

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



October 2, 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 and presentation of Hometown Hero banner to Justin Suttle.
2. Proclamation for Cybersecurity Awareness Month

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
 - a. 2023/24 Fiscal Year 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. October 16 - Regular meeting

October 19 - Work session

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 9/18, 9/19, & 9/21 - Consider approval of the minutes from a regular meeting held on September 18, and the Board & Commission interview meetings held on September 19 & 21.
2. Glenwick Park Restroom Addition - Consider approval of a Construction Agreement with AUI Partners, LLC, for the Glenwick Park Restroom Addition project, in the amount of \$375,333.87; and authorization for the Mayor to execute the same on behalf of the Town.
3. Cortadera Park Playground Replacement - Consider approval of the purchase and installation of equipment for the 2022-2023 Playground Replacements project, for Cortadera Park Playground, from Whirlix Design, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$69,345.00.
4. Cortadera Park Playground - Artificial Turf Surfacing - Consider approval of the purchase and installation of artificial turf surfacing for the 2022-2023 Playground Replacements project, for Cortadera Park Playground, from We Build Fun, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$180,819.67.
5. Agreement with IonWave Technologies for Town's e-procurement system - Consider approval of the Master License and Services Agreement with IonWave Technologies, LLC for the Town's e-procurement system; and authorization for the Mayor to execute the same on behalf of the Town.
6. 2023 NPSOT Trinity Forks Grant Program - Consider approval of a resolution authorizing the acceptance of grant funds from the Trinity Forks Native Plant Society of Texas, which will be used to extend the current Town Hall Monarch Waystation.

K. REGULAR ITEM(S)

1. Repeal Curfew Ordinance - Consider approval of an Ordinance repealing the Town of Flower Mound juvenile curfew ordinance in response to H.B. 1819, effective 9/1/2023.
2. TIRZ #2 Resolution - Consider a resolution setting a public hearing under section 311.003 of the Texas tax code for the creation of a tax increment reinvestment zone containing approximately 3,962 acres of land generally located at the intersection of FM 1171 and US 377 and being wholly located within the corporate limits of the Town of Flower Mound.
3. ZPD22-0001 - Lakeside Center - Public Hearing to consider an ordinance for rezoning (ZPD22-0001 – Lakeside Center) to amend Planned Development No. 169 (PD-169) with Campus Commercial uses for both residential and non-residential uses to modify PD-169 boundary to include additional acreage, to modify development standards, and to request certain exceptions, modifications and waivers to the Code of Ordinances. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (PZ recommended denial by a vote of 6 to 0 at its September 25, 2023, meeting.)
4. TRP22-0021 - Lakeside Center - Public Hearing to consider an application for a tree removal permit (TRP22-0021) for six (6) specimen trees on property proposed for development as Lakeside Center Phase II. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (The Environmental Conservation Commission recommended denial for all six (6) specimen trees by a vote of 6-0-0 at its January 3, 2023, meeting.)
5. ZPD223-0003 - Lakeside Crossing - Public Hearing to consider an ordinance for rezoning (ZPD22-0003 – Lakeside Crossing) to amend Planned Development No. 153 (PD-153) with Campus Commercial uses for both residential and non-residential uses to modify PD-153 boundary to exclude acreage, to modify development standards, and to request certain exceptions, modifications and waivers to the Code of Ordinances. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (PZ recommended approval only for the Building 2 Elevations and Split Parking Ratios by a vote of 6 to 0 at its September 25, 2023, meeting.)
6. TRP22-0022 - Lakeside Crossing - Public Hearing to consider an application for a tree removal permit (TRP22-0022) for one (1) specimen tree on property proposed for development as Lakeside Crossing. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (The Environmental Conservation Commission recommended denial by a vote of 6-0-0 at its January 3, 2023, meeting.)
7. MPA23-0004 - Urban Design Plan and Area Plans Refresh - Public Hearing to consider an ordinance amending the Master Plan (MPA23-0004 – Urban Design Plan and Area Plans Refresh) by amending Section 2 “Area Plans,” and Section 4 “Urban Design Plan,” for the purpose of merging all area plan elements in one component of the Master Plan and to refresh the Urban Design Plan. (PZ

- recommended approval, with the recommendation gray be added to the proposed matrix, by a vote of 6 to 0 at its September 11, 2023, meeting.)
8. LDR23-0002 - Nonresidential Design - Public Hearing to consider an ordinance amending the Land Development Regulations (LDR23-0002 – Nonresidential Design) by amending Chapter 98 “Zoning,” of the Town's Code of Ordinances to amend nonresidential exterior design standards. (PZ recommended approval by a vote of 6 to 0 at its September 11, 2023, meeting.)
 9. DCAD Board of Directors Nomination - Town Council to consider approval of a resolution to nominate individuals to be voted on by taxing jurisdictions for the Board of Directors for the Denton Central (DCAD) Appraisal District.

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.
5. Annual Performance Review of Town Secretary.

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 29, 2023, at 3:15 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](#).