

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

5/20/2019

**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. PRESENTATIONS

1. Veterans Liaison to report on upcoming events
2. Certificate of Achievement for Lauren Cox
3. Certificate of Achievement Flower Mound High School Boys' Soccer Team - State Champions
4. National Public Works Week Proclamation
5. DFW Airport Noise Monitoring

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

1. A regular meeting is scheduled for Monday, June 3.
2. Discuss canceling the work session scheduled for Thursday, July 18.

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 5/14- Consider approval of the minutes from a regular meeting of the Town Council held on May 14, 2019.
2. Parks & Trails amenities- Consider approval of the purchase and installation of fifteen (15) benches and fifteen (15) trash receptacles to be used along the parks and trails as a part of the ongoing Park and Trail Amenities project, from Child's Play, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$34,955.00.
3. Water Conservation ordinance- Consider a request to amend the Town's Code of Ordinances by amending Chapter 70: Utilities by replacing Article VI, entitled "Water Conservation;" in its entirety with a new Article VI, entitled "Water Conservation", and to consider adopting an ordinance for said amendment.
4. WWTP UV System update- Consider approval of a Professional Services Agreement with Alan Plummer Associates, Inc., to provide contract construction management, associated with the Wastewater Treatment Plant Ultraviolet System Update project, in the amount of \$161,908.00; and authorization for the Mayor to execute same on behalf of the Town.

K. REGULAR ITEMS

5. MPA - Senior Housing overlay- Public Hearing to consider a request for a Master Plan Amendment (MPA19-0001 – Senior Housing Overlay) to amend Section 1, Land Use Plan, by deleting the provisions related to Senior Housing, and consider adopting an ordinance providing for said amendment. (The Planning & Zoning Commission recommended denial by a vote of 7 to 0 at its May 13, 2019, meeting.)
6. MPA - Highland Pointe Park- Public Hearing to consider a request for a Master Plan Amendment (MPA18-0007- Highland Pointe Park) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Medium Density Residential to Retail uses, and consider adopting an ordinance providing for said amendment. The property is generally located north of Valley Ridge Boulevard and east of Morriss Road. (The Planning and Zoning Commission recommended approval by a vote of 7 to 0 at its May 13, 2019, meeting.)

Town Council Meeting Agenda

May 20, 2019

Page 3

7. ZPD - Highland Pointe Park PD-19- **Public Hearing** to consider a request for rezoning (ZPD18-0011 - Highland Pointe Park) to amend Planned Development District No. 19 (PD-19) with Office District (O) uses to Planned Development District No. 19 (PD-19) with Retail District-2 (R-2) uses on certain tract of land, to add the conceptual plans and elevations, to modify the development standards, request an exception to Section 82-302, Compatibility buffer, of the Code of Ordinances, and request certain modifications and exceptions to the Code of Ordinances as related to the subject property, and consider adopting an ordinance providing for said amendment. The property is generally located north of Valley Ridge Boulevard and east of Morriss Road. (The Planning & Zoning Commission recommended approval by a vote of 7 to 0 at its May 13, 2019, meeting.)
8. ZPD - Windhaven Assisted Living- **Public Hearing** to consider a request for rezoning (ZPD19-0005 - Windhaven Assisted Living) from Agricultural District (A) uses to Planned Development District-173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility, with certain exceptions and modifications to the Code of Ordinances, and consider adopting an ordinance providing for said amendment. The property is generally located south of Cross Timbers Road and west of Auburn Drive. (The Planning and Zoning Commission recommended approval by a vote of 5 to 2 at its May 13, 2019, meeting.)
9. Tree Removal-Windhaven Assisted Living- **Public Hearing** to consider an application for a tree removal permit for nine (9) specimen trees on property proposed for development as Windhaven Assisted Living. The property is generally located south of Cross Timbers Road and west of Auburn Drive. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its March 5, 2019, meeting).
10. Tree Removal- Townlake Phase 4- **Public Hearing** to consider an application for a tree removal permit for ten (10) specimen trees on property proposed for development as Townlake Phase 4. The property is generally located south of Cross Timbers Road and east of Flower Mound Road. (The Environmental Conservation Commission recommended approval by a vote of 4-2-0 at its April 2, 2019, 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, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

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. Cause No. CV-2019-00241 Elaine Wells v. Town of Flower Mound et al. and regulation of short term rental properties.

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.

Town Council Meeting Agenda

May 20, 2019

Page 4

- 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 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.
- 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.

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 16, 2019, at 5:00 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.