendment to the Professional Services Agreement with Pacheco Koch Consulting Engineers, LLC (successor in interest to Pacheco Koch Consulting Engineers, Inc.), for the design phase services associated with the Timber Creek Water Line Replacement Phase 1 project, to increase the design fee by \$75,085.00; and authorization for the Mayor to execute same on behalf of the Town .
7. Consider approval of a Professional Services Agreement with The Rios Group, for subsurface utility engineering services associated with the Timber Creek Water and Sewer Replacements project, in the amount of \$24,300.00; and authorization for the Mayor to execute same on behalf of the Town.
8. Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., for the design phase services associated with the FM2499 at FM407 Intersection Improvements project, in the amount of \$298,350.00; and authorization for the Mayor to execute same on behalf of the Town.
9. Consider approval of a Construction Agreement with Quick Set Concrete for the Grand Park (2020-21 Playground Replacements) project, in the amount of \$94,912.20; and authorization for the Mayor to execute same on behalf of the Town.
10. Consider approval of an emergency expenditure with Archer Western Construction LLC for the emergency repair of the Employee Safety Ventilation System at the Wastewater Treatment Plant, in the amount of \$144,410.57.
11. Consider approval of a resolution authorizing the Town Manager to execute global opioid settlement documents relating to the Teva pharmaceutical companies and the Endo pharmaceutical companies.

RESOLUTION NO. 04-22**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE GLOBAL OPIOID SETTLEMENT DOCUMENTS RELATING TO THE TEVA PHARMACEUTICAL COMPANIES AND THE ENDO PHARMACEUTICAL COMPANIES.**

Deputy Mayor Pro Tem Sharma moved to approve by consent Items 1 – 11, as presented in the agenda caption. Mayor Pro Tem Bumgarner seconded the motion. Each item, as approved by consent, is restated above, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION:*Motion passed***AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHESTEL****NAYS: NONE****K. REGULAR ITEMS**

12. Consider a Site Plan (SP21-0009 – Doctor's Urgent Care) to develop a medical office, with a request for a deviation to computing parking and loading requirements pursuant to Section 82-73 of the Code of Ordinances and a waiver to Architectural Standards in the Town's Urban Design Plan for roof pitch. The property is generally located east of Long Prairie Road and north of Forest Vista Drive. (P&Z recommended approval/denial by a vote of 6 to 0 at its February 28, 2022, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Site plan
- Exception requests
- Site photos
- Landscape plan
- Elevations

and she responded to questions or comments from Council regarding:

- Handicap parking allocations

Mayor Pro Tem Bumgarner moved to approve as presented. Councilmember Engel seconded the motion.

VOTE ON MOTION:*Motion passed***AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE**

Mayor France opened items 13 and 14 at the same time.

13. Public Hearing to consider an ordinance amending the zoning (ZPD21-0012 - Windhaven Assisted Living PD Amendment) to amend Planned Development District-173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility, with certain waivers, exceptions and modifications to the Code of Ordinances. The property is generally located south of Cross Timbers Road and west of Auburn Drive. (P&Z recommended approval by a vote of 6 to 0 at its February 28, 2022, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Conceptual site plan
- Zoning exhibit
- Exceptions requests
- Site photos
- Conceptual landscape plan
- Elevations

and she, or Ms. Bruce, responded to questions regarding:

- Drainage flow

Applicant Presentation

Trent Coots, 2900 Brosnon, Waco, TX

Mr. Coots responded to questions from Council regarding:

- Clarification regarding the change from a wet to dry pond for retention

Mayor France opened the Public Hearing for items 13 and 14 at 8:46 p.m. No one spoke. Mayor France closed the Public Hearing at 8:46 p.m.

Item 13:

Mayor Pro Tem Bumgarner moved to approve as presented. Councilmember Engel seconded the motion.

ORDINANCE NO. 08-22

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 21-19, WHICH ESTABLISHED PLANNED DEVELOPMENT DISTRICT NO. 173 (PD-173) WITH AGRICULTURAL DISTRICT (A) USES AND A NURSING OR CONGREGATE CARE FACILITY ON CERTAIN PROPERTY DESCRIBED AS APPROXIMATELY 4.364 ACRES OF LAND SITUATED IN THE PERRY MALONE SURVEY, ABSTRACT NO. 836 BY MODIFYING DEVELOPMENT STANDARDS RELATED TO COMPATABILITY BUFFERS, COMPATIBILITY SETBACKS, AND DETENTION PONDS; BY REDUCING THE AREA OF PD-173 BY APPROXIMATELY 3,537 SQUARE FEET; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

FLOWER MOUND TOWN COUNCIL MEETING OF MARCH 7, 2022**PAGE 9****VOTE ON MOTION:***Motion passed***AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHESTEL****NAYS: NONE**

14. Public Hearing to consider an ordinance amending the zoning (Z22-0001 – Flower Mound Woods Block D, Lots 3R & 4R) from Planned Development District-173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility to Single Family District-15 (SF-15) uses. The property is generally located north and west of Nan Lane and Alberta Lane. (P&Z recommended approval by a vote of 6 to 0 at its February 28, 2022, meeting.)

Item 14:

Mayor Pro Tem Bumgarner moved to approve as presented. Councilmember Engel seconded the motion.

ORDINANCE NO. 09-22

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE FLOWER MOUND CODE BY CHANGING THE ZONING ON APPROXIMATELY 3,537 SQUARE FEET OF LAND SITUATED IN THE PERRY MALONE SURVEY, ABSTRACT NO. 836, FROM PLANNED DEVELOPMENT DISTRICT NO. 173 (PD-173) WITH AGRICULTURAL DISTRICT (A) USES AND A NURSING OR CONGREGATE CARE FACILITY TO SINGLE FAMILY-15 (SF-15) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:*Motion passed***AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE**

15. Public Hearing to consider an ordinance amending the zoning (Z21-0009- Flower Mound Ranch Prairie Vista) from Interim Holding (IH) uses to Single Family-Estate (SF-E) uses. The property is generally located north of Cross Timbers Road and east of U.S. Hwy. 377. (P&Z recommended approval by a vote of 6 to 0 at its February 28, 2022, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Zoning exhibit
- Photos of the site

Applicant Presentation

Misty Ventura, Shupe Ventura, PLLC, 9406 Biscayne Blvd, Dallas, TX, representing the property owner.

Ms. Ventura requested council support of the item as presented.

Mayor France opened the Public Hearing at 8:50 p.m. No one spoke. Mayor France closed the Public Hearing at 8:50 p.m.

Deputy Mayor Pro Tem Sharma moved to approve as presented. Mayor Pro Tem Bumgarner seconded the motion.

ORDINANCE NO. 10-22

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE FLOWER MOUND CODE BY CHANGING THE ZONING ON APPROXIMATELY 543.816 ACRES OF LAND SITUATED IN THE B.B.B. & C. RAILWAY CO. SURVEY, ABSTRACT NO. 154, THE .B.B. & C. RAILWAY CO. SURVEY, ABSTRACT NO. 187, J.N. DENSON SURVEY, ABSTRACT NO. 359, AND THOMAS BURRESS SURVEY, ABSTRACT NO. 33, FROM INTERIM HOLDING (IH) USES TO SINGLE FAMILY-ESTATE (SF-E) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

16. Public Hearing to consider an ordinance for rezoning (MU21-0003 – Lakeside Village) to amend Mixed Use District-1 (MU-1) to amend certain development standards related to Character Zone Standards, Open Space Standards, Parking Standards, Architectural and Building Standards, and Signage Standards in the Lakeside Village Development Code subject to the terms and conditions in the attached Development Agreement and authorization for the Mayor to execute same on behalf of the Town after approval of the terms by the Town Attorney. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway. (P&Z recommended approval by a vote of 6 to 0 at its February 28, 2022, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Text amendments (proposed)
- Development Agreement Amendments

and she, or Chief Henley, responded to questions or comments from Council regarding:

FLOWER MOUND TOWN COUNCIL MEETING OF MARCH 7, 2022**PAGE 11**

- Fire rating associated with Exterior insulation finishing system (EIFS) building material
- Sprinkler system

Applicant Presentation

Rebecca Everett, Realty Capital, 909 Lake Carolyn Parkway, Irving

Ms. Everett responded to questions or comments from Council regarding:

- Timing associated with the amphitheater

Mayor France opened the Public Hearing at 9:02 p.m. No one spoke. Mayor France closed the Public Hearing at 9:03 p.m.

Deputy Mayor Pro Tem Sharma moved to approve as presented. Mayor Pro Tem Bumgarner seconded the motion.

ORDINANCE NO. 11-22

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 09-18, WHICH AMENDED MIXED USE DISTRICT-1 (MU-1), ALSO KNOWN AS THE LAKSIDE DFW MIXED USE DEVELOPMENT; BY AMENDING EXHIBIT "B" TO MODIFY DEVELOPMENT STANDARDS RELATED TO SECTION 5, "CIVIC/OPEN SPACE AND LANDSCAPE STANDARDS," SECTION 6, "PARKING STANDARDS," SECTION 7, "ARCHITECTURAL AND BUILDING STANDARDS," AND SECTION 8, "SIGNAGE STANDARDS/APPENDIX D" AS APPLICABLE TO SUBZONES MU-TEN, MU-C(3) AND/OR MU-TMR(1); PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:*Motion passed***AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE****L. BOARDS/COMMISSIONS**

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, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

No discussion.

FLOWER MOUND TOWN COUNCIL MEETING OF MARCH 7, 2022**PAGE 12****M./N. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 9:04 p.m. on March 7, 2022, 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, and reconvened into an open meeting at 10:02 p.m. on March 7, 2022, and no action was taken on the following items:

- a. Consultation with Attorney.
 - 1. Open Government Rules
 - 2. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications
- b. 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.
- c. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

O. ADJOURN REGULAR MEETING

Mayor France adjourned the meeting at 10:02 p.m. on Monday, March 7, 2022, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

DEREK FRANCE, MAYOR**ATTEST:**

THERESA SCOTT, TOWN SECRETARY



TOWN COUNCIL AGENDA ITEM NO. 2

CONSENT ITEM

DATE: March 21, 2022

FROM: Gary Bertagnolli, Director of Information Technology

ITEM: Consider approval of updated 3-year agreement for Town Printer Management Agreement and authorization for the Mayor to execute same on behalf of the Town.

BACKGROUND INFORMATION: CopyNet, the company we were utilizing to manage the Town's printers, has been bought out by DEXimaging. CopyNet's original contract is set to expire in October of this year. We have been offered a new 3-year contract under the same terms at a lower price which will save \$2,400 a year.

FISCAL IMPACT: \$ 36,000.00 estimated annually

Proposed Expenditure\Revenue:	Account Number(s):
\$ 31,963.00	100-680-81000-5110
\$ 4,037.00	200-680-83000-5110

Finance Review by: Tammy Wilson, Executive Director of Fiscal and Administrative Services/CFO *tw*

LEGAL REVIEW: Benjamin Gibbs, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the agreement as to form and legality.

ATTACHMENTS:

1. Agreement

DRAFT MOTION: Move to approve as presented in the agenda caption.



MANAGED PRINT SERVICES AGREEMENT

BILLING INFORMATION:			EQUIPMENT LOCATION:			SAME AS BILLING: ☐
COMPANY:						
Town of Flower Mound						
ADDRESS:						
2121 Cross Timbers						
CITY:	ST:	ZIP:				
Flower Mound	TX	75028				
PHONE:	FAX:					
972-874-6000						
CONTACT:						
Gary Bertagnolli						

METER CONTACT:	EMAIL:	PHONE:	FAX:
Gary Bertagnolli			

PROGRAM: Platinum+	BASE CHARGE: \$ 3,000.00	BILLING CYCLE: Monthly
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BLACK IMPRESSIONS: <u>38,000</u>	INCLUDED	OVERAGES: \$ <u>0.0160</u>	PER IMPRESSION	NETWORKING: ☐ FEES APPLY - SEE SECTION 2
COLOR IMPRESSIONS: <u>24,500</u>	INCLUDED	OVERAGES: \$ <u>0.103</u>	PER IMPRESSION	PAPER INCLUDED: ☐ FEES APPLY - SEE SECTION 11
MICR IMPRESSIONS: _____	INCLUDED	OVERAGES: \$ _____	PER IMPRESSION	

SPECIAL INSTRUCTIONS: 36 Month Agreement

Please See Attached Schedule A for equipment breakdown

EQUIPMENT COVERED UNDER THIS AGREEMENT:				ADDENDUM: _____
MAKE	MODEL	QTY	SPECIAL INSTRUCTIONS	

THIS MAINTENANCE AGREEMENT WILL AUTOMATICALLY RENEW FOR ONE (1) YEAR UNLESS CANCELLATION IS RECEIVED IN WRITING AT LEAST THIRTY (30) DAYS PRIOR TO THE END OF THE CONTRACT. REPAIRS DUE TO ABUSE, NEGLIGENCE, OR ACTS OF GOD ARE NOT COVERED.

DEXMPS AUTHORIZED SIGNATURE	_____ CUSTOMER'S AUTHORIZED SIGNATURE
DATE: <u>3/8/22</u>	DATE: _____

TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS FORM ARE AN INTEGRAL PART OF THIS CONTRACT.



SCOPE OF COVERAGE

This Agreement covers both labor and material for adjustments, repairs, and replacement of parts as necessitated by normal use of the equipment except for normal key operator responsibilities and others as herein provided. Damage to the equipment and/or its parts arising from misuse, abuse, negligence, or causes beyond DEX MPS control (including acts of God or natural disasters) is not covered. In addition, DEX MPS may terminate this Agreement in the event that the equipment is modified, damaged, altered, or serviced by personnel other than those employed or authorized by DEX MPS, or if parts, accessories, or components not authorized by DEX MPS are fitted to the equipment.

1. BUSINESS HOURS FOR SERVICE

Maintenance services shall be provided hereunder only during DEX MPS normal business hours, which shall consist of 8:00 AM to 5:00 PM, Monday through Friday, exclusive of DEX MPS holidays and subject to change by DEX MPS.

2. EXTENT OF LABOR SERVICES, REPAIR, AND REPLACEMENT PARTS

Labor performed during a service call includes lubrication and cleaning of the equipment and the adjustments, repair, or replacement of parts. All parts necessary to the normal operation of the equipment will be furnished free of charge. In the event that the equipment is interfaced to a computer or computer network, this Agreement covers only the labor, parts, software, and updates that are provided by the equipment manufacturer which are necessary to interface the connected product. Service associated with application software, software updates on equipment not sold in conjunction with the connected product, reconfiguring or modification to files and programs and network expansions to include NIC cards and Jet Direct cards are not covered under the Agreement. Networking and basic driver installation is available for \$100 to include up to 5 devices at the same location, or at the rate of \$100 per hour.

3. TERM

This Agreement shall become effective upon receipt and acceptance by DEX MPS and shall continue for 36 months following date of first invoice. It shall be automatically renewed for successive one year periods.

AUTOMATIC RENEWAL This Agreement is subject to annual increase during renewal terms and may be renewed by the Parties upon notice, at the expiration of the initial term for successive renewal terms. In no case will the renewal or annual increase exceed a 12% price increase over the prior period.

TERMINATION The Initial Term of this Agreement shall be as set forth above. In the event that DEX MPS terminates this Agreement due to unexcused Customer breach, or if the Customer elects to terminate Maintenance prior to the expiration of the Initial Term, or any subsequent Renewal Term, without cause, Customer will be responsible for the payment of early termination charges which shall be calculated as the average of the three (3) most recent billing periods, total billing multiplied by the number of months remaining in the unexpired Initial Term or Renewal Term.

CUSTOMER METER READING AND REPORTING OBLIGATIONS

Customer agrees to provide DEX MPS with accurate and timely meter readings at the end of each applicable billing period through the use of Patrol Monitoring Appliances during the Initial Term and all subsequent Renewal Terms. If a DEX MPS Green Box is installed, it must be returned upon termination of this Agreement or the Customer will be billed \$125.00. If DEX MPS Patrol WiFi units are deployed, they must be returned upon termination of this Agreement or Customer will be billed \$50 per unit. If Customer does not allow the use of Patrol Monitoring Appliance, then Customer is responsible for the manual reporting of meters on a timely basis. If Customer does not report meters as required, DEX MPS will dispatch a representative to secure them at a rate of \$120 per hour.

4. CHARGES

The charge for maintenance under this Agreement shall be the amount set forth on the reverse side hereof. The charge with respect to any 12 month Renewal Term will be the charge in effect at the time of renewal. Customer agrees to pay the total of all charges for maintenance during the Term and any Renewal Term within fifteen (15) days of the date of invoice date for such charges. A copy/print is 8.5" x 11".

