

**THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 3<sup>RD</sup> DAY OF OCTOBER, 2011 IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.**

The Town Council met in a regular meeting with the following members present:

Melissa Northern	Mayor
Al Filidoro	Mayor Pro Tem
Steve Lyda	Deputy Mayor Pro Tem
Kendra Stephenson	Councilmember Place 1
Mark Wise	Councilmember Place 3
Tom Hayden	Councilmember Place 5

constituting a quorum with the following members of the Town Staff participating:

Harlan Jefferson	Town Manager
Theresa Scott	Town Secretary
Terrence Welch	Town Attorney
Kent Collins	Assistant Town Manager
Chuck Springer	Assistant Town Manager/CFO
Gary Sims	Executive Director of Community Services
Chuck Jennings	Recreation Superintendant
Doug Powell	Director of Development Services

**A. CALL BRIEFING SESSION TO ORDER**

Mayor Northern called the briefing session to order at 6:00 p.m.

**B. BRIEFING SESSION**

**1. Town Council Boards and Commissions Subcommittee Reports**

No reports.

**2. Discuss Consent and Regular Items**

Councilmember Stephenson requested Item 7 be pulled from Consent.

**3. Discuss Future Agenda Items**

Mr. Jefferson outlined agenda items that will be coming forward based on direction he has been given by Council:

1. October work session to discuss adding performing and other cultural arts to the Public Art policy.
2. November work session item to discuss the Town's SMARTGrowth program (as discussed at the last Strategic Planning Session)
  - a. In December it's planned to discuss amending the mixed use zoning ordinance, which is a follow-up from a discussion that the Planning

and Zoning Commission (P & Z) had in the spring. He noted this work session would be a combined Town Council and P & Z meeting.

For the January Strategic Planning Session, proposed discussion items per Council's request include the following:

1. Municipal complex on the Riverwalk.
2. Public/private partnership on the Riverwalk to construct a hotel or other structures.
3. Tax Increment Reinvestment Zone (TIRZ) funding and the potential of reprioritizing this funding.
4. Revision of the Economic Development Policy to include forgivable loans and other innovative ideas.

Mr. Jefferson asked for input with regard to these, as well as other items council members would want to discuss at upcoming work sessions or the strategic planning session.

Mayor Pro Tem Filidoro wanted to point out that members of Council bring items forward; however, it doesn't mean that one or all are supported by everyone. He stated good organizations review ideas and have discussions about those ideas. The Strategic Planning Session is open to the public and it's an opportunity to put ideas out on the table. It doesn't mean votes are being made on those items.

Councilmember Hayden commented that he is committed to bringing a hotel forward wants to identify creative ways to move economic development along in Flower Mound.

Councilmember Stephenson stated she supported Councilmember Hayden's discussion regarding economic development goals. She also would like Council to discuss giving Boards and Commissions guidelines with regard to offering input on capital improvement items for the purpose of clarifying expectations.

Deputy Mayor Pro Tem Lyda stated that with regard to a municipal complex, the discussion should also include all municipal complexes.

Councilmember Hayden requested an opportunity to discuss the Town's fence ordinance as he stated for larger parcels of land (2 or more acres) the ordinance doesn't seem to fit those users.

#### **4. Discuss Council Communications**

Mr. Jefferson stated there are two outstanding Council Communications.

1. Proposed Storm Water Regulation.

He provided background information regarding this communication and indicated it is designed to get input and direction from council regarding bringing forward an agenda item for the October 17<sup>th</sup> agenda.

Councilmember Lyda indicated he agrees with bringing it forward.

Councilmember Stephenson asked if it would be brought forward as a consent item or as a public hearing.

Mr. Jefferson stated that in the month of October staff would meet with the development community, since they would be impacted, in order to get feedback regarding the proposed amendment and at that point there could be a work session, and it would be brought forward as a regular item and a public hearing.

**2. Health Savings Account.**

Mr. Jefferson stated this communication is primarily for informational purposes, however, he did receive feedback from some council members they were in favor of the proposed changes. He further added it's being offered as a third insurance option for employees this year.

