



# Town Council Regular Meeting

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February 5, 2024

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. Proclamation and presentation of Hometown Hero banner to Jessie Guajardo

### 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. February 15 - Work Session
2. February 19 - 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 1/16 & 1/18 - Consider approval of the minutes from a regular meeting held on January 16, and a work session held on January 18, 2024.
2. Call Election - Candidates - Consider approval of a resolution of the Town of Flower Mound, Texas calling for a general election to be held May 4, 2024, for the offices of Mayor, and Town Council Place 4, establishing procedures for those elections; and providing an effective date.
3. Laserfiche Document Management Software Expansion - Consider approval of the purchase of Laserfiche records management software MCCI, LLC., in the amount of \$64,717.88 and authorization for the Mayor to execute same on behalf of the Town.
4. Stonehill Pump Station Motor Replacement - Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., for the design phase services associated with the Stonehill Pump Station Motor Replacement project, in the amount of \$209,000.00; and authorization for the Mayor to execute same on behalf of the Town.
5. CO # 3 - Waketon Rd Project - Consider approval of Change Order No. 3 for the Waketon Road project, amending the contract with Ed Bell Construction Company, to provide an increase to the contract in the amount of \$234,582.85.
6. PSA - Strategic Facilities Plan Study - Consider approval of a Professional Services Agreement with Brown Reynolds Watford Architects, for the Town of Flower Mound Strategic Facilities Plan Study, in the amount of \$94,000.00; and authorization for the Mayor to execute same on behalf of the Town.
7. Sanitary Sewer Lift Station Assessment PSA - Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., for sanitary sewer lift station evaluation and pump performance testing services associated with the Utility Asset Management and Utility Replacement project, in

- the amount of \$45,000.00; and authorization for the Mayor to execute same on behalf of the Town.
8. Truck Purchases - Public Works/ULM - Consider approval of the purchase (2) 2023 Ford F550 Crew Cab 19.5 GVWR trucks with service body and full-length pipe rack per Town of Flower Mound Specifications and Vendor Quote from Silsbee Ford in the amount of \$168,617.50.
  9. Emergency Medical Service billing review and risk assessment - Consider approval of an agreement between the Town of Flower Mound and Fitch Associates, LLC to provide Emergency Medical Service (EMS) Report and Billing Compliance review and Health Insurance Portability and Accountability Act (HIPAA) Security Compliance in the amount of \$37,525.00, and authorization for the Mayor to execute same on behalf of the Town.
  10. Ambulance cot purchase - Consider approval of the purchase of a Stryker ambulance cot and Power Load System for the 2024 Ford F450 ambulance purchase from Stryker Medical in the amount of \$61,924.39; and authorization for the Mayor to execute same on behalf of the Town.
  11. Bad Dawg Tennis Contract - Consider approval for a Contractual Services Agreement with Bad Dawg Tennis to provide the services of Tennis Professional from March 1, 2024, through February 28, 2025, with renewal for up to four additional one-year terms. The Parks Board recommended approval by a vote of 6 to 0 at its February 1, 2024, regular meeting.

**K. REGULAR ITEM(S)**

1. Historical Commission (creation) and MOU with County - Consider approval of a Resolution to create a Historical Commission and a Memorandum of Understanding between the Town of Flower Mound, Texas and Denton County regarding the storage of historical artifacts.
2. PID Implementation Resolution - Public Hearing to consider a resolution approving the implementation of a Public Improvement District and other matters pertaining thereto.
3. Call Election - PID - Consider approval of an Ordinance ordering a Special Election on May 4, 2024, whether a Public Improvement District should be created within the corporate limits of the town, and all matters incident and related thereto.
4. Solid Waste Franchise Agreement Amendment - Public Hearing to consider adopting, on second reading, an ordinance amending an ordinance of the Town of Flower Mound, Texas which adopted a Solid Waste Franchise Agreement with Allied Waste Services of Fort Worth, LLC dba Republic Services, in order to impose an extra yardage (EXY) fee of \$45.00 per incident of overflow to commercial and industrial customers in place of a notice of non-collection, including a fixed annual increase of 2.6%; and adding a Green Waste Pilot Program, at no charge to the Town which will provide for the pickup of green waste (such as brush, leaves, grass, weeds and other vegetation) from residents.
5. MU23-0003 – Lakeside DFW MU-TEN & MU-C(3) Material Text Amendment - Public Hearing to consider an ordinance for rezoning (MU23-0003 – Lakeside

- DFW MU-TEN & MU-C(3) Material Text Amendment) to amend Mixed Use District-1 (MU-1) to amend the Architecture and Building Standards, specifically Section 7.1 B. Materials, for the MU-TEN and MU-C(3) subzones in the Lakeside DFW (Lakeside Village) Development Code. The property is generally located south of Edgemere Road and west of International Parkway. (PZ recommended approval by a vote of 5 to 1 at its January 22, 2024, meeting.)
6. MPA23-0007 - Kirkpatrick Lane - Public Hearing to consider a request for a Master Plan Amendment (MPA23-0007 – Kirkpatrick Lane) to amend Section 7.0, Thoroughfare Plan, by changing the designation of Kirkpatrick Lane between Everett Drive and Garden Ridge Boulevard. (Planning and Zoning Commission recommended approval of Option 3 by a vote of 6 to 0 at its January 22, 2024, meeting. Transportation Commission recommended approval of Option 3 by a vote of 3 to 1 at its November 14, 2023, meeting.)
  7. Call Election - Charter - Discuss and consider proposed Charter Amendments and adopt an ordinance ordering a special election for May 4, 2024, to amend the Home Rule Charter of the Town of Flower Mound; designate the propositions and manner of holding such election; and provide for the posting and publication of notice.

#### **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
  - b. Canyon Falls Park
2. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural arts, public safety, 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, grocers, corporate relocation/expansion/retention, hospitality projects, health care facilities, performance related to certain incentive agreements, and Tax

## Increment Reinvestment Zone (TIRZ) #1, TIRZ #2, River Walk PID No. 1, Proposed PID, MMDs, and MUDs

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: February 1, 2024, at 5:30 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](#).