

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 1st DAY OF DECEMBER 2008 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:

Jody Smith	Mayor
Tim Trotter	Mayor Pro Tem
Joel Lindsey	Deputy Mayor Pro Tem
Jean Levenick	Councilmember Place 4
Jeff Tasker	Councilmember Place 5

with the following member absent:

Al Filidoro	Councilmember Place 2
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constituting a quorum with the following members of the Town Staff participating:

Harlan Jefferson	Town Manager
Paula Paschal	Town Secretary
Terry Welch	Town Attorney
Chuck Springer	Assistant Town Manager/Chief Financial Officer
Kenny Brooker	Police Chief
Eric Metzger	Fire Chief
Kent Collins	Assistant Town Manager
Bart Stevenson	Executive Director of Community Services
Doug Powell	Executive Director of Development Services

A. CALL BRIEFING SESSION TO ORDER

Mayor Smith called the briefing session to order at _____ p.m.

B. BRIEFING SESSION

1. Town Council Boards and Commissions Liaison Reports
2. Discuss Consent and Regular Items
3. Discuss Future Agenda Items

C. ADJOURN BRIEFING SESSION

D. CALL REGULAR MEETING TO ORDER

Mayor Smith called the regular meeting to order at _____ p.m.

E. INVOCATION

_____ gave the Invocation.

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

_____ led the pledges.

G. PUBLIC PARTICIPTION

H. PRESENTATIONS

- Proclamation - Arbor Day
- Proclamation - Marcus High School Band

I. ANNOUNCEMENTS

- Announce recent and upcoming civic and social events

J. CONSENT ITEMS

made a motion to approve by consent. Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13. seconded the motion. Each item, as approved by consent, is restated below along with the approved recommendation for each, for the record.

- 1. Consider approval of minutes from a regular meeting of the Town Council held on November 17, 2008.**

RECOMMENDATION: Approve minutes from a regular meeting of the Town Council held on November 17, 2008.

- 2. Consider approval of minutes acknowledging that a quorum of the Town Council was not present at the November 18, 2008 Spirit of Excellence Luncheon hosted by the Flower Mound Chamber of Commerce.**

RECOMMENDATION: Approve minutes acknowledging that a quorum of the Town Council was not present at the November 18, 2008 Spirit of Excellence Luncheon hosted by the Flower Mound Chamber of Commerce.

- 3. Consider approval of canceling the January 19, 2009, regular meeting of the Town Council and calling a special meeting on January 22, 2009.**

RECOMMENDATION: Approve canceling the January 19, 2009, regular meeting of the Town Council and calling a special meeting on January 22, 2009.

- 4. Consider approval of a brokerage service agreement with McGriff, Siebels & Williams of Texas, Inc., for employee benefits consultant/broker services, in the annual amount of \$50,000, and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Approve a brokerage service agreement with McGriff, Siebels & Williams of Texas, Inc., for employee benefits consultant/broker services, in the annual amount of \$50,000, and authorize the Mayor to execute same on behalf of the Town.

- 5. Consider approval of the Competitive Sealed Proposal method to select firms to construct Fire Stations No. 4 and 5.**

RECOMMENDATION: Approve the Competitive Sealed Proposal method to select firms to construct Fire Stations No. 4 and 5.

6. Consider approval of the purchase of 120 computers and ten monitors from Dell Marketing, LP, through a Texas Department of Information Resources (DIR) contract, in the amount of \$105,691.

RECOMMENDATION: Approve the purchase of 120 computers and ten monitors from Dell Marketing, LP, through a Texas Department of Information Resources (DIR) contract, in the amount of \$105,691.

7. Consider approval of an ordinance amending Chapter 34 "Environment," Article II, Division 4, of the Town's Code of Ordinances, by amending Section 34-92, entitled "Service of Notice."

RECOMMENDATION: Approve Ordinance No. -08 amending Chapter 34 "Environment," Article II, Division 4, of the Town's Code of Ordinances, by amending Section 34-92, entitled "Service of Notice." The caption of the ordinance reads as follows:

ORDINANCE NO. -08

8. Consider approval of a Boundary Adjustment Agreement with the City of Lewisville regarding Garden Ridge Boulevard, and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Approve a Boundary Adjustment Agreement with the City of Lewisville regarding Garden Ridge Boulevard, and authorize the Mayor to execute same on behalf of the Town.

