

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

September 19, 2011

**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/AGENDA/AGENDA.PHP

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

A. CALL BRIEFING SESSION TO ORDER

B. BRIEFING SESSION

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

C. ADJOURN BRIEFING SESSION

D. CALL MEETING TO ORDER

E. INVOCATION

**F. 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."***

G. PRESENTATIONS

1. Transportation Commission progress update – Mike Walker

H. PUBLIC PARTICIPATION

Please fill out an "Appearance Before Town Council" form in order to address the Council, and turn the form in prior to Public Participation, or by 6:10 p.m. to Town Secretary Theresa Scott. 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.

I. MAYOR AND TOWN COUNCIL MEMBER ANNOUNCEMENTS

1. Announcements and brief discussion regarding recent and upcoming civic and social events, traffic issues, informational update on Town projects, capital improvement projects, reports about contacts with other groups and/or individuals about Town issues and projects, Town legislative and regulatory issues, informational responses to questions, and information sharing.

J. TOWN MANAGER'S REPORT

1. Update and status report related to operational issues, capital improvement projects, budget projections, grants, legislation, and regulatory activities.

K. 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. 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 held on August 15, 2011.
2. Consider approval of the minutes from a work session and special meeting of the Town Council held on August 18, 2011.
3. Consider approval of the minutes from a special meeting of the Town Council held on August 25, 2011.
4. Consider approval of a resolution amending the financial policies of the Town of Flower Mound.
5. Consider approval of the award of Competitive Sealed Bid No. 88-11-B for FM 1171 to HWY 377 Water Line Phase 1 project (White's Branch), to Wilson Contractor Services, LLC, in the amount of \$186,415.00; and authorization for the Mayor to execute same on behalf of the Town.
6. Consider approval of Change Order No. 1 and final acceptance of Bid No. 83-10-B Lake Forest Trail Extension, for a decrease in the contract amount of \$1,252.00; final payment to Estrada Concrete Co., LLC, in the amount of \$21,463.50; and authorization for the Mayor to execute same on behalf of the Town.
7. Consider approval of Change Order No. 1 and final acceptance of Bid No. 22-11-B the Cross Timbers Trail Head project, for an increase in the contract amount of \$1,257.40; final payment to Riverway Contractors and Management, Inc., in the amount of \$27,177.46; and authorization for the Mayor to execute same on behalf of the Town.
8. Consider approval of an ordinance amending Chapter 2 "Administration" of the Town's Code of Ordinances, by amending Article III, Division 4, entitled "Environmental Conservation Commission."
9. Consider approval of amended Equitable Sharing Agreements and Certifications with the Internal Revenue Service for fiscal year ending September 30, 2003, through

fiscal year ending September 30, 2010; and authorization for the Mayor to execute same on behalf of the Town.

10. Consider approval of First Amendment to Facilities Site Lease at 2230 Waketon Road dated September 16, 1996, between the Town of Flower Mound, Texas, and Time Warner Cable, Inc.; and authorization for the Mayor to execute same on behalf of the Town.
11. Consider approval of a resolution committing all funds collected and received through the Animal Care Fund for the purpose of caring for animals at the Animal Adoption Center.

L. REGULAR ITEMS

12. Consider approval of an ordinance adopting the budget for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012, and making appropriations for each fund and department.
13. 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, 2011, and ending on September 30, 2012.
14. 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, 2011, and ending on September 30, 2012.
15. Consider approval of an ordinance fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2011, and ending on September 30, 2012, and for each fiscal year thereafter until otherwise provided, at the rate of \$0.4497 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2011.
16. SP 06-11 – Flower Mound Presbyterian Church - Explorations Prep
Consider a request for a Site Plan (SP 06-11 - Explorations Preparatory School) to add a classroom building with an exception to Section 82-302, Compatibility buffer of the Code of Ordinances, an exception to Section 82-303, Compatibility setback of the Code of Ordinances and a meritorious design exception to the Architectural Standards of the Town's Urban Design Plan. The property is located at 1501 Flower Mound Road. **(The Planning and Zoning Commission recommended approval by a vote of 4 to 2 at its August 22, 2011, meeting.)**

17. ***Flower Mound Code
Hearing***

Public

Public Hearing to consider approval of an exception to Section 90-423 of the Flower Mound Code to permit the installation of one new electric pole and approximately 370 feet of overhead electric line to extend electric service from the existing pole adjacent to the house at 2461 Sherri Lane to a newly constructed barn on an adjacent property.

Town Council Meeting Agenda

September 19, 2011

Page 4

M. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

N. CLOSED MEETING

The Town Council to convene into a closed meeting pursuant to Texas Government Code Sections 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 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 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 Board, and Transportation Commission.

O. OPEN MEETING

The Town Council to convene into an open meeting pursuant to Texas Government Code Sections 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 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 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 Board, and Transportation Commission.

P. ADJOURN MEETING

Harlan Jefferson, Town Manager

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: _____, 2011, at _____, at least 72 hours prior to the scheduled time of said meeting.

**Town Council Meeting Agenda
September 19, 2011
Page 5**

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. 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.