**3. Rules and Regulations Regarding Operations of the Twin Coves Park.**

He stated feedback has been received from the Parks, Arts, and Library Services (PALS) Board that was supportive of what was presented. He indicated October 17<sup>th</sup> was the deadline to receive feedback from Council.

**C./D. ADJOURN BRIEFING SESSION AND CALL REGULAR MEETING TO ORDER**

Mayor Northern adjourned the briefing session and called the regular meeting to order at 6:19 p.m.

**E. INVOCATION**

Rabbi Geoffrey Dennis gave the invocation.

**F. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG**

Councilmember Lyda led the pledges.

**G. PRESENTATIONS**

Mayor Northern presented a Certificate of Achievement to Leslie Laico and Price Brannen from Flower Mound High School for their academic achievement and for being selected to attend the week-long intern experience at NASA Space Center in Houston.

**H. PUBLIC PARTICIPATION**

Craig Christian, 4017 Oakdale Ln, Flower Mound, TX 75022

Mr. Christian expressed opposition regarding the proposed Ridge Bluff Estates development project.

Renee Doyle, 920 Drake Trail, Flower Mound, TX 75028

Ms. Doyle expressed concern regarding expenses associated with the Morriss Road project and asked that revenue and expenses be identified on the Town's web site.

Samantha Wood, 1605 Mistletoe Dr, Flower Mound, TX 75022

Ms. Wood expressed opposition regarding the proposed Ridge Bluff Estates development project.

Todd Chocholaty, 4008 Holly Ln, Flower Mound, TX

Mr. Chocholaty expressed opposition regarding the proposed Ridge Bluff Estates development.

Norma Krueger, 3800 Hideaway Ln, Flower Mound, TX 75028

Ms. Krueger asked Council and staff to investigate cost and funding for a trail application for smart phones.

**I. MAYOR AND TOWN COUNCILMEMBER ANNOUNCEMENTS**

Mayor Northern had the following announcements:

Attended the following:

- Chamber of Commerce luncheon
- Bob Rheudasil's funeral
- Denton County Mayor's luncheon at the University of North Texas
- Precinct 3 Task Force meeting

Participated in the following meetings:

- Tim Fischer, President of the Upper Trinity Water District
- Executive Development Team
- Denton County Transportation Authority
- Neighborhood leaders and homeowner association board members

Announced the following upcoming Events:

- Oct 4<sup>th</sup> National Night Out and open house at the Police Department
- Oct 8<sup>th</sup> – Fire Department open house
- Oct 14<sup>th</sup> – Lake Lewisville Symphony event
- Oct 15<sup>th</sup> – Flower Mound Chamber Fiesta event
- Oct 29<sup>th</sup> – medication disposal day

Deputy Mayor Pro Tem Lyda:

- Congratulated both Flower Mound and Marcus High Schools for the Battle of the Mound game last week.

Councilmember Wise had the following announcements:

- Complimented Flower Mound Fire Station #4 for being recognized as station of the month for October and noted it will be highlighted

in *Fire Chief* magazine.

- He participated in a Flower Mound history lesson project with his son through Bridlewood Elementary and applauded the school for teaching local government.
- Noted the waste services transition is going relatively well overall.

Councilmember Hayden had the following announcements:

- Attended the Battle of the Mound football game
- Congratulated Mark Wood on his new position of Economic Development Director.
- Highlighted various economic development options he recently learned about.

Councilmember Stephenson had the following announcements:

- Dorothy's Dash on November 12<sup>th</sup>
- Expressed interest in making sure those participating in the Executive Development Team (EDT) meetings receive broader feedback from more than just a couple council members. She expressed interest in discussing the EDT structure at a future meeting.