5. CUSTOMER CHANGES

Any Customer changes, alterations, attachments, or print coverage in excess of 8% may require a change in the charges set forth herein. DEX MPS also reserves the right to terminate this Agreement in the event that it shall determine that such changes, alterations, or attachments make it impractical for DEX MPS to continue to service the Equipment.

Customer must advise DEX MPS of any equipment movements not performed by DEX MPS via the portal at www.deximaging.com. This can be completed by selecting machine movement found within the service dropdown located on the site.

6. ADDITIONAL EQUIPMENT

Any equipment added by Customer, subsequent to the commencement of this Agreement, will be added at the discretion of DEX MPS.

EQUIPMENT REPLACEMENT

DEX MPS, at its sole discretion, reserves the right to replace any equipment covered by this Agreement with a comparable or appropriate model. Additional equipment supplied by DEX MPS will be governed by the contract type as delineated below.

CONTRACT TYPES

PREMIER - Service and Supplies for existing Customer devices. Replacement units supplied at the Customer expense.

PLATINUM - Service and Supplies for existing Customer devices as well as newly refurbished DEX MPS provided devices. Additional devices and replacement devices not deemed to be at end of life require a minimum number of prints in addition to the originally contracted base.

PLATINUM+ - Service and Supplies utilizing OEM toner and parts for existing Customer devices as well as new DEX MPS provided devices.

* **PLATINUM/PLATINUM+** Contracts Only: All equipment delivered by DEX MPS remains the property of DEX MPS. Any printer removed from service by DEX MPS, deemed to have reached the end of its useful life, will be replaced with a model of equal or greater value. DEX MPS supplied equipment will be added per the following schedule.

Mono Printer : \$25/month for 1,000 Impressions | \$45/month for 2,500 Impressions
Mono MFP : \$30/month for 1,000 Impressions | \$55/month for 2,000 Impressions

Color Printer : \$30/month for 1,000 Impressions

Color MFP : \$40/month for 1,000 Impressions

Upon termination of this Agreement, printers owned by DEX MPS must be purchased by Customer within thirty (30) days at a mutually agreed upon price or

Customer must deliver the equipment to DEX MPS in good condition and repair to a location designated by DEX MPS within sixty (60) days. Any printers owned by DEX MPS which are not returned will be billed to the customer at replacement value.

7. POWER REQUIREMENTS

Equipment under this Agreement must have a DEX MPS approved surge protector/power filter. Customer agrees to provide the power recommended by the equipment manufacturer. Customer understands that service or part required as a result of improper power, telephone lines, or computer cabling not supplied by DEX MPS or an authorized agent of DEX MPS may not be covered under this Agreement.

9. BREACH OR DEFAULT

If the Customer does not pay all charges for maintenance, parts, or supplies as provided hereunder, promptly when due, or removes or disables Patrol Monitoring Appliances: (1) DEX MPS may (a) refuse to service the equipment, (b) furnish service on a C.O.D. "per call" basis at published rates, or invoice the customer for early termination charges in accordance with the termination paragraph, and (2) the Customer agrees to pay DEX MPS cost and expense of collecting including the maximum attorney's fees permitted by law.

If the equipment is moved to a new service zone, DEX MPS shall have the option to charge and the Customer agrees to pay, the difference in published maintenance charges between current zone and new zone, assessed on a pro rata basis. If equipment is moved beyond DEX MPS' service zone, Customer agrees to pay a fair and reasonable up charge for continued service under this Agreement, taking into account the distance to Customer's new location and DEX MPS published rates for service on a "per call" basis.

If Customer uses supplies other than DEX MPS supplies, and such supplies are determined to be defective or not acceptable by DEX MPS and/or cause abnormally frequent service calls or service problems, then DEX MPS may, at its option, terminate this Agreement. In that event, Customer may be offered service on a "per call" basis at published rates. It is not a condition of this Agreement, however, that the Customer use only DEX MPS supplied materials.

10. NO WARRANTY

Other than the obligations set forth herein, DEX MPS DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OR MERCHANTABILITY, FITNESS FOR USE, OR FITNESS FOR A PARTICULAR PURPOSE. DEX MPS SHALL NOT BE RESPONSIBLE FOR DIRECT, INDIRECT, OR CONSEQUENTIAL DAMAGES, INCLUDING BUT NOT LIMITED TO, DAMAGES ARISING OUT OF THE USE OR PERFORMANCE OF THE EQUIPMENT OR THE LOSS OF THE EQUIPMENT.

11. CONSUMABLES

Toner cartridges will be shipped via electronic alerts generated by DEX MPS Patrol Monitoring Appliance. Manual orders can be placed for any units that do not report to the Appliance. 00075 has been added to the per impression rates shown on the front of this agreement in lieu of freight. If a Paper Inclusive Agreement, the cost of paper is shown below:

_____ cases of 8.5"x11" per month at \$ _____

Case = 10 reams, 20lb, white for use in copiers and printers. Paper price will be reviewed quarterly not to exceed a 10% increase. In a cost per impression contract, all on-site consumable items remain the property of DEX MPS. At contract termination, a unused consumable items, toner cartridges, developer, drums, etc must be promptly returned to DEX MPS.

MISCELLANEOUS

This Agreement shall be governed by and construed according to the laws of the State of Texas and is applicable to agreements wholly negotiated, executed, and performed in the State. It constitutes the entire Agreement between the parties and may not be modified except in writing, signed by duly authorized officers of DEX MPS.





ADDENDUM TO DEX MPS MANAGED PRINT SERVICES AGREEMENT

- **TERMINATION** Customer may notify DEX MPS in writing should DEX MPS not perform in accordance with the terms and conditions of this contract. Notification must stipulate the specific failure of performance. Upon receipt of notification, DEX MPS has thirty (30) days to cure the failure. Should DEX MPS fail to cure the performance issue in thirty (30) days, Customer would have the right to cancel the remaining term of the agreement with a 60 day notification. Customer's account must be current before notification or cancellation can occur.
- This is a 36 month agreement
- Month-to-Month at the end of the term
- **Non-Appropriation** – Customer, a Municipal Corporation, Operates on a fiscal year October 1 through September 30. In the event sufficient funds are not appropriated for the payment of the contract amounts required to be paid in any fiscal year, then the Customer shall not be obligated to make the payments provided for in the Contract for such period, or thereafter, regardless of whether the Term has expired. The Agreement shall be deemed to have terminated on the last date for which adequate appropriation was made. Customer agrees to deliver notice to DEX Imaging of such termination at least thirty (30) days prior to the end of the then-current fiscal year. However, failure to deliver such proof of non-appropriation and notice to DEX Imaging shall not extend the term of this agreement beyond the end of the then-current fiscal year.

DEX Imaging Inc.

A handwritten signature in black ink, appearing to be "J. Smith", written over a horizontal line.

Town of Flower Mound

SCHEDULE A



Current Fleet		Monthly Volume	
Qty.	Model	Mono AMV	Color AMV
3	HP 5550	636	1,558
4	HP CM750	3,209	2,600
3	HP M402dn	1,132	
51	HP M404n	16,894	
3	HP M426fdn	1,821	
15	HP M428fdn	7,707	
23	HP M454dn	6,764	9,389
8	HP M479fdn	1,433	2,827



DEX MPS	
NEW - Monthly Base	
\$3,000.00	
Mono CPP	Color CPP
\$0.0160	\$0.1030
Mono AMV	Color AMV
38,000	24,500

DEX MPS Program Includes:

OEM Toner | Parts | Labor | Onsite Service

Auto Toner Replenishment

4-Hour Response Time

DEX Imaging I.T. Help Desk

Delivery, Installation and Networking

*Hardware breakfix at no additional cost

*Equipment at end of life or deemed non repairable, we will replace it



TOWN COUNCIL AGENDA ITEM NO. 3

CONSENT ITEM

DATE: March 21, 2022

FROM: Julie Taylor, Director of Treasury Operations

ITEM: Consider approval of a proposal to conduct a Water and Wastewater Cost of Service and Rate Design Study with NewGen Strategies & Solutions for \$35,000.

BACKGROUND INFORMATION: In order to achieve a rate structure that will assure adequate revenue for the Utility System's operations, debt service requirements, and to ensure the Utility System is operating on a self-supporting basis while considering the economic impact on our customers, staff requests the Town Council to consider the proposal with NewGen Strategies & Solutions (NewGen) to conduct a water and wastewater cost of service and rate design study which will entail an analysis of the Utility Fund's operations, provide financing scenarios and if needed, recommend alternate rate designs for the Town Council's consideration.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: \$35,000

Proposed Expenditure/(Revenue):	Account Number(s):
\$35,000	200-650-52200-5110

Finance Review by: Tammy Wilson, Executive Director of Fiscal and Administrative Services/CFO *tw*

LEGAL REVIEW: Benjamin Gibbs, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the proposal as to form and legality.

ATTACHMENTS:

1. Proposal to Conduct Water and Wastewater Cost of Service and Rate Design Study

DRAFT MOTION: Move to approve as presented in the agenda caption.



275 W Campbell Road
Suite 440
Richardson, TX 75080
Phone: (972) 680-2000

March 9, 2022

Town of Flower Mound, Texas
Attn: Julie Taylor
2121 Cross Timbers Road
Flower Mound, TX 75028

Subject: Proposal to Conduct Water and Wastewater Cost of Service and Rate Design Study

Dear Ms. Taylor:

NewGen Strategies and Solutions, LLC ("NewGen") appreciates this opportunity to propose our assistance to the Town of Flower Mound ("Town"). It is our understanding that at this time the Town is seeking a qualified consultant to conduct a Water and Wastewater Cost of Service and Rate Design Study. Members of NewGen's Project Team have previously assisted the Town of Flower Mound as a subconsultant to Kimley-Horn & Associates in developing and updating Water, Wastewater, and Roadway Impact Fees for the Town, and we look forward to continuing our relationship with this engagement.

As part of this study, NewGen will prepare a five-year forecast of water and wastewater revenue requirements and accompanying rate scenarios which will meet the Town's revenue recovery objectives. Additionally, NewGen will examine the utility's capital requirements for both planned development and replacement needs in suggesting rates sufficient to provide continuous and adequate service to the Town's utility customers.

Introduction to NewGen

NewGen is a management and economic consulting firm specializing in assistance and advice to the public sector, especially utilities and other capital-intensive activities. NewGen provides nationally recognized expertise in utility cost of service and rate design studies, depreciation and appraisals, organizational and performance management studies, litigation support for legal and regulatory proceedings, utility business and financial planning, and stakeholder engagement for water, wastewater, stormwater, solid waste, electric and natural gas utilities. NewGen was created by consultants who are dedicated to our client's mission and recognized as experts in our respective fields of service. Our assistance to the public sector is provided with a keen insight to navigate the uncertain market and the growing role of stakeholders, resource availability, cost of providing utility services, and economic conditions. This ensures an integrated approach to delivering our products and services. *"Thoughtful Decision Making for Uncertain Times"* succinctly describes our approach to client challenges, opportunities, and problems.



Ms. Julie Taylor
March 9, 2022
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Firm History

Our experience has been acquired while members and/or owners were with recognized national consulting groups such as R. W. Beck, Inc. (now SAIC and Leidos), Navigant Consulting, Touche Ross & Co. (now Deloitte), and Willdan Financial Services, and regional practices such as Reed, Stowe & Yanke. NewGen professionals provide the expertise gained from hundreds of cost of service and expert witness cases and filings supporting utility customers, regulatory staff, and utilities. Collectively, the founding members of NewGen possess in excess of 150 years of consulting experience.

Key principals of the company, having worked in this industry for the past 20 to 30 years, came together in 2012 to establish NewGen. NewGen has experienced significant growth since our inception, driven by our market-leading expertise in helping public utilities and dedication to our clients. Today, NewGen employs a staff of over 45 professionals in 12 cities across the country.

Proposed Project Team

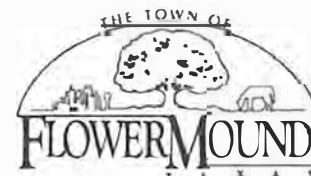
The Project Team for this engagement will be led by Mr. Chris Ekrut as Project Director. During the course of the study, Chris will be assisted by Ms. Kim Bostik as Project Manager. Dr. Sanja Zivkovic and Mr. Steve Doogue will assist as Financial/Data Analysts.



Mr. Chris Ekrut has been providing consulting services since 2004, with the majority of projects centered in the water and wastewater industry around user/impact fees. He has filed expert witness testimony with regard to cost of service and rate design, as well as provided litigation support before rate regulatory agencies. He has conducted a number of wholesale and retail water and wastewater rate studies, developed water and wastewater rate models, storm water fee models, and assisted in the negotiation and/or litigation involving a number of wholesale water contracts. Chris also specializes in the development of Utility Business Plans and has been called on by the Texas Section of the American Water Works Association to speak on the importance of business planning for municipal and governmentally owned utilities.



Ms. Kimberly Bostik, a Manager with NewGen, assists in conducting a variety of engagements for water, wastewater, and electric utilities. Prior to joining NewGen, Ms. Bostik was employed by R.W. Beck, Inc. as a Senior Consultant in the Water and Wastewater industries. Ms. Bostik began her career as a Risk Accountant and worked as a Supervisor of Trading & Risk Services at Duke Energy Trading & Marketing in Houston, Texas. Ms. Bostik also contracted for Energy Future Holdings, serving as a risk analyst on the power trading desk.



Project Director

Chris Ekrut

Project Manager

Kim Bostik

Financial Analysts

Sanja Zivkovic

Steve Doogue

Ms. Julie Taylor
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Dr. Sanja Zivkovic joined NewGen as a consultant in 2021, providing financial modeling, financial analyses, and data analytics support primarily for environmental utility clients. Prior to joining the firm, Dr. Zivkovic worked as a tenure-track Assistant Professor in the Department of Agricultural and Applied Economics at Texas Tech University. Preceding her experience at Texas Tech University, Dr. Zivkovic assessed and managed risk for Delta Generali Insurance company.



Mr. Steve Doogue joined NewGen as an analyst in 2021. During his tenure, he has provided financial modeling, financial analyses, and data analytics support, primarily for NewGen's Environmental Practice. Mr. Doogue obtained an MSc in Development Economics from the University of London. Prior to joining NewGen, Mr. Doogue spent over 10 years as a financial analyst and advisor for central and municipal governments in the United Kingdom.

Resumes for all Project Team members are available on request.

Proposed Work Plan

To perform the requested study, the Project Team proposes the following work plan. This work plan closely follows the approaches and methodologies utilized by NewGen's Project Team members in all of their water and wastewater cost of service and rate design studies. Therefore, the Town can be assured that the work plan proposed by NewGen has been tested and proven in numerous studies across the state and nation. It is understood that, if selected, the Project Team will refine, customize, and finalize the work plan with the Town upon award of the project.

NewGen maintains a strong and active presence before the State of Texas' rate regulatory authorities and is routinely requested to provide expert opinions on rate matters by legal counsels representing clients throughout the State of Texas. For NewGen to maintain its reputation and presence within the regulatory environment, our product must be of such quality to withstand intense scrutiny. The product(s) developed by NewGen for this engagement will withstand such scrutiny.

Unless otherwise specified or requested by the Town, all meetings discussed throughout the work plan will take place virtually. NewGen utilizes a variety of tools to conduct virtual meetings and will work with the Town to determine the best technology platform for all parties.

Task 1 – Initiation of Initial Data Request

The Project Team will develop an initial data request that will be needed to adequately begin the review and evaluation of the Town's retail water and wastewater rates. This data will include, but is not limited to, operating, financial, management, policy, and ordinance data. The purpose of the initial data request is to become more familiar with the Town's operations and policies in order to maximize the effectiveness of our time with Town representatives in the project kickoff meeting. The Project Team will issue the initial data request within five (5) days after receiving notice to proceed on the project.

Task 2 – Initial Data and Information Assessment

Once the Town has submitted the initially requested data, the data will be reviewed for discussion during the project kickoff meeting. Throughout the course of the project, data received by the Project Team will be sampled and tested for accuracy. The sampling and testing of data is imperative in regard to the billing

Ms. Julie Taylor
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data used to set rates. In all of our rate study engagements, NewGen conducts a thorough review and testing of the billing data queries provided by our clients. It is essential in the development of proper cost allocations and reliable revenue projections that the billing data be as accurate as possible. NewGen will work closely with the Town's billing staff and/or software provider to extract the appropriate billing data. In addition, as necessary, the Project Team will conduct informal interviews with Town staff during our review of the historical data to ensure that the Project Team understands the information provided.

