

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**

DECEMBER 2, 2013

**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

All pagers and cell phones must be turned off in the Council Chambers.

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. PRESENTATIONS

1. Proclamation and presentation of Hometown Hero banner to Elliott Emerich.

E. PUBLIC PARTICIPATION

Please fill out a speaker form in order to address the Council and turn it in to the Town Secretary prior to Public Participation. Speakers are normally limited to three minutes. Time limits can be adjusted by the Chair as to accommodate more or fewer speakers.

The purpose of this item is to allow the public an opportunity to address the Town Council on issues that are not the subject of a public hearing. Any item requiring a public hearing will allow the public to speak at the time that item appears on this agenda as indicated as a "Public Hearing." Items that are the subject matter jurisdiction of the Town Council include Town policy and legislative issues. Issues regarding daily operational or administrative matters should first be dealt with at the administrative level by calling Town Hall at 972-874-6000 during business hours.

F. ANNOUNCEMENTS

1. Announce recent and upcoming civic and social events.

G. TOWN MANAGER'S REPORT

1. Update and status report related to capital improvement projects.
2. Update and discussion on Economic Development projects.

Town Council Meeting Agenda

December 2, 2013

Page 2

H. CONSENT AGENDA - Consent Items

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

1. **Minutes 11/4** - Consider approval of the minutes from a regular meeting of the Town Council held on November 4, 2013.
2. **Cancel 1/20** - Consider approval of canceling the January 20, 2014, regular meeting of the Town Council.
3. **TIRZ #1 Annual Report** - Consider approval of the 2013 Annual Report for the Flower Mound Tax Increment Reinvestment Zone #1 (TIRZ #1) in accordance with Chapter 311 of the Texas Tax Code.
4. **Crime Control and Prevention District Amendment** - 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 amending the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2013, and ending on September 30, 2014, as adopted by Resolution No. 23-13.
5. **Budget Amendment 2012/13** - Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2012, and ending on September 30, 2013, as adopted by Ordinance No. 40-12 and amended by Ordinance No. 56-12, Ordinance No. 01-13, Ordinance No. 24-13 and Ordinance No. 42-13, for adjustments to the General Fund, General Debt Service Fund, Utility Fund, Stormwater Utility Fund, Department of Justice Seizure Fund, and the Health Insurance/Flex Account Fund.
6. **Budget Amendment 2013/14** - Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2013 and ending on September 30, 2014, as adopted by Ordinance No. 45-13 for adjustments to the General Fund, Utility Fund, Stormwater Utility Fund, Chapter 59 Forfeiture/Seizure Fund, IRS Equitable Sharing Fund, Department of Justice Seizure Fund, Neighborhood Improvement Fund, and Vehicle, Equipment & Technology Replacement Fund.
7. **Financial Advisory Services Agreement** - Consider approval of an agreement with Southwest Securities, Inc. for financial advisory services, and authorize the Mayor to execute said agreement.
8. **CAPER Adoption** - Consider approval of a resolution authorizing the adoption of the Program Year 2012 Consolidated Annual Performance & Evaluation Report for the Community Development Block Grant; and authorization for the Mayor to execute same on behalf of the Town and submit to the U.S. Department of Housing and Urban Development.

Town Council Meeting Agenda

December 2, 2013

Page 3

9. **Street Sweeping Services** - Consider the award of Request for Bid 2014-4-B for street sweeping services to Flagship Sweeping Services, Incorporated at the price per service bid for an estimated annual amount of \$18,095.24.
10. **Water Meters Equipment** - Consider the award of Request for Bid 2014-2-B for the purchase of water meters and meter reading equipment, on an as-needed basis, to Neptune Technology Group, Incorporated, at the unit prices bid, for an estimated expenditure of \$524,917.00 over the two-year contract period.
11. **Water Meter Fee Schedule** - Consider approval of an Ordinance amending Appendix A "Fee Schedule," referenced in Chapter 70, "Utilities," Section 70-56(d), entitled "Water Meter Fee Schedule" of the Code of Ordinances of the Town of Flower Mound, Texas, by adopting a new "Water Meter Fee Schedule."
12. **Heritage Park Master Plan** - Consider approval of a Professional Services Agreement for the master plan design of The Heritage Park of Flower Mound Phase II project, with Schrickel, Rollins and Associates, Inc., for a not to exceed price of \$50,456.00; and authorization for the Mayor to execute the same on behalf of the Town.
13. **Data Cabling - O&M** - Consider approval of the purchase and installation of data cabling, communications equipment, and IP licenses, for the Operations & Maintenance Facility project, from Black Box Network Services, in the amount of \$124,770.00.
14. **Interlocal Agreement – Library Services** - Consider approval of an Interlocal Cooperation Agreement with Denton County for provision of library services for the benefit of the citizens of Denton County, and authorization for the mayor to execute same on behalf of the Town.
15. **Independence Fest- Beverages** - Consider approval of the sale and consumption of alcoholic beverages (beer and wine) at Bakersfield Park, during the 2014 Independence Fest. *(The Parks, Arts and Library Services (PALS) Board recommended approval by a vote of 5 to 1 at its October 3, 2013, meeting.)*
16. **Independence Fest PSA - Promoter Line** - Consider approval of a Professional Services Contract with Promoter Line, Inc., to provide professional event production and planning services for the 2014 Independence Fest, in an amount not-to-exceed \$196,200.00, from December 2, 2013, through December 1, 2014, with the option of four one-year renewal terms; and authorization for the Mayor to execute same on behalf of the Town.

