

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

APRIL 16, 2018 – 6 P.M.

AND

APRIL 17, 2018 – 6 P.M.

The above dates are necessary given the anticipated length of the meeting.

Regular Items 14 - 22 will be opened, discussed, and possible action may be taken on April 16

Regular Items 23 - 29 will be opened on April 16, to meet legal posting requirements, however, no discussion or possible action will be taken until April 17

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

An agenda information packet is available online at www.flower-mound.com/AgendaCenter

Please silence or turn off all electronic devices in the Council Chambers.

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. Proclamation for Ken Parr, retiring Executive Director of Public Works
2. National Economic Development Week (May 7 - 12) Proclamation
3. Mayor's Award of Excellence (to be presented April 17)

E. PUBLIC PARTICIPATION

Please fill out a speaker form, available in the Town Hall on the night of the meeting, in order to address the Council and turn it in to the Town Secretary prior to Public Participation. Speakers are normally limited to three minutes. Time limits can be adjusted by the Mayor as to accommodate more or fewer speakers. For additional instructions or to complete your speaker form in advance [click here](#).

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.

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

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. Discuss and consider:
 - a. rescheduling the Tuesday, May 8 regular Council meeting to Tuesday, May 15
 - b. cancelling the April 19 & May 17 work sessions

J. 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. **Minutes 3/27 - Special-** Consider approval of the minutes from a special meeting of the Town Council held on March 27, 2018.
2. **Minutes 3/27 - Joint-** Consider approval of the minutes from a special joint work session with Council and the Transportation Commission held on March 27, 2018.
3. **Minutes 4/2-** Consider approval of the minutes from a regular meeting of the Town Council held on April 2, 2018.
4. **Minutes 4/4-** Consider approval of the minutes from a special joint work session with Council and the Planning and Zoning Commission held on April 4, 2018.
5. **Park Naming-** Consider approval of naming the 3.3 acre public park located adjacent to the Flower Mound Public Library as Peters Colony Memorial Park.
6. **Texas Book Festival Grant-** Consider acceptance of grant funds from the Texas Book Festival, which will be used to purchase additional materials for the Library's Chinese, Japanese, and Korean language collection.
7. **Contract-Police services Lake Grapevine-** Consider approval of the 2018 US Army Corps of Engineer (USACE) Solicitation No. W9126G18T0004 for Contract with the Town of Flower Mound for law enforcement services at Lake Grapevine; and authorize the Mayor to execute same on behalf of the Town.
8. **Police Dept. Renovation-** Consider approval and final acceptance of the Police Jail and Locker Room Renovation project (TOFM contract number 2017-62) and authorization of final payment to Unified Services of Texas Inc., in the amount of \$66,265.39.
9. **Bruton Elevated Storage Tank-** Consider approval of Change Order No. 1 and final acceptance of Bid No. 2017-7, the Bruton Orand Elevated Storage Tank Rehabilitation project, amending the contract with Utility Service Company, Inc., for a decrease in the contract in the amount of \$32,800.00, authorization for final payment to Utility Service Company, Inc., in the amount of \$57,632.50; and authorization for the Mayor to execute same on behalf of the Town.
10. **Agreement- Dunham Rd.-** Consider approval of Farm Lease between the Town of Flower Mound and the Wayne Haynes Estate for the Lease of Town Property located at 10300 Dunham Road; and authorize the Mayor to execute same on behalf of the Town.

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11. **Canterbury & Superior reconstruction-** Consider approval of Change Order No. 1 and final acceptance of the Canterbury Lane & Superior Place Reconstruction projects, amending the contract with 3D Paving and Contracting LLC, for a decrease to the contract in the amount of \$27,350.90, and authorizing final payment to 3D Paving and Contracting LLC, in the amount of \$57,336.03; and authorization for the Mayor to execute same on behalf of the Town.
12. **Colonial Dr. reconstruction-** Consider approval of Change Order No. 1 and final acceptance of the Sheffield Court, and Colonial Drive Reconstruction projects, amending the contract with 3D Paving and Contracting, LLC., for an increase to the contract in the amount of \$5,879.20, and authorizing final payment to 3D Paving and Contracting, LLC., in the amount of \$88,254.67; and authorization for the Mayor to execute same on behalf of the Town.
13. **Upper Trinity Board appointment-** Consider approval of a resolution appointing Clay Riggs as the Town's representative on the Upper Trinity Regional Water District (UTRWD) Board of Directors to complete an existing four-year term ending May 19, 2019.