Task 3 – Project Kickoff Meeting

After receiving the initially requested data, the Project Team will work with the Town to schedule a kickoff meeting. The primary reason for the kickoff meeting is to allow the key Project Team consultants and participants from the Town to be introduced and lay the general framework for how the study will be conducted. This meeting will also allow for the finalization of the proposed work approach, as well as discuss and clarify the information analyzed in Task 2.

In addition, the project kickoff meeting will allow for the Project Team to gain a better understanding of the goals and objectives, as well as expectations, the Town desires to achieve from the study. As part of the kickoff meeting, the Project Team members will also discuss:

- Political and customer views/opinions of current rates;
- Capital/operational demand changes anticipated over the study's forecasted period;
- Initial rate design pricing objectives; and
- Initial strategies for implementing/communicating possible rate changes.

Task 4 – Determination of Test-Year Revenue Requirements

Revenue requirements will be developed for the water and retail wastewater studies using the American Water Works Association ("AWWA") accepted cash needs approach. The cash needs approach closely follows municipal budgeting practices and incorporates a utility's operation and maintenance costs, debt service and bond coverage requirements, cash funded capital outlays, reserve requirements, and transfers. Specifically for the Town, the revenue requirement will include the Town's operational costs adjusted to reflect normal service conditions; current and future anticipated principal and interest payments; current and future cash capital outlays; future capital funding needs including the impact of inflation on construction cost; and pass-through charges for wholesale service.

In developing the revenue requirements, the Project Team will assess and project each utility's cost of service by analyzing each utility's historical costs, the current budget year, any forecasts made for future fiscal years, as well as any debt service ratio or bond covenant requirements. The Project Team will develop a test-year cost of service for each utility. A test-year is a common term in rate studies that refers to an adjusted fiscal year cost that will be used as a basis for setting rates. The test-year cost of service will be adjusted by non-rate revenue sources to develop the test-year revenue required from utility rates.

Task 5 – Forecast of Revenue Requirements

Using the test-year developed in Task 4, the Project Team will begin the development of a five-year revenue requirement forecast. As necessary, interviews with Town staff may be conducted to gather additional data to complete this task. During this task, it is crucial to thoroughly analyze the assumptions used in projecting the revenue requirements. These assumptions may include, but may not be limited to, growth rate, inflation rates, regulatory changes, conservation, increase in contractual obligations, and

Ms. Julie Taylor
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capital improvements. These assumptions will be supported by standard industry forecasting practices and available indices. In addition, support will come from the Town's applicable master plan studies and current infrastructure ratings.

The Project Team will work closely with Town staff to examine the Town's planned method of financing (e.g. cash, debt, grants) future capital improvements and the financing methods' impact on retail rates, operating and capital reserve targets, and debt coverage requirements, as well as examine anticipated operational and/or staffing changes over the five-year forecast. The five-year revenue requirement will serve as the basis for the development of the financing plan to meet projected capital improvement expenditures.

Task 6 – Determination of Realizable Revenue at Current Rates

The results of this task will provide the data to properly evaluate the cost of service, the magnitude of overall increases, if any, and the probability of redistribution of revenue responsibility between customer classes as well as providing the Project Team the ability to compare the actual cost to provide utility service with the anticipated billed revenues of the utility. In the revenue determination, adjustments will be made to the historical billing data to reflect normalized weather conditions and usage. This task will also provide a "check" of the data provided by Town staff.

Task 7 – Functionalization of Revenue Requirements

Functionalization is the process of grouping costs based on the function, or type, of service provided. Discussions will be held with Town staff to understand the types of services that are provided by the Town (e.g. raw water service, transmission service), and what system information is available from the Town, to determine the appropriate functional cost categories to be utilized in the study.

Task 8 – Classification of Revenue Requirements

After the development of the functionalized costs in Task 7, costs are classified into the components of utility service that are provided. For the water utility, it is proposed that costs be classified using the AWWA recommended Base Extra-Capacity method, where costs are classified as base, extra-capacity, and customer related.

For the wastewater utility, assuming the utility has an active industrial pre-treatment program, it is proposed that costs be classified using the Water Environmental Federation ("WEF") recognized flow, BOD, TSS, and customer parameters. Classification of wastewater costs in the proposed manner will facilitate calculation of an industrial strength surcharge and the establishment / management of the Town's pretreatment program.

It should be noted that these are our proposed classification methods. Discussions will be held with Town staff before the finalization of the agreement between the Town and NewGen to determine the appropriate classification methods to utilize in recognition of the Town's objectives and available system and billing data.

Task 9 – Allocation of Revenue Requirements

One of the most important considerations in the setting of fair and equitable rates for utility service is the establishment of the appropriate grouping of customers (i.e., customer classes for cost distribution after costs are classified). Generally, a customer class should only include those customers who: (a) are in a similar location in relation to the utility; (b) use the same or similar service from the utility; and (c) place

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similar demands upon the utility. As part of the Town's request, the Project Team will analyze the usage patterns of the presently defined customer classes in the above context and evaluate whether a new classification of customers or amendment to the current classification should be recommended.

Costs within each utility will be allocated to the selected customer classes based on the level of service provided by the Town to each customer class. It is imperative that the factors that form the basis of costs incurred by the Town to provide continuous and adequate service to its customers be appropriately identified. This identification requires a thorough understanding of the influencing conditions controlling the design and/or actual operation of a system. These conditions include normal and peak weather conditions. Members of the Project Team are thoroughly versed in appropriately identifying these costs and are recognized experts before the State's rate regulatory agencies. The factors for the allocation of costs to the customer classes will be dependent on the billing and system information available from the Town.

After the forecasted revenue requirements are allocated to the customer classes, the Project Team will conduct a briefing presentation with Town staff to provide the comparison of the revenue requirements by customer class to each customer class's revenue generation under current rates. This will provide the Town with the magnitude of the potential rate adjustments needed for each customer class.

Task 10 – Development of Rate Design

In the formulation of a rate and fee design plan, a clear and distinct understanding of the Town's overall goals and objectives should serve as the foundation for the development of options since rate and fee design enables the utility to meet its service pricing objectives. Pricing objectives could include, but would not be limited to the following:

- Cost of Service Recovery
- Revenue Stability
- Affordability
- Equity
- Ease of Administration
- Regional Competitive Position
- Conservation
- Economic Development

During the briefing presentation with Town staff after the completion of Task 9, members of the Project Team will discuss with Town staff the potential rate design alternatives that meet the Town's pricing goals and objectives. From these discussions, the Project Team will develop defensible rate structures that are reflective of industry accepted practices and procedures and rate regulations within the State of Texas and which balance the recovery of revenue between base rates and volumetric rates on an equitable basis.

Task 11 – Determination of Realizable Revenue with Rate Adjustments

The Project Team will analyze and compare the revenues forecasted to be generated under designed rate structures, by customer class, to the forecasted cost of service to determine the adequacy of the designed rate structures to meet the Town's financial goals, including bond coverage requirements and operating and capital reserves. To the extent the designed rates are projected to be inadequate, appropriate rate adjustments for each class will be calculated. In the revenue determination, adjustments will be made to the historical billing data to reflect normalized weather conditions and usage. Also, the monthly impact of rate adjustments on customer bills under the designed rate structures will be examined.

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Task 12 – Rate Comparison Review

The Project Team will compare the Town's current and adjusted utility rates to utility rates of municipal utilities of similar size, demographics, and operational characteristics so as to provide an estimation of the Town's comparable and competitive position.

After completing Task 12, members of the Project Team will conduct a briefing presentation with Town staff to discuss the results of the rate design analysis. Included in these discussions will be the development of the strategy(ies) to communicate and institute any significant rate changes.

Task 13 – Draft Report Preparation

The Project Team will develop a draft report summarizing findings, conclusions, and recommendations of the water and wastewater rate study. The report will include all methodologies, assumptions, and calculations, and a background section that includes all data used in the determinations made in the study. The Project Team is committed to ensuring that the Town thoroughly understands the recommendations in the draft report and will be available to discuss findings, answer questions, and receive input. The Project Team will ensure that Town staff has sufficient time to address their concerns and/or questions prior to finalizing the report.

Task 14 – Final Report Preparation and Presentation

Upon receipt of Town staff comments, the Project Team will make appropriate changes and provide the Town with the final report. After completion of the final report, the Project Team will assist the Town in the presentation of the results of the water and wastewater rate study to various stakeholders, including presenting the study's findings, conclusions, and recommendations to the Town Council.

Project Coordination and Reporting

For a cost of service and rate study to be successful, input into the project and ownership of the results by the Town staff, Town Council, and ratepayers must occur. Efforts to achieve this success include the enhancement of communication between the Town and the Project Team through several coordination activities provided within the scope of services, such as the Project Kickoff Meeting to allow the project participants to finalize the work approach, as well as establish the lines of communication. In addition, after Tasks 9 and 12, the Project Team will conduct briefing presentations with Town representatives on the study's activities to-date. The Project Team will also assist Town staff in the presentation of the study's findings, conclusions, and recommendations.

Project Timeline and Deliverables

The Project Team will provide the Town with the following:

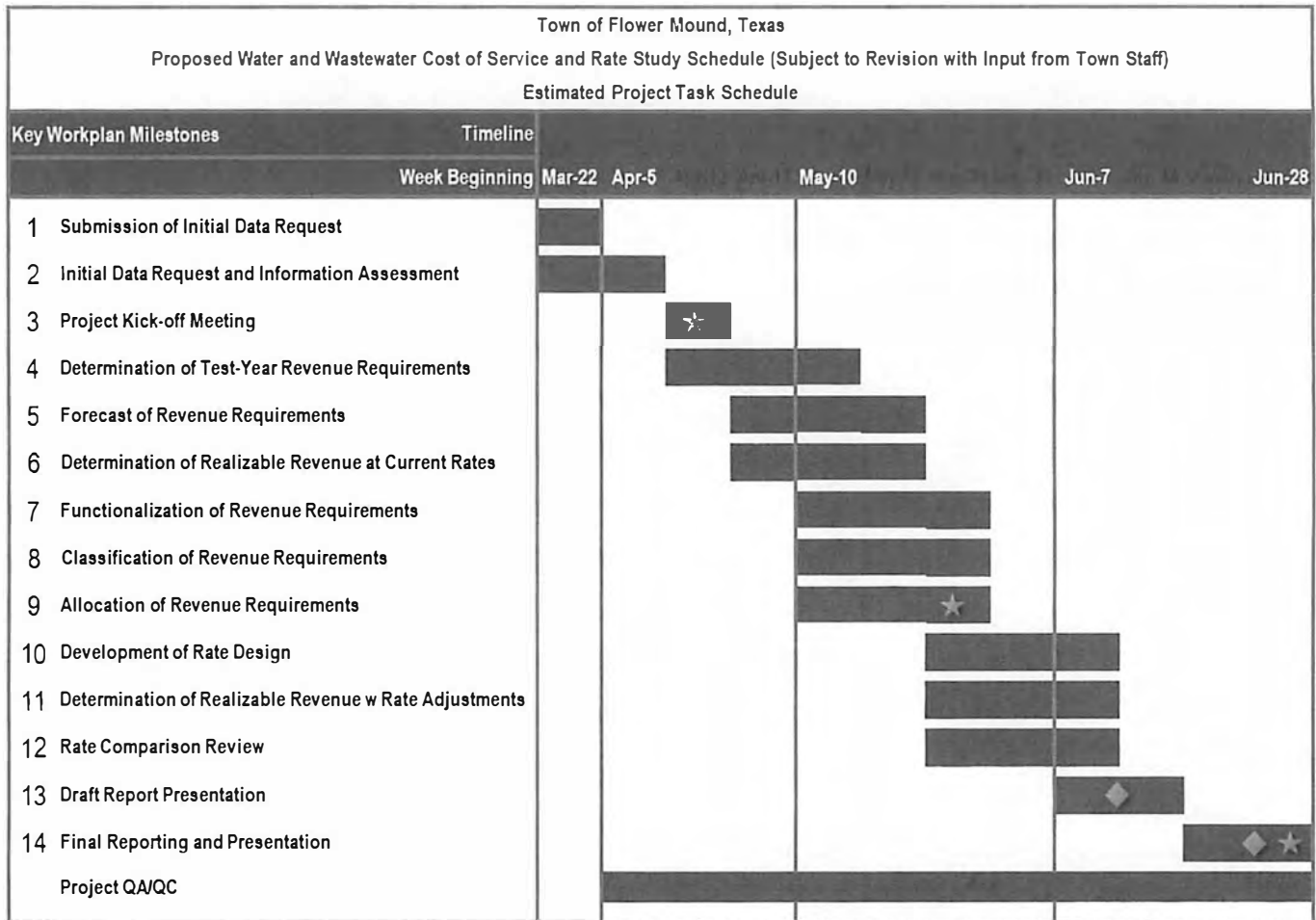
- Draft Report
 - Within 60 to 90 days of notification of award, given the timely receipt of the required financial and operational data, an electronic draft report will be provided for the Town's review and comment that summarizes the Project Team's findings, conclusions, and recommendations.
- Final Report
 - The final report will be provided to the Town within two weeks after delivery of the draft report, given the timely receipt of the Town's comments.

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▪ Meetings/Presentations

- In an effort to conduct the Study in the most cost-effective and efficient manner, meetings with Staff to discuss results or to discuss data are anticipated to be conducted via video or telephonic conference. Meetings to present results to Council will be conducted in person, reflective of the Town's then-applicable COVID-related specifications.

A tentative schedule is provided below. This will be further developed during the kickoff meeting with input from Town staff.



Notes:

- ★ Signifies a meeting with Town staff or Town Council
- ◆ Issuance of Report and/or Presentation

Resource Commitment by the Town

For this project to be successful, NewGen will need the assistance of the Town Manager, the Town's Financial Department, and the department Director(s) responsible for water and wastewater operations. The bulk of staff time will be needed at the outset of the study to gather required financial and utility billing data. The staff time needed to provide the necessary Town data for our analyses are highly

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dependent on the ease of accessing the requested information. Where possible, NewGen will work directly with the Town's utility billing provider to extract the data necessary to complete the study. Staff time will also be needed to provide guidance throughout the course of the project. Finally, the Project Team will require policy guidance from the Town Council, either directly or through staff feedback, to ensure the Project meets the overall goals and objectives of the Town.

Proposed Project Cost

Based on the work plan outlined herein, the Project Team agrees to perform the requested study for a **not to exceed price of \$35,000**, inclusive of out-of-pocket expenses incurred at cost. As services are requested and performed, NewGen will invoice the Town on a monthly basis for actual hours worked at our then applicable hourly billing rates, plus out-of-pocket expenses incurred at cost. Our current billing rates, which will remain in effect through December 31, 2022, are as follows:

NewGen Strategies and Solutions 2022 Billing Rates

Position	Hourly Billing Rate
Partner	\$235 – \$365
Principal	\$235 – \$360
Senior Manager	\$225 – \$230
Manager	\$180 – \$225
Senior Consultant	\$150 – \$180
Consultant	\$125 – \$150
Administrative Services	\$110

Note: Billing rates are subject to change based on annual reviews and salary increases.

Services requested by the Town not specifically outlined within the proposed work plan and which the Project Team is unable to provide within the proposed project pricing above will be provided on a time and expense basis.

Other Terms and Conditions

This agreement is subject to cancellation by the Town with thirty (30) days prior written notice provided to NewGen. In the event of cancellation, all labor and expense charges incurred by NewGen through the date of cancellation will be considered due at the time notice of cancellation is delivered, regardless of work product and/or engagement status.

All payments made under this engagement should be remitted to:

NewGen Strategies and Solutions, LLC 275 W. Campbell Rd, Suite 440 Richardson, Texas 75080
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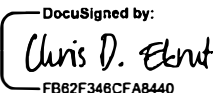
By executing this letter, you agree that the services rendered by NewGen will be performed in accordance with instructions or specifications received by the Town and will be provided with the degree of skill and judgment exercised by recognized professionals performing services of similar nature and consistent with the applicable industry best practices. You further agree that compensation for services rendered will be provided to NewGen regardless of the final outcome of the engagement.

Our Project Team is committed to the success of the Town and this project and is seeking to develop a long-term relationship—we desire a partnership with the Town, not just an engagement. NewGen could also propose a more limited scope of work if desired. If the proposed fee or scope are beyond what Town staff envisioned, I would welcome the opportunity to revise both the scope and fee accordingly.