Mayor Pro Tem Filidoro had the following announcements:

He provided some insight regarding Councilmember Stephenson's comments with regard to the EDT. He noted EDT was developed about six to seven years ago because prior to that time a project would come forward and get through the process and would get approved or not and developers incurred a lot of time and expense by the time they got to a Town Council meeting. Instead of having developers start to encounter a lot of expenses, the EDT, which includes the Mayor and a member of council, was formed.

Councilmember Stephenson clarified she is not requesting EDT be eliminated, however, she stated the feedback she receives is that the developers are being discouraged from the feedback they are given and it may be on only one person's opinion so she is trying to figure out a way to ensure developers are not being discouraged to bring items forward based on one person's opinion.

Mayor Northern stated it's her understanding it's an opportunity for developers to come in without a lot of risk at hand. What was happening previously is developers were contacting council members directly, and EDT meetings allow staff and Planning & Zoning members to make sure they understand the challenges with a particular project.

Mr. Jefferson clarified the process in that it's not just based on the feedback individuals receive in the meeting, and they don't get feedback on the technical components and compliance. Potential applicants are asking whether or not their project matches well with the vision of the community as seen by the two P & Z and council members. After that meeting correspondence is sent to the entire

council which summarizes the meeting so everyone on council is aware of it and in a few days the Town Manager discusses it with members of council and that's when developers are given the final feedback, along with any recommendations.

Deputy Mayor Pro Tem Lyda stated there is also a design process to make sure the developer has the best chance at success for a development process and to work through any technical issues. He believes the EDT process is working well.

Mayor Northern asked Councilmember Stephenson if this is an item she would like to have brought forward during the strategic planning session. Councilmember Stephenson indicated yes.

Mayor Pro Tem Filidoro continued his announcements:

- Upcoming meeting of the Summit Club where Mark Glover, Bob Rheaudasil's son-in-law will be speaking about Bob's life.
- Attended the Heroes of Denton County event designed to raise money for first responders should something unfortunate happen to them, and he noted both the Town police and fire personnel received awards.
- Participated in a ride-a-long with the police department and offered recognition for the work of the officers based on some of the experiences encountered that evening.

**J. TOWN MANAGER'S REPORT**

Mr. Jefferson offered the following report:

- With regard to the expansion of FM 1171 Section 2 and 3 from Shiloh Rd to 35W, the project should go out to bid this month and will be awarded in early 2012.
- Hilliard gas well fracking operations were concluded in the month of September and during that time 12 noise inspections were conducted, which included two violations. Daily air samplings were conducted by Town staff in which there were no violations. They are currently in flow-back operations, which is generating some truck traffic.
- There was a soft opening today of the Twin Coves Park, with the hours of 7:00 a.m. to 6:00 p.m. and includes reopening of the fishing dock, boat ramp and picnic shelter area. He noted the Town is in the process of applying for a grant to upgrade some of the features, in addition to the improvements currently being made. Staff will know the outcome of the grant by January.
- He offered some highlights from the Heroes of Denton County event and mentioned the nominees and award winners from Flower Mound.
- With regard to the solid waste transition, he noted Republic did a good job during the exit process by removing all of the carts. He

stated Waste Management has done a great job on the commercial side regarding collections, however, there has been some challenges regarding the distribution of 44,000 polycarts. The attention has now shifted to the actual collection of waste and so far that seems to be going well.

Deputy Mayor Pro Tem Lyda noted he witnessed the staging area and there were special trucks used to deliver the business containers and noted it was a huge transition process.

Councilmember Wise inquired about the outcome of comments received regarding a recent meeting about the West Windsor project.

Mr. Jefferson stated there were about 20 residents in attendance and the feedback he received was generally positive about the road going through, along with the associated park amenities. He noted the main concern was in relation to the roundabout connecting to the Pecan Acres subdivision.

Mayor Pro Tem Filidoro indicated the West Windsor road project is an opportunity to correct a subdivision that only has a one way in and one way out. He stated that the way it is now residents would have one way out in an emergency situation. The subdivision, parks, and roads will have a lasting impact. In addition, the subdivision was built in a flood plain so there is an additional concern for residents.