K. REGULAR ITEMS

April 16: Items 14 - 22 will be opened, discussed, and possible action may be taken

14. **Lake Forest Blvd & Water line-** Consider approval the award of Bid No. 2018-51-B, to Joe Funk Construction, Inc., for the Lake Forest Boulevard Roadway Improvements, and Lake Forest 12-inch Water Line (Bridge Gap) projects, in the amount of \$1,332,670.69; and authorization for the Mayor to execute same on behalf of the Town.
15. **Public Hearing- Duke Realty/Ch 380-** Public Hearing to consider approval of a Chapter 380 Agreement between the Town of Flower Mound and Duke Realty Limited Partnership (Lakeside Ranch BP-Lot4R, Blk A).
16. **Public Hearing- Tax Abate. Reinvest.-** Public Hearing to consider approval of an ordinance establishing a Tax Abatement Reinvestment Zone for commercial-warehouse tax abatement on a 17-acre tract located at the southeast corner of Lake Forest Blvd. & Lakeside Pkwy.
17. **Public Hearing- Tax Abate/380 HIP DFW N-** Public Hearing to consider approval of a Tax Abatement and Ch 380 Agreement with HIP DFW North DC IV LLC, for the economic development of Flower Mound, and authorization for the Mayor to execute same on behalf of Town.
18. **Public Hearing-MPA-CVS Pharmacy-** Public Hearing to consider a request for a Master Plan Amendment (MPA17-0014 – CVS Pharmacy #10907) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Estate Residential to Retail use, and to consider adopting an ordinance providing for said amendment. The property is generally located north of Cross Timbers Road and east of Lusk Lane. (The Planning and Zoning recommended denial by a vote of 6 to 0 at its March 26, 2018, meeting.)

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19. **Public Hearing-ZPD-CVS Pharmacy-** Public Hearing to consider a request for rezoning (ZPD17-0018 - CVS Pharmacy #10907) from Agricultural District (A) to Planned Development District No. 160 (PD-160) with Retail uses, with certain modifications and exceptions to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment. The property is generally located north of Cross Timbers Road and east of Lusk Lane. (The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its March 26, 2018, meeting.)
20. **Public Hearing-SUP-Cell Tower-** Public Hearing to consider a request for a Specific Use Permit No. 451 (SUP17-0008 - Wichita Trail Cell Tower) to permit a communication tower, and to consider adopting an ordinance providing for said amendment. The property is generally located north of Wichita Trail and east of Skillern Road. (The Planning and Zoning Commission recommended denial by a vote of 5 to 1 at its March 12, 2018, meeting.)
21. **Public Hearing-MPA-Tinley Park-** Public Hearing to consider a request for a Master Plan Amendment (MPA17-0012 – Tinley Park) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Retail to High Density Single Family Detached, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Flower Mound Road and west of Duncan Lane. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its April 9, 2018, meeting.)
22. **Public Hearing-ZPD-Tinley Park-** Public Hearing to consider a request for rezoning (ZPD17-0014 – Tinley Park) from Agricultural District (A) to Planned Development District No. 159 (PD-159) with Single-Family District-5 (SF-5) uses, with certain exceptions and modifications to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment, and acceptance of cash in lieu of land in the amount of \$235,872.00 in place of the otherwise required Park Land Dedication and Park Development Fees in the amount of \$54,132.00. The property is generally located south of Flower Mound Road and west of Duncan Lane. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its April 9, 2018, meeting.)

