

**AGENDA**

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING**

**2/4/2019**

**FLOWER MOUND TOWN HALL, 2121 CROSS TIMBERS ROAD  
FLOWER MOUND, TEXAS**

**6:00 P.M.**

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An agenda information packet is available online at [www.flower-mound.com/AgendaCenter](http://www.flower-mound.com/AgendaCenter)  
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*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. PRESENTATIONS**

1. CoServ check presentation
2. Mid-year report on the school crossing guard services provided by All City Management Services (ACMS)
3. Police Department response to citizen concern

**E. PUBLIC COMMENT**

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

- Turn in form by 6:10 p.m. to Town Secretary
- 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.

**F. ANNOUNCEMENTS**

1. Announce recent and upcoming civic and social events.

**G. TOWN MANAGER'S REPORT**

Update and discussion on:

1. Capital improvement projects
2. Economic Development projects
3. Legislative update

**H. 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).

**I. COORDINATION OF CALENDARS**

1. A regular meeting is scheduled for Monday, February 18.
2. The work session for Thursday, February 21, has been canceled.

**J. 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 1/7/19- Consider approval of the minutes from a regular meeting of the Town Council held on January 7, 2019.
2. Calling general election- Consider approval of a resolution of the Town of Flower Mound, Texas calling for a general election to be held on May 4, 2019, for the offices of Town Council Place 1, and Town Council Place 3; establishing procedures for those elections; and providing an effective date.
3. Computer Replacements- Consider approval for the purchase of desktop and laptop computers, ruggedized laptop computers and peripherals from Dell, in the amount of \$154,314.05.
4. Outdoor Warning Siren Program- Consider approval of an Interlocal Agreement with the Town of Double Oak for an Outdoor Warning Sirens Assistance Program.
5. Automatic Aid Agreement- Consider approval of a Fire Department Automatic Aid Agreement with the City of Highland Village.
6. Red Bud Point Service Relocation- Consider approval of a Professional Services Agreement with CP&Y, Inc., for the design phase services of the Red Bud Point Water Service Relocation project, for \$98,455.00; and authorization for the Mayor to execute same on behalf of the Town.
7. Fire Station #7 Testing Award- Consider approval of the construction agreement for Fire Station No. 7 to ECS Southwest, LLP., in the amount of \$85,926.00; and authorization for the Mayor to execute same on behalf of the Town.
8. Thrush Park West Playground- Consider approval of an agreement with Playground Solutions of Texas, Inc., for the purchase and installation of the Thrush Park West Playground (2018-19 Playground Replacements project), through the Texas Local Government Purchasing Cooperative, in the amount of \$228,060.45.

**K. REGULAR ITEMS**

9. Curfew Ordinance Review- The first of two **Public Hearings** to review Chapter 50, Article III, "Offenses regarding Minors," Division 2, "Curfew."

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10. Site Plan - Goddard School at FM- Consider a request for a Site Plan (SP18-0019 - Goddard School at Flower Mound) to develop a daycare center with an exception to the access management policy and criteria, regarding driveway spacing, 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 northwest corner of Flower Mound Road and Old Orchard Lane. (The Planning & Zoning Commission recommended approval by a vote of 6 to 0 at its January 14, 2019, meeting.)
11. Site Plan - Thirty-One Gifts- Consider a request for a Site Plan (SP18-0024 - Thirty-One Gifts) for an office warehouse building with a waiver to Section 94-63(3) of the Code of Ordinances requiring that each parking space be located within 50 feet of a tree. The property is generally located south of Spinks Road and west of Garden Ridge Boulevard. (The Planning & Zoning Commission recommended approval by a vote of 6 to 0 at its January 28, 2019, meeting.)
12. ZPD - Iron Den- **Public Hearing** to consider a request for rezoning (ZPD18-0010 - Iron Den) from Industrial District-1 (I-1) and Agricultural District (A) to Planned Development District-170 (PD-170) with Campus Industrial District (CI) uses, and a Personal training studio. The property is generally located south of Spinks Road and west of Gerault Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its January 28, 2019, meeting.)
13. ZPD - Home Depot- **Public Hearing** to consider a request for rezoning (ZPD18-0013 - Home Depot Silveron Addition) to amend Planned Development District-31 (PD-31) with Campus Commercial uses that is subject to Specific Use Permit 245 (SUP-245) to amend Specific Use Permit 245 (SUP-245) to allow for truck rentals on site, and request certain modifications and exceptions to the Code of Ordinances as related to subject property. The property is generally located east of Long Prairie Road and south of Lakeside Parkway. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its January 28, 2019, meeting.)
14. ZPD - Lakeside Center- **Public Hearing** to consider a request for rezoning (ZPD18-0009 - Lakeside Center) from Agricultural District (A) and a portion of Planned Development District No. 31 (PD-31) to Planned Development District No. 169 (PD-169) for both residential and non-residential uses, with certain modifications and exceptions to the Code of Ordinances, and with an exception to the Architectural Standards of the Town's Urban Design Plan for meritorious design. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its January 28, 2019, meeting).
15. Tree Removal-Lakeside Center- **Public Hearing** to consider an application for a tree removal permit for one (1) specimen tree on property proposed for development as Lakeside Center. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its November 6, 2018, meeting).

**Applicant  
requests  
to  
withdraw  
this item**

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16. SUP - Tidal Wave Car Wash- Public Hearing to consider a request for a Specific Use Permit No. 452 (SUP18-0001 - Tidal Wave Car Wash) to permit an automatic car wash, with an exception to Section 82-242, "Street buffer landscaping," of the Code of Ordinances, and a waiver to certain Architectural Standards in the Town's Urban Design Plan. The property is generally located south of Flower Mound Road and east of Gerault Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its January 28, 2019, meeting.)
17. Charter Review- Discuss and consider previous Charter Review Commission recommendations and any proposed amendments to the Town Charter for a future election.
18. Charter Amendments- Discuss and consider proposed Charter Amendments and adopt an ordinance ordering a special election for May 4, 2019, to amend the Home Rule Charter of the Town of Flower Mound; designating the propositions and manner of holding such election; and providing for the posting and publication of notice.

### L. **BOARDS/COMMISSIONS** *(Bold text represents boards with vacancies)*

#### **Executive Conference Room**

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: **Tax Increment Reinvestment Zone Number One (TIRZ #1)**.

19. Boards & Commissions- Discuss and consider appointment of Chair to the Tax Increment Reinvestment Zone (TIRZ).

### M. **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, and 551.087 for consultation with attorney, and to discuss matters relating to real property, and economic development negotiations, as follows:

- a. Consultation with Attorney.
  1. All matters related to Cause No. 18-9622-431 EagleRidge Operating, LLC v. Town of Flower Mound and Cause No. DC-18-17756 Town of Flower Mound, Texas vs. Eagleridge Operating, LLC
  2. Cause No. CV-2019-00241 Elaine Wells v. Town of Flower Mound et al.

**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.**

- b. Discuss and consider purchase, exchange, lease or value of real property for parks and/or other municipal purposes and all matters incident and related thereto.
- c. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

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**N. 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.

**O. 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: February 1, 2019, at 3:30 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.