



Town Council Regular Meeting

May 20, 2024
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

In accordance with section 551.127 of the Texas Government Code (Open Meeting Act) this meeting will be an in-person meeting with a single member of Town Council participating by video conference. The public meeting location will be Flower Mound Town Hall, 2121 Cross Timbers Rd Flower Mound, Texas. The Mayor, as presiding officer of Town Council, and a quorum of the Town Council will be physically present at this location. The location where the Mayor is physically present shall be open to the public during the open portions of the meeting.

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 Aaron Kovacevich
2. Proclamation for 50th Anniversary of Emergency Medical Services Week May 19 - 25
3. Proclamation for Public Works Week May 19 - 25

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. 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. June 3 - 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. Budget Amendment FY23-24 - Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2023, and ending on September 30, 2024, as adopted by Ordinance No. 37-23 and amended by Ordinance No. 52-23 for adjustments to the COVID-19 Fund.
2. FY 2023-2024 CIP Amendment No. 4 - Consider approval of CIP Amendment No. 4 to the fiscal year 2023-2024 Capital Improvement Program.
3. Dump Truck Purchase - Consider approval of the purchase of one Mack GR64FR 12 Yard Tandem Dump Truck with Snow Plow Hitch and Hydraulics per the Town of Flower Mound Specifications and vendor quote from Bruckner Truck Sales in the amount of \$224,091.00.
4. Vehicle Purchase-Toyota Highlander for PD - Consider approval of purchasing (1) 2023 Toyota Highlander vehicle, with a police equipment package from Silsbee Toyota as per Town of Flower Mound specifications and vendor estimate via TIPS USA Cooperative Contract #210907, for \$50,626.50.
5. Utility Sites Security Fencing Construction Award - Consider approval of the award of Bid No. 2024-18-B Utility Sites Security Fence and Gate Implementation project to Triple-C Fence, LLC for the construction of security gates and fences at various Public Works utility sites in the amount of \$268,050.00; and authorization for the Mayor to execute same on behalf of the Town.
6. ClearGov Budget Software Agreement - Consider an agreement with ClearGov, Inc for online subscription budgeting software through September 30, 2029.

K. REGULAR ITEM(S)

1. Legislative Priorities - Discuss and provide feedback on the Town's legislative priorities for the 89th Texas Legislative Session.
2. Flower Mound Road Panel Replacements - Consider approval of the purchase of concrete removal and replacement services from F&F Concrete Construction, LLC, for work associated with the Flower Mound Road Panel Replacement project, through the Town of Flower Mound contract No. 2023-56-A, Concrete and Drainage Improvement Services, in the amount of \$2,276,763.00.
3. DA23-0004 - VCA Animal Hospital - Consider approval of an amendment to the Development Agreement (DA23-0004) with VCA Real Property Acquisition Corporation, to amend Sections 7, 8, and 9 of the Original Agreement to modify standards related to an existing masonry wall and landscaping within the 25-foot landscape buffer along the northern property line; and authorization for the Mayor to execute same on behalf of the Town.
4. SUP24-0002 - Petfolk Veterinary Hospital - Public Hearing to consider an ordinance granting Specific Use Permit No. 491 (SUP24-0002- Petfolk Veterinary Hospital) to permit a veterinary hospital (inside pens) use. The property is generally located north of Cross Timbers Road and east of Long Prairie Road. (PZ recommended approval by a vote of 4 to 0 at its April 22, 2024, meeting.)
5. SP24-0007 - Flower Mound Montessori - Consider a request for a Site Plan (SP24-0007-Flower Mound Montessori) with an exception to Section 82-303, Compatibility setback, of the Code of Ordinances. The property is generally located east of Long Prairie Road and north of Aberdeen Drive. (PZ recommended approval by a vote of 4 to 0 at its May 13, 2024, meeting.)
6. CON23-0002 – Smith Tract Conservation - Public Hearing to consider an ordinance amending the zoning (CON23-0002 – Smith Tract Conservation) from Agricultural District (A) uses to Planned Development District No. 197 (PD-197) with Agricultural District (A) uses for a conservation development with certain exceptions, modifications, and waivers to the Code of Ordinances. The property is generally located south of Cross Timbers Road, east of Shiloh Road and west of Scenic Road. (PZ recommended approval by a vote of 3 to 1 at its May 13, 2024, meeting.)
7. TRP23-0022 - Smith Tract Conservation - Public Hearing to consider an application for a tree removal permit (TRP23-0022) for one hundred and twenty-nine (129) specimen trees on property proposed for development as Smith Tract Conservation. The property is generally located south of Cross Timbers Road, east of Shiloh Road, and west of Scenic Drive. (The Environmental Conservation Commission recommended approval by a vote of 4 - 3 at its April 2, 2024, meeting.)
8. MPA23-0006 - La Estancia - Public Hearing to consider an ordinance for a Master Plan Amendment (MPA23-0006 – La Estancia) 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 Denton Creek District Area Plan from Campus Industrial and Commercial/Industrial uses to High Density Single Family Detached, High Density, and Retail uses. The property is generally located north

- of Cross Timbers Road and west of U.S. Highway 377. (PZ recommended approval by a vote of 4 to 0 at its May 13, 2024, meeting.)
9. ZPD23-0014 - La Estancia - Public Hearing to consider an ordinance amending the zoning (ZPD23-0014 – La Estancia) from Planned Development District No.188 (PD-188) with Campus Industrial (CI) and Industrial District-2 (I-2) uses to Planned Development District No.202 (PD-202) with Single Family District-5 (SF-5), Single Family-Attached (SF-A), Multi-Family (MF), and Retail District-2 (R-2) uses, with certain waivers, exceptions, and modifications to the Code of Ordinances. The property is generally located north of Cross Timbers Road and west of U.S. Highway 377. (PZ recommended approval by a vote of 4 to 0 at its May 13, 2024, meeting.)
 10. La Estancia Capital Improvement Agreement - Public Hearing to consider approval of a Capital Improvement Agreement for the La Estancia Development, establishing a process and providing for the reimbursement of impact fees, and TIRZ #2 revenues for qualified capital improvement costs.
 11. Residential Homestead Increase - Consider approval of an ordinance increasing the residential homestead ad valorem (property) tax exemption to 15%.

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, Community Development Corporation, 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), Tax Increment Reinvestment Zone Number (TIRZ #2), 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 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
2. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural arts, public safety, public rights-of-way, economic development, 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, 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

5. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Judge, Alternate Judge, and Associate Judge.

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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: May 17, 2024, at 2:45 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](#).