

**AGENDA**

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING**

**11/4/2019**

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

**6:00 P.M.**

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An agenda information packet is available online at [www.flower-mound.com/AgendaCenter](http://www.flower-mound.com/AgendaCenter)  
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***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."*

Cub Scout Pack 1225, Liberty Elementary

Cub Scout Pack 392, Forest Vista Elementary, Doge Patrol

**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. 'National Night Out' neighborhood winner(s) award presentation
2. Proclamation to designate November as Arts Month in Flower Mound

**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. DCTA Update
4. Transportation Model 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).

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### I. COORDINATION OF CALENDARS

1. A regular meeting is scheduled for Monday, November 18.
2. Discuss and consider cancelling the work sessions for November 21 & December 19.

### 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 10/7 & 10/17- Consider approval of the minutes from a regular meeting of the Town Council on October 7, 2019; and a Town Council and Parks Board work session on October 17, 2019.
2. PIR methods- Consider approval of a resolution adopting the method for making written request for public information.
3. Concentra Medical Centers- Consider approval of a Contract for Services with Concentra Medical Centers to provide health assessments, fitness for duty assessments, alcohol and drug testing, injury medical treatment and case management, and authorization for the Mayor to execute same on behalf of the Town.
4. Ord. Repeal- Dogs on Patio- Consider approval of an ordinance amending Chapter 18, "Businesses," Article III "Food and Food Establishments," by repealing Section 18-127, "Permit to allow dogs on food establishment outdoor patio," and amending Appendix A, "Fee Schedule," by removing the permit fee for Section 18-127, of the Code of Ordinances of the Town of Flower Mound, Texas.
5. DOJ Bulletproof Vest Grant- Consider approval of a resolution accepting grant funds from the Department of Justice's Office of Justice Programs for the purchase of bulletproof vests for the Police Department as part of the FY 2019 Bulletproof Vest Partnership.
6. Denton County ICA for EMS- Consider approval of an Interlocal Cooperation Agreement with Denton County for the provision of ambulance services for the benefit of the citizens of Flower Mound and Denton County, and authorization for the Mayor to execute same on behalf of the Town.
7. Denton County ICA for Fire- Consider approval of an Interlocal Cooperation Agreement with Denton County for the provision of fire protection services for the benefit of the citizens of Flower Mound and Denton County, and authorization for the Mayor to execute same on behalf of the Town.
8. Outdoor Warning Sirens- Consider approval of an Annual Maintenance Contract with Mass Notification Services, Inc for the Town's Outdoor Warning Siren System in the amount of \$18,055.00, and authorization for the Mayor to execute same on behalf of the Town.
9. Medical Supplies- Consider approval of the purchase of emergency medical supplies and pharmaceuticals from Bound Tree Medical LLC, through the City of Cedar Hill Contract in the amount of \$105,000.00.
10. Firefighter Uniforms- Consider approval of the purchase of Firefighter uniforms from Gall's LLC through the City of Frisco Cooperative Bid No. 1905-082 (TOFM No. 2019-168-I).

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11. Firefighter Turnout Gear- Consider approval of the purchase of forty-four sets of bunker gear from NAFECO, Inc. through BuyBoard Purchasing Contract No. 524-17 in the total amount of \$125,701.84. and authorization for the Mayor to approve same on behalf of the Town.
12. Law Enforcement Database- Consider approval of an agreement with Thomson Reuters, Inc., for a three-year fee agreement for a law enforcement database known as CLEAR; and authorization for the Mayor to execute same on behalf of the Town.
13. Patrol Boat Purchase- Consider approval of the purchase of one (1) new patrol boat and equipment for Police Services from Siddons-Martin, with funds from the awarded JAG police grant.
14. Asphalt Overlay Contract- Consider approval of an increase to the annual purchase contract for asphalt overlay services from Reynolds Asphalt & Construction Company, through a City of Grand Prairie Contract (#16112) from an estimated total of \$350,000.00 to an estimated total of \$500,000.00.
15. Garden Ridge Water Line 2 - Design Award- Consider approval of a Professional Services Agreement with Wade Trim, Inc., for the design phase services associated with the Garden Ridge Phase II Water Line project, in the amount of \$94,103.00; and authorization for the Mayor to execute same on behalf of the Town.
16. Hillside Water Line - Design- Consider approval of a Professional Services Agreement with Wade Trim, Inc., for the design phase services associated with the Hillside Water Line Connection project, in the amount of \$36,420.00; and authorization for the Mayor to execute same on behalf of the Town.
17. FM2499@Silveron Signal Construction- Consider approval of a Construction Agreement with Roadway Solutions, Inc., for the FM 2499 at Silveron Traffic Signal project, in the amount of \$209,984.00; and authorization for the Mayor to execute same on behalf of the Town.
18. Streetlights -Forest Vista School- Consider approval of the purchase and installation of streetlights at the Forest Vista Elementary School from CoServ Electric, for work associated with the Roadway Amenities project, in the amount of \$55,909.26.
19. Traffic Signal Detection Rehab project- Consider approval of the purchase of new Traffic Signal Detection Equipment for the Traffic Detection Rehabilitation project, from Twincrest Technologies through the HGAC program, in the amount of \$120,500.00.
20. 2019-2020 Strategic Plan- Consider adoption of the Town Council Strategic Plan for Fiscal Year 2019-2020.

