

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

JANUARY 21, 2016

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. **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.

E. **ANNOUNCEMENTS**

1. Announce recent and upcoming civic and social events.

F. **TOWN MANAGER'S REPORT**

1. Update and status report related to capital improvement projects.
2. Update and discussion on Economic Development projects.
3. Update on the River Walk at Central Park.

G. **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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H. COORDINATION OF CALENDARS

1. The next Town Council meeting is a scheduled for February 1st.

2. Consider canceling the following 2016 meetings:

March 7, regular meeting (LISD Spring Break Week)

July 4, regular meeting (Independence Day)

Consider canceling and rescheduling the following 2016 meetings:

August 1, regular and reschedule to August 4 (Thursday)

August 18, work session and reschedule to August 11 (Thursday)

September 5 (Labor Day), regular and reschedule to September 6 (Tuesday)

I. 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 12/7** - Consider approval of the minutes from a regular meeting of the Town Council held on December 7, 2015.
2. **Minutes 12/21** - Consider approval of the minutes from a regular meeting of the Town Council held on December 21, 2015.
3. **Senior Lunch Program (meals)** - Consider approval of the award of Request for Proposal Number 2016-10 to Metroport Meals on Wheels, Incorporated to establish an annual fixed-price contract to provide meals for the Town's Seniors Lunch Program in the estimated amount of \$55,575; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one-year with four one-year renewal options.
4. **Equipment Purchase (backhoe)** - Consider approval of the purchase of one (1) new Caterpillar Backhoe/Loader w/Extend-a Hoe, 2WD for the Public Works Department from Holt Caterpillar, through the Texas Local Government Purchasing Cooperative program, in the total amount of \$72,788.36.
5. **Equipment Purchase (ditch witch)** - Consider approval of the purchase of one (1) new Ditch Witch FX30A FX30 Vacuum System for the Public Works Department from EKA Government Sales Experts, through the Texas Local Government Purchasing Cooperative program, in the total amount of \$53,361.97.
6. **Hazmat Action Plan** - Consider approval of a resolution authorizing adoption of the Denton County Hazard Mitigation Action Plan, January, 2016, and authorization for the Mayor to execute same on behalf of the Town.
7. **Interlocal Agreement (ambulance)** - 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.

8. **Interlocal Agreement (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.
9. **Signage bid** - Consider approval of the award of Request for Bid Number 2016-12 to the lowest responsive, responsible bidders, U.S. Standard Sign (Group I) and Centerline Supply, LTD (Groups II, III, and IV) at the unit prices bid, for an estimated annual expenditure of \$140,000; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one-year with four one-year renewal options.
10. **Bakersfield Bridge Bank Stabilization (PSA)** - Consider approval of a Professional Services Agreement for the design, construction documents, and bidding phase services for the Bakersfield Bridge Bank Stabilization project, with Kimley Horn and Associates, Inc., for \$38,000.00; and authorization for the Mayor to execute the same on behalf of the Town.

J. REGULAR ITEMS

11. **Investigation report** – Discuss and consider a resolution to refer the “Investigation Report, Town of Flower Mound,” to the Denton County District Attorney’s Office and declaring a public rebuke of Councilmember Itamar Gelbman on the basis of the report.
12. **Public access agreement** - Consider Fourth Amendment to the Contract of Sales Agreement for a public access and utility easement from Janvier Scott; and authorize the Mayor to execute same on behalf of the Town. *(Items 12 – 15 are related)*
13. **Specific Plan Area 2 (MPA15-0008)** **Public Hearing**
Consider a request for a Master Plan Amendment (MPA15-0008 – Specific Plan Area 2) to amend Section 3, Specific Plans, by modifying the access standards and map for Specific Plan Area 2 (SPA 2) to address the Bob White Lane public access, utility and sidewalk easements per the terms of the approved Contract of Sales Agreement, and to consider adopting an ordinance providing for said amendment. SPA 2 is generally located on both sides of Long Prairie Road (FM 2499) between Sagebrush Drive and Chaparral Lane. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 11, 2015, meeting.) (The Town Council tabled this item indefinitely at its November 2, 2015, meeting.)(The official Public Hearing was held on June 1, 2015)*
14. **Easement acquisition (Black Walnut Café)**- Consider approval of the Memorandum of Agreement with Dirk Laukein; and authorization of Mayor to execute same on behalf of the Town.

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15. **Easement acquisition (My Flooring America)** - Consider approval of the Addendum To Development Agreement with MRK Enterprises, LLC; and authorization for the Mayor to execute the same on behalf of the Town.
16. **Silveron Industrial warehouse (MPA15-0010)** **Public Hearing**
Public Hearing to consider a request for a Master Plan Amendment (MPA15-0010 – Silveron Industrial Warehouse) to amend Section 1.0, Land Use Plan, and Section 2.0, Area Plans, of the Master Plan to change the current land use designation from Campus Commercial uses to Campus Industrial uses on approximately 41.24 acres of land within the Lakeside Business District Area Plan, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Lakeside Parkway and east of Lake Forest Boulevard. *(Planning and Zoning Commission recommended denial by a vote of 4 to 2 at its January 11, 2015, meeting.) (Items 16 – 19 are related)*
17. **Silveron Industrial warehouse (ZPD15-0013)** **Public Hearing**
Public Hearing to consider a request for rezoning (ZPD15-0013 – Silveron Industrial Warehouse) from Planned Development District No. 31 (PD 31) for Campus Commercial District (CC) uses to Planned Development District No. 145 (PD-145) for Campus Industrial District (CI) uses with certain exceptions to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Lakeside Parkway and east of Lake Forest Boulevard. *(Planning and Zoning Commission recommended denial by a vote of 4 to 2 at its January 11, 2015, meeting.)*
18. **Silveron Blvd – tree removal** **Public Hearing**
Public Hearing to consider an application for a tree removal permit for eight (8) specimen trees on property proposed for development as Silveron DC 1 & 2. The property is generally located north of Silveron Boulevard, south of Lakeside Parkway, and east of Lake Forest Boulevard. *(The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its October 6, 2015, meeting).*
19. **Stryker Corporation 380 Agreement** **Public Hearing**
Public Hearing to consider approval of a Chapter 380 Agreement between the Town of Flower Mound and Stryker Corporation, and authorization for the Mayor to execute same on behalf of the Town.
20. **Water Main replacement (Oak Drive)** - Consider approval of the award of Bid No. 2016-9 to A&M Construction and Utilities, Inc., for the Oak Drive Water Main Replacement project, in the amount of \$1,083,877.50; and authorization for the Mayor to execute same on behalf of the Town.

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21. **Manchale Alcohol Variance (MISC15-0006)**

Public Hearing

Public Hearing to consider a request for a variance (MISC15-0006 - Manchale Alcohol Variance) to permit the sale of alcoholic beverages by a restaurant within 300 feet of a public school. The property is located at 420 Parker Square.

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

Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Animal Services Board, Cultural Arts Commission, Environmental Conservation Commission, Parks, Arts and Library Services Board, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and the Transportation Commission.

L. CLOSED MEETING

The Town Council to convene into closed meeting pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.074, 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, Planning and Zoning Commission, and the Mayor/Town Council.
- 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 Town Attorney regarding:

1. Town Council investigation

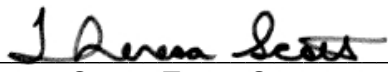
Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda.

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 posted on the following date and time: January 15, 2016, at 1:30 p.m., at least 72 hours prior to the scheduled time of said meeting.


Theresa Scott, Town Secretary

The Flower Mound Town Hall and 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.