

AGENDA

**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**

9/16/2019

**FLOWER MOUND TOWN HALL, 2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS**

6:00 P.M.

An agenda information packet is available online at www.flower-mound.com/AgendaCenter

Please silence or turn off all electronic devices in Jody Smith Hall

A. CALL MEETING 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."

Led by cub Scout Pack 295, Old Settlers Elementary School, Red Phoenix Patrol

D. PUBLIC COMMENT

To speak to Council during public comment, please fill out a [comment form](#) and hand to the Town Secretary.

- Speakers are limited to 3 minutes, a tone will sound at 30 seconds left and when time has expired
- Please state your name and address when speaking

The purpose of this item is to allow the public an opportunity to address the Town Council on issues that are not indicated as a "Public Hearing" on this agenda. Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972-874-6000 during business hours.

E. PRESENTATIONS

1. Proclamation for United Way of Denton County, "LIVE UNITED Month"
2. Recognition of the 2019 Food Safety Award of Excellence winners and National Food Safety Month
3. National Septic Smart Week Proclamation

F. ANNOUNCEMENTS

1. Announce recent and upcoming civic and social events.

G. TOWN MANAGER'S REPORT

Update and discussion on:

1. Capital improvement projects
2. Economic Development projects
3. Small Cell Permits

H. FUTURE AGENDA ITEMS

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 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. Board and Commission Interviews (9/17 & 9/19).
2. A regular meeting is scheduled for Monday, October 7.
3. A joint work session with Parks Board is scheduled for Thursday, October 17.

J. CONSENT ITEMS

This part of the agenda consists of non-controversial or "housekeeping" items required by law. Items may be removed from Consent by any Councilmember by making such request prior to a motion and vote.

1. Minutes 9/3- Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting on September 3, 2019.
2. Voting Equipment (Tarrant Co.)- Consider approval of a resolution adopting a new voting system for Town elections (Tarrant County); and providing an effective date.
3. Development Process Review- Consider approval of a Professional Services Agreement with Matrix Consulting Group, Inc. to conduct an assessment of the development review process, in the amount of \$34,800.00; and authorization for the Mayor to execute same on behalf of the Town.
4. Riverwalk PID Annual Update- Consider and approve annual update to the River Walk Public Improvement District No. 1 (PID) Service and Assessment Plan (SAP) and Assessment Roll
5. Atmos Mid-Tex Rate Filing- Consider approval of an ordinance adopting Atmos Energy Corp., Mid-Tex Division's rate tariffs that reflect the negotiated rate change pursuant to the Rate Review Mechanism process.
6. Stormwater Utility Fees- Consider approval of an ordinance amending the Code of Ordinances of the Town of Flower Mound through the amendment of Appendix A "Fee Schedule" of the Code of Ordinances by amending Section 70-777 relative to the charges for the Stormwater Utility System fee.
7. Utility Rate Structure- Consider approval of an ordinance amending Appendix A of the Code of Ordinances by amending the charges for residential and non-residential water and wastewater service; providing a severability clause; providing for publication; and providing an effective date.
8. Financial Policies- Consider approval of a resolution amending the financial policies of the Town of Flower Mound.
9. Investment Policy- Consider approval of a resolution adopting an Investment Policy for funds for the Town of Flower Mound as required annually by the Public Funds Investment Act.

10. Personal Protective Gear- Consider approval of the purchase of 18 sets of bunker gear for \$49,130.82 and 100 pairs of firefighting gloves for \$7,286.00 from NAFECO, Inc. through Buyboard Purchasing Contract # 514-17 in the total amount of \$56,416.82 and authorization for the Mayor to approve same on behalf of the town.
11. Central Fire Station CO#2 - ADA Improv.- Consider approval of Change Order No. 2 for the Flower Mound Central Fire Station, Phase II project, amending the contract with Schmoldt Construction, to provide for an increase to the contract in the amount of \$45,084.11; and authorization for the Mayor to execute same on behalf of the Town.
12. Gibson Grant Log Cabin CMR- Consider approval of a Construction Manager at Risk Agreement for the restoration of the Gibson Grant Log Cabin Project with Phoenix I Restoration and Construction, Ltd., for a fixed fee of \$185,244.00; and authorization for the Mayor to execute the same on behalf of the Town.
13. Bakersfield Park Restroom - CO#1- Consider approval of Change Order No. 1 to North Rock Construction, LLC,. for the Bakersfield Rest Room and Concrete Walkways project, in the amount of \$89,818.03; and authorization for the Mayor to execute same on behalf of the Town.
14. WWTP Phase IV - CCA Amend 1- Consider approval of Amendment No. 1 to the Professional Services Agreement with Alan Plummer Associates, Inc., to provide additional contract construction management and resident project representation services, associated with Wastewater Treatment Plant Rehabilitation Phase IV project for an increase of \$30,000.00; and authorization for the Mayor to execute same on behalf of the Town.
15. Kirkpatrick Ln Waterline Testing Award- Consider approval of a Professional Services Agreement with ECS Southwest, LLP., to provide construction materials engineering and testing, for the Kirkpatrick Lane 12-Inch Water Line Phase II project, in the amount of \$47,170.00; and authorization for the Mayor to execute same on behalf of the Town.
16. Kirkpatrick Ln Waterline Construction- Consider approval of a Construction Agreement with A&M Construction and Utilities, Inc., for the Kirkpatrick Lane 12-Inch Water Line Phase II project, in the amount of \$867,140.80; and authorization for the Mayor to execute same on behalf of the Town.
17. FM 2499 Waterline Testing Award- Consider approval of a Professional Services Agreement with ECS Southwest, LLP, to provide construction materials engineering and testing, for the FM2499 12-Inch Water Line Phase I project, in the amount of \$18,320.00; and authorization for the Mayor to execute same on behalf of the Town.
18. FM 2499 Waterline Construction Award- Consider approval of a Construction Agreement with GRod Construction, LLC., for the FM2499 12-Inch Water Line Phase I project, in the amount of \$859,092.30; and authorization for the Mayor to execute same on behalf of the Town.
19. Valley Ridge & Windsor Roundabout Test- Consider approval of a Professional Services Agreement with Braun Intertec Corporation, to provide construction materials engineering and testing, for the Valley Ridge Blvd & Morriss Road Intersection Improvements and Windsor Drive Roundabout Connection projects, in the amount of \$30,182.00; and authorization for the Mayor to execute same on behalf of the Town.