**K. CONSENT ITEMS**

Deputy Mayor Pro Tem Lyda made a motion to approve by consent Items 1 – 6 and 8 – 14. Councilmember Wise seconded the motion. Each item, as approved by consent, is restated below along with the approved recommendation, and if applicable, the Ordinance or Resolution caption for each, for the record.

1. **Consider approval of the minutes from a work session and special meeting of the Town Council held on August 18, 2011.**

**RECOMMENDATION:** Move to approve the minutes from a work session and special meeting of the Town Council held on August 18, 2011.

2. Consider approval of the minutes from a special meeting of the Town Council held on August 25, 2011.

**RECOMMENDATION:** Move to approve the minutes from a special meeting of the Town Council held on August 25, 2011.

3. Consider approval of the minutes from a special meeting of the Town Council held on August 31, 2011.

**RECOMMENDATION:** Move to approve the minutes from a special meeting of the Town Council held on August 31, 2011.

4. Consider approval of the minutes from a special meeting of the Town Council held on September 1, 2011.

**RECOMMENDATION:** Move to approve the minutes from a special meeting of the Town Council held on September 1, 2011.

5. Consider approval of an ordinance adopting the 2011 tax rolls for the Town of Flower Mound.

**RECOMMENDATION:** Move to approve an ordinance adopting the 2011 tax rolls for the Town of Flower Mound.

**ORDINANCE NO. 54-11**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING THE 2011 TAX ROLLS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

6. Consider approval of the purchase of 93 desktop computers, 32 standard laptop computers, 5 ruggedized laptop computers, and 10 LED Monitors from Dell Marketing, LP, through a Texas Department of Information Resources (DIR) contract, in the amount of \$139,668.77.

**RECOMMENDATION:** Move to approve the purchase of 93 desktop computers, 32 standard laptop computers, 5 ruggedized laptop computers, and 10 LED monitors from Dell Marketing, LP, through a Texas Department of Information Resources (DIR) contract, in the amount of \$139,668.77.

*Item 7 pulled from Consent by Councilmember Stephenson*

8. Consider approval of a Service Agreement for Demand Response Transit Service with Special Programs for Aging Needs, Inc., in an amount not-to-exceed \$25,000.00, to provide transportation service for Town citizens who are age 65 or older and Town citizens with verifiable disabilities that prevent them from driving; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve a Service Agreement for Demand Response Transit Service with Special Programs for Aging Needs, Inc., in an amount not-to-exceed \$25,000.00, to provide transportation service for Town citizens who are age 65 or older and Town citizens with verifiable disabilities that prevent them from driving; and authorize the Mayor to execute same on behalf of the Town.

9. Consider approval of an amended ordinance ordering a special election to be held on the 8th day of November, 2011, for the purpose of submitting to the qualified voters of the Town of Flower Mound, Texas, a ballot proposition to reauthorize the Street Maintenance Sales and Use Tax at the rate of one-fourth of one percent; providing for election officers; designating the places and manner of holding said election; and providing for the posting and publication of notice.

**RECOMMENDATION:** Move to approve an amended ordinance ordering a special election to be held on the 8th day of November, 2011, for the purpose of submitting to the qualified voters of the Town of Flower Mound, Texas, a ballot

proposition to reauthorize the Street Maintenance Sales and Use Tax at the rate of one-fourth of one percent; providing for election officers; designating the places and manner of holding said election; and providing for the posting and publication of notice.

