

AGENDA

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING;
TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION,
AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING;
AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING**

8/19/2019

**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. CoServ check presentation
2. Proclamation for National Senior Center Month
3. Presentation regarding Mutual Aid Services provided by the Town

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

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 Tuesday, September 3.

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 8/5- Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting on August 5, 2019.
2. Firefighting and Rescue Equip- Approval to purchase firefighting and rescue equipment for the new Pierce Ascendant 107' Ladder Truck from Municipal Emergency Services in the amount of \$124,519.33.
3. Armstrong Laboratory Agreement- Consider approval of an agreement with Armstrong Forensic Laboratory, Inc., for a forensic laboratory fee agreement for the purpose of submitting alleged controlled substances for analysis; and authorization for the Mayor to execute same on behalf of the Town.
4. SPAN Transportation- Consider approval for a Service Agreement for Demand Response Transit Service with Special Programs for Aging Needs, Inc., in an amount not-to-exceed \$51,535.08, to provide transportation service for Town citizens who are age 65 or older and Town citizens with verifiable disabilities that prevent them from driving; and authorization for the Mayor to execute same on behalf of the Town.
5. FM Storage Warehouse CO1- Consider approval of Change Order No. 1 for the construction of Flower Mound Storage Warehouse project, amending the contract with MSB Constructors, Inc., to provide for an increase to the contract in the amount of \$71,882.57; and authorization for the Mayor to execute same on behalf of the Town.
6. FM 2499 Street Name Change- Consider approval of an ordinance for a street name change for Long Prairie Road (100-800 block) to International Parkway (100-800 block) (The Transportation Commission recommended changing the street name by a vote of 4 to 3 at its August 13, 2019, meeting)
7. Grady Court Recon Construction- Consider approval of a Construction Agreement with 3D Paving and Contracting, LLC, for the Grady Court Reconstruction project, in the amount of \$630,670.00; and authorization for the Mayor to execute same on behalf of the Town.
8. Grady Court Recon Testing- Consider approval of a Professional Services Agreement with HVJ North Texas – Chelliah Consultants, Inc. to provide construction materials engineering and testing, for the Grady Court Reconstruction project, in the amount of \$27,995.00; and authorization for the Mayor to execute same on behalf of the Town.

9. Minutes 8/15- Consider approval of the minutes from a work session of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting on August 15, 2019.

K. REGULAR ITEMS

10. Town Budget- Public Hearing to consider the proposed budget for the fiscal year beginning on October 1, 2019, and ending on September 30, 2020.
11. Crime District Budget- Public Hearing by the Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to consider the Flower Mound Crime Control and Prevention District proposed budget for the fiscal year beginning on October 1, 2019, and ending on September 30, 2020.
12. Fire District Budget- Public Hearing by the Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider the Flower Mound Fire Control, Prevention, and Emergency Medical Services District proposed budget for the fiscal year beginning on October 1, 2019, and ending on September 30, 2020.
13. Tax Rate- Public Hearing (1 of 2) to consider a tax rate of \$0.4390 per \$100 assessed valuation.
14. MPA19-0002 Canyon Falls- Public Hearing to consider a request for a Master Plan Amendment (MPA19-0002 – Canyon Falls) to amend Section 1.0, Land Use Plan and Section 2.0, Area Plans, of the Master Plan by changing the current land use designation of Canyon Falls development within the Denton Creek District Area Plan from Medium Density Residential uses to Open Space and from Open Space to Medium Density Residential uses on certain tracts of land, located between and around Village 10B and Village 12. The property is generally located north of Cross Timbers Road and between Interstate 35W and U.S. 377, and consider adopting an ordinance providing for said amendment. The property is generally located north of Cross Timbers Road and between Interstate 35W and U.S. 377. (The Planning and Zoning Commission recommended denial by a vote of 5 to 0 at its July 22, 2019, meeting.)
15. ZPD19-0007 Canyon Falls- Public Hearing to consider a request for rezoning (ZPD19-0007 - Canyon Falls) to amend Planned Development District No. 98 (PD-98) to add additional lots by changing the zoning from Single-Family District-10 (SF-10) uses to Open Space and from Open Space to Single-Family District-10 (SF-10) on certain tracts of land located between and around Village 10B and Village 12, and to modify the minimum standards set forth in the Single-Family District-10 (SF-10) zoning district regulations by reducing certain front, side and rear yard setbacks, and consider adopting an ordinance 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. The property is generally located north of Cross Timbers Road and between Interstate 35W and U.S. 377. (The Planning and Zoning Commission recommended approval/denial by a vote of 0 to 0 at its July 22, 2019, meeting.)

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16. LDR19-0005 - Extended Stay Hotels- **Public Hearing** to consider an ordinance amending the Land Development Regulations (LDR19-0005 – Extended Stay Hotels) by amending Chapter 98 entitled “Zoning,” of the Town's Code of Ordinances, to create or modify the definitions and define the standards for hotels and motels, extended stay hotels, and specific use permit automatic renewals. (The Planning and Zoning Commission recommended approval with modifications by a vote of 6 to 1 at its August 12, 2019, meeting.)
17. Amend Municipal Judge Duties- Consider approval of an ordinance amending the duties of the Judge of Municipal Court of Record to modify the number of reports to the Town Council required per year (On August 5, 2019, the Town Council voted to postpone this item to August 19, 2019, by a vote of 5 to 0).

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. Regarding bills passed during 86th Texas Legislature
 2. 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.
- b. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural art center 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. Presiding Municipal Court Judge.
- e. 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: August 16, 2019, at 12:30 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.