

**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**



September 18, 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. Proclamation for Live United
2. Food Safety Awards

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
4. Resident Survey Results
5. Tax Increment Reinvestment Zone (TIRZ) #2

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 19 & 21 - Board & Commission Interview sessions
2. October 2 - 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 8/21 - Consider approval of the minutes from a regular meeting held on August 21.
2. Karnes Road Street Improvements - Consider approval of a Construction Agreement with Cam-Crete Contracting, LLC, for the Karnes Road Street Improvements project, in the amount of \$474,797.00; and authorization for the Mayor to execute same on behalf of the Town.
3. Waketon Rd Phase II - Material Testing PSA Amendment - Consider approval of a First Amendment to the Professional Services Agreement with ECS Southwest, LLP., to increase the fee for material testing services for the Waketon Road Phase II project, in the amount of \$15,264.88; and authorization for the Mayor to execute same on behalf of the Town.
4. Sidewalk Program Annual Contract - Consider approval of the purchase of Concrete Services from Apex Concrete Construction, Inc., for the annual sidewalk program through a City of Southlake interlocal agreement contract, in the estimated annual amount of \$100,000.00
5. Fire Dept. Joint Training Facility - Amendment - Consider the approval of an Amendment to the Interlocal Agreement between the City of Lewisville, the Town of Flower Mound, and the City of Highland Village for the design, construction, maintenance, operation, and management of a Joint Firefighting Training Facility.
6. TexPool Authorized Representatives - Consider approval of the Town's authorized representatives form as required by the Texas Local Government Investment Pool (TexPool).

7. Investment Policy Resolution - Consider approval of a resolution adopting an Investment Policy for funds for the Town of Flower Mound as required annually by the Public Funds Investment Act.
8. Debt obligations paying agent/registrar - Consider all matters incident and related to appointing a successor paying agent/registrar for certain outstanding debt obligations of the Town, including the adoption of a resolution pertaining thereto.
9. 2024 TSLAC Texas Reads Grant - Consider acceptance of grant funds from the Texas State Library and Archives Commission (TSLAC) for the FY 2024 Texas Reads Grant Program and execution of an agreement with TSLAC; and authorization for the Mayor to execute said agreement on behalf of the Town.
10. Atmos Rate Case - Consider approval of a resolution adopting Atmos Energy Corp., Mid-Tex Division's rate tariffs that reflect the negotiated rate change pursuant to the Rate Review Mechanism process.
11. Roof Repair/Replace - Town buildings - Consider the approval of a proposal from Paragon Multi Family Roofing Inc. for the replacement of steep slope shingle roof systems in the amount of \$148,599.00 through the TIPS Purchasing Network utilizing contract number 22010702.
12. CAC HVAC Refurbish - Consider the approval of quotes from Trane USA Inc. for the evaluation and refurbishment of the primary HVAC systems at the Community Activity Center in the amount of \$54,596 utilizing Co-op or Federal Contract ID: Omnia Racine #3341.
13. Trotter Park Master Plan Design - Consider the approval of a Professional Services Agreement with MHS Planning & Design, LLC for the master planning of Trotter Park, in the amount of \$46,920.00; and authorization for the Mayor to execute same on behalf of the Town.
14. Vehicle Purchases - PD - Consider approval of purchasing two (2) 2023 Chevrolet Tahoes with Police Equipment Packages as per Town of Flower Mound Specifications and Vendor estimate from Lake Country Chevrolet for \$132,454.
15. Health Science Feasibility Study - Consider approval of a Professional Services Agreement with Tripp Umbach, INC for a feasibility study on expanding academic health sciences and clinical programs in Flower Mound, in a not to exceed amount of \$70,000.
16. Denton County DA Local Agreement - Consider approval to terminate the existing Local Agreement and enter into a new Local Agreement with the Denton County District Attorney's Office and the Flower Mound Police Department in regards to seizures filed under Chapter 59 and Article 18.18 of the Texas Code of Criminal Procedure in Denton County, Texas
17. Food Protection Manager - Ord. Amendment - Consider approval of an ordinance amending Chapter 18, "Businesses," Article III "Food and Food Establishments," by amending Section 18-151, "Registration required," and amending Appendix A, "Fee Schedule," by removing the registration fee for Section 18-123, of the Code of Ordinances of the Town of Flower Mound in response to S.B 577.

K. REGULAR ITEM(S)

1. FY 23-24 Town Budget Adoption - Consider approval of an ordinance adopting the budget for the fiscal year beginning on October 1, 2023, and ending on September 30, 2024, and making appropriations for each fund and department.
2. FY 23-24 Fire District Budget Adoption - 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, 2023, and ending on September 30, 2024.
3. FY 23-24 Crime District Budget Adoption - 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, 2023, and ending on September 30, 2024.
4. FY 23-24 Tax Rate Adoption - Public Hearing to consider approval of an ordinance adopting the 2023 tax rolls and fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2023, and ending on September 30, 2024, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.3873 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2023.
5. Morriss Road Water Lines Phase III (Eaton to Waketon) - Consider approval of a Construction Agreement with Flow-Line Construction, Inc., for the Morriss Road Water Lines Phase III (Eaton to Waketon) project, in the amount of \$6,999,712.00; and authorization for the Mayor to execute same on behalf of the Town.
6. CSP23-0003 - Flower Mound Cemetery Ground Sign - Public Hearing to consider a request for a Comprehensive Sign Package (CSP23-0003 – Flower Mound Cemetery Ground Sign) for Flower Mound Cemetery. The property is generally located south of Flower Mound Road and west of Strait Lane. (PZ recommended approval by a vote of 6 to 0 at its September 11, 2023, meeting.)

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. La Estancia Investments, L.P. v. Town of Flower Mound, Texas, et al
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

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: September 15, 2023, at 11:18 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.

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