**ORDINANCE NO. 37-11A**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 8<sup>th</sup> DAY OF NOVEMBER, 2011, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE TOWN OF FLOWER MOUND, TEXAS, A BALLOT PROPOSITION TO REAUTHORIZE THE MUNICIPAL STREET MAINTENANCE SALES AND USE TAX AT THE RATE OF ONE-FOURTH OF ONE PERCENT; PROVIDING FOR ELECTION OFFICERS; DESIGNATING THE PLACES AND MANNER OF HOLDING SAID ELECTION; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.**

10. Consider approval of an amended order ordering a special election to be held on the 8th day of November, 2011, for the purpose of submitting to the qualified voters of the District a ballot proposition on whether to continue the Crime Control and Prevention District and sales tax at the rate of one-fourth of one percent; providing for election officers; designating the places and manner of holding said election; and providing for the posting and publication of notice.  
**RECOMMENDATION:** Move to approve an amended order ordering a special election to be held on the 8th day of November, 2011, for the purpose of submitting to the qualified voters of the District a ballot proposition on whether to continue the Crime Control and Prevention District and sales tax at the rate of one-fourth of one percent; providing for election officers; designating the places and manner of holding said election; and providing for the posting and publication of notice.

**ORDER NO. 01-11A**

**AN ORDER OF THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 8<sup>th</sup> DAY OF NOVEMBER, 2011, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE DISTRICT COMPRISING THE TOWN OF FLOWER MOUND, TEXAS, A REFERENDUM ON THE CONTINUATION OF THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT, AND THE CRIME CONTROL AND PREVENTION DISTRICT SALES AND USE TAX AT THE RATE OF ONE-FOURTH OF ONE PERCENT DEDICATED TO CRIME CONTROL AND PREVENTION PROGRAMS; DESIGNATING THE PLACES AND MANNER OF HOLDING SAID ELECTION; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; AND PROVIDING AN EFFECTIVE DATE.**

11. Consider approval of an amended order ordering a special election to be held on the 8th day of November, 2011, for the purpose of submitting to the qualified voters of the District a ballot proposition on whether to continue the Fire Control,

Prevention, and Emergency Medical Services District and sales tax at the rate of one-fourth of one percent; providing for election officers; designating the places and manner of holding said election; and providing for the posting and publication of notice.

**RECOMMENDATION:** Move to approve an amended order ordering a special election to be held on the 8th day of November, 2011, for the purpose of submitting to the qualified voters of the District a ballot proposition on whether to continue the Fire Control, Prevention, and Emergency Medical Services District and sales tax at the rate of one-fourth of one percent; providing for election officers; designating the places and manner of holding said election; and providing for the posting and publication of notice.

**ORDER NO. 02-11A**

**AN ORDER OF THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 8<sup>th</sup> DAY OF NOVEMBER, 2011, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE DISTRICT COMPRISING THE TOWN OF FLOWER MOUND, TEXAS, A REFERENDUM ON THE CONTINUATION OF THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, AND THE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SALES AND USE TAX AT THE RATE OF ONE-FOURTH OF ONE PERCENT DEDICATED TO FIRE SAFETY AND EMERGENCY MEDICAL SERVICES PROGRAMS; DESIGNATING THE PLACES AND MANNER OF HOLDING SAID ELECTION; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; AND PROVIDING AN EFFECTIVE DATE.**

12. 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.  
**RECOMMENDATION:** Move to approve a resolution adopting an Investment Policy for funds for the Town of Flower Mound as required annually by the Public Funds Investment Act.

**RESOLUTION NO. 27-11**

**A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS ("TOWN"), ADOPTING AN INVESTMENT POLICY FOR FUNDS FOR THE TOWN AS REQUIRED ANNUALLY BY THE PUBLIC FUNDS INVESTMENT ACT; AND PROVIDING AN EFFECTIVE DATE.**

13. Consider approval of Best Value Bid No. 94-11-A Landscape Maintenance Program to VMC Landscape Services, L.P., at the unit prices bid, in the estimated annual amount of \$304,951; and authorization for the Mayor to execute same on behalf of the Town.  
**RECOMMENDATION:** Move to approve Best Value Bid No. 94-11-A Landscape Maintenance Program to VMC Landscape Services, L.P., at the unit prices bid, in the estimated annual amount of \$304,951; and authorize the Mayor to execute same on behalf of the Town.

14. Consider approval of the purchase of three public safety rated sport utility vehicles for the Police Services Department from Caldwell Country Chevrolet, through the Texas Local Government Purchasing Cooperative, in the amount of \$78,595.

