

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

5/17/2021

**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. PRESENTATIONS

1. Certificate of Achievement Flower Mound High School Girls' Soccer Team - State Champions

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members

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, June 7
2. A special meeting is scheduled for Tuesday, June 15 to canvass the Runoff Election

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 council member by making such request prior to a motion and vote.

1. Minutes 5/12- Consider approval of the minutes from a regular meeting of the Town Council held on May 12, 2021.
2. DENCO nomination- Consider approval of a candidate nomination for appointment to the Denco Area 9-1-1 District Board of Managers.
3. Order Runoff Election- Consider approval of a resolution of the Town of Flower Mound, Texas calling for a runoff election to be held on June 5, 2021, for the office of Mayor; establishing procedures for conduct of the election.
4. Oncor Rate Case- Denial Resolution- Consider approval of a resolution authorizing the Town to join with the Steering Committee of Cities Served by Oncor to deny Oncor Electric Delivery Company LLC's application for approval to amend its distribution cost recovery factor.
5. 2020 Incident Mngmnt Equip Grant- Consider acceptance of grant funds and execution of an Interlocal Cooperation Agreement with the North Central Texas Council of Governments for the 2020 Incident Management Equipment Purchase Call for Projects; and authorization for the Mayor to execute same on behalf of the Town.
6. Park Naming- Consider approval of the naming of the park property located on the 13.11 acre tract located within the Townlake Phase IV residential development as Trotter Park.
7. Range Wood Dr Drainage- Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., for the design phase services for the Range Wood Drive Drainage Improvements project, in the amount of \$189,000.00; and authorization for the Mayor to execute same on behalf of the Town.
8. Tennis Center Study- Consider approval of a Professional Services Agreement with PROS Consulting, Inc., to provide a Tennis Center Feasibility Study, in the amount of \$49,950.00; and authorization for the Mayor to execute same on behalf of the Town.

K. REGULAR ITEMS

9. Councilmember Resignation- Consider resignation of Councilmember Place 1, Jim Pierson. *(No packet content)*
10. Niagara - Ch 380 & Tax Abatement- Consider approval of a Chapter 380 and Tax Abatement Agreement with Niagara Conservation, Inc. (aka Deus, LLC), at 300 Old Gerault Road, for the economic development of Flower Mound, and authorization for the Mayor to execute same on behalf of Town. (The Town Council postponed this item at its Dec 7, 2020, Jan 4, Feb 1, March 1, April 5, and April 19, 2021, meetings.)

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11. ZPD20-0006 Lakeside Crossing- Public Hearing to consider an ordinance for rezoning (ZPD20-0006 – Lakeside Crossing) to amend Planned Development No. 153 (PD-153) with both residential and non-residential uses to modify approved development standards related to the phasing of this development. 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 with a modified motion by a vote of 4 to 2 at its March 22, 2021, meeting.) (The Town Council moved to postpone this item to April 19, 2021 by a vote of 5 to 0 at its April 5, 2021, meeting.) (The Town Council moved to postpone this item to May 17, 2021 by a vote of 5 to 0 at its April 19, 2021, meeting.)
12. SP20-0022 Argyle Elementary School- Consider a request for a Site Plan (SP20-0022 – Argyle ISD Elementary School No. 3) to develop an elementary school, with a request for a deviation to computing parking and loading requirements pursuant to Section 82-73 of the Code of Ordinances, an exception to Section 82-302, Compatibility buffer, of the Code of Ordinances, and an exception to Section IV.C.5. of the Town’s Engineering Design Criteria requirement to provide a wet retention pond. The property is generally located east of Denton Creek Boulevard and south of Prairie Ridge Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 10, 2021, meeting.)
13. SP21-0001 Lakeside Center- Public Hearing to consider a Site Plan (SP21-0001 – Lakeside Center) with a request for an exception to ‘Underground Utilities’ pursuant to Section 82-377, Exceptions, of the Code of Ordinances. 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 May 10, 2021, meeting)
14. ZPD21-0001 Brightstar PD-82 Amend- Public Hearing to consider an ordinance for rezoning (ZPD21-0001 – Brightstar PD-83 Amendment) to amend Planned Development No. 83 (PD-83) with non-residential uses to modify Exhibit C, Section C.8.h. “Parking Lot Landscaping”, and a request for a deviation to the required parking standard pursuant to Section 82-73 of the Code of Ordinances. The property is generally located north of Lakeside Parkway and east of Garden Ridge Boulevard. (The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its April 26, 2021, meeting.)

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

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, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

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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, 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. Consultation with Attorney.

1. Consultation with Attorney regarding resignation and the filling of a vacancy in the office of Councilmember of the Town of Flower Mound.

The Town Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Town Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

- b. Discuss and deliberate options to fill the vacancy of a public officer in the office of Councilmember, Place 1.
- c. Discuss and consider election of Mayor Pro Tem and Deputy Mayor Pro Tem.
- d. 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.
- e. 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.
- f. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

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: May 14, 2021, at 4:45 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.