

AGENDA

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING;
AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING**

1/4/2021

**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

Please silence or turn off all electronic devices in Jody Smith Hall

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. PUBLIC COMMENT

To speak to Council during public comment, please fill out a [comment form](#).

- Speakers are limited to 3 minutes, a tone will sound at 30 seconds left and when time has expired
- Please state your name and address when speaking

The purpose of this item is to allow the public an opportunity to address the Town Council on issues that are not indicated as a "Public Hearing" on this agenda. Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972.874.6000 during business hours.

E. ANNOUNCEMENTS

1. 2020 Outstanding Citizen Award Recognition
2. Announce recent and upcoming civic and social events

F. TOWN MANAGER'S REPORT

Update and discussion on:

1. Capital improvement projects
2. Economic Development projects
3. Covid Vaccine
4. All Together Flower Mound

G. FUTURE AGENDA ITEMS

The purpose of this item is to allow the Mayor and members of Council an opportunity to bring forward items they wish to discuss at a future meeting, with the understanding a consensus of Council is needed in order for that item to be placed on a future agenda and in accordance with the Town Council Agenda Setting Policy (Ord. 65-15).

H. COORDINATION OF CALENDARS

1. Discuss and consider a work session for Thursday, January 14.
2. A special meeting is scheduled for Thursday, January 21.
3. A regular meeting is scheduled for Monday, February 1.

I. CONSENT ITEMS

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

1. Minutes 12/7- Consider approval of the minutes from a regular meeting of the Town Council held on December 7, 2020.
2. Municipal Judge- Consider approval of an ordinance to reappoint Municipal Judge Jeff Tasker for the period of January 1, 2021, through December 31, 2022.
3. CoServ Rate Case Suspension- Consider approval of a resolution suspending the January 23, 2021, effective date of CoServ Gas Ltd.'s requested rate increase in order for the Town to study the request with other cities in the service area.
4. 1st Crime District Budget 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, 2020, and ending on September 30, 2021, as adopted by Resolution No. 19-20.
5. FM1171 UPRR Quiet Zone Agreement- Consider approval of a Reimbursement Agreement for Quiet Zone Services by the Union Pacific Railroad (UPRR) at the FM 1171/UPRR crossing for an estimated \$20,000.00; and authorization for the Mayor to execute same on behalf of the Town.
6. Lift Station Improvements Design Award- Consider approval of a Professional Services Agreement for the design phase services for the Lift Station Improvements and Decommissioning Phase III project, with Plummer, Inc., for \$48,700.00; and authorization for the Mayor to execute same on behalf of the Town.
7. Engine 502 repair- Consider approval to ratify the expenditure of additional costs for parts and labor on Engine 502/Fleet #63000-05.
8. Oak Street Lift Station - Design Award- Consider approval of a Professional Services Agreement for the design phase services for the Oak Street Lift Station and Force Main Phase IV project, with Kimley-Horn and Associates, Inc., for \$330,500.00; and authorization for the Mayor to execute same on behalf of the Town.
9. Park Naming- Consider approval of naming the 1.1 acre public park located within the Tinley Park residential development as Blue Blossom Preserve.
10. LISD Fees Ordinance- Consider approval of an ordinance of the Town Council of the Town of Flower Mound, Texas, amending Appendix A "Fee Schedule," of the Code of Ordinances, Town of Flower Mound, Texas: establishing the fee for lease of Town facilities to Lewisville Independent School District, per a Facility Use Agreement; providing this ordinance shall be cumulative of all ordinances; providing a severability clause; and providing an effective date.

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- 11. TIRZ 2020 Annual Report- Consider approval of the 2020 Annual Report for the Flower Mound Tax Increment Reinvestment Zone #1 (TIRZ #1) in accordance with Chapter 311 of the Texas Tax Code (The TIRZ #1 Board approved by a vote of 3 to 0 at it's December 17, 2020, meeting)