Regular Items 23 - 29 will be opened on April 16, to meet legal posting requirements, however, no discussion or possible action will be taken until April 17

The applicant has requested Items 23 and 24 below to be remanded back to the Planning and Zoning Commission.

23. **Public Hearing-MPA-Magnolia Court-** Public Hearing to consider a request for a Master Plan Amendment (MPA17-0015 – Magnolia Court) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Medium Density to High Density Single Family Detached, and to consider adopting an ordinance providing for said amendment. The property is generally located on the northwest corner of the intersection of Gerault Road and Spinks Road. (The Planning and Zoning Commission recommended denial by a vote of 5 to 0 at its March 26, 2018, meeting.)

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24. **Public Hearing-ZPD-Magnolia Court-** Public Hearing to consider a request for rezoning (ZPD17-0020 – Magnolia Court) from Agricultural District (A) to Planned Development District No. 161 (PD-161) with Single-Family District-5 (SF-5) uses, with certain exceptions and modifications to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment, and acceptance of cash in lieu of land in the amount of \$263,088.00 in place of the otherwise required Park Land Dedication and Park Development Fees in the amount of \$80,504.00. The property is generally located on the northwest corner of the intersection of Gerault Road and Spinks Road. (The Planning and Zoning Commission recommended denial by a vote of 5 to 0 at its March 26, 2018, meeting.)
25. **Public Hearing-MPA-Founder's Landing-** Public Hearing to consider a request for a Master Plan Amendment (MPA17-0008 - Founder's Landing) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Estate Residential to Retail, and to consider adopting an ordinance providing for said amendment. The property is generally located east of Long Prairie Road and north of Aberdeen Drive. (The Planning and Zoning recommended approval by a vote of 6 to 0 at its April 9, 2018, meeting.)
26. **Public Hearing-ZPD-Founder's Landing-** Public Hearing to consider a request for rezoning (ZPD17-0010 - Founder's Landing) from Agricultural District (A) to Planned Development District No. 157 (PD-157) with Retail District-2 (R-2) and Agricultural uses, and with certain modifications and exceptions to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment. The property is generally located east of Long Prairie Road and north of Aberdeen Drive. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its April 9, 2018, meeting.)
27. **Public Hearing-MPA-Lakeside Village-** Public Hearing to consider a request for a Master Plan Amendment (MPA17-0010 – Lakeside Village) to amend Section 1.0, Land Use Plan, and Section 2.0, Area Plans, of the Master Plan to change the current land use designation from Campus Commercial use within the Lakeside Business District Area Plan to Mixed Use, and to consider adopting an ordinance providing for said amendment. The property is generally located west of Lakeside Parkway and south of Lakeside Village Boulevard. (The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its April 9, 2018, meeting.)
28. **Public Hearing-MU-Lakeside/L.Village-** Public Hearing to consider a request for rezoning (MU17-0002 – Lakeside DFW/Lakeside Village) to amend Mixed Use District-1 (MU-1) to include additional land, amend certain conceptual plans and development standards in the Lakeside DFW Development Code, and request certain exceptions and modifications to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment, subject to the terms and conditions in the attached Development Agreement and authorization for Mayor to execute same on behalf of the Town, and acceptance of cash in lieu of land in the amount of \$2,893,094.40 in place of the otherwise required Park Land dedication and Park Development Fees in the amount of \$317,852.00. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway. (The Planning and Zoning Commission recommended approval by a vote of 4 to 2 at its April 9, 2018, meeting.)

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29. **Public Hearing- Ch 380 Spec. Office-** Public Hearing to consider approval of a Chapter 380 Agreement for the development of a speculative office project located on a 10-acre tract on the west side of Long Prairie Road, between Lakeside Pkwy. & Silveron Blvd.

M. CLOSED MEETING

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

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

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: April 12, 2018, at 3:55 p.m., at least 72 hours prior to the scheduled time of said meeting.

Theresa Scott, Town Secretary

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.