

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

11/21/2022

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

6:00 P.M.

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

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.

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. PRESENTATIONS

1. Proclamation and presentation of Hometown Hero banner to Edwin Adams
2. Small Business Saturday (November 26, 2022) Proclamation
3. Fire Prevention Week Poster Contest Winners

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](#).

- 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

Update and discussion on:

1. Capital Improvement projects
2. Economic Development projects
3. Organizational updates

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. A regular meeting is scheduled for Monday, December 5.
2. A work session is scheduled for Thursday, December 15.
3. A regular meeting is scheduled for Monday, December 19.

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 council member by making such request prior to a motion and vote.

1. Minutes 11/7- Consider approval of the minutes from a regular meeting of the Town Council held on November 7, 2022.
2. Canvass Election - Streets- Consider approval of an ordinance canvassing returns and declaring results of a special election held November 8, 2022, for the purpose of considering a ballot proposition for the reauthorization of the local sales and use tax at the rate of one-fourth of one percent, and to continue providing revenue for maintenance and repair of municipal streets.
3. Canvass Election - Crime Control Dist.- The Town of Flower Mound Crime Control and Prevention District Board to consider approval of an order canvassing the results of a special election held on November 8, 2022, for the purpose of considering a ballot proposition to continue the Crime Control and Prevention District sales and use tax at the rate of one-fourth of one percent to provide revenue for crime control and prevention programs within the District.
4. Canvass Election - Fire Prev. District- The Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Board to consider approval of an order canvassing the results of a special election held on November 8, 2022, for the purpose of considering a ballot proposition to continue the Fire Control, Prevention, and Emergency Medical Services District sales and use tax at the rate of one-fourth of one percent to provide revenue for fire safety and emergency medical services programs within the District.

Town Council Meeting Agenda

November 21, 2022

Page 3

5. Stormwater Drainage- 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 and ratifying the fee not codified in Section 70-777 relative to the charges for the Stormwater Utility System fee.
6. GIS Software Upgrade- Consider the approval for the purchase of the Esri Enterprise Jumpstart implementation/software upgrade service in the amount of \$16,000.
7. Purchase Software Licenses- Consider approval of Control License ICS Incident Command and Control License agreement for Special Events or large-scale incidents involving Police/Fire emergency response.
8. Firefighter Turnout Gear- Consider approval of the purchase of 28 sets of bunker gear, replacement gloves and suspenders as needed from NAFECO, Inc. through BuyBoard Purchasing Contract No. 603-20 in the total amount of \$121,600.00 and authorization for the Mayor to approve same on behalf of the Town.
9. Dump Truck Purchase- Consider approval of the purchase of one 2023 HV607 4x2 Single Axle Dump Truck per Town of Flower Mound Specifications and Vendor Quote from Southwest International Trucks in the amount of \$104,130.00.
10. Cortadera Park Playground- Consider approval of the purchase and installation of the 2022-2023 Playground Replacements project, for Cortadera Park Playground, from Whirlix Design, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$244,926.00.
11. Transportation Services- Consider approval of a Professional Services Agreement with Innovative Transportation Solutions, Inc., to provide professional transportation services in the amount of \$75,000.00 annually, with a one-year renewal option; and authorization for the Mayor to execute same on behalf of the Town.
12. Promoter Line Prof Services Contract- Consider approval of a Professional Services Contract with Promoter Line, Inc., to provide professional event production and planning services for the 2023 Independence Fest, in an amount not-to-exceed \$327,550.00 and authorization for the Mayor to execute same on behalf of the Town.
13. Twin Coves Laundry Services- Consider approval of a Services Agreement with Ansar Group, Inc. dba United Linen & Laundry Service, Inc., for linen and laundry services, in the amount of \$25,000.00; and authorization for the Mayor to execute same on behalf of the Town.
14. Mower Replacement - Parks- Consider approval of purchasing one (1) John Deere 1600 Turbo TerrainCut Commercial Wide Area Mower per Town of Flower Mound Specifications from United Ag & Turf utilizing the Sourcwell Turf 031121-DAC (PG BT CG 23) Cooperative Contract in the amount of \$69,609.33.
15. Bleacher Retro-fit Equipment Purchase- Consider approval of the purchase of 22 bleacher retrofit kits from Pioneer Athletics, through the Buy Board Cooperative Contract #665-22, in the amount of \$60,940.00.
16. Heritage Park Trail Naming- Consider approval of naming the Wildlife Encounter Nature Trail at Heritage Park as the Gary Sims Wildlife Encounter Nature Trail. (Parks Board recommended approval by a vote of 6 to 0 at its October 6, 2022, meeting.)
17. 2022-2023 Strategic Plan- Consider adoption of the Town Council Strategic Plan for Fiscal Year 2022-2023.

K. REGULAR ITEMS

18. RP22- Red Bud Point- Public Hearing to consider a request for a Replat (RP22-0007 – Red Bud Point, Lots 29R & 30R, Block 5, Lot 31R, Block 6) to abandon a private right-of-way and relocate a lot lines 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 west of Red Bud Drive and south of Crooked Lane. (PZ recommended approval/denial by a vote of 0 to 0 at its November 14, 2022, meeting.)
19. MPA21-0008 - Whyburn Farms- Public Hearing to consider an ordinance amending the Master Plan (MPA21-0008 – Whyburn Farms) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designations from Low Density Residential, Office and Retail uses to Low Density Residential, Medium Density Residential and High Density Single Family Detached Residential uses. The property is generally located east of Long Prairie Road and south of Dixon Lane. (PZ recommended approval by a vote of 5 to 1 at its October 10, 2022, meeting.)
20. ZPD21-0015 - Whyburn Farms- Public Hearing to consider an ordinance amending the zoning (ZPD21-0015 – Whyburn Farms) from Agricultural District (A) uses to Planned Development District No.189 (PD-189) with Single Family District-15 (SF-15), Single Family District-10 (SF-10) and Single Family District-5 (SF-5) uses, with certain waivers, exceptions and modifications to the Code of Ordinances. The property is generally located east of Long Prairie Road and south of Dixon Lane. (PZ recommended approval by a vote of 5 to 1 at its October 10, 2022, meeting.)
21. TRP22-0006 - Whyburn Farms- Public Hearing to consider an application for a tree removal permit (TRP22-0006) for nine (9) specimen trees on property proposed for development as Whyburn Farms. The property is generally located south of Dixon Lane, north of Waketon Road, and east of Long Prairie Road. (The Environmental Conservation Commission recommended denial for specimen trees #s 652, 654, 667, 668A and 668B and approval of specimen trees #s 661, 662, 772, 779, 780, 781, 842, 851 and 853 by a vote of 4-2-0 at its October 4, 2022, meeting).

Applicant requested items 19-21 be postponed to 12/5.

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

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: All Together Flower Mound Commission, Animal Services Board, Cultural Arts Commission, Denton County Transportation Authority, Environmental Conservation Commission, Historical Commission Task Force, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), 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 follows:

Town Council Meeting Agenda

November 21, 2022

Page 5

- a. Consultation with Town Attorney.
 1. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Application
 2. Housing Discrimination Complaint
 3. La Estancia Investments, L.P., v. Town of Flower Mound
- b. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, and/or other municipal purposes and all matters incident and related thereto.
- c. 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.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, performance related to certain incentive agreements, and proposed Tax Increment Reinvestment Zone (TIRZ).

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.

N. RECONVENE

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

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: November 18, 2022, at 4:10 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. Additional time limits will be provided to members of the public that need to address the Town Council through a translator.