J. REGULAR ITEMS

Applicant requests to postpone items 12 – 15 to Feb. 1

- 12. ZPD20-0005 - Niagara Conservation- Public Hearing to consider an ordinance amending the zoning (ZPD20-0005 - Niagara Conservation) from an Agricultural (A) Zoning district to Planned Development District No.179 (PD-179) with Campus Industrial uses, with certain waivers, exceptions and modifications to the Code of Ordinances. The property is generally located north of Enterprise Road and east of Old Gerault Road. (The Planning and Zoning Commission recommended approval of the rezoning request and denial of the exception request to Section 82-376 of the Town Code that requires overhead utilities to be placed underground, by a vote of 6 to 0 at its November 9, 2020, meeting.) (The Town Council moved to postpone this item by a vote of 4 to 1 at its December 7, 2020, meeting.)
- 13. TRP20-0021 - Niagara Conservation- Public Hearing to consider an application for a tree removal permit for twenty-five (25) specimen trees on property proposed for development as Niagara Conservation. The property is generally located north of Enterprise Road and east of Old Gerault Road. (The Environmental Conservation Commission recommended approval by a vote of 4-3-0 at its November 4, 2020, meeting. The Town Council moved to postpone this item by a vote of 4 to 1 at its December 7, 2020, meeting.)
- 14. Reinvestment Zone-300 Old Gerault Rd.- Public Hearing to consider approval of an ordinance establishing a Tax Abatement Reinvestment Zone for commercial tax abatement at 300 Old Gerault Road (Niagara Conservation, Inc., aka Deus, LLC). (The Town Council moved to postpone this item by a vote of 4 to 1 at its December 7, 2020, meeting.)
- 15. Niagara Conserv. Ch 380 & Tax Abatement- Public Hearing to consider approval of a Chapter 380 and Tax Abatement Agreement with Niagara Conservation, Inc. (aka Deus, LLC), for the economic development of Flower Mound, and authorization for the Mayor to execute same on behalf of Town. (The Town Council moved to postpone this item by a vote of 4 to 1 at its December 7, 2020, meeting.)
- 16. Land Use Assumptions & Impact Fee Update- Public Hearing to consider the approval of an ordinance adopting updated land use assumptions and updated capital improvements plans, and to update and amend certain provisions of Chapter 42, "Impact Fees," regarding the imposition of impact fees and amending Appendix A, "Fee Schedule", accordingly. (The CIAC recommended approval by a vote of 9 to 0 at its November 9, 2020, meeting.)(This item was postponed to January 4, 2021 at the December 7, 2020 Town Council meeting)
- 17. Morriss Road Water Line Ph2 Construction- Consider approval of a Construction Agreement with Excel Aircraft LLC, dba Excel Trenching, for the Morriss Road Water Lines Phase II (FM 1171 to Eaton) project, in the amount of \$2,249,151.00; and authorization for the Mayor to execute same on behalf of the Town.

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18. SP20-0013 Argyle ISD Admin Building- Consider a request for a Site Plan (SP20-0013 – Argyle ISD Administration Building) to develop a school administration building with an exception to Section IV, Storm Water Improvements, regarding use of an open channel storm sewer, contained in the Town’s Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances. The property is generally located east of Canyon Falls Drive and north of Denton Creek Boulevard. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its December 14, 2020, meeting.)

K. BOARDS/COMMISSIONS

Pre-Council Room

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Cultural Arts Commission, Environmental Conservation Commission, LISD Liaison, Parks Board, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), Transportation Commission, and Veterans Liaison.

19. Discuss and consider appointment of Chair to the Tax Increment Reinvestment Zone (TIRZ) Number 1.
20. Consider approval of a resolution expanding the Veterans Liaison position, including member appointments.
21. Consider approval of a resolution to create the School Liaison Committee, including member appointments.

L. CLOSED MEETING

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

- a. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.

- b. Consultation with Attorney.

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.

- c. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, cultural arts center, and/or other municipal purposes and all matters incident and related thereto.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.
- e. Discuss and consider the recruitment process for the Town Manager, and all matters incident and related thereto.

M. RECONVENE TO REGULAR MEETING

The Town Council to reconvene into an open meeting to take any action deemed necessary as a result of the closed meeting.

N. 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 also posted on the Town's website in accordance with GC Section 551.056 on the following date and time: December 31, 2020, at 1:15 p.m., at least 72 hours prior to the scheduled time of said meeting.

Theresa Scott, Town Secretary

The Flower Mound Town Hall and Jody Smith Hall 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.