

Town Council Regular Meeting



April 15, 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 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 to Police Chief Andy Kancel for his retirement
2. Proclamation and presentation of Hometown Hero banner to Robert Aguirre
3. CASA of Denton County-Proclamation - Child Abuse Prevention Month
4. Keep Flower Mound Beautiful Annual Report

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. Chief of Police
 - b. Employee Service 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. April 18 Work Session
2. May 6 Regular Meeting
3. July 18 (9am - 4pm) Strategic Planning Retreat

J. 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 indicated below. 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 below-referenced items.

1. Consultation with Town Attorney.
 - a. La Estancia Investments, L.P. v. Town of Flower Mound, Texas, et al
 - b. Short term rentals
 - c. Enforcement of zoning regulations
 - d. 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

K. RECONVENE

L. 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 - 4/1 - Consider approval of the minutes from a regular meeting held on April 1, 2024.
2. CIP Amendment No. 3 - Consider approval of Amendment No. 3 to the fiscal year 2023-2024 Capital Improvement Program
3. Purchase Hydro Excavator Truck (PW-Drainage & ROW Division) - Consider approval of the award of Bid No. 2024-73-B, a best value bid, for the purchase of one 2025 Freightliner SD114 Hydro Excavator from Dogget Freightliner of South Texas, LLC. in the total amount of \$523,934.
4. Purchase of Hydro Excavator Truck (PW-Utility Line Maint. Division) - Consider approval of the award of Bid No. 2024-72-B, a best value bid, for the purchase of one 2024 Freightliner 108SD Hydro Excavator from Dogget Freightliner of South Texas, LLC. in the total amount of \$400,000.
5. Timber Creek Road Panel Replacements - Consider approval of the purchase of concrete removal and replacement services from Apex Concrete Construction Inc, for work associated with the Timber Creek Road Panel Replacement project, through the Town of Flower Mound contract No. 2023-56-A, Concrete and Drainage Improvement Services, in the amount of \$780,006.00.
6. Spring Meadow Park Improvements - Consider approval of the purchase and installation of a new picnic pavilion, associated site amenities, and repair of playground surfacing for the Spring Meadow Park Improvements project, from Child's Play, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$88,046.00
7. Legislative Consultant - Consider approval of a Professional Services Agreement with Bird Advocacy and Consulting, Inc. to provide legislative consulting to the Town, in the amount of \$38,500.
8. Employee Assistance Program - Consider approval of Request for Proposal Number 2024-22-A with Deer Oaks EAP Services, LLC, to provide an employee assistance program in the total amount of \$4,939; and authorization for the Mayor to execute same on behalf of the Town.

M. REGULAR ITEM(S)

1. US 377 Waterline Loop & Relocation - Construction Award - Consider approval of a Construction Agreement with Mountain Cascade of Texas, LLC., for the US 377 Water Line Loop and Relocation project, in the amount of \$6,212,538.00; and authorization for the Mayor to execute same on behalf of the Town.
2. RC24-0001 - Lungren Addition Lot 1, Block A - Consider a request for a Record Plat (RC24-0001-Lungren Addition Lot 1 Block A) to create a residential subdivision with an exception to lot width to depth ratio pursuant to Section 90-

- 272(a), of the Code of Ordinances. The property is generally located North of Stapleton and west of Kirkpatrick Lane. (PZ recommended approval by a vote of 5 to 0 at its April 8, 2024, meeting.)
3. CSP24-0001 - Tesla - Public Hearing to consider a request for a Comprehensive Sign Package (CSP24-0001- Tesla) to allow a ground sign and additional wall signs on the building. The property is generally located south of Justin Road and west of Stone Hill Farms Parkway. (PZ recommended approval by a vote of 5 to 0 at its April 8, 2024, meeting.)
 4. MPA23-0009 - Box Investment Group - Public Hearing to consider an ordinance for a Master Plan Amendment (MPA23-0009 – Box Investment Group) to amend Section 1.0, Land Use Plan and Section 2.0, Area Plans, of the Master Plan by changing the current land use designation within the Lakeside Business District Area Plan from Campus Commercial uses to Campus Industrial uses. The property is generally located south of Lakeside Parkway and east of Silveron Boulevard. (PZ recommended approval by a vote of 5 to 0 at its April 8, 2024, meeting.)
 5. ZPD23-0015 - Box Investment Group - Public Hearing to consider an ordinance amending the zoning (ZPD23-0015 - Box Investment Group) from Planned Development District No. 31 (PD-31) with Campus Commercial District (CC) uses to Planned Development District No. 201 (PD-201) with Campus Commercial District (CC) uses and certain Campus Industrial District (CI) uses, with certain waivers, exceptions and modifications to the Code of Ordinances including but not limited to an exception to Section 98-147, “Topographical Slope Protection”, and an exception to the access management policy and criteria, regarding driveway spacing, contained in the Town's Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances. The property is generally located south of Lakeside Parkway and east of Silveron Boulevard. (PZ recommended approval by a vote of 5 to 0 at its April 8, 2024, meeting.)
 6. TRP24-0002 – Box Investment Group - Public Hearing to consider an application for a tree removal permit (TRP24-0002) for one (1) specimen tree on property proposed for development as Box Investment Group. The property is generally located south of Lakeside Parkway and east of Silveron Boulevard. (The Environmental Conservation Commission recommended approval by a vote of 5 to 1 at its March 6, 2024, meeting.)
 7. TIRZ #2 Capital Improvement Agreement - Public Hearing to consider approval of a Capital Improvement Agreement for the Furst Ranch Development, establishing a process and providing for the reimbursement of impact fees, and TIRZ #2 revenues for qualified capital improvement costs.

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

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: April 12, 2024, at 4:35 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](#).