9. Consider approval of Change Order No. 17 for construction of the Flower Mound Community Activity Center, amending the contract with Ratcliff Constructors, L.P., for an increase in the amount of \$45,000.00, and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Approve Change Order No. 17 for construction of the Flower Mound Community Activity Center, amending the contract with Ratcliff Constructors, L.P., for an increase in the amount of \$45,000.00, and authorize the Mayor to execute same on behalf of the Town.

10. Consider approval of the award of Bid No. 109-B for Phase I Wastewater Treatment Plant Rehabilitation project, to Gracon Construction, Inc., in the amount of \$1,010,000.00, and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Approve the award of Bid No. 109-B for Phase I Wastewater Treatment Plant Rehabilitation project, to Gracon Construction, Inc., in the amount of \$1,010,000.00, and authorize the Mayor to execute same on behalf of the Town.

11. Consider approval of Addendum No. 1 to the contract with Kimley-Horn and Associates, Inc. to provide professional engineering design services for the Twin Coves/Northlake Highlands I Water Improvements in the amount of \$25,150.00, and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Approve Addendum No. 1 to the contract with Kimley-Horn and Associates, Inc. to provide professional engineering design services for the Twin Coves/Northlake Highlands I Water Improvements in the amount of \$25,150.00, and authorize the Mayor to execute same on behalf of the Town.

12. **Consider approval of an agreement with Teague Nall and Perkins to provide professional engineering design services associated with the Flower Mound Road Reconstruction project, in the amount of \$191,500.00, and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Approve an agreement with Teague Nall and Perkins to provide professional engineering design services associated with the Flower Mound Road Reconstruction project, in the amount of \$191,500.00, and authorize the Mayor to execute same on behalf of the Town.

13. **Consider approval of an Interlocal Agreement with the Town of Double Oak for providing roadway repair assistance on Pepperport Lane and Cedarcrest Lane for the benefit of the citizens of Double Oak, and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Approve an Interlocal Agreement with the Town of Double Oak for providing roadway repair assistance on Pepperport Lane and Cedarcrest Lane for the benefit of the citizens of Double Oak, and authorize the Mayor to execute same on behalf of the Town.

VOTE ON THE MOTION

AYES: Tasker, Trotter, Lindsey, Levenick
NAYS: None
ABSENT: Filidoro

K. REGULAR ITEMS

14. **SP 43-08 Flower Mound Fire Station #4**
Consider a request for a Site Plan (SP 43-08 - Flower Mound Fire Station #4) to develop a fire station, request additional height, and request an exception to the Access Management Policy and Criteria, regarding median openings, contained in the Town's Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances. The property is located at 4601 Bridlewood Boulevard. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 10, 2008, meeting.)

Staff Presentation

Questions from the Governing Body and Answers

Staff Comments

Council Deliberation

— moved to approve SP 43-08 - Flower Mound Fire Station #4 and approve the

requested exceptions and waivers with elevations to include — hardi-plank.. — seconded the motion. ????E.I.F.S. stucco, or

VOTE ON THE MOTION

AYES: Levenick, Lindsey, Trotter, Tasker
NAYS: None
ABSENT: Filidoro

L. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

M./N. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at _____ pm on December 1, 2008 pursuant to Texas Government Code Sections 551.071, 551.072, 551.074, and 551.087 to discuss matters relating to consultation with Town Attorney, personnel, real property, and economic development negotiations and reconvened into an open meeting at _____ p.m. on December 1, 2008 to take action on the items as follows:

- a. Discuss and consider economic development incentives.
- b. Discuss and consider acquisition and/or lease of real property for municipal purposes and all matters incident and related thereto.
- c. Discuss Inclusive Communities Project, Inc. v. Town of Flower Mound, Civil Action No. 4:08-cv-00433, pending in the United States District Court for the Eastern District of Texas.
- d. Discuss and consider appointments to the Community Development Corporation, Environmental Conservation Commission, Parks, Arts, and Library Services (PALS) Board, Planning & Zoning Commission, Tax Increment Reinvestment Zone (TIRZ) Board, and the Transportation Commission.

O. ADJOURN REGULAR MEETING

Mayor Smith adjourned the meeting at — _____ p.m.

TOWN OF FLOWER MOUND, TEXAS

JODY SMITH, MAYOR

ATTEST:

PAULA PASCHAL, TOWN SECRETARY