



# Town Council Regular Meeting

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February 19, 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. 2023 Red Kettle Challenge Report by Mary Freeman, The Salvation Army

### 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. Introduction of new Chief Financial Officer, John Zagurski
  - b. We Own It Champion Recognition
  - c. Fire personnel recognition

**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. March 4 Regular Meeting

**J. BOARDS/COMMISSIONS**

Conduct interviews or 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, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

**K. 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, and Proposed PID.

**L. RECONVENE**

**M. 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 2/5 - Consider approval of the minutes from a regular meeting held on February 5.
2. USACE Contract - law enforcement services - Consider approval of the 2024 US Army Corps of Engineer (USACE) solicitation for contract with the Town of Flower Mound for law enforcement services at Lake Grapevine and authorize the Mayor to execute same.
3. PSA - Sanitary Sewer Rehab (Kirkpatrick Ln. & Stapleton St.) - Consider approval of a Professional Services Agreement with Criado & Associates, Inc., for the design phase services associated with the Kirkpatrick Lane and Stapleton Street Sanitary Sewer Rehabilitation project, in the amount of \$50,600.00; and authorization for the Mayor to execute same on behalf of the Town.
4. Purchase of Wood Chipper - Consider approval of the purchase of one Vermeer BC1800XL T4F 130 Horsepower Trailer Mounted Wood/Brush Chipper per Town Specifications and Vendor Quote from Vermeer Texas-Louisiana in the amount of \$97,000.

**N. REGULAR ITEM(S)**

1. Merchant Card Services (Open Edge Payments LLC) - Consider approval of a Client Satisfaction Offer and Utility Merchant Addendum Questionnaire with OpenEdge Payments LLC and authorization for the Mayor to execute same on behalf of the Town.
2. CO23-0001 - FM 1171 Conservation Development - Public Hearing to consider an ordinance for amending the zoning (CON23-0001 – FM 1171 Conservation Development) from Interim Holding (IH) and Agricultural (A) uses to Planned Development District No. 196 (PD-196) with Agricultural (A) uses for a conservation development with certain exceptions, modifications, and waivers to the Code of Ordinances. The property is generally located north of Cross Timbers Road and east of U.S. Hwy 377. (PZ recommended approval by a vote of 6 to 0 at its November 13, 2023, meeting.) (TC moved to table this item by a vote of 5 to 0 at its November 16, 2023, meeting.)
3. TRP23-0017 - FM 1171 Conservation - Public Hearing to consider an application for a tree removal permit (TRP23-0017) for eighteen (18) specimen trees on property proposed for development as FM 1171 Conservation. The property is generally located north of Cross Timbers Road and west of Kimball

Crossing. (The ECC recommended approval of fourteen (14) specimen trees and recommended denial of four (4) specimen trees by a vote of 6 - 0 at its October 3, 2023, meeting. The ECC recommended approval of two (2) specimen trees and recommended denial of one (1) specimen tree by a vote of 7 - 0 at its February 6, 2023, meeting).

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.

## **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 16, 2024, at 11:30 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](#).