Again, NewGen appreciates the opportunity to propose our assistance to the Town of Flower Mound, and we stand ready to answer any questions or provide any additional information the Town may need as you select a qualified firm for this important project. If you should have any questions regarding this letter and/or require additional information, please contact me at cekrut@newgenstrategies.net or (972) 232-2234.

Very truly yours,

NewGen Strategies and Solutions, LLC

DocuSigned by:

 FB62F348CFAB440
 Chris D. Ekrut
 Chief Financial Officer

TOWN OF FLOWER MOUND, TEXAS (\$35,000)

Signed _____ Printed _____

Title _____ Date _____



TOWN COUNCIL AGENDA ITEM NO. 4

CONSENT ITEM

DATE: March 21, 2022

FROM: Paul Henley, Fire Chief *PH*

ITEM: Consider approval of the purchase of dual-certified Firefighter gear in the amount of \$61,625.00 from Casco Industries through BuyBoard Contract 603.20 and authorization for the Mayor to approve same on behalf of the Town.

BACKGROUND INFORMATION: Any time a firefighter's burden can be reduced, the statistical likelihood of call completion without incident increases. The use of dual-certified gear for non-fire emergency response calls and wildland/grass fires can reduce firefighter burden, increase performance, and save valuable turnout gear and extend its life. Advanced firefighter turnout gear is critical to protect firefighters from the dangers of fire-related emergencies, but an emerging trend is revealing that firefighters don't need a set of full bunker gear on every call. This purchase would be part of an approved FY21/22 Decision Package for Rescue Personal Protective Equipment (PPE) for approximately 70 sets of gear taking into account 10% or 20% for larger sizes and not to exceed the proposed amount. The gear will be ordered under BuyBoard Contract 603.20 through Casco Industries upon Town Council approval.

FISCAL IMPACT: \$61,625.00

Proposed Expenditure/(Revenue):	Account Number(s):
\$61,625.00	100-660-63000-2300

Finance Review by: Tammy Wilson, Executive Director of Fiscal and Administrative Services/CFO *tw*

LEGAL REVIEW: N/A

ATTACHMENTS:

1. BuyBoard 603.20 Casco Industries

DRAFT MOTION: Move to approve as presented in the agenda caption.



P.O. Box 400, Austin, Texas 78767
800.695.2919 • info@buyboard.com • buyboard.com

January 25, 2022

Sent via email to: david@cascoindustries.com

David Stewart
Casco Industries, Inc.
607 W. 62nd Street
Shreveport, LA 71106

Re: Public Safety and Firehouse Supplies and Equipment
BuyBoard Contract 603-20

The Local Government Purchasing Cooperative (BuyBoard) awarded your company a contract under Public Safety and Firehouse Supplies and Equipment, Contract 603-20, for which the current term is set to expire March 31, 2022. At this time, the BuyBoard is renewing your contract through March 31, 2023. This will be the final renewal of this contract.

All discounts, terms, and conditions of your contract will remain the same. If you agree to this renewal, there is nothing you need to do. However, if you do not agree to this renewal, you must notify me via email at lisa.maraden@tasb.org prior to the start of the renewal term.

If you have questions or comments concerning this renewal, please contact me as soon as possible at lisa.maraden@tasb.org. We appreciate your interest in The Local Government Purchasing Cooperative.

Sincerely,

A handwritten signature in black ink that reads "Lisa Maraden".

Lisa Maraden
Contract Administrator

final renewal v.02.13.2020



TOWN COUNCIL AGENDA ITEM NO. 5

CONSENT ITEM

DATE: March 21, 2022

FROM: Gary Bertagnolli, Direct of Information Technology
Theresa Scott, Town Secretary

ITEM: **Consider approval of Agenda Management System with CivicClerk in the amount of \$18,900 and authorization for the Mayor to execute same on behalf of the Town.**

BACKGROUND INFORMATION: For many years a series of 'drag and drop' shared folders have been utilized by Town departments to create council and board items/agendas/packets. Our Information Technology (IT) Department is tasked with setting up these folders and assigning the many permission levels needed to secure them, as well as manage the changes in staff to keep access current. For staff, the process of compiling documents involves duplicate data entry, copying, pasting, accessing multiple template files to create items, working with content in various documents, and many other manual steps.

An Agenda Management System (AMS) would streamline this process all within one platform and allow for better collaboration between departments through an automated workflow from creation to publication for all council and board/commission agendas and packets. This change would result in significant efficiency and accuracy improvements, such as formatting consistency, better management of deadlines, approvals, agenda publication, minute taking, voting history, transparency, and minimize the necessity of IT assistance. Instructional steps and templates are embedded within the system, therefore eliminating the need to review and refer to a twenty-six page instructional manual when creating an agenda item.

CivicClerk is a comprehensive tool that will aggregate information, reports, and approvals in a single, transparent cloud-based repository. It will allow for staff to create agenda items including resolutions, ordinances, reports, as well as attachments, to submit for approval through an automated process. CivicClerk will also allow for quick and easy updates or changes to the agenda, providing the most accurate and up-to-date information. The Council, Board and Commission members, and the public will be able to view the agenda on any electronic device just as they are able to do today, with the added benefit of improved search capabilities, as well as a video link to coincide with the minutes, instead of accessing a different link to watch the meeting.

This same system would also be used for automating the equally antiquated and complicated workflow process for items that require Town Manager approval (Manager Communications). CivicClerk is in the development stage for allowing electronic signature applications, which would further streamline the process from start to finish for management of town documents.

Town staff from multiple departments participated in a demo and discussion with two AMS companies. CivicClerk was selected due to cost, ease of use, and integration with CivicPlus (the Town's current website provider), as well as the support services they offer.

The initial cost of \$18,900 includes the annual fee, training (both on-site and off), implementation, and integration. The annual reoccurring cost is \$8,316. This price reflects a negotiated 10% discount, and with no annual price increase until year 4.

FISCAL IMPACT: \$18,900

Proposed Expenditure/(Revenue):	Account Number(s):
\$18,900	567-270-84510-2020

Finance Review by: Tammy Wilson, Executive Director of Fiscal and Administrative Services/CFO *tw*

LEGAL REVIEW: Alicia Kreh of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the Statement of Work Agreement as to form and legality.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: If not approved staff would continue the current shared folder process.

ATTACHMENTS:

1. Quote/Statement of Work
2. Proposal

DRAFT MOTION: Move to approve as presented in the agenda caption.

**CivicPlus**

302 South 4th St. Suite 500
Manhattan, KS 66502
US

Quote #:

Q-22209-1

Date:

2/1/2022 9:51 AM

Expires On:

3/31/2022

Product:

CivicClerk

Client:

Flower Mound TX - CivicClerk

Bill To:

Flower Mound TX - CivicClerk

SALESPERSON	Phone	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Lucas Clark	x	lclark@civicplus.com		Net 30

CivicClerk - Statement of Work

QTY	PRODUCT NAME	DESCRIPTION	PRODUCT TYPE
1.00	CivicClerk Annual Fee	CivicClerk Annual Fee - Agenda and Minutes Management	Renewable
1.00	CivicClerk Boards and Committees Module	CivicClerk Boards and Committees Module	Renewable
1.00	CivicClerk 2 Day On-Site Training	2 Day On-Site Training Package	
2.00	CivicClerk On-Site Training Fee	On-Site Training Fee	One-time
3.00	CivicClerk Travel Days	On-Site Days	One-time
1.00	CivicClerk Ultimate Implementation Package	Ultimate Implementation Package – Up to 16 of Boards	
1.00	CivicClerk Virtual Consulting (Half Day Block)	Consulting (Virtual) - half day, up to 4 hours	One-time
1.00	CivicClerk Ultimate Configuration	CivicClerk Ultimate Configuration	One-time
2.00	CivicClerk Virtual Training (Half Day Block)	Training (Virtual) - half day, up to 4 hours	One-time
1.00	CivicClerk Custom Template Design	CivicClerk Custom Template Set - includes 2 Agenda templates, 1 Item Report template, 1 Minutes template, 1 Agenda Script template	One-time

List Price - Year 1 Total	USD 22,190.00
Total Investment - Year 1	USD 18,900.00
Annual Recurring Services - Year 2	USD 8,316.00

Total Days of Quote:365

1. This Statement of Work ("SOW") shall be subject to the terms and conditions of the CivicPlus Master Services Agreement located at <https://www.civicplus.com/master-services-agreement> ("MSA"), which shall not be amended without the mutual written agreement of the Parties, to which this SOW is hereby attached as the CivicClerk Statement of Work. By signing this SOW, Client expressly agrees to the terms and conditions of the MSA throughout the Term of this SOW.
2. This SOW shall remain in effect for an initial term equal to 365 days from the date of signing ("Initial Term"). In the event that neither party gives 60 days' notice to terminate prior to the end of the Initial Term or any subsequent Renewal Term, this SOW will automatically renew for an additional 1-year renewal term ("Renewal Term"). The Initial Term and all Renewal Terms are collectively referred to as the "Term".
3. The Total Investment - Year 1 will be invoiced at signing of this SOW. Client will pay all invoices within 30 days of the date of invoice.
4. Annual Recurring Services shall be invoiced on the start date of each Renewal Term. Annual Recurring Services, including but not limited to hosting, support and maintenance services, shall be subject to a 5% annual increase beginning in year 4 of service.
5. Client shall have sole control and responsibility over the determination of which data and information shall be included in the content that is to be transmitted and stored by CivicPlus. Client shall not provide to CivicPlus or allow to be provided to CivicPlus any content that (a) infringes or violates any 3rd party's Intellectual Property rights, rights of publicity or rights of privacy, (b) contains any defamatory material, or (c) violates any federal, state, local, or foreign laws, regulations, or statutes.
6. The scope of the initial implementation services to be delivered by CivicPlus are as listed above. Client is responsible for providing all information required for the configuration of the services in accordance with the scope and project timeline.
7. Upon Go-Live, any unused implementation services (ie: board configuration) will expire. Any configuration of additional boards by CivicPlus after Go-Live may incur additional one-time charges based on the scope of the desired configuration, design, and training services.
8. Completion of implementation services will be determined by Go Live status. The parties agree to cooperate in a timely manner to complete all implementation tasks and deliverables in order to obtain Go-Live status of the services. CivicPlus will make reasonable efforts to confirm Go Live status with the Client, but reserves the right to deem Client's use of the services in the intended course of business as Go Live. "Go-Live" is defined as the Client's use of the services implemented by CivicPlus under this SOW for the intended purpose and with the intended audience.

Signature Page to follow.

Acceptance

By signing below, the parties are agreeing to be bound by the covenants and obligations specified in this SOW and the MSA terms and conditions found at: <https://www.civicplus.com/master-services-agreement>.

IN WITNESS WHEREOF, the parties have caused this SOW to be executed by their duly authorized representatives as of the dates below.

Client

By:

Name:

Title:

Date:

CivicPlus

By:

Name:

Amy Vikander

Title:

Senior VP of Customer Success

Date:

3/18/2022

Contact Information

*all documents must be returned: Master Service Agreement, Statement of Work, and Contact Information Sheet.

Organization	URL
Street Address	
Address 2	
City	State Postal Code
CivicPlus provides telephone support for all trained clients from 7am –7pm Central Time, Monday-Friday (excluding holidays). Emergency Support is provided on a 24/7/365 basis for representatives named by the Client. Client is responsible for ensuring CivicPlus has current updates.	
Emergency Contact & Mobile Phone	
Emergency Contact & Mobile Phone	
Emergency Contact & Mobile Phone	
Billing Contact	E-Mail
Phone	Ext. Fax
Billing Address	
Address 2	
City	State Postal Code
Tax ID #	Sales Tax Exempt #
Billing Terms	Account Rep
Info Required on Invoice (PO or Job #)	
Are you utilizing any external funding for your project (ex. FEMA, CARES): Y [] or N []	
Please list all external sources: _____	
Contract Contact	Email
Phone	Ext. Fax
Project Contact	Email
Phone	Ext. Fax



Master Service Agreement and Statement of Work Addendum

THIS Master Services Agreement and Statement of Work Addendum ("Addendum") hereby sets forth the (i) additional terms and conditions applicable to the Master Services Agreement, found at: www.civicplus.com/master-services-agreement, and/or Statement of Work ("Agreements") and/or (ii) amendments to specific provisions of the terms and conditions which exist in the Agreements (collectively, the "Special Terms"), as described below, as agreed upon by CivicPlus and Flower Mound, TX. The Special Terms shall be deemed to amend, modify, supplement, replace and/or supersede (as applicable) any inconsistent provisions of the Agreements, to the extent of the inconsistency.

ALL TERMS AND CONDITIONS OF THE AGREEMENTS NOT EXPRESSLEY MODIFIED HEREIN SHALL REMAIN IN FULL FORCE AND EFFECT.

Capitalized terms used and not defined herein shall have the meanings assigned to them in the Agreements (to which this Addendum is attached and incorporated).

1. ADDITIONAL TERMS

49. This Agreement is governed by the laws of the State of Texas. Each Party consents and agrees to submit to the exclusive jurisdiction of any state or federal court in Denton County, Texas in respect to any dispute or proceeding arising out of or based on this Agreement.

2. AMENDMENTS

Document and Section	Amended Language
MSA § 48	This section intentionally omitted.

Acceptance

We, the undersigned, agreeing to the conditions specified in this document, understand and consent to the terms & conditions of this Addendum.

Client

CivicPlus

By: _____

By: _____

Name: _____

Name: Amy Vikander

Title: _____

Title: Senior VP of Customer Success

Date: _____

Date: 3/18/2022



CIVICCLERK™

AGENDA MANAGEMENT SYSTEM

Flower Mound, Texas

FEBRUARY 24, 2022



Lucas Clark | Enterprise Account Manager | lcclark@civicplus.com | 785.323.1579

CIVICPLUS™



Company Overview



At CivicPlus, we have one goal: to empower the public sector to accomplish impactful initiatives using innovative solutions that save them time while connecting them to the citizens they serve. We began in 1998 when our founder, Ward Morgan, decided to focus on helping local governments work better and engage their citizens through their web environment. CivicPlus continues to implement new technologies and services to maintain the highest standards of excellence and efficiency for our customers, including solutions for website design and hosting, parks and recreation management, emergency and mass communications, agenda and meeting management, talent management, 311 and citizen relationship management, codification, and licensing and permits.

Our commitment to deliver the right solutions in design and development, end-user satisfaction, and secure hosting has been instrumental in making us a leader in government web technology. We consider it a privilege to partner with municipal leaders and provide them with solutions that will serve their needs today and well into the future.

CivicClerk, a CivicPlus company, delivers years of experience in agenda and meeting management software as a service technology that has been designed specifically to meet the needs of municipalities and their staff and officials.

Primary Office

302 S. 4th Street, Suite 500
Manhattan, KS 66502

Toll Free: 888.228.2233 | Fax: 785.587.8951

7,500 +

local government customers across
the United States and Canada

20 +

years of experience with a focus to
help local governments

550 +

employees, many with experience
in local government

Recognition



11-time Inc.
5000 Honoree



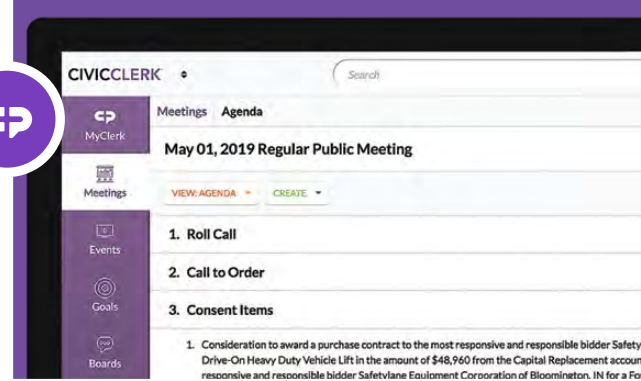
govtech.com/100

Technical Support



Recognized with
multiple, global
Stevie® Awards
for sales and
customer service
excellence

Why CivicClerk?



Clerks & Agenda Administrators

As the primary point of contact and documentation facilitator, clerks benefit from time-saving process automation without having to sacrifice control.

- Custom configurations based on business processes
- Total visibility into the agenda, meeting, and video content from one system
- Assign tasks to stakeholders
- Access to ongoing product education and industry-specific webinars, blog posts, and newsletters

Elected & Appointed Officials

Elected leaders benefit from a reliable and accessible interactive tool to prepare for and participate in public meetings.