**RECOMMENDATION:** Move to approve the purchase of three public safety rated sport utility vehicles for the Police Services Department from Caldwell Country Chevrolet, through the Texas Local Government Purchasing Cooperative, in the amount of \$78,595.

#### VOTE ON MOTION

**AYES:** Stephenson, Filidoro, Lyda, Wise, Hayden

**NAYS:** None

#### L. REGULAR ITEMS

*Item 7 was pulled from Consent by Councilmember Stephenson.*

7. Consider approval of a Professional Services Contract with Promoter Line, Inc., to provide professional event production and planning services for the 2012 Independence Fest, in an amount not-to-exceed \$176,000.00; and authorization for the Mayor to execute same on behalf of the Town.

#### Staff Presentation

Mr. Jennings provided a presentation which included the history of Promoter Line, and an outline of services they provide.

#### Council Discussion

Mayor Pro Tem Filidoro noted how Flower Mound has a history of trying to secure a signature event and how this past year's event also served as an economic development tool. He commented about being impressed with the professionalism of the Promoter Line staff during the last event.

Councilmember Hayden inquired how the entertainment is chosen.

Mr. Jefferson stated that Promoter Line normally provides names of bands that fit based on the criteria established by the Town and then it's a matter of seeing what band is available based on giving them authorization to initiate contact.

Councilmember Hayden stated he hopes that money being spent at this event won't preclude the Town from doing the Allies Day event that Economic Development does.

Mr. Jefferson indicated it would not.

Councilmember Stephenson stated that given the festival continues to grow, she requested a need for a complete budget with one package of all the line items

associated with the festival to better consider total cost, along with the goals expected to achieve. She expressed being frustrated last year because there were multiple decision packages on this one project.

Deputy Mayor Pro Tem Lyda noted last year a budget amendment was brought forward given the headliner act warranted an additional cost. He stated there is a momentum with the event and he would like to see it continue going forward.

Councilmember Stephenson clarified she's not questioning the event, however simply wants the total project costs identified (i.e. staff cost, printing, etc.) so that residents can understand the cost associated with it.

Mr. Jefferson indicated what is different now is staff is trying to secure the entertainment earlier than in past years. He stated all the expenses could be addressed during the budget process if requested by Council.

Deputy Mayor Pro Tem Lyda moved to approve a Professional Services Contract with Promoter Line, Inc., to provide professional event production and planning services for the 2012 Independence Fest, in an amount not-to-exceed \$176,000.00; and authorize the Mayor to execute same on behalf of the Town. Councilmember Wise seconded the motion.

#### **VOTE ON MOTION**

**AYES:** Hayden, Wise, Lyda, Filidoro, Stephenson

**NAYS:** None

#### **15. SP 03-11 – The River Walk at Central Park – Medical Village, Building 101**

Consider a request for a Site Plan (SP 03-11 - The River Walk at Central Park - Medical Village, Building 101) to develop a medical office building. The property is located at 4300 Long Prairie Road. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its September 12, 2011, meeting.)*

#### **Staff Presentation**

Mr. Powell provided a presentation which included identification of the site location, land use and zoning, adjacent buildings, future buildings slated for construction, parking and landscape areas, and elevations for the project.

#### **Applicant Presentation**

Scott Minnis, GNA Consultants, 111 Hillside Dr, Lewisville, TX

Mr. Minnis provided a presentation that included developer information, overall concept plan for the Riverwalk, and the medical campus around the hospital area. He noted Buildings 101 and Building 103 have been previously approved and construction should start soon. He stated the bottom floors will be dedicated to retail in accordance with the Riverwalk ordinance, and the top two floors will be for office, and predominately medical uses.

Mayor Northern asked when construction would be starting for Building 103. Mr. Minnis stated there is a pre-construction meeting scheduled with the Engineering Department on October 20<sup>th</sup> and construction should be starting soon after that.