I. REGULAR ITEMS

17. **River Walk Marquis 380 Agreement**

Public Hearing

Public Hearing to consider approval of a Chapter 380 Incentive Agreement with River Walk Marquis LP, a Texas limited partnership, and authorization for the Mayor to execute same on behalf of the Town.

18. Master Plan Amendment

Public Hearing

Public Hearing to consider a request for a Master Plan Amendment (MPA13-0010) to amend Section 1.0-Land Use Plan by amending the description of the "Lakeside Business District" under the heading of "Area Plan Districts" on page 1.7 of said Section 1.0, to amend Section 2.0-Area Plans through the amendment of the Lakeside Business District by amending the description of "Campus Commercial" uses under the heading of "Lakeside Business District Land Use Categories" on page 2.1 of said Section 2.0 to change the restrictions on commercial and residential uses and thereby implement a mixture of uses that promote the stated goals of the District, and to further amend Section 2.0-Area Plans by updating the map of the "Lakeside Business District" on page 2.4 of said Section 2.0; to amend Section 1.0-Land Use Plan by amending the description of the "Cross Timbers Conservation Development District & Prairie Vista District" under the heading of "Purpose and Benefit of Six (6) Major Planning Areas" on page 1.1 of said Section 1.0 and by amending the description of the "Cross Timbers Conservation Development District" under the heading of "Area Plan Districts" on page 1.7 of said Section 1.0, and to amend Section 2.0-Area Plans by deleting the "Cross Timbers District" "Area Plan 2-Skillern/Scenic," "Area Plan 3-Shiloh Road," "Area Plan 4-High Road," and "Area Plan 5-Roanoke Hills/Tour 18," in their entirety and replacing said Area Plans with a new "Area Plan District" entitled "Cross Timbers District Area Plans" to simplify and clarify the Area Plans for the "Cross Timbers District" and to add flexibility that will promote the stated goals of the District; and, to amend Section 9.0-Wastewater Plan by adding "Cross Timbers Conservation Development District" as a wastewater Service Area, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its November 11, 2013, meeting.)*

19. Land Development Regulations

Public Hearing

Public Hearing to consider an amendment to the Land Development Regulations (LDR13-0004) through the amendment of Chapter 98, "Zoning," of the Town's Code of Ordinances by deleting Division 21, "PD Planned Development District," in its entirety and replacing said Division with a new Division 21 also entitled "PD Planned Development District" that will update the Town's planned development regulations and allow the Town to consider development proposals that use flexibility and creativity to achieve the stated goals of the Town's Master Plan, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its November 11, 2013, meeting.)*

J. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

K. CLOSED MEETING

The Town Council to convene into a closed meeting pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.087, 551.072, 551.074, and 551.071 to discuss matters relating to consultation with Town Attorney, pending litigation, real property, personnel, and economic development negotiations as follows:

- a. Discuss and consider economic development incentives.
- b. Discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.
- 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, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

L. OPEN MEETING

The Town Council to convene into an open meeting pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.087, 551.072, 551.074, and 551.071 to discuss matters relating to consultation with Town Attorney, pending litigation, real property, personnel, and economic development negotiations as follows:

- a. Discuss and consider economic development incentives.
- b. Discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.
- 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, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

Town Council Meeting Agenda

December 2, 2013

Page 6

M. 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 posted on the following date and time: November 27, 2013, at 10:00a.m., at least 72 hours prior to the scheduled time of said meeting.



Theresa Scott, Town Secretary

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. Further, the Texas Open Meetings Act, codified in Chapter 551 of the Texas Government Code, does not require an agenda posting where there is a gathering of a quorum of the Town Council at a social function unrelated to the public business that is conducted by the Town Council, or the attendance by a quorum of the Town Council at a regional, state or national convention or workshop, ceremonial event or press conference if formal action is not taken and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event or press conference. The Town Secretary's Office may occasionally post agendas for social functions, conventions, workshops, ceremonial events or press conferences; however, there is no legal requirement to do so and in the event a social function, convention, workshop, ceremonial event or press conference is not posted by the Town Secretary's Office, nothing shall preclude a quorum of the Town Council from gathering as long as "deliberations" within the meaning of the Texas Open Meetings Act do not occur.

The Flower Mound Town Hall and Council Chambers 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.