- Secure, individual access to meeting materials with full-text search
- Pre- and during meeting annotation and note-taking functionality
- Device agnostic
- Electronic voting (additional fees apply)

Agenda Contributors

Item Submitters benefit from an easy-to-use interface that makes it faster to collaborate on agendas.

- Pre-formatted staff reports
- Versioning control
- A dashboard display for a quick review of outstanding task assignments
- In-application support

Managers & Administrators

As approvers, department managers and community administrators benefit from accessible collaboration tools and visibility into staff work.

- A user-friendly, intuitive system for all staff members
- Automated workflows
- Versioning control
- Customizable reporting

Information Technology Leaders

Internal IT stakeholders benefit from peace-of-mind and the near-elimination of system questions and complaints.

- Secure, cloud-based hosting
- Unlimited users and storage
- Automatic upgrades
- Built-in integrations with Dropbox, Microsoft's One Drive and Google Drive, and API availability
- 24/7/365 U.S.-based support

Citizens

Members of your community benefit from transparency and accessibility to public meeting content.

- PDF downloads of agendas, packets, minutes, notices, and other documents
- Dedicated citizen portal with email subscriptions and full-text search
- Side-by-side agenda and video display using CivicPlus Media (additional fees apply)
- Accessibility portal designed to WCAG 2.0 A and AA standards

AGENDA & MEETING MANAGEMENT

CivicClerk is a comprehensive, collaboration tool to help aggregate information, reports, approvals, and notes in a single, transparent, cloud-based repository. CivicClerk brings teams together, fosters dialogue, and expedites reviews and approvals, offering the critical functionality needed by every stakeholder at their crucial point in the review and approval process.



Meeting Preparation and Item Submission

- Create agenda items and draft staff reports
- Upload attachments
- Submit for approval



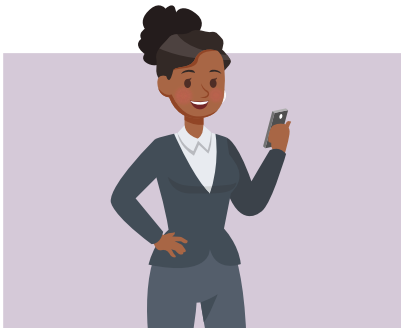
Review and Approval from Collaborators

- Receive, review, and revise agenda items
- Assign tasks with due dates
- Visually track item status



Agenda Generation and Publication

- Publish to web and send to board members and subscribed residents
- Easy last-minute additions and agenda revisions



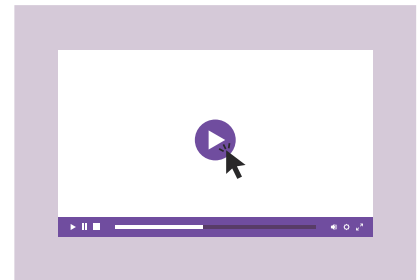
Meeting Participant Preparation

- Board members and citizens view agenda and meeting packet on any device
- Board members create annotations
- Available accessibility portal designed to meet WCAG 2.0 A and AA requirements



Meeting Day

- Add and call speakers and run speaker timer
- Capture motions, votes, comments, and discussion from the meeting
- Create video bookmarks using CivicPlus Media (additional fees apply)



Post-Meeting

- Make any necessary revisions to meeting actions and discussion recorded during the meeting
- Generate and distribute or publish draft and final meeting minutes
- Use preformatted text snippets to populate your minutes document



Features & Functionality



CivicClerk is the fastest, most intuitive way to streamline the entire agenda management process — from creating agenda items to managing live meetings. It provides time-saving automation while allowing clerks to balance these conveniences with manual controls and overrides. Internal collaboration with CivicClerk is easy with customized workflows, version tracking, and built-in communication tools.

Our innovators designed CivicClerk to offer configuration flexibility so that the system can be scaled from the most simple agenda process to the most complex. Built-in integrations and a suite of APIs make working with other internal applications easy. CivicClerk's user-defined roadmap ensures that the product will continue to grow and adapt as transparency requirements and compliance expectations change.

Fully Integrated, Cloud-Based Software Suite

- User-friendly, modern interface
- Unlimited users
- Unlimited storage
- Highly configurable to your agenda and meeting management processes
- Adaptable permission settings
- Confidential attachments
- Field-level versioning
- Built-in integrations with Dropbox, Microsoft's One Drive and Google Drive and API availability
- Single sign-on through the CivicPlus Platform
- Secure Cloud-Based Hosting
- Automatic Updates
- Customer-Defined Roadmap
- Enhanced Analytics for Data Visibility

Part of the Integrated CivicPlus Platform

Our powerful CivicPlus Platform is the foundation on which all our CivicPlus solutions are built, allowing them to work seamlessly and securely, leveraging existing data, and reducing information silos so your administrative staff can collaborate efficiently. Administrators can take advantage of authentication using our identity provider integrations to provide a single sign-on experience for internal users. The entire system is cloud-based, eliminating the need for internal application management. CivicClerk is hosted in Microsoft's Azure cloud service, providing a stable multi-user environment while ensuring high availability and uptime.

Agenda Management

Flexible, Customized Templates

Standardized templates throughout the system provide consistency and clarity to agendas, packets, staff reports, and minutes.

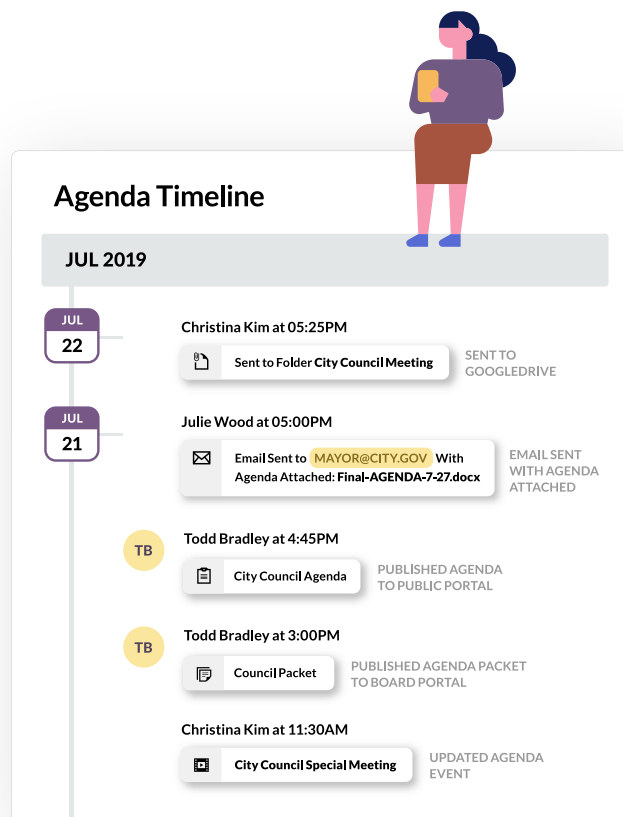
Efficiently Manage Agenda Packets of Any Size

CivicClerk compiles your items and all the legislation, memorandums, or supporting documentation into a bookmarked PDF packet quickly and easily, no matter the size of the packet. Create multiple packet versions instantly to include or exclude specific attachments for your different internal and external users. Last-minute changes to the agenda or packet can be made and published with minimal effort.

Administrators choose what they publish to the public, internal users, and elected or appointed officials and when the information goes out. Automated email notifications can be enabled so all users, both internal and external, know when the meeting documents are published.

Convenient, Anytime Agenda Modifications

Changes to the agenda can be made at any time by administrators without affecting global configurations or settings. Drag-and-drop reordering allows you to move items and automatically rennumbers everything on the agenda. One-touch copy and move functions enable you to duplicate or move agenda items from meeting to meeting, eliminating the need for duplicate data entry.



Create Agenda Items in Seconds

CivicClerk's easy-to-use item entry allows staff members to enter agenda items, upload attachments, and send through the workflow with a few clicks. Configurable field types and our embedded text editor ensure that you are capturing all the information needed for CivicClerk to generate staff reports. Automated PDF file conversion and built-in integrations with Microsoft's OneDrive and Google Drive simplify the inclusion of supporting documentation and attachments.

Automate Your Approvals Process

The workflow engine in CivicClerk streamlines the routing of your agenda items, automates notifications, and gives full transparency to collaborators as it passes through the approval process. As contributors change items, the system tracks revisions, keeping them visible within the item fields and on the item timeline. In-app messaging and task assignments keep everyone in the loop and agenda prep moving forward.

Item Fields



INFORMATION

Item Title

Ordinance No. 1234: An Ordinance to Amend the Zoning Code

VERSION HISTORY

1

Short Name

Ord. 1234- Zoning Code Changes

Item ID

2019-608

Custom Tags to Group Like Agenda Items

CivicClerk allows administrators to set up tags that can be used by staff when creating their agenda items for improved searching and reporting. Associate like content with pre-defined tags relevant to your community.

Agenda Management Features

- Custom-developed agenda and staff report templates
- Bulk and single item actions to easily copy, move, and initiate agenda items
- Pre-formatted text snippets to save time and provide consistency
- Flexible workflow and approvals engine with visual progress indicators
- Automated PDF file conversion
- In-app messaging
- Task assignment
- Full-text search functionality
- Tags to link together like agenda items for greater visibility and enhanced searching capability

Meeting Management

Automated Minutes Setup

CivicClerk's fully integrated Minutes module will automatically migrate all your agenda content. No manual pre-meeting minutes setup or agenda import is required. Move from the meeting agenda to the Live Meeting Manager module with a single click.

Keep Up with the Meeting Action

Meetings move fast. CivicClerk's cloud-based platform allows you to move quickly through your agenda items, recording official actions and discussion, without having to wait for the system to catch up. The clean, intuitive interface gives single-screen access to all your meeting controls.

Speaker Manager

Speakers can be added to the discussion at any time during the live meeting, while the built-in speaker timer helps keep meetings running efficiently.

Easy, Intuitive Minutes-Taking

While in your live meeting, use the Minutes module to capture critical meeting actions from a single screen with a clean and intuitive user interface. Take roll and manage attendance, record motions and votes, enter speaker information, and record comments or discussion to be brought into your minutes document.

Minutes Module Features

- No prep work required – agenda content automatically pulls over into the Minutes module
- Single screen access to all meeting controls
- Record comments and discussion, roll call, motions and votes, speakers
- Bulk copy available to quickly apply motions and the associated votes to multiple agenda items
- Choice of pre-configured or custom-developed minutes templates
- Pre-formatted text snippets to save time formatting and entering data
- Integrated board portal with electronic voting (additional fees apply)
- In-chamber display pages show a welcome screen, current item name, current speaker with countdown timer, motion made on the item, vote count recorded for the item (additional fees apply)
- Integrated video bookmarking with CivicPlus Media live streaming and on-demand video service (additional fees apply)
- Multiple concurrent video streams with CivicPlus Media (additional fees apply)
- Integrated live and on-demand closed captioning services with optional CivicPlus Media (additional fees apply)

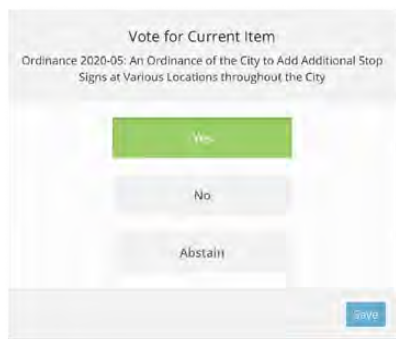
Board Portal

Flexible Access

Your officials can choose how to access meeting content—helping them work better, faster. Efficiently deliver packets of any size by paper, email, Dropbox, OneDrive, Google Drive, or post to the Board Portal. CivicClerk is optimized for all devices, including desktops, laptops, tablets, and smartphones. No separate application required.

A Personal Meeting Repository

Give officials a personal, secure location to review and take notes on all meeting content, including agendas, supporting documents, minutes, and media.



Interactive Meeting Tool

During live meetings, the Board Portal integrates with Live Meeting Manager to allow officials to refer to their review notes and annotations, capture notes within a dedicated field, receive visual cues as the agenda progresses from item to item, see speaker information instantly, and enter electronic votes (additional fees apply for electronic voting). Chair View can also be enabled to allow the meeting presider to call speakers and advance agenda items.

Find What You Need– Faster

CivicClerk automatically indexes published meeting content with Board Portal search functionality, so it is easy for officials to find information quickly. Our full-text search tool empowers officials to locate past items, attachments, minutes, and agendas by searching a keyword, date range, and more. An item summary view allows officials to see the motions, votes, and any comment or discussion on the item that was recorded in the meeting minutes in an intuitive display, preventing a manual search through full minutes documents.

Elected/Appointed Officials Board Portal Features

- Secure, individual access to meeting materials
- Annotation and note-taking ability that you can use in pre-meeting preparation as well as in-meeting note-taking
- Optimized for all devices, including desktops, laptops, tablets, and smartphones. No separate application required
- Live speaker name and countdown timer visible for each item
- Visual cues and one-touch access to the current discussion item
- Electronic voting from any device (additional fees apply)
- Chair View to allow the meeting chair to call speakers and advance agenda items
- Full-text search functionality provides visibility into past meeting content including notes made within the individual's private notes field
- Minutes summary view enables officials to see motions, votes, and any comment or discussion recorded in the meeting minutes for individual items

Citizen Portal

Content Accessibility

It's not enough to be transparent by publishing your agendas and other meeting documents online. Your meeting content must be accessible to all members of the public.

CivicClerk has a dedicated accessibility portal that gives members of the public complete access to your meeting content. Closed captioning is also available with our CivicPlus Media service for live streaming and on-demand video. Additional fees apply for CivicPlus Media and closed captioning.

Content Transparency

Build public trust with access to fully searchable meeting content, including legislative decisions and public meeting videos. Meet municipal transparency requirements while keeping citizens engaged and informed.



Citizen Portal Features

- Citizen portal iframe to embed on any webpage gives access to all meeting content on a single page
- PDF downloads of Agenda, Packet, Minutes, Notices, and Other pertinent meeting documents
- HTML agenda view hyperlinks attachments within the meeting agenda for direct access to specific documents
- Full-text search and filtering options
- Email notifications
- Social sharing
- Side-by-side agenda and video display with CivicPlus Media (additional fees apply)
- Optional Motions and Vote minutes display updates the HTML agenda view to allow citizens to quickly see the final disposition of agenda items without having to read full minutes documents
- Accessibility portal designed to WCAG 2.0 A and AA standards

Boards & Committees Module

The CivicClerk Boards and Committees module tracks vacancies, applications, and appointments. Interactive dashboards give you quick access to actionable information. Easily manage rosters and generate communications using customized templates. Store system-generated communications and other necessary documentation at the board or individual member level. Track training and other internal requirements. Display board information through the Citizen Portal, including member rosters if desired, post vacancies, and accept online applications.

The module handles the process of managing the board itself.

Three Dashboards

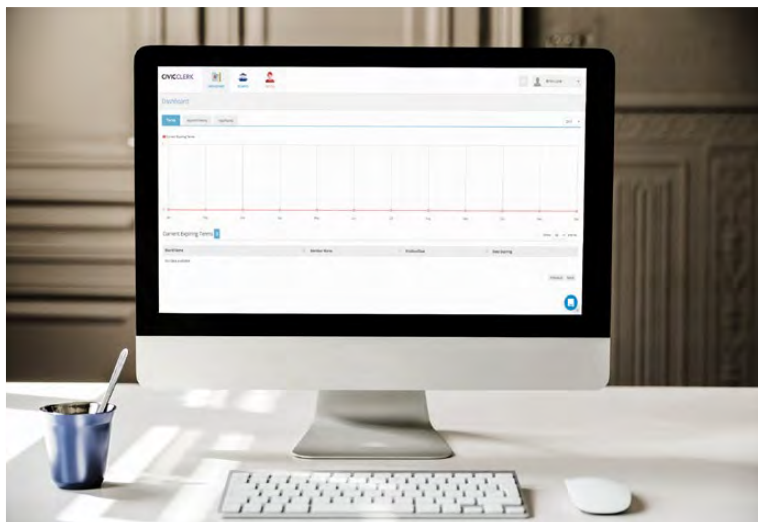
- Upcoming open seats (vacancies)
- Number of appointments
- Number of applicants

Board Management

- Board Rules (number of seats, term length, max # of terms, etc)
- Board Appointments
- Board Documents (file storage)
- Board Roster
- Board Liaisons
- Letter and Email Template

Appointee and Applicant Management

- Custom Reporting
- Application Tracking
- Appointment Tracking
- Bulk Letter Creation
- Bulk Email Creation
- Mailing Labels



The Civic Experience Platform

Developed specifically to enable municipalities to deliver consistently positive interactions across every department and every service, the Civic Experience Platform includes technology innovations that deliver frictionless, one-stop, and personalized citizen interactions. Local governments that leverage our Civic Experience Platform also benefit from:

- Single Sign-On (SSO) to all of your CivicPlus products supporting two-factor authentication and PCI Level password compatibility
- A single dashboard and toolbar for administrative access to your CivicPlus software stack
- Access to a continually growing and fully documented set of APIs to better connect your administration's processes and applications
- A centralized data store with robust data automation and integration capabilities

CivicPlus Portal

CivicPlus Portal empowers citizens to be more engaged and informed about progress in your community. Portal streamlines the resident user experience as they interact with the CivicPlus products leveraged by you – driving revenue, trust, and satisfaction.