Bill Resch, Ranier Medical, 750 Port America Place, Grapevine, TX

Mr. Resch responding to an inquiry by Councilmember Stephenson regarding the amount of square footage the area could support. He stated at this time the area could support about 200,000 square feet of medical office. He also clarified that they have six buildings in total, with three in the works (totaling around 178,000 square feet for medical) and others slated for the future.

Mayor Northern inquired why they are not constructing Building 102 and going out of sequence by bringing building 105 on line. Mr. Resch stated it has to do with the parking distribution and timing.

Councilmember Wise pointed out if Building 101 is approved tonight it seems construction would begin before Building 103 is complete and asked if that is the intent. Mr. Resch responded that is correct.

Mayor Northern asked if they had letters of intent for that building. Mr. Resch indicated they have interest from a number of tenants for that building, however, they are not making any commitments without approval.

Mayor Northern asked if they are able to secure financing for this building. Mr. Resch indicated they have secured financing.

Councilmember Stephenson inquired about other developments that might be in the works to ensure the market is not being oversaturated by going beyond 200,000 square feet.

Mr. Powell indicated this is not addressed at the site plan level, however, the concept plan for the Riverwalk project does address it. The marketplace dictates the uses of the office space. He indicated there will be a synergy created within the Riverwalk project because of the different types of uses.

Councilmember Hayden asked where they are with a hotel and what can the Town do to assist in those efforts.

Tim Lavender, Ranier Medical, 25 Highland Park Village, Dallas, TX

Mr. Lavender responded to Councilmember Hayden's question by stating that the Town can help by supporting, promoting, and participating in the Riverwalk project. With regard to the hotel, he noted he can only relate to the medical portion of the Riverwalk project. He stated hotels need room nights to sustain and hoteliers look at the market with regard to room nights they could anticipate. If that can be quantified that information would be attractive for a hotel development, along with what incentives would be offered. He noted Ranier is invested in four hotel projects currently. While there is interest in the market, there is still skepticism from the

hotel contacts he corresponds with regarding whether or not they can break even in this market. He noted hoteliers will want to mitigate that risks and stated some things that could be done by the Town is to help fund the road down to Royal Crescent (the new turnabout), room tax abatement, and assist with the parking structure (which often equates to \$10,000 per parking space) and it could become an amenity for the entire Riverwalk project. He stated that once the synergy of the project starts, there will be interest to be in Flower Mound. He indicated there will be a hotel in Flower Mound someday and a set of benefits could be brought forward for a hotel development that would expedite that time table.

Councilmember Hayden asked what it would do to the success of the Riverwalk project to have Town Hall as part of that development.

Mr. Lavender indicated it would be phenomenal as town centers turn into gathering places and foot traffic helps the surrounding businesses.

Deputy Mayor Pro Tem Lyda expressed his excitement for the entire development being built. He stated a hospital can drive a hotel and sited the Texas Medical Center in Houston as an example.

Daryn Eudaly, Ranier Medical, 750 Port America Place, Grapevine, TX

Mr. Eudaly spoke about the leasing aspects of the project.

Mayor Pro Tem Filidoro moved to recommend approval of Site Plan SP 03-11 to develop a medical office building. Councilmember Hayden seconded the motion.

## **VOTE ON THE MOTION**

**AYES: Stephenson, Filidoro, Lyda, Wise, Hayden**

**NAYS: None.**

16. Consider approval of Change Order No. 9 for the construction of the Morriss/Gerault Improvement Phase I project, amending the contract with TISEO Paving Company, for an increase in the amount of \$268,059.08; and authorization for the Mayor to execute same on behalf of the Town.

## **Staff Presentation**

Mr. Collins provided a presentation that outlined the elements of the change order which include replacement of additional curb ramps for ADA compliance, a sidewalk retaining wall, inclusion of various items on the southeast corner of Morriss and FM 1171 retaining wall adjacent to the parking lot, other sidewalk installations along the roadway, mulch cover for tree beds, and miscellaneous utility adjustments. He stated after this change order the total amount to TISEO Paving will be \$15,065,314.77. He further added the total of all of the change orders to date is \$1,054,204.48

Councilmember Hayden commented there is a significant amount of money for

mulch and questioned if that was not planned in the beginning or is it an additional amount that was needed.

