



# Town Council Regular Meeting

---

February 6, 2023

Town Hall

2121 Cross Timbers Road

Flower Mound, TX 75028

6:00 p.m.

Comments regarding any agenda item can be sent to the Town Council by emailing [towncouncil@flower-mound.com](mailto:towncouncil@flower-mound.com) or by calling 972.874.6005 and leaving a message.

## AGENDA

### A. CALL 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. PRESENTATION(S)

1. Salvation Army Red Kettle Challenge Results
2. Certificate of Achievement Marcus High School Cheerleading Team - National Champions

### E. PUBLIC COMMENT

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

In accordance with the Texas Open Meetings Act, the Town Council is restricted from discussing or acting on items not listed on the agenda.

To speak to Council during public comment, please fill out a [comment form \(PDF\)](#).

- Speakers are limited to 3 minutes, a tone will sound at 30 seconds left and when time has expired, and times may be adjusted by the mayor
- Speakers must address their comments to the Town Council
- Please state your name and address when speaking

### F. ANNOUNCEMENTS

Announcements from the mayor and council members

1. Announcements from the mayor and council members

**G. TOWN MANAGER'S REPORT**

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates
  - a. Winter Storm Event Recap

**H. FUTURE AGENDA ITEM(S)**

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. February 16 Work Session and February 20 Regular Meeting

**J. CONSENT ITEM(S)**

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 1/17 & 1/19 - Consider approval of the Town Council minutes from a regular meeting held on January 17, 2023, and a work session held on January 19, 2023.
2. Call May 6 Election - Consider approval of a resolution calling for a general election to be held May 6, 2023, for the offices of Town Council Place 2 and Town Council Place 5, establishing procedures for the election; and providing an effective date.
3. Calling bond election Proposition A - Consider approval of an ordinance calling a bond election to be held May 6, 2023, for the purpose of submitting to the qualified voters a ballot proposition on whether to construct a tennis center with general obligation bonds in the amount of \$7,500,000; resolving other matters incident and related to such election, and providing a publication of notice.
4. Audio Video Hardware Replacements - Consider approval to replace the audio video hardware for the Police Department from Data Projections for an amount not to exceed \$75,000.
5. AED Replacement Purchase - Consider approval of the purchase of 25 Automated External Defibrillators(AEDs) to replace out of warranty devices in all Town-owned buildings in the amount of \$51,050.00; and authorization for the Mayor to execute same on behalf of the Town.
6. Purchase of Life Fitness equipment - Consider approval of the purchase of Life Fitness strength equipment for the Community Activity Center from vendor Advanced Exercise through Buy Board contract #665-22 in the amount of \$113,878.40.
7. CIP Amendment No. 2 - Consider Approval of Amendment No. 2 to the Fiscal Year 2022-2023 Capital Improvement Program.

8. PSA Inspection Services - Consider approval of a professional services agreement between the Town of Flower Mound and Bureau Veritas to provide third-party inspection services for new highrise buildings being built within the Town of Flower Mound.
9. 2023 ALERRT Grant - Consider approval of a resolution authorizing the submission of a grant application with the Office of the Governor for the 2023 ALERRT Travel Assistance grant; authorizing the Town Manager to act on behalf of the Town of Flower Mound in all matters related to the application; authorizing acceptance of funds if awarded; and pledging that if funding for this project is received, the Town will comply with all project requirements of the Office of the Governor.

**K. REGULAR ITEM(S)**

1. LDR22-0004 – Mandatory Sewer Connections - Public Hearing to consider an ordinance amending the Town's Code of Ordinances (LDR22-0004 – Mandatory Sewer Connections) by amending Chapter 90 "Subdivisions" and appendix A "Fee Schedule," to provide for an exception for mandatory sewer connections and make corrections to recently approved fee updates. (PZ recommended approval by a vote of 6 to 0 at its January 23, 2023, meeting.)

**L. BOARDS/COMMISSIONS**

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

1. The following boards will provide update reports at the May 18 work session:

All Together Flower Mound  
Animal Services  
Cultural Arts  
Environmental Conservation  
Parks  
School Liaison  
Transportation  
Veterans Liaison

Other boards are excluded due to their quasi-judicial structure, specific scope of work, or other predetermined reporting timeline.

**M. CLOSED MEETING**

1. Consultation with Town Attorney.
  - a. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Application
  - b. Housing Discrimination Complaint
  - c. La Estancia Investments, L.P., v. Town of Flower Mound

- d. Legal issues associated with municipal boundary adjustment/annexation, and ESD and CCN service areas
  - e. Oncor transmission line, switch, and substation projects.
  - f. Sunrise Circle Development
2. 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.
3. 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.
4. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, performance related to certain incentive agreements, and proposed Tax Increment Reinvestment Zone (TIRZ) #1, TIRZ #2, PID, MMD, and MUD.

**The Town Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Town Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the above referenced items.**

**N. RECONVENE TO REGULAR MEETING**

The Town Council to reconvene into an open meeting to take any action deemed necessary as a result of the closed meeting.

**O. ADJOURN**

**P. FUTURE AGENDA**

1. Future agenda items

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: February 3, 2023, at 10:40 a.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 accommodation or interpretive services must be made 48 hours prior to this meeting by contacting Town Hall at 972.874.6000. Additional time limits will be provided for members of the public that need to address the Town Council through a translator.