With a single username and password, they can watch a public meeting recording, submit a public works request, pay a utility bill, or register for an upcoming event. The result is more engaged and informed voters and fewer phone calls, walk-ins, or emails to your department asking how to find documents or submit records requests.

Citizen Benefits

- Anytime, anywhere access to digital citizen services
- A personalized dashboard that provides link cards to the services they use most frequently

Administrator Benefits

- A low-maintenance tool that increases accessibility, access, transparency, and trust with citizens
- Reduced phone calls, walk-ins, and emails from citizens searching for information
- Opportunities to increase revenue and foster civic participation

Integration Hub

Your time is too valuable to be spent downloading finalized meeting documents and data to share across varied communication channels. With the new CivicPlus Integration Hub, you can create custom integrations to connect CivicClerk with other products on the CivicPlus Platform to automate the delivery of that information just about anywhere.

With the easy-to-use drag-and-drop interface, non-technical users can build integrations for syncing content and data between CivicPlus products or with third parties (for an additional fee) without the need for a developer. You can even easily create integrations using manual import, polling, and webhooks (for an additional cost).

The possibilities are endless with Integration Hub, but here are a few examples of integrations you can create with CivicClerk today:

- Automatically add agenda or minute files to the Document Center to be displayed on a CivicEngage® Central website after they are published in CivicClerk.
- Set-up a workflow to post in the CivicEngage Central News Flash once you've published your CivicClerk meeting documents.

Shorten your pre-meeting to-do list and send your meeting information instantly with a custom integration using the Integration Hub.



Project Timeline



Twelve to Sixteen Weeks

While every CivicClerk implementation is unique, the following timeline can provide you information about the different implementation stages and what you can expect at each stage.

PROJECT START

1

PHASE 1

Project Kickoff

- Project Kickoff call to review the timeline and deliverables and provide access to project tracking software
- Your staff complete a questionnaire to capture information needed for CivicClerk configuration

PHASE 2

Consulting

- Virtual consulting session(s) to review current processes and documents and discuss desired goals, best practices, and configuration options

2

3

PHASE 3

Configuration

- Ultimate system configuration is completed and handed off for review, testing, and feedback
- Configuration adjustments made per submitted feedback

PHASE 4

Finalization

- Access is enabled for all users in preparation for training
- Provide access to Boards and Committees Module

4

5

PHASE 5

Training

- Live, virtual training sessions are conducted within configured site

GO LIVE

Ultimate Implementation Plan

Implementation & Support Experience Designed for You

CivicClerk has the experience and expertise to help administrations of any size transform the entire meeting management process. We know implementation can't be a one size fits all solution and offer flexible packages designed to meet your desired outcomes.

Our Ultimate Implementation Package is the perfect fit for transforming complex agenda and meeting processes. It is designed for organizations with more than 50 internal users, and a desire for a customized and guided implementation experience. A dedicated and knowledgeable implementation consultant will manage your project from end-to-end—consulting and collaborating with your team, applying custom configurations to meet your desired processes, and delivering live virtual training to your user groups. Key project staff will have online access to the timeline and all expected checkpoints and deliverables for a fully transparent implementation.

Beyond implementation, your users will feel empowered by our in-application support tools, a full online help center, as well as phone, email, and live chat support with members of the dedicated, award-winning CivicClerk Technical Support team.

Consulting

Up to 4 Hours of Virtual Consultation

During this consulting session, your CivicClerk implementation consultant will be reviewing your submitted project questionnaire with your key project

staff. The implementation consultant will review your custom template designs and discuss the configurations that will be made to ensure your CivicClerk workflows match your current agenda and meeting processes.

Configuration

Our team will configure your system with unlimited customization options to map your agenda and meeting processes and ensure that your CivicClerk solution is optimized to meet your desired goals.

Design

We will design up to 5 custom templates to ensure consistency in system-generated meeting documents: Agendas, Item/Staff Report, Minutes, Agenda Script.

Training

Up to 8 hours of Virtual Training and 2 days On-Site Training

Your CivicClerk implementation consultant will guide user groups through live, virtual training sessions using your custom configured CivicClerk site. We recommend no more than 20 users per session. Individual sessions are either 30 or 60 minutes in duration.



Ongoing Services

Award-Winning Support

Over the past three years, CivicPlus Technical Support has been recognized by the globally respected Stevie® Awards for Sales and Customer Service. CivicPlus has been honored with two Silver Stevie® Awards and four Bronze Stevie® Awards in the categories of Front-Line Customer Service Team of the Year – Technology Industries, Customer Service Training or Coaching Program of the Year – Technology Industries, Customer Service Department of the Year – Computer Software – Up to 100 Employees, and Most Valuable Response by a Customer Service Team (COVID-19).

The Stevie Awards are the world's top honors for customer service, contact center, business development, and sales professionals.

Around-the-Clock Service & Support

Technical & Ongoing Support

- Live support personnel based in the U.S.
- Weekday business hours: 8 a.m. – 6 p.m. (CST)
- Contact via phone, email, and live chat
- 4-hour response during business hours
- 24/7 emergency support
- Self-Service CivicPlus Help Center for tutorials and user guides
- Assigned Customer Success Manager to ensure your complete and ongoing satisfaction

Maintenance

- Regular review of site logs, error messages, servers, router activity, and the internet in general
- Full backups performed daily
- Regularly scheduled upgrades, fixes, enhancements, and OS patches

Hosting & Security

- Fully hosted within the Azure Cloud environment using their Infrastructure as a Service (IaaS) model
- All processing and data storage is done within this environment using a mix of Azure Virtual Machines and Storage Accounts
- 24/7/365 system monitoring with guaranteed 99.9% uptime (excluding maintenance)
- Azure's Site Recovery Services and Geographically Redundant Storage Accounts (GRS) to provide disaster recovery between Azure regions
- All data is written to a GRS account which creates copies of that data in data centers across multiple Azure regions – data is always accessible
- Site Recovery Services allows us to quickly spin up and failover to clones of our Azure Virtual Machines



Project Cost



CivicPlus can appreciate the monetary constraints facing our governments each day. To help ease these concerns and assist with budgeting and planning, our proposed project and pricing is valid for 60 days from February 24, 2022.

Development

- Agenda Management
 - Unlimited boards
 - Custom-developed templates (two Agenda Templates, one Staff Report Template, one Minutes Template, one Agenda Script Template)
 - System-generated staff reports
- Minutes Management
 - Record minutes including motions, votes, speakers, and discussion
- Analytics module access
 - Create and save custom individual views and organizational views
 - Export views as .XLS and .CSV files
- Unlimited users
- Unlimited storage
- Google Drive, OneDrive, and Dropbox integrations
- Public Portal and Accessibility Portal
- Board Portal
- Boards and Committees Module

Implementation

- Typical project timeline – twelve to sixteen weeks
- Four hours virtual consulting
- Eight hours virtual training
- Two days on-site training

Annual Recurring Services

- Hosting and security
- Software maintenance including service patches and system enhancements
- 24/7 Technical support and access to the CivicPlus community
- Dedicated Customer Success Manager

Year 1 (one-time + annual)

\$22,190

Year 2 (annual + 5% technology uplift)

\$9,702

CivicPlus Project Pricing & Invoicing

CivicPlus has endeavored to meet Flower Mound's needs and expectations for your new CivicClerk System based on the information provided. The investment proposal included is subject to change should additional functionality, custom development, or project enhancements, outside of the included scope, be added before contract signing.

CivicPlus prices on a per-project, all-inclusive basis. This type of pricing structure eliminates surprise costs, the uncertainty of paying by the hour, and is overall more cost-effective for our customers. It provides you with a price based on the products and features listed in this proposal that only varies if additional functionality of work, outside of the original project scope, is requested. We understand local governments must look beyond just functionality and that multiple factors come into play when determining which vendor can meet not only your functional needs but also your budgetary requirements.

CivicPlus Offers:

Standard CivicClerk Invoicing

- Year 1 fees are due at contract signing
- The first-year Annual Services fee is included with your Year 1 cost
- Subsequent annual invoicing occurs on the anniversary of the contract signing date, and is subject to a five percent technology fee uplift each year starting Year 2 of your contract

Customized Billing/Invoicing

- We can discuss other billing options with you before contract signing and, if feasible, develop a plan that works for all parties
- Not available with all CivicPlus products – please contact your account executive for more details

We will work with you before contract signing to determine which of our billing processes will meet both your needs for budget planning and our accounting processes.

Proposal as Non-Binding Document

A successful project begins with a contract that meets the needs of both parties. This proposal is intended as a non-binding document, and the contents hereof may be superseded by an agreement for services. Its purpose is to provide information on a proposed project we believe will meet your needs based on the information available. If awarded the project, CivicPlus reserves the right to negotiate the contractual terms, obligations, covenants, and insurance requirements before a final agreement is reached. We look forward to developing a mutually beneficial contract with Flower Mound.

CIVICCLERK AGENDA MANAGEMENT SYSTEM

Optional Enhancements

We are confident in the ability of our proposed project to meet the needs and requirements for Flower Mound. Based on potential future conversations, the following are additional enhancements we may recommend.

OPTIONAL ENHANCEMENTS	ONE-TIME	ANNUAL
Additional Virtual Consulting - 1 hour	\$240	N/A
Additional Virtual Training - 4 hours	\$720	N/A
Custom Identity Provider (IdP) Integration	\$1,575	\$1,575
Template Design	\$420	N/A
Live Meeting Manager (includes 1 hour of virtual consulting and 1 hour of virtual training)	\$420	\$3,460



TOWN COUNCIL AGENDA ITEM NO. 6

REGULAR ITEM

DATE: March 21, 2022

FROM: Tammy Wilson, Executive Director of Fiscal and Administrative Services/CFO

ITEM: Consider approval of the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended September 30, 2021.

BACKGROUND INFORMATION: Article III, Section 3.13 of the Town Charter requires that an annual independent audit be performed of “the books and accounts of each and every department of the Town.” The Town has complied with this requirement, and in the opinion of the auditing firm of Eide Bailly, LLP, the basic financial statements contained within the ACFR present fairly, in all material respects, the financial position of the Town as of September 30, 2021.

Copies of the Town of Flower Mound’s Annual Comprehensive Financial Report (ACFR) for the fiscal year ended September 30, 2021, were distributed prior to this meeting, and copies of the reports were placed in the Library for review by the public. There were no significant deficiencies or material weaknesses found during the audit.

The Town Council has adopted financial policies to guide and set goals for the financial administration of the Town. The following table displays the Town’s financial policy results for fiscal year 2016-2017 through fiscal year 2020-2021.

<u>Financial Goals</u>	<u>Goal</u>		<u>09/30/2017</u>	<u>09/30/2018</u>	<u>09/30/2019</u>	<u>09/30/2020</u>	<u>09/30/2021</u>
General Fund fund balance	At/Above	20.00%	29.14%	30.85%	33.19%	33.66%	41.17%
Water & Wastewater capital reserve at 60 days maintained	At/Above	16.70%	21.68%	23.58%	24.94%	21.43%	20.79%
Debt Service fund balance	At/Above	4.00%	11.04%	10.38%	11.24%	13.46%	24.12%
Ratio of net debt to AV	At/Below	1.75%	0.88%	0.87%	0.78%	0.65%	0.53%
Ratio of debt service fund expenditures to total general & debt service funds	At/Below	20.00%	13.72%	16.67%	16.46%	15.05%	12.49%

VERF funding*

* Financial Policies Updated September 21, 2020

The Town’s Vehicle Equipment Replacement Fund will be funded annually based on the average life span of the Town’s fleet adjusted for inflation. Additionally, the Fund will be reviewed annually to ensure future contributions are sufficient to replace existing fleet based on replacement criteria.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS: N/A

DRAFT MOTION: Move to approve as presented in the agenda caption.



TOWN COUNCIL AGENDA ITEM NO. 7

REGULAR ITEM

DATE: March 21, 2022

FROM: Andy Kancel, Chief of Police *AK*

ITEM: **The first of two Public Hearings to adopt Chapter 50, Article III, "Offense regarding Minors," Division 2, "Curfew"**

BACKGROUND INFORMATION: This is the first of two required Public Hearings to review and adopt Chapter 50, Article III, "Offenses regarding Minors," Division 2, "Curfew." The previous ordinance expired February 18, 2022.

BOARD REVIEW/CITIZEN

FEEDBACK:

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: Alecia Kreh of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

ATTACHMENTS:

1. Draft Ordinance

DRAFT MOTION: Action will be considered following the second public hearing scheduled April 4, 2022.

TOWN OF FLOWER MOUND, TEXAS**ORDINANCE NO.**

AN ORDINANCE ADOPTING THE TOWN'S JUVENILE CURFEW REGULATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound, Texas, is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the Town Council previously adopted juvenile curfew regulations, codified in Chapter 50, Article III, Division 2 of the Flower Mound Code; and,

WHEREAS, Section 370.002 of the Texas Local Government Code requires the Town to review the curfew ordinance and hold public hearings every three years; and,

WHEREAS, the Town Council has reviewed the juvenile curfew regulations and their effects on the community and on problems the ordinance was intended to remedy; and,

WHEREAS, the Town Council conducted public hearings on March 21, 2022, and April 4, 2022, on the need to readopt the ordinance; and,

WHEREAS, the Town Council has determined that the ordinance is necessary to address the problems it is intended to remedy;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

The juvenile curfew regulations of the Town of Flower Mound, codified in Chapter 50, Article III, Division 2 of the Flower Mound Code are hereby readopted, as is, with no changes.

SECTION 2

This ordinance shall be cumulative of all provisions of ordinances of the Town of Flower Mound, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

ORDINANCE NO. ____

SECTION 3

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption of this Ordinance in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

SECTION 5

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____ ON THIS THE 4th DAY OF APRIL, 2022.

APPROVED:

Derek France, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY



TOWN COUNCIL AGENDA ITEM NO. 8

REGULAR ITEM

DATE: March 21, 2022

FROM: Poornima Kashyap, Principal Planner

ITEM: Public Hearing to consider an ordinance granting Specific Use Permit No. 472 (SUP21-0005 – Bosco Boat Dealership) to permit inclusion of Retail, general (outdoors) use for a boat dealership within an existing car dealership facility. The property is generally located south of Justin Road and east of Stone Hill Farms Parkway (*The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its December 13, 2021, meeting.*)



SUMMARY DATA:

- Lot Size – 5.48 acres
- Building square feet – Existing two-story, 28,350 sf building
- SMARTGrowth – N/A, new review not triggered
- Traffic Analysis – Passed, based on the TA completed with the original Site Plan application for the auto dealership use. The trips generated by a Boat Sales Dealership are less than the trips generated by a Car Dealership. Therefore the combination of a Car Dealership with a Boat Dealership using the same square footage does not require a new TA.
- Exceptions – N/A
- Incentives – None

BACKGROUND INFORMATION: Below is the link for the Planning and Zoning Commission (P&Z) report and backup for this item. During P&Z deliberation, limiting the number of boat display spaces, the size of the boats, and the location of boat display was discussed. The Commission also discussed adding a condition in the SUP ordinance to limit approval of this SUP to three-years with automatic renewal option. Based on P&Z's recommendation, staff has added four conditions (#6 thru #8) to the ordinance, in addition to the original staff-proposed conditions.

SUP conditions:

1. The hours of operation are limited to 8 a.m. to 7 p.m., Monday to Saturday.
2. Gates crossing the fire lane must remain open during business hours.
3. Outdoor storage shall be limited to operable cars and boats only. No ancillary storage of materials, trash, equipment, storage pods, or similar items shall be allowed on the property unless it meets the standards outlined below:
 - a. Ancillary storage shall be limited to no more than 650 square feet of the car/boat display area as demarcated on the concept plan. This square footage is exclusive of the one (1) existing dumpster enclosure.
 - b. Ancillary storage shall not occupy required parking spaces.