### K. REGULAR ITEMS

21. Gibson-Grant Log Cabin Grant- Consider approval of a resolution accepting grant funds from the Texas Historical Commission (THC), execution of an agreement with the THC, and authorization for the Mayor to execute said agreement on behalf of the Town.

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22. Peters Colony Master Plan- Public Hearing to consider recommendation of a conceptual master plan for Peters Colony Memorial Park, a 3.3 acre park located next to the Flower Mound Public Library.
23. Tree Removal - Trailwood- Public Hearing to consider an application for a tree removal permit for one (1) specimen tree on property proposed for development as Trailwood Phase 2. The property is generally located south of Cross Timbers Road and west of U.S. 377. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its October 1, 2019, meeting).
24. Tree Removal - Parkway Office Building- Public Hearing to consider an application for a tree removal permit for one (1) specimen tree on property proposed for development as Parkway Office Lakeside. The property is generally located south of Lakeside Parkway and east of Gerault Road. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its September 12, 2019, meeting).
25. ZPD19-0006 - Parkway Office Lakeside PD-- Public Hearing for a request for rezoning (ZPD19-0006 – Parkway Office Lakeside) from Planned Development No. 83 (PD-83) with Campus Industrial District (CI) uses to Planned Development No. 174 (PD-174) with Campus Industrial District (CI) uses in compliance with the Campus Industrial land use designation within the Lakeside Business District Area Plan, including a Comprehensive Sign Package, with certain exceptions and modifications to the Code of Ordinances, with a request for a deviation to computing parking and loading requirements pursuant to Section 82-73 of the Code of Ordinances, and with an exception to the Architectural Standards of the Town's Urban Design Plan for meritorious design, and consider adopting an ordinance for said amendment. The property is generally located south of Lakeside Parkway and east of Gerault Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 14, 2019, meeting.)
26. ZPD19-0001 - Whyburn Medical Offices- Public Hearing to consider a request for rezoning (ZPD19-0001-Whyburn Medical Offices) from Agricultural District (A) uses to Planned Development District-172 (PD-172) with Office District (O) uses, and with certain exceptions and modifications to the Code of Ordinances, and consider adopting an ordinance for said amendment. The property is generally located north of Waketon Road and west of Long Prairie Road. (The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its October 14, 2019, meeting.)
27. SUP19-0008 - Flourish Birth and Wellness- Public Hearing to consider an ordinance granting Specific Use Permit No. 459 (SUP19-0008 – Flourish Birth and Wellness Center) to permit a hospital. The property is generally located south of Cross Timbers Road and west of Kirkpatrick Lane (4061 Kirkpatrick Lane). (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 28, 2019, meeting.)
28. SUP19-0007 - Four40 Event Center- Public Hearing to consider an ordinance granting a Specific Use Permit No. 458 (SUP19-0007 – Four40 Event Center at Parker Square) to permit an assembly hall. The property is generally located northwest of Cross Timbers Road and south of Timber Creek Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 28, 2019, meeting.)

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29. Lakeside Crossing Assignment to BI 50- Public Hearing to consider an assignment of the Chapter 380 Agreement with Newstream Hotels & Resorts, LLC, (through Lakeside Crossing Land Partners, LP) and the Lakeside Parkway/Gerault Road Partnership Agreement (Daldav) for Lots 4 & 5, to BI 50 LLC, and authorization for the Mayor to execute same on behalf of the Town.
30. Lakeside Crossing Assignment to BI 43- Public Hearing to consider an assignment of the Chapter 380 Agreement with Newstream Hotels & Resorts, LLC, (through Lakeside Crossing Land Partners, LP) and the Lakeside Parkway/Gerault Road Partnership Agreement (Daldav) for Lots 1, 2, 3, 6, 7, and 8x, to BI 43 LLC, and authorization for the Mayor to execute same on behalf of the Town.
31. OTD Ch 380 Termination & Sale Docs- Public Hearing to consider approval of an Agreed Termination of a Chapter 380 Agreement, Release of Lien, and Promissory Note, between the Town of Flower Mound and Old Town Development LLC, and authorization for the Mayor to execute same on behalf of the Town.
32. Economic Incentive Policy Update- Public Hearing to consider approval of a resolution adopting an Economic Development Incentive Policy for the Town of Flower Mound, and providing for an effective date.
33. Short-Term Rental Regulations Discussion- Discuss and provide direction on short-term rental regulations (LDR19-0006 – Short-Term Rentals). (The Planning and Zoning Commission tabled this item by a vote of 5 to 1 at its October 14, 2019, meeting.)

### L. 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, 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. River Walk development agreement
  2. Short-term rental regulations

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 and/or other municipal purposes and all matters incident and related thereto.
- c. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

### M. 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.

**N. 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: November 1, 2019, at 10:45 a.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.