

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

5/21/2018

**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 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. National Public Works Week Proclamation
2. Presentation and introduction from Denton County Friends of the Family
3. Proclamation for Children's Mental Health Awareness Day

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. A regular meeting is a scheduled for Monday, June 4.

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 5/15-** Consider approval of the minutes from a regular meeting of the Town Council held on May 15, 2018.
2. **SPAN Transportation-** Consider approval of the First Amendment to the Services Agreement with SPAN, Inc., providing Demand Response Transit Service for Town citizens who are age sixty-five (65) or older and/or Town citizens with verifiable disabilities that prevent them from driving, for the addition of a new trip purpose and to increase the maximum one-way rides per month; and authorization for the Mayor to execute same on behalf of the Town.
3. **Twin Coves Park Housekeeping-** Consider approval of a Contract for Services Agreement with Festac Building Construction, Inc. to provide housekeeping services for Twin Coves Park, at the unit prices bid and to establish an annual bid price contract for routine housekeeping services to clean the rented cabins in an annual estimated amount of \$35,000.00; and authorization for the Mayor to execute same on behalf of the Town. This is the award of Bid No 2018-75-A and the contract is for one-year with four one-year renewal options.
4. **Agreement Renewal - ACMS-** Consider approval of an agreement renewal with All City Management Services, and authorization for the Mayor to execute same on behalf of the Town.
5. **Agreement - Priority Dispatch-** Consider approval of an agreement with Public Safety Priority Dispatch System for an emergency medical and police incident call response system, and authorization for the Mayor to execute same on behalf of the Town.
6. **ADA Changes-** Consider approval of an ordinance amending Chapters 2, 14, and 58 of the Code of Ordinances of the Town of Flower Mound relating to Americans with Disability Act (ADA) language in the respective chapters in accordance with the recommendations of the Town's ADA Transition Plan.
7. **CoServ - WWTP-** Consider approval of the Wastewater Treatment Plant Auxiliary Power final acceptance, and authorize the final payment of \$504,654.09, to CoServ Electric.
8. **Shady Point Acres-** Consider approval of Change Order No. 2 and Final Acceptance of the Shady Point Acres Water Line Replacement project, amending the contract with Wildstone Construction LLC, for a decrease to the contract in the amount of \$82,987.50, and authorization of final payment to Wildstone Construction LLC, in the amount of \$59,264.34; and authorization for the Mayor to execute same on behalf of the Town.
9. **CDAR Holdings, Water line-** Consider approval of a Development Agreement with CDAR Holdings, LLC for the construction of Town infrastructure associated with the Southgate, Phase 1 non-residential development; and authorization for the Mayor to execute same on behalf of the Town.

10. **Town Hall Data Wiring-** Consider approval to fund the data and TV cabling project for the new Town Hall, through a Texas Department of Information Resources (DIR) Contract, with BlackBox Services, in the amount of \$119,999.00.

K. REGULAR ITEMS

11. **Public Hearing-MPA-Morriss Rd-** Public Hearing to consider a request for a Master Plan Amendment (MPA18-0002 – Morriss Road Thoroughfare Plan Amendment) to amend Section 7.0, Thoroughfare Plan, by changing the designation of Morriss Road from a Major Arterial to a specified Urban Minor Arterial between Justin Road (FM 407) and Flower Mound Road (FM 3040) and by amending text related to Morriss Road being six lanes, and to consider adopting an ordinance providing for said amendment. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its April 23, 2018, meeting.)
12. **Morriss Rd Improvement Options-** Consider Improvement Plan Options to be included in the Morriss Road Improvements Project.
13. **Tree Removal- Church of Christ-** Public Hearing to consider an application for a tree removal permit for six (6) specimen trees on property proposed for development as Flower Mound Church of Christ. The property is generally located south of Karnes Road and east of Old Settlers Road. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its March 6, 2018, meeting).
14. **Public Hearing-SP-Church of Christ-** Public Hearing to consider a request for a Site Plan (SP17-0022 – Flower Mound Church of Christ) to develop a church building, with exceptions to Section 90-423, "Underground utilities," and Section 82-242, "Street buffer landscaping," of the Code of Ordinances. The property is generally located south of Karnes Road and east of Old Settlers Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its April 23, 2018, meeting).
15. **Tree Removal- Lakeside Crossing-** Public Hearing to consider an application for a tree removal permit for three (3) specimen trees on property proposed for development as Lakeside Crossing. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (The Environmental Conservation Commission recommended approval for Tree #83 by a vote of 6-0-0 at its April 3, 2018, meeting and recommended approval for Tree #'s 4804 and 4805 by a vote of 6-0-0 at its May 1, 2018, meeting).
16. **SP-Service First-** Consider a request for a Site Plan (SP18-0004 - Service First) to develop an auto repair garage, and a waiver to certain Architectural Standards in the Town's Urban Design Plan. The property is generally located south of Justin Road and east of Stone Hill Farms Parkway. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 14, 2018, meeting.)
17. **SP-Lake Forest Plaza, Lot 10-** Consider a request for a Site Plan (SP18-0003 - Lake Forest Plaza, Lot 10) to develop an office/retail building, 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 north of Flower Mound Road and west of Long Prairie Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 14, 2018, meeting.)

18. **Public Hearing-ZPD-Pepper Creek-** Public Hearing to consider a request for rezoning (ZPD18-0002 – Pepper Creek Ranch) from Agricultural District (A) and Interim Holding District (IH) to Planned Development District No. 162 (PD-162) for a cluster development with certain modifications and exceptions 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 \$55,020.00 in place of the otherwise required Park Land dedication and Park Development Fees in the amount of \$69,400.00. The property is generally located north of Cross Timbers Road and west of Montalcino Boulevard. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 14, 2018, meeting.)
19. **DP-Pepper Creek-** Consider a request for a Development Plan (DP18-0002 - Pepper Creek Ranch) to develop a residential subdivision. The property is generally located north of Cross Timbers Road and west of Montalcino Boulevard. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 14, 2018, meeting.)

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: 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 551.074, 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 resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: **Board of Adjustment/Oil & Gas Board of Appeals**, Community Development Corporation, and Planning and Zoning Commission.
- b. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.
- c. 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.
- d. Consultation with Attorney as follows:
 1. Limited engagement of outside counsel to represent the Town's Gas Board of Appeals and Zoning Board of Adjustment.
 2. EagleRidge Operating application for variance, appeal of administrative interpretation of the gas well regulations and preemption determination appeal.

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: May 18, 2018, at 12:55 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.