- c. Ancillary storage shall be screened by a masonry wall constructed of or finished with materials that match the main building.
 - d. Ancillary storage shall not exceed one foot less than said masonry wall in height.
 - e. Enclosure gates shall be constructed of sheet metal with a steel frame and painted to complement the main building.
 - f. Administrative approval of a site plan and obtaining necessary permits is required prior to placing ancillary storage on the property and constructing or installing associated masonry wall.
- 4. No outdoor servicing of boats shall be permitted on the property.
 - 5. Specific Use Permit No. 472 shall be subject to three-year automatic renewal, subject to Section 98-954 of the Town's Land Development Regulations
 - 6. Boat display and parking shall be limited to occupy no more than sixteen (16) display spaces.
 - 7. Boat display and parking shall be limited to occupy display spaces located within a fenced-in area to the south and west of the building.
 - 8. The size of the boats displayed on the property shall not exceed thirty (30) feet in total length.

The applicant is not in agreement with the majority of the staff and P&Z Commission recommended SUP conditions and has provided a redline mark-up of the conditions indicating the ones that he would like to be deleted from the ordinance (see Attachment 2).

ATTACHMENTS:

- 1. Draft Ordinance
- 2. Applicant's Mark-up of SUP Conditions
- 3. [Planning and Zoning Commission Staff Report Link](#)

LEGAL REVIEW: Alicia Kreh, of Taylor, Olson, Adkins, Sralla, & Elam L.L.P., has reviewed the ordinance as to form and legality.

DRAFT MOTION: Move to approve as presented in the agenda caption.

**TOWN OF FLOWER MOUND, TEXAS
ORDINANCE NO. _____**

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY APPROVING SPECIFIC USE PERMIT NO. 472 (SUP-472) TO PERMIT A RETAIL, GENERAL (OUTDOORS) USE FOR A BOAT DEALERSHIP USE TO OPERATE WITHIN AN EXISTING CAR DEALERSHIP FACILITY ON CERTAIN PROPERTY DESCRIBED AS 5.48 ACRES OF LAND AND BEING ALL OF LOT 2R1, BLOCK A, OF THE STONE HILL FARMS RETAIL EAST II ADDITION AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 43 (PD-43) WITH COMMERCIAL DISTRICT-2 (C-2) USES; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound, Texas, (the "Town") is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the Town Council of the Town heretofore adopted the Land Development Regulations of the Town, as amended, which Ordinance regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and,

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations, the owner of the property described as 5.48 acres of land and being all of Lot 2R1, Block A, of the Stone Hill Farms Retail East II Addition has filed an application for a Specific Use Permit for a Retail, general (outdoor) use for a boat dealership use to operate within an existing Car Dealership facility; and,

WHEREAS, the Planning and Zoning Commission of the Town held a public hearing on December 13, 2021, and the Town Council of the Town, held a public hearing on March 21, 2022, with respect to the Specific Use Permit described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a Specific Use Permit on the property; and,

WHEREAS, the Town Council finds that the Specific Use Permit should be granted as outlined herein as it is in the best interest of the Town and will promote the health, safety and general welfare of the citizens of the Town and the general public;

Ordinance No. _____

Page 2

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

The Land Development Regulations of the Town as amended, are hereby amended on the hereinafter described property and area as shown below:

5.48 acres of land and being all of Lot 2R1, Block A, of the Stone Hill Farms Retail East II Addition, Denton County, Texas.

Specific Use Permit No. 472 is granted to allow Retail, general (outdoors) uses to permit a boat dealership, as more fully described in the exhibits attached hereto and incorporated herein, subject to the following conditions:

1. The hours of operation are limited to 8 a.m. to 7 p.m., Monday to Saturday.
2. Gates crossing the fire lane must remain open during business hours.
3. Outdoor storage shall be limited to operable cars and boats only. No ancillary storage of materials, trash, equipment, storage pods, or similar items shall be allowed on the property unless it meets the standards outlined below:
 - a. Ancillary storage shall be limited to no more than 650 square feet of the car/boat display area as demarcated on the concept plan. This square footage is exclusive of the one (1) existing dumpster enclosure.
 - b. Ancillary storage shall not occupy required parking spaces.
 - c. Ancillary storage shall be screened by a masonry wall constructed of or finished with materials that match the main building.
 - d. Ancillary storage shall not exceed one foot less than said masonry wall in height.
 - e. Enclosure gates shall be constructed of sheet metal with a steel frame and painted to complement the main building.
 - f. Administrative approval of a site plan and obtaining necessary permits is required prior to placing ancillary storage on the property and constructing or installing associated masonry wall.
4. No outdoor servicing of boats shall be permitted on the property.
5. Specific Use Permit No. 472 shall be subject to three-year automatic renewal, subject to Section 98-954 of the Town's Land Development Regulations
6. Boat display and parking shall be limited to occupy no more than sixteen (16) display spaces.
7. Boat display and parking shall be limited to occupy display spaces located within a fenced-in area to the south and west of the building.
8. The size of the boats displayed on the property shall not exceed thirty (30) feet in total length.

SECTION 2

The Conceptual Site Plan and Conceptual Landscape Plan, attached hereto as Exhibits "A" and "B," each incorporated herein for all purposes allowed by law, are hereby approved as the Conceptual Site Plan and Conceptual Landscape Plan for this Specific Use Permit.

Ordinance No. _____**Page 3****SECTION 3**

The official map of the Town is amended and the Executive Director of Development Services is directed to revise the official zoning map to reflect the approved Specific Use Permit, as set forth above.

SECTION 4

The use of the property described above shall be subject to all applicable regulations contained in the Land Development Regulations and all other applicable and pertinent ordinances of the Town including the regulations contained in Planned Development District-43 (PD-43).

SECTION 5

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 7

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 8

All rights and remedies of the Town are expressly saved as to any and all violations of the provisions of the Land Development Regulations or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Ordinance No. _____**Page 4****SECTION 9**

The Town Secretary of the Town is hereby directed to publish the caption in the official newspaper of the Town as required by Section 3.07 of the Charter of the Town.

SECTION 10

This Ordinance shall take effect and be in full force from and after the date of its passage and publication.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF
FLOWER MOUND, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 21ST DAY OF
MARCH, 2022.**

APPROVED:

Derek France, MAYOR**ATTEST:**

Theresa Scott, TOWN SECRETARY

EXHIBIT "A" - CONCEPT SITE PLAN

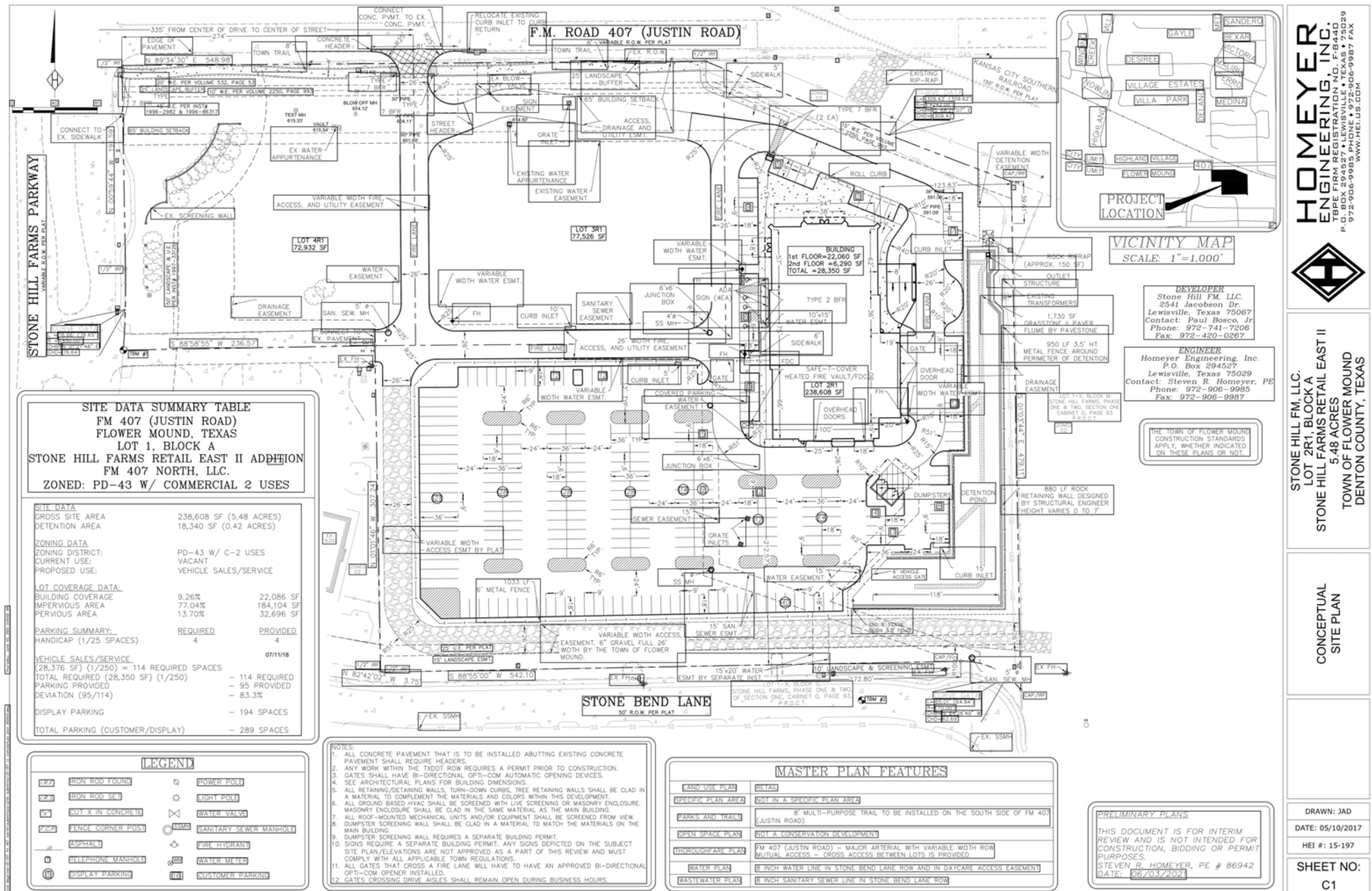


EXHIBIT "B - CONCEPT LANDSCAPE PLAN

MATCHLINE - SEE SHEET LP1

THE FOLLOWING REPRESENTS THE
APPROVED DOCUMENT / GRAPHIC
P & Z 09/13/2021
T C NA
SEE FILE FOR CONDITIONS SP21-0005

STONE BEND LANE

50' R.O.W. PER PLAT

LOT 1-X, BLOCK C,
STONE HILL FARMS, PHASE ONE & TWO,
OF SECTION ONE, CABINET O, PAGE 93,
P.R.D.C.T.

- NOTES:
- CONTRACTOR SHALL PRESERVE ALL EXISTING VEGETATION ALONG PROPERTY LINE ADJACENT TO STONE BEND LANE.
 - OWNER IS RESPONSIBLE FOR PLANTINGS AND LANDSCAPE BUFFER NORTH OF PROPERTY LINE.
 - STONE HILL FARMS HOA IS RESPONSIBLE FOR LANDSCAPE SCREENING SOUTH OF PROPERTY LINE.

GENERAL PLANTING NOTES

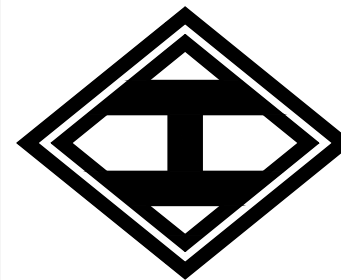
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN). BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +/- 1" OF FINISH GRADE. THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
- CONSTRUCT AND MAINTAIN FINISH GRADES IN LANDSCAPE AREAS AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- ENSURE THAT THE GRADE IN SHRUB AREAS SHALL BE 2" BELOW FINISH GRADE AFTER INSTALLING SOIL AMENDMENTS, AND 1" BELOW FINISH GRADE IN SOD AREAS AFTER INSTALLING SOIL AMENDMENTS. MULCH COVER WITHIN 6" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WALLS SHALL BE AT LEAST 3" LOWER THAN THE TOP OF WALL. INSTALL MULCH TOPDRESSING, TYPE AND DEPTH PER MULCH NOTE. IN ALL PLANTING BEDS AND TREE RINGS, DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE.
- INSTALL 1/4" GREEN STEEL EDGING BETWEEN ALL PLANTING BEDS AND TURF AREAS, AND BETWEEN GROUNDCOVERS AND OTHER PLANTS (WHERE INDICATED ON THE PLAN).
- HYDROMULCH ALL DISTURBED AREAS OUTSIDE OF PROPERTY LIMITS (UNLESS SHOWN AS SOD).
- ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES. PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE. NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT. IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
- PLANTS MAY BE INSPECTED AND APPROVED OR REJECTED ON THE JOBSITE BY THE OWNER OR OWNER'S REPRESENTATIVE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTAKING OF TREES, RESETTING OF PLANTS THAT HAVE SETTLED, MOWING AND AERATION OF LAWNS, WEEDING, RESEEDING AREAS WHICH HAVE NOT GERMINATED WELL, TREATING FOR INSECTS AND DISEASES, REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP, AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAXIMIZE WATER CONSERVATION.
- SHOULD SEEDED AND/OR SODDED AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL STAND OF GRASS AT NO ADDITIONAL COST TO THE OWNER.
- TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
 - THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
 - ALL HARDCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
 - SODDED AREAS MUST BE ACTIVELY GROWING AND MUST REACH A MINIMUM HEIGHT OF 1 1/2" INCHES BEFORE FIRST MOWING. HYDROMULCHED AREAS SHALL SHOW ACTIVE, HEALTHY GROWTH. BARE AREAS LARGER THAN TWELVE SQUARE INCHES MUST BE RESEDED OR RESEEDED (AS APPROPRIATE) PRIOR TO FINAL ACCEPTANCE. ALL SODDED TURF SHALL BE NEATLY MOWED.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

STREET YARD LANDSCAPING				STREET BUFFER TREES			
STANDARD	TOTAL STREET YARD (SQ. FT.)	REQUIRED	PROVIDED	STANDARD	STREET FRONTAGE (LINEAR FT.)	REQUIRED	PROVIDED
MIN. 20% OF STREET YARD	N/A	N/A	N/A	1 PER 30 LF	N/A	N/A	N/A
STREET YARD TREES				PARKING AREA LANDSCAPING			
STANDARD	TOTAL STREET YARD (SQ. FT.)	REQUIRED	PROVIDED	STANDARD	NO. OF PARKING SPACES	REQUIRED	PROVIDED
>110,000 SF = 1/5,000 SF ^ 110,000 + 50	N/A	N/A	N/A	90 SF PER 12 SPACES	88 SPACES (CUSTOMER)	660 SF	3,415 SF
TREES REQUIRED TO SATISFY OTHER PROVISIONS OF LANDSCAPING REQUIREMENTS AND LYING WITHIN THE STREET YARD MAY BE USED TO SATISFY THE REQUIREMENTS OF OTHER SECTIONS.				PARKING AREA TREES			
STREET NAME	REQUIRED BUFFER WIDTH	PROVIDED		STANDARD	NO. OF PARKING SPACES	REQUIRED	PROVIDED
FM 407	N/A	N/A		1 PER 10 PARKING SPACES	88 SPACES (CUSTOMER)	9 TREES	15 TREES
STONE BEND LN.	15 FT	15 FT		ALL CUSTOMER PARKING SPACES ARE LOCATED WITHIN 50FT OF A TREE.			