20. Valley Ridge & Windsor Roundabout Const- Consider approval of a Construction Agreement with 2L Construction, LLC., for the Valley Ridge Blvd & Morriss Road Intersection Improvements and Windsor Drive Roundabout Connection projects, in the amount of \$613,413.50; and authorization for the Mayor to execute same on behalf of the Town.

K. REGULAR ITEMS

21. FY 19/20 Town Budget Adoption- Consider approval of an ordinance adopting the budget for the fiscal year beginning on October 1, 2019, and ending on September 30, 2020, and making appropriations for each fund and department.
22. FY 19/20 Crime District Budget Adoption- Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to consider approval of a resolution adopting the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2019, and ending on September 30, 2020.
23. FY 19/20 Fire District Budget Adoption- Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider approval of a resolution adopting the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2019, and ending on September 30, 2020.
24. FY 19/20 Tax Rate Adoption- Consider approval of an ordinance fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2019, and ending on September 30, 2020, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.4390 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2019.
25. Tree Removal- Lakewood- Public Hearing to consider an application for a tree removal permit for one hundred seven (107) specimen trees on property proposed for development as Lakewood development. The property is generally located north of Long Prairie Road and east of Silveron Boulevard. Commission Member Naylor seconded the motion. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its March 5, 2019, meeting).
26. ZPD - Lakewood PD-163- Public Hearing to consider a request for rezoning (ZPD17-0013 - Lakewood) from Planned Development District No. 31 (PD-31) with Campus Commercial District (CC) uses to Planned Development District No.163 (PD-163) with both non-residential and residential uses in compliance with the Campus Commercial land use designation within the Lakeside Business District Area Plan, including a Comprehensive Sign Package, and with an exception to the Architectural Standards of the Town's Urban Design Plan for meritorious design, and a waiver to the Architectural Standards in the Town's Urban Design Plan for roof pitch for certain buildings less than 15,000 square feet in size, a request for an exception to Section 82-302, Compatibility buffer, of the Code of Ordinances, and 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 consider adopting an ordinance providing for said amendment subject to the terms and conditions in the attached Development Agreement and authorization for Mayor to execute same on behalf of the Town. The property is generally located north of Long Prairie Road and east of Silveron Boulevard. (The Planning and Zoning Commission recommended denial by a vote of 6 to 1 at its August 26, 2019, meeting.)

Town Council Meeting Agenda

September 16, 2019

Page 5

27. SUP19-0001 - RaceTrac SUP-456- Public Hearing to consider a request for Specific Use Permit No. 456 (SUP19-0001 - RaceTrac) to permit a convenience store with gasoline sales, with 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, an exception to Section IV.C.5. of the Town's Engineering Design Criteria regarding the requirement for a wet detention pond, an exception to the Architectural Standards of the Town's Urban Design Plan for meritorious design, a waiver to the Architectural Standards in the Town's Urban Design Plan regarding roof pitch and a deviation to the required parking standard pursuant to Section 82-73 of the Code of Ordinances, and to consider adopting an ordinance providing for said amendment.. The property is generally located east of Long Prairie Road and south of Spinks Road. (The Planning and Zoning Commission recommended denial by a vote of 4 to 3 at its September 9, 2019, meeting.)
28. ZPD19-0010 - Parker Sq Sign Package- Public Hearing to consider a request for rezoning (ZPD19-0010 – Parker Square CSP Building 700) to amend the Comprehensive Sign Standards within Planned Development District No. 24 (PD-24) by allowing certain attached office tenant signs for Building 700, and consider adopting an ordinance providing for said amendment. The property is located north of Cross Timbers Road at 700 Parker Square Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 1 at its September 9, 2019, meeting.)
29. SP19-0017 - Valley Creek Church Parking- Consider a request for a Site Plan (SP19-0017 – Valley Creek Church Parking Lot Expansion) to develop a parking lot addition with a request for a deviation to the required parking standard pursuant to Section 82-73 of the Code of Ordinances. The property is generally located south of Dixon Lane and east of Long Prairie Road. (The Planning and Zoning Commission recommended approval by a vote of 7 to 0 at its September 9, 2019, meeting.)
30. WWTP Phase V Construction Award- Consider approval to award Bid No. 2019-155-B to Archer Western Construction, LLC., for the Wastewater Treatment Plant Rehabilitation Phase V, Solids Facility Improvements, in the amount of \$9,199,060.00; and authorization for the Mayor to execute same on behalf of the Town.

L. 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, and 551.087 for consultation with attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, as follows:

a. Consultation with Attorney.

1. Regulation of Short Term Rentals

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda.

b. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural arts center, and/or other municipal purposes and all matters incident and related thereto.

c. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

M. RECONVENE TO REGULAR MEETING

The Town Council to reconvene into an open meeting to take any action deemed necessary as a result of the closed meeting.

N. ADJOURN MEETING

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, 2019, at 4:20 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 accommodations or interpretive services must be made 48 hours prior to this meeting by contacting Theresa Scott, Town Secretary, at (972) 874-6076.