Mr. Collins stated that initially there were small mulch rings around each tree and this change connects multiple trees into mulch beds (which reduces the amount of time needed to mow around the trees) and then adding a two inch layer of mulch to establish the beds.

Councilmember Stephenson inquired if this is one of the largest road projects the Town has had in the last 5 – 10 years and questioned if there is a good point in time where a review of the original budget would be made, along with the change orders, so it is visible on one sheet of paper where the cost overruns are coming from, primarily because the way it exist now a review of each change order is needed to understand the expenses. She stated it might be a good time to do a full project review prior to coming forward with the next one.

Mr. Collins stated it's the largest road project that he has been involved with since he's been with the Town.

Deputy Mayor Pro Tem Lyda stated the work being done is going to save money in the long run due to ensuring the sustainability of the landscaping.

Mr. Jefferson indicated the biggest hits, with regard to cost overruns, has to do with right of way acquisitions in order to add improvements and landscaping changes due to a need for additional irrigation.

Councilmember Stephenson stated the project started out with \$20 million and now after this change order it's at \$1 million left and she questioned if additional overruns are anticipated. She requested to see a schedule in the future to understand where all of the budget items are since it's a frequent question that she gets asked.

Mr. Collins indicated they are not anticipating a project budget increase, as many of the risk within the project are largely completed.

Mayor Pro Tem Filidoro moved to approve Change Order No. 9 for the construction of the Morriss/Gerault Improvement Phase I project, amending the contract with TISEO Paving Company, for an increase in the amount of \$268,059.08; and authorize the Mayor to execute same on behalf of the Town. Councilmember Stephenson seconded the motion.

**Discussion on the motion.**

None.

**VOTE ON THE MOTION**

**AYES:** Hayden, Wise, Lyda, Filidoro, Stephenson

**NAYS:** None.

**M. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS**

This item was skipped.

**N./O. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 9:40 p.m. on October 3, 2011, pursuant to Texas Government Code Sections 551.071, 551.087, 551.072, and 551.074 to discuss matters relating to consultation with Town Attorney, pending litigation, real property, personnel, and economic development negotiations and reconvened into an open meeting at 10:31 p.m. on \_October 3, 2011, to take action on the items as follows:

- a. Discuss and consider economic development incentives.

No action taken.

- b. Discuss and consider acquisition and/or lease of real property for municipal purposes and all matters incident and related thereto.

No action taken.

- c. Discuss and consider appointments to the Animal Services Board, Board of Adjustment, Oil and Gas Board of Appeals, Community Development Corporation, Environmental Conservation Commission, Parks, Arts and Library Services Board, Public Arts Committee, Planning & Zoning Commission, SMARTGrowth Commission Board, Tax Increment Reinvestment Zone Board, and Transportation Commission.

For the Transportation Commission Deputy Mayor Pro Tem Lyda moved to approve Frederick Ehler to Place 8 with the term beginning October 3, 2011 and ending September 30, 2012. Councilmember Hayden seconded the motion.

**Discussion on the motion.**

None.

**VOTE ON THE MOTION**

**AYES:** Stephenson, Filidoro, Lyda, Wise, Hayden,

**NAYS:** None.

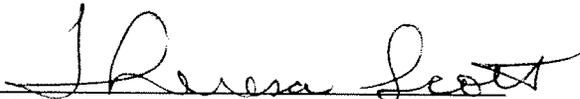
**P. ADJOURN REGULAR MEETING**

Mayor Northern adjourned the meeting at 10:33 p.m. on 3<sup>rd</sup> of October 2011, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**

  
**MELISSA D. NORTHERN, MAYOR**

**ATTEST:**

  
**THERESA SCOTT, TOWN SECRETARY**

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