

**AGENDA**

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING**

**3/18/2019**

**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. Texas Municipal Library Directors Association (TMLDA) "Achievement of Library Excellence" Award

**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 updates

**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**

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

### 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 3/4- Consider approval of the minutes from a regular meeting of the Town Council held on March 4, 2019.
2. JAG Police Grant Application- Consider authorization of the submission of the Town of Flower Mound Police Department Patrol Boat application for the 2020 DJ-Edward Byrne Memorial Justice Assistance Grant, acceptance of grant funds if awarded, agreeing to return all funds in the event of loss or misuse and designating the Town Manager as the grantee's authorized official.
3. Common Representation- Consideration and approval of consent to allow Taylor, Olson, Adkins, Sralla & Elam LLP to act as an intermediary between the Town of Flower Mound and the Town of Northlake to draft an interlocal agreement for the Town of Flower Mound to conduct limited animal services for the Town of Northlake.
4. Contract-Forest Vista Landscaping- Consider approval to award Best Value Bid No 2019-42-A for Landscape Maintenance Program-Forest Vista/Lake Forest to Newroc Services at the unit prices bid, in the estimated annual amount of \$15,000.00; and authorize the Mayor to execute same on behalf of the Town.
5. CIP Amendment No.3- Consider approval of Amendment No. 3 to the Fiscal Year 2018-2019 Capital Improvement Program.
6. Bruton Orand @1171 Turn Lane Design- Consider approval of a Professional Services Agreement with Pacheco Koch Consulting Engineers, Inc. for the design phase services associated with the Bruton Orand Boulevard at FM 1171 Right Turn Lane project, in the amount of \$61,294.00; and authorization for the Mayor to execute same on behalf of the Town.
7. Const. Award - FM2499 @ Lakeside- Consider approval of a Construction Agreement with 2L Construction, LLC., for the FM2499 at Lakeside Parkway Northbound Right-Turn Lane project, in the amount of \$348,143.25; and authorization for the Mayor to execute same on behalf of the Town.

### K. REGULAR ITEMS

8. ZPD - Home Depot Silveron Addition- Public Hearing to consider a request for rezoning (ZPD19-0003 - 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 rental, trailer rental, and rental/sales of propane containers outdoors on site. 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 7 to 0 at its March 11, 2019, meeting.) (The Town Council did not hear this item on it's February 4, 2019, meeting as the applicant withdrew)

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9. LDR - Landscaping Ordinance- **Public Hearing** to consider a request to amend the Land Development Regulations (LDR19-0001 - Landscaping) by amending Chapter 82, Article V, Division 2, entitled "Landscaping," of the Town's Code of Ordinances to allow for the use of synthetic turf as a ground cover. (The Planning & Zoning Commission recommended denial by a vote of 4-3 at its March 11, 2019, meeting.)
10. SP - Flower Mound Public Library- Consider a request for a Site Plan (SP18-0018-Flower Mound Public Library) to expand the existing Town Library facility with a required parking deviation in excess of 20 percent per Section 82-73 of the Town's Code of Ordinances. The property is generally located east of Old Settlers Road between Broadmoor Lane and Peters Colony Road. (The Planning and Zoning Commission recommended approval by a vote of 5-2 at its March 11, 2019, meeting.)
11. Const. Award - Morriss Rd Improvements- Consider approval of a Construction Agreement with Tiseo Paving Company for the Morriss Road and 20" Water Line Improvements project, in the amount of \$5,000,844.95; and authorization for the Mayor to execute same on behalf of the Town.
12. Const. Award - WWTP Upgrades- Consider approval of a Construction Agreement with Felix Construction Company for the Wastewater Treatment Plant Ultraviolet System Upgrade project, in the amount of \$2,065,700.00; and authorization for the Mayor to execute same on behalf of the Town.
13. Const. Award - Storage Warehouse- Consider approval of a Construction Agreement with MSB Constructors, Inc., for the Flower Mound Storage Warehouse project, in the amount of \$1,395,000.00; and authorization for the Mayor to execute same on behalf of the Town.
14. Senior Overlay District- Discuss and provide direction regarding rescinding the senior overlay district.
15. ZPD - Lisanti Cell Tower- **Public Hearing** to consider a request for rezoning (ZPD18-0012 - Lisanti Cell Tower) to amend Planned Development-135 (PD-135) with Campus Industrial (CI) uses to allow development of a communication tower, to modify the development standards, and request certain modifications and exceptions to the Code of Ordinances as related to the subject property. The property is generally located south of Spinks Road and east of Long Prairie Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its February 25, 2019, meeting.)(The Town Council moved to postpone this item on the March 4, 2019, meeting, at the applicants request.)

### **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, 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

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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.

**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: March 15, 2019, at 3:45 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.