Scale 1" = 20'



HOMER
ENGINEERING, INC.
TBE FIRM REGISTRATION NO. F-8440
P.O. BOX 294527 ALEXANDRIA, VA 22304-0527
972-906-9988 PHONE 972-906-9987 FAX
WWW.HEI.US.COM



STONE HILL FM, LLC.
LOT 1, BLOCK A
STONE HILL FARMS RETAIL EAST II
5.48 ACRES
TOWN OF FLOWER MOUND
DENTON COUNTY, TEXAS

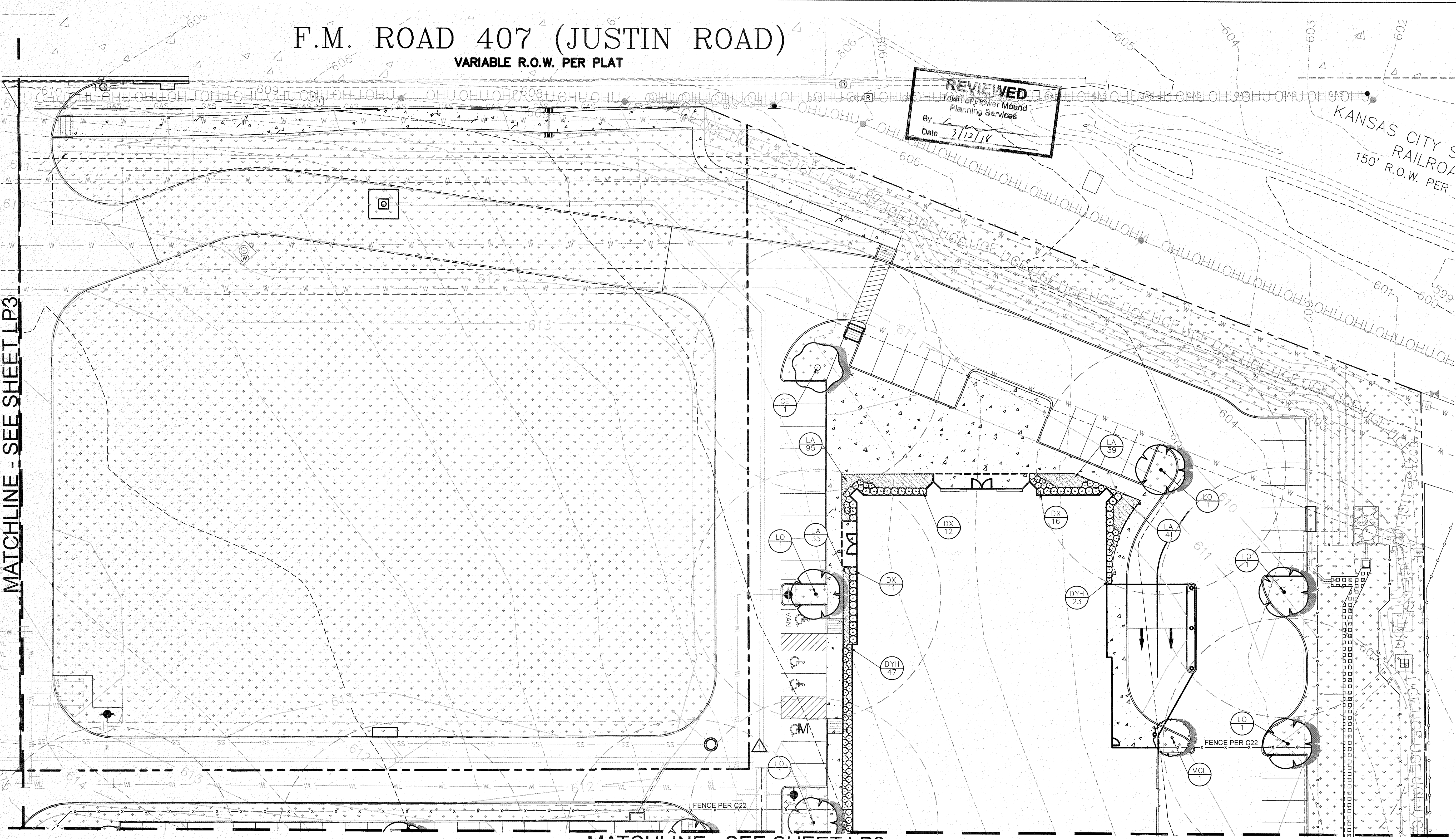
PLANTING PLAN



DRAWN: DFR
DATE: 05/10/2017
HEI #: 15-197

SHEET NO:
LP-2

EXHIBIT "B" - CONCEPT LANDSCAPE PLAN



PLANT SCHEDULE

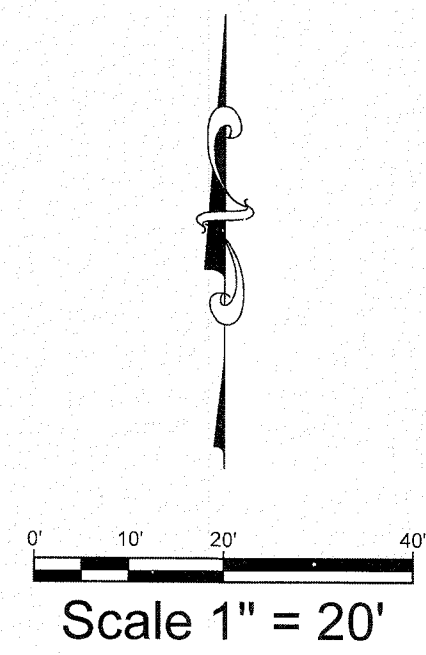
TREES											
CODE	COMMON NAME / BOTANICAL NAME	CONT.	CAL	SIZE	QTY	SHRUBS	CODE	COMMON NAME / BOTANICAL NAME	SIZE	QTY	
MGL	Southern Magnolia / Magnolia grandiflora parking lot tree	CONT.	3" Cal	10-12' ht.	2		DYH	Dwarf Yaupon / Ilex vomitoria 'Nana' 24" o.c.	5 gal	80	
LO	Live Oak / Quercus virginiana parking lot tree / mitigation/street buffer tree	CONT.	3" Cal	10-12' ht.	32		DX	Southern Wax Myrtle / Myrica cerifera 36" o.c.	5 gal	61	
CE	Cedar Elm / Ulmus crassifolia parking lot tree	CONT.	3" Cal	10-12' ht.	1						
						SHRUB AREAS	CODE	COMMON NAME / BOTANICAL NAME	CONT.	SPACING	QTY
							LA	Aztec Grass / Liriope muscari 'Aztec'	1 gal	18" o.c.	284
						GROUND COVERS	CODE	COMMON NAME / BOTANICAL NAME	CONT.	QTY	
							CD	Bermuda Grass / Cynodon dactylon	hydro		180,811 sf

ROOT BARRIERS

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1-1/2" SHREDDED WOOD MULCH OVER LANDSCAPE FABRIC IN ALL PLANTING AREAS. CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED.



HOMMEYER
ENGINEERING, INC.
TBP# FIRM REGISTRATION NO. F-8440
P.O. BOX 294527 • LEWISVILLE, TEXAS • 75029
972-906-9985 PHONE • 972-906-9987 FAX
WWW.HEI.US.COM

STONE HILL FM, LLC.
LOT 1, BLOCK A
STONE HILL FARMS RETAIL EAST II
5.48 ACRES
TOWN OF FLOWER MOUND
DENTON COUNTY, TEXAS

PLANTING PLAN



DRAWN: DFR
DATE: 05/10/2017
HEI #: 15-197
SHEET NO:
LP-1

EVERGREEN
DESIGN GROUP
(800) 680-6630
15305 Dallas Pkwy Ste 300
Addison, TX 75001
www.landscape-consultants.net

Specific Use Permit No. 472 is granted to allow Retail, general (outdoors) uses to permit a boat dealership, as more fully described in the exhibits attached hereto and incorporated herein, subject to the following conditions

1. The hours of operation are limited to 8 a.m. to 7 p.m., Monday to Saturday.
- ~~2. Gates crossing the fire lane must remain open during business hours.~~
- ~~3. Outdoor storage shall be limited to operable cars and boats only. No ancillary storage of materials, trash, equipment, storage pods, or similar items shall be allowed on the property unless it meets the standards outlined below:~~
 - ~~a. Ancillary storage shall be limited to no more than 650 square feet of the car/boat display area as designated on the concept plan. This square footage is exclusive of the one (1) existing dumpster enclosure.~~
 - ~~b. Ancillary storage shall not occupy required parking spaces.~~
 - ~~b. Ancillary storage shall be screened by a masonry wall constructed of or finished with materials that match the main building.~~
 - ~~c. Ancillary storage shall not exceed one foot less than said masonry wall in height.~~
 - ~~d. Enclosure gates shall be constructed of sheet metal with a steel frame and painted to complement the main building.~~
 - ~~e. Administrative approval of a site plan and obtaining necessary permits is required prior to placing ancillary storage on the property and constructing or installing associated masonry wall.~~
4. No outdoor servicing of boats shall be permitted on the property.
- ~~5. Specific Use Permit No. 472 shall be subject to three-year automatic renewal, subject to Section 98-954 of the Town's Land Development Regulations~~
- ~~6. Boat display and parking shall be limited to occupy no more than sixteen (16) display spaces.~~
- ~~7. Boat display and parking shall be limited to occupy display areas located within a fenced-in area to the south and west of the building.~~
- ~~8. The size of the boats displayed on the property shall not exceed thirty (30) feet in total length.~~



TOWN COUNCIL AGENDA ITEM NO. 9

REGULAR ITEM

DATE: March 21, 2022

FROM: Ray Watson, Economic Development Director

ITEM: Presentation and discussion on land development along the IH-35W corridor.

BACKGROUND INFORMATION: On February 7, 2021 Council requested staff prepare a presentation covering the various developments planned and approved along the IH-35W corridor.

Request from Council

- Research developments that will affect future development in Flower Mound
- Look at housing and commercial/retail, industrial, office
- Present findings to Council

Parameters

- Area immediate west of Flower Mound (Denton-SH 114 along IH-35W)
- Concentrate on quantifiable projects
- Understand project as it is currently, as well as the projected growth of the project

Staff has prepared a presentation that looks at the IH-35W corridor from southern Denton to SH-114. This presentation includes discussion on housing, retail, office and industrial.

Town Council Future Agenda Items



SCHEDULED	4/4/2022	Consent	Consider approval of Change Order No. 1 for the Bakers Branch Stabilization at 1612 Strait Lane project, amending the contract with KEC Retaining Walls & Construction, Inc., to provide an increase to the contract in the amount of \$74,154.90; and authorization for the Mayor to execute on behalf of the Town.
		Consent	Consider approval of the Best Value Bid Nos. 2022-31-A (Northwest), 2022-32-A (Southeast), 2022-33-A (Southwest & Twin Coves Park) and 2022-34-A (Northeast) Landscape Maintenance Program to ????? at the unit prices bid, in the estimated annual amount of \$626,870.00; and authorize the Mayor to execute same on behalf of the Town.
		Consent	Consider approval of a Development Agreement for the CNIK Addition Project for the amount not to exceed \$147,000.00; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider approval of the Professional Services Agreement with RJN Group, Inc., for Flow Monitoring and Analysis associated with the Inflow and Infiltration project, in the amount of \$336,542.00; and authorization for the Mayor to execute same on the behalf of the Town.
		Consent	Consider approval of a Charter Service Agreement with Durham School Services, L.P., to provide shuttle buses for various special events and the day camp program; and authorization for the Mayor to execute same on behalf of the Town.
		Consent	Consider approval of the purchase of one T770 T4 Bobcat per Town of Flower Mound Specifications and Vendor Quote from Bobcat Equipment Company in the amount of \$63,378.26; and authorization for the Mayor to execute on behalf of the Town
		Consent	Consider approval of the purchase of one 2022 Ford F350 Regular Cab One Ton Truck with Dump Body and one 2022 Ford F550 Crew Cab One Ton Truck with Service Body per Town of Flower Mound Specifications and Vendor Quote from Sam Pack's Five Star Ford in the amount of \$58,853.50 and \$53,768.66, respectively; and authorization for the Mayor to execute on behalf of the Town
		Consent	Consider approval of the minutes from a regular meeting of the Town Council held on March 21, 2022.
		Regular	Public Hearing to consider a request for a Replat (RP22-0002 – Trimble Addition Lot 1 & 2, Block A) to create two residential lots with an exception to the grading criteria, regarding residential lot-to-lot drainage, 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 east of High Road and south of Arabian Circle. (P&Z recommended approval/denial by a vote of 0 to 0 at its March 28, 2022, meeting.)

SCHEDULED	4/4/2022	Regular	Public Hearing to consider an ordinance granting a Specific Use Permit No. 476 (SUP21-0011– 3800 High Road Accessory Dwelling) to permit an accessory dwelling. The property is generally located east of High Road and south of Arabian Circle. (P&Z recommended approval/denial by a vote of 0 to 0 at its March 28, 2022, meeting.)
		Regular	Public Hearing to consider an ordinance granting Specific Use Permit No. 474 (SUP21-0008– River Walk Retail Phase II) to permit a fast food restaurant with a drive-through window. The property is generally located south of Promenade Way and east of Long Prairie Road. (P&Z recommended approval/denial by a vote of 0 to 0 at its March 28, 2022, meeting.)
		Regular	Public Hearing to consider an ordinance granting Specific Use Permit No. 477 (SUP21-0012– Ivybrook Academy – Prairie Plaza Building 6) to permit a day care center use. The property is generally located north of Cross Timbers Road and west of Long Prairie Road. (P&Z recommended approval/denial by a vote of 0 to 0 at its March 28, 2022, meeting.)
		Regular	Public Hearing to consider an application for a tree removal permit (TRP21-0036) for forty-seven (47) specimen trees on property proposed for development as Townlake Phase Five & Six residential development. The property is generally located south of Cross Timbers Road and east of Scenic Drive. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its February 1, 2022, meeting).
		Regular	The second of two Public Hearings to review Chapter 50, Article III, “Offenses regarding Minors,” Division 2, “Curfew.”
		Regular	Public Hearing to consider an ordinance for rezoning (ZPD21-0011 – Townlake Phase Five & Six) from Agricultural District (A) to Planned Development District No. 187 (PD-187) for a cluster development with certain modifications and exceptions to the Code of Ordinances. The property is generally located south of Cross Timbers Road and east of Scenic Drive. (ECC recommended approval of the Open Space Management Plan by a vote of 6 to 0 at its February 1, 2022, meeting.) (P&Z recommended approval/denial by a vote of 0 to 0 at its March 28, 2022, meeting.)
	4/18/2022	Consent	2021-2022 CIP Amendment No. 4
		Consent	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, 2021 edition and local amendments thereto.
		Consent	Timber Creek Water & Sewer Replacements
		Consent	Consider approval of the minutes from a regular meeting of the Town Council held on April 4, 2022.
		Presentation	Community Development Corporation and Parks Board Update

SCHEDULED	4/18/2022	Presentation	Placeholder: Mental Health Proclamation
	5/17/2022	Consent	Placeholder: Canvass May 7 election
	6/6/2022	Presentation	Transportation Commission Update
	6/16/2022	Presentation	All Together Flower Mound Commission Update
	6/20/2022	Presentation	Veterans Liaison Board Update
	8/8/2022	Consent	Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to schedule a public hearing for August 22, 2022, on the Flower Mound Crime Control and Prevention District budget and to schedule a meeting for September 19, 2022, to take action on the proposed budget; with each meeting to be held at 6:00 PM, at Town Hall, located at 2121 Cross Timbers Road.
		Consent	Consider approval of an ordinance establishing the 2022 certified appraisal roll.
		Consent	Consider accepting the submission of the certified collection rate of 100 percent for the fiscal year beginning October 1, 2022, and ending September 30, 2023.
		Consent	Consider accepting the submission of the notice of a no-new-revenue tax rate of \$_____ per \$100 assessed valuation and a voter-approval tax rate of \$_____ per \$100 assessed valuation for the fiscal year beginning October 1, 2022, and ending September 30, 2023.
		Consent	Consider proposing a maximum tax rate of \$0._____ per \$100 valuation for the fiscal year beginning October 1, 2022, and ending September 30, 2023; and scheduling August 22, 2022, public hearing on the budget, scheduling September 19, 2022, public hearing on the tax rate, and scheduling the September 19, 2022, adoption of said budget and tax rate; with each meeting to be held at 6:00 PM, at Town Hall, located at 2121 Cross Timbers Road.
		Consent	Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to schedule a public hearing for August 22, 2022, on the Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget and to schedule a meeting for September 19, 2022, to take action on the proposed budget; with each meeting to be held at 6:00 PM, at Town Hall, located at 2121 Cross Timbers Road.
	8/18/2022	Consent	Hold a discussion and provide direction regarding the FY 2022-2023 Proposed Budget, including Community Support funding.
	8/22/2022	Consent	Public Hearing to consider the proposed budget for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023.

SCHEDULED	8/22/2022	Consent	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.
		Consent	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.
	9/19/2022	Consent	Public Hearing to consider a tax rate of \$0._____ per \$100 assessed valuation.
		Consent	Consider approval of an ordinance adopting the budget for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023, and making appropriations for each fund and department.
		Consent	Consider approval of an ordinance adopting the 2022 tax rolls and fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023, and for each fiscal year thereafter until otherwise provided, at the rate of \$0._____ per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2022.
		Consent	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 adopting the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023.
		Consent	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 adopting the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023.