

**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**

**9/21/2020**

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

**6:00 P.M.**

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An agenda information packet is available online at [www.flower-mound.com/AgendaCenter](http://www.flower-mound.com/AgendaCenter)  
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*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."*

**D. PUBLIC COMMENT**

To speak to Council during public comment, please fill out a [comment form](#).

- 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. ANNOUNCEMENTS**

1. Announce recent and upcoming civic and social events.

**F. TOWN MANAGER'S REPORT**

Update and discussion on:

1. Capital improvement projects
2. Economic Development projects
3. Financial update

**G. 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).

**H. COORDINATION OF CALENDARS**

1. A regular meeting is scheduled for Monday, October 5.
2. A joint work session with the Planning & Zoning Commission to discuss Master Plan infill locations is scheduled for Thursday, October 15.

**I. 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 9/8- 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 8, 2020.
2. Minutes 9/15 & 9/17- Consider approval of the minutes from a regular meeting of the Town Council held on September 15 and September 17, 2020.
3. Atmos Rate Settlement- Consider approval of a resolution adopting Atmos Energy Corp., Mid-Tex Division's rate tariffs that reflect the negotiated rate change pursuant to the Rate Review Mechanism process.
4. TCAP Strategic Hedging Program- Consider approval of a resolution authorizing the Town to participate in Texas Coalition for Affordable Power, Inc.'s Strategic Hedging Program.
5. TimeClock Licenses Purchase- Consider approval of purchasing additional licenses with TimeClock Plus.
6. 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.
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 sewer service; providing a severability clause; providing for publication; and providing an effective date.
8. Financial Policies Update- Consider approval of a resolution amending the financial policies of the Town of Flower Mound.
9. Rippy Rd PSA Amendment- Consider approval of Amendment No. 1 to the Professional Services Agreement for the Rippy Road project with CP&Y, Inc., to provide additional drainage investigation and design services in the amount of \$38,140.00; and authorization for the Mayor to execute same on behalf of the Town.
10. WW Treatment Plant Change Order- Consider approval of Change Order No. 2 for the Wastewater Treatment Plant Ultraviolet System Upgrade project, amending the contract with Felix Construction in the amount of \$102,265.77; and authorization for the Mayor to execute same on behalf of the Town.
11. Wastewater Pump Purchase- Consider approval of the purchase of one wastewater pump, at the wastewater treatment facility, from Xylem Water Solutions USA Inc., a sole source provider, in the amount of \$71,384.49.

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12. Blue Ridge Trl Recon - Testing Award- Consider approval of a Professional Services Agreement with Alliance Geotechnical Group to provide construction materials engineering and testing, for the Blue Ridge Trail Reconstruction project, in the amount of \$28,997.50; and authorization for the Mayor to execute same on behalf of the Town.
13. Forest Vista Dr. Change Order- Consider approval of Change Order No. 1 for the construction of the Forest Vista Drive Reconstruction Phase II (Morriss to Chancellor) project, amending the contract with Pavecon Public Works, LP, to provide for an increase to the contract in the amount of \$25,221.35; and authorization for the Mayor to execute same on behalf of the Town.
14. Wastewater Permit Renewal PSA- Consider approval of a Professional Services Agreement with Plummer Associates, Inc., Inc. in the amount of \$25,000.00, to assist in securing Texas Pollution Discharge Elimination System (TPDES) permit renewal for the wastewater treatment plant; and authorization for the Mayor to execute same on behalf of the Town.

### J. REGULAR ITEMS

15. FY 20-21 Town Budget Adoption- Consider approval of an ordinance adopting the budget for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021, and making appropriations for each fund and department.
16. FY 20-21 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, 2020, and ending on September 30, 2021.
17. FY 20-21 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, 2020, and ending on September 30, 2021.
18. FY 20-21 Tax Rate Adoption- **Public Hearing** to consider approval of an ordinance adopting the 2020 tax rolls and fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2020, and ending on September 30, 2021, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.436500 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2020.
19. LDR20-0001 - ED Waiver Removal- **Public Hearing** to consider an ordinance amending the Land Development Regulations (LDR20-0001 – Economic Development Waiver Removal) by amending Chapter 98 entitled “Zoning,” of the Town’s Code of Ordinances, as well as the SMARTGrowth Implementation Manual, to remove the option for economic development waivers of either environmental or community character SMARTGrowth requirements within the Town of Flower Mound. (The SMARTGrowth Commission recommended approval by a vote of 8 to 0 at its September 14, 2020, meeting.) (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 14, 2020, meeting.)

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20. SUP20-0006 - Justin Rd Storage Center- **Public Hearing** to consider an ordinance amending Specific Use Permit No. 421 (SUP20-0006 - Justin Road Storage Center) to allow expansion of an existing mini-warehouse facility, with an exception for meritorious design and a waiver to the Architectural Standards of the Town's Urban Design Plan. The property is generally located south of Justin Road and west of Meadow View. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 14, 2020, meeting.)
21. Z20-0006 - Grace Park- **Public Hearing** to consider a request for rezoning (Z20-0006 – Grace Park Residential) from Agricultural District (A) to Single-Family District-15 (SF-15). The property is generally located south of Cross Timbers Road and east of Regency Park Court. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 14, 2020, meeting.)
22. Lift Station Improvements Ph II Const- Consider approval of a Construction Agreement with Fort Worth Civil Constructors, LLC, for the Lift Station Improvements and Decommissioning Phase II project, in the amount of \$1,293,798.00; and authorization for the Mayor to execute same on behalf of the Town.

### **K. BOARDS/COMMISSIONS** *(Bold text represents boards with vacancies)*

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Cultural Arts Commission, Environmental Conservation Commission, Parks Board, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

23. Discuss and consider expanding the Veterans Liaison position to a committee, and with additional responsibilities.
24. Discuss and consider expanding the LISD Liaison position to include additional liaisons for the districts of Argyle ISD, Denton ISD, Grapevine-Colleyville, and Northwest ISD, and define the duties and responsibilities.

### **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, 551.074, 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.

**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, public rights-of-way, cultural arts center, and/or other municipal purposes and all matters incident and related thereto.
- c. Discuss the employment and recruitment process associated with the Town Manager, and all matters incident and related thereto.

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- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.
- e. Annual review of Town Secretary.
- f. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.

### **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 18, 2020, at 4:00 p.m., at least 72 hours prior to the scheduled time of said meeting.

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**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.