

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

February 6, 2012

**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/Liaison Reports
2. Discuss Consent and Regular Items
3. Discuss Future Agenda Items
4. Discuss Council Communications
 - Additional polling location on Election Day
 - Flower Mound Chamber sponsorship opportunities
 - Shop Flower Mound Program Enhancements

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. Certificate of Recognition - Denton Women's Collective "Finding Kind" campaign.
2. Friends of the Flower Mound Public Library donation to the Flower Mound Public Library - Angie Cox, President, Friends of the Flower Mound Public Library.
3. Committee to Commemorate Dr. Martin Luther King Day certificate of appreciation to the Town - Dr. Fariborz Davoodi, Chairman.

Town Council Meeting Agenda

February 6, 2012

Page 2

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. ANNOUNCEMENTS

This item allows members of the Town Council to make brief announcements relating to any of the following matters: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) recognition of a public official, public employee, or a resident; (4) a reminder about an upcoming event organized or sponsored by the Town; (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the Town; and (6) announcements involving an imminent threat to the public health and safety. Comments by Council Members on other matters are not permitted unless they have been timely placed on the agenda in advance of the Town Council meeting.

1. Announce recent and upcoming civic and social events.

J. TOWN MANAGER'S REPORT

1. Update and status report related to capital improvement projects.

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 November 21, 2011.
2. Consider approval of the minutes from a regular meeting and work session of the Town Council held on December 5, 2011.
3. Consider approval of the minutes from a work session of the Town Council held on December 15, 2011.
4. 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 December 19, 2011.
5. Consider approval of the minutes from a special 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 January 19, 2012.
6. Consider approval of Bid No. 22-12-B, for the construction of the Dixon Lane Landscape and Irrigation Improvements, to Denali Construction Services L.L.C., in the amount of \$175,700.82; and authorization for the Mayor to execute same on behalf of the Town.

Town Council Meeting Agenda

February 6, 2012

Page 3

7. Consider approval of an ordinance amending Chapter 66, Article V, Section 66-214 of the Code of Ordinances of the Town of Flower Mound, relating to a new reduced speed 20 mph school zone for Winding Oaks Drive approximately 210 feet northwest of Matterhorn Lane to approximately 160 southeast of Matterhorn Lane; and Matterhorn Lane from Winding Oaks to approximately 240 feet north of Winding Oaks Drive.
8. Consider approval of the purchase of eight police sedans for the Police Services Department from Dallas Dodge, in the amount of \$208,464, through the Houston-Galveston Area Council of Governments (HGAC) cooperative.
9. Consider approval of a Professional Services Agreement with Dewberry Architects, Inc., to provide library architecture services, in the amount of \$29,310; and authorization for the Mayor to execute same on behalf of the Town.
10. Consider approval of Bid No. 10-12-A Street Leveling Services to Nortex Concrete Lift & Stabilization, Inc., at the unit prices bid, in the estimated annual amount of \$69,800; and authorization for the Mayor to execute same on behalf of the Town.
11. Consider approval of the purchase of one rough-cut mower from Professional Turf Products, L.P., through the Texas Local Government Purchasing Cooperative, in the amount of \$52,986.15.
12. Consider approval of the purchase of pavement marking service, in the estimated annual amount of \$50,000, from Stripe-A-Zone, Inc., through a City of Grand Prairie contract.
13. Consider approval of Amendment No. 2 to the FY 2011-2012 Capital Improvement Program.

L. REGULAR ITEMS

14. SP 19-09 – Raising Cane’s

Consider a request for a Site Plan (SP 19-09 - Raising Cane's) to construct a fast food restaurant, subject to the terms and conditions in the attached Development Agreement and authorization for Mayor to execute same on behalf of the Town. The property is located at 3205 and 3207 Justin Road. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its January 9, 2012, meeting.)*

15. **Cross Timbers Village**

Public Hearing

Public Hearing to consider a request for economic development incentives for the Cross Timbers Village retail development.

M. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

Town Council Meeting Agenda

February 6, 2012

Page 4

N. 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 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 Number One (TIRZ #1), and Transportation Commission.
- d. Town of Flower Mound v. Mockingbird Pipeline, L.P., Cause No. PR-2010-00050, filed in the Denton County Probate Court.

O. 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 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 Number One (TIRZ #1), and Transportation Commission.
- d. Town of Flower Mound v. Mockingbird Pipeline, L.P., Cause No. PR-2010-00050, filed in the Denton County Probate Court.

Town Council Meeting Agenda

February 6, 2012

Page 5

P. ADJOURN MEETING



Chuck Springer, Assistant Town Manager

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: 2.3.12, 2012 at 4:15 a.m. (p.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.