

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING;
TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL
SERVICES DISTRICT SPECIAL MEETING;
AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING**



August 21, 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 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. Suicide Prevention Awareness Month Proclamation
2. National Senior Center Month Proclamation
3. Historical Commission Task Force Update

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

1. Announcements from the mayor and council members

G. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates

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 that 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. September 4 - Regular meeting canceled due to the Labor Day holiday
2. September 18 - Regular meeting
3. September 19 and 21 (Board/Commission Interviews)

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 - 8/7 & 8/17 - Consider approval of the minutes from a regular meeting held on August 7, and a work session held on August 17.
2. CIP Amendment No. 4 - Consider Approval of Amendment No. 4 to the Fiscal Year 2022-2023 Capital Improvement Program.
3. Purchase Pool Chemicals - Consider approval of Buy Board Contract No. 701-23 for DCC, Inc. to provide Swimming Pool Chemicals for Parks and Recreation aquatic facilities in the estimated annual amount of \$27,000.
4. Transportation Service Agreement-SPAN - Consider approval of a Service Agreement for Demand Response Transit Service with SPAN, Inc., in an amount not-to-exceed \$32,800.00, to provide transportation service for Town citizens who are age 65 or older and Town citizens with verifiable disabilities that prevent them from driving; and authorization for the Mayor to execute same on behalf of the Town.
5. Water System Leak Detection - Consider approval of the agreement with Asterra to provide satellite leak detection services of the Town's water distribution system associated with the Water System Leak Detection & Repair project, in the amount of \$116,000; and authorization for the Mayor to execute same on behalf of the Town.
6. Cybersecurity - MDR Service/Agreement - Consider approval of the agreement with Center for Internet Security (CIS) to provide Cybersecurity Managed Detection and Response services in the estimated annual amount of \$42,900.
7. LISD Security Agreement - Consider approval of the 2023 Lewisville Independent School District (LISD) for a contract with the Town of Flower Mound for law enforcement services at all Marcus High School & Flower Mound High

- School Varsity and Jr. Varsity home games and authorize the Mayor to execute same on behalf of the Town.
8. Work Order System Migration PSA - Consider approval of a Professional Services Agreement with Burns & McDonnell Engineering Company, Inc., for Work Order System Migration and GIS services for the Utility Asset Management project, in the amount of \$147,000.00; and authorization for the Mayor to execute same on behalf of the Town.
 9. CoServ Gas Rate Case - Consider approval of a resolution suspending the September 1, 2023, effective date of CoServ Gas Ltd.'s requested rate increase in order for the Town to study the request with other cities in the service area.
 10. Crack and Joint Seal Contract - Consider approval of the purchase of Pavement Crack & Joint Sealant Services from Curtco, Inc., through a City of Grand Prairie contract, in the estimated annual amount of \$100,000.00
 11. HB 3699 Resolution - Consider approval of a resolution delegating plat approval authority and extension approval authority pursuant to House Bill 3699.

K. REGULAR ITEM(S)

1. Town Budget Public Hearing - Public Hearing to consider the proposed budget for the fiscal year beginning on October 1, 2023, and ending on September 30, 2024.
2. Crime District Budget Public Hearing - 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, 2023, and ending on September 30, 2024.
3. Fire District Budget Public Hearing - 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, 2023, and ending on September 30, 2024.
4. SUP23-0001 - Super Star Car Wash - Public Hearing to consider a request for a Specific Use Permit No. 484 (SUP23-0001 – Super Star Car Wash) to permit an automatic car wash. The property is generally located northeast of Flower Mound Road and west of Long Prairie Road. (PZ recommended denial by a vote of 6 to 0 at its June 26, 2023, meeting.)
5. (DP23-0001 - Whyburn) - Consider a request for a Development Plan (DP23-0001 – Whyburn) to develop a residential subdivision. The property is generally located east of Long Prairie Road and south of Dixon Lane. (PZ recommended approval by a vote of 6 to 0 at its August 14, 2023, meeting.)
6. CON23-0003 – Montalcino Estates, Phases III and IV - Public Hearing to consider an ordinance for amending the zoning (CON23-0003 – Montalcino Estates, Phases III and IV) from Interim Holding (IH) uses to Planned Development District No. 198 (PD-198) with Agricultural (A) uses for a conservation development. The property is generally located north of Cross

- Timbers Road and east of Montalcino Boulevard. (PZ recommended approval by a vote of 6 to 0 at its August 14, 2023, meeting.)
7. RC22-0006 – Montalcino Estates, Phase III - Consider a request for a Record Plat (RC22-0006 – Montalcino Estates, Phase III) to create a residential subdivision with certain exceptions, modifications, and waivers to the Code of Ordinances. The property is generally located north of Cross Timbers Road and east of Montalcino Boulevard. (PZ recommended approval by a vote of 6 to 0 at its August 14, 2023, meeting.)
 8. TRP23-008 - Montalcino Estates - Public Hearing to consider an application for a tree removal permit (TRP23-0008) for seven (7) specimen trees on property proposed for development as Montalcino Phase III. The property is generally located north of Cross Timbers Road and east of Montalcino Boulevard. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its August 1, 2023, meeting)
 9. Concrete & Drainage Services - Consider approval of the award of Bid No. 2023-56-A Concrete and Drainage Improvement Services to F&F Concrete, LLC., Apex Concrete Construction, Inc., and Quick Set Concrete, Inc. to establish an annual unit bid price contract for the installation of miscellaneous concrete and drainage projects in an annual estimated amount of \$1,500,000; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one year with four one-year renewal options.
 10. Traffic Signals Construction Agreement - Consider approval of a Construction Agreement with Road Solutions, LLC, for the CIP Traffic Signal and Partial Traffic Signal Rehabilitation Projects: FM 1171/Canyon Falls; Garden Ridge/Forest Vista; FM 2499/Firewheel project, in the amount of \$1,136,409.37; and authorization for the Mayor to execute same on behalf of the Town
 11. Purchase Portable Radios - Consider approval of a Professional Services and Purchase Agreement for \$1,880,004.80 with Motorola Solutions, Inc., to provide equipment, technical support, and software for portable radios for the Police and Fire Departments; and authorization for the Mayor to execute the same on behalf of the Town.

L. BOARDS/COMMISSIONS

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Capital Improvements Advisory Committee, 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.

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:

1. Consultation with Town Attorney.

- a. Building Permit Fee Requirements
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, health care facilities, 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

O. ADJOURN

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: August 18, 2023, at 2:50 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 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.

To preview upcoming items of business that may appear on future agendas click [HERE](#).