

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

FEBRUARY 15, 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. **PRESENTATIONS**

1. Presentation and update by Keep Flower Mound Beautiful

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**

1. Update and status report related to capital improvement projects.
2. Update and discussion on Economic Development projects.
3. Update and discussion on Density Gap.
4. Update and discussion on using the Town's video copter (drone) to monitor development impacts on tree canopy.

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. The next Town Council meeting is scheduled for February 18th, joint work session with the Environmental Conservation Commission (ECC).

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 2/1** - Consider approval of the minutes from a regular meeting of the Town Council held on February 1, 2016.
2. **Calling General/Special Election** - Consider approval of a resolution of the Town of Flower Mound, Texas calling for a General Election to be held on May 7, 2016, for the offices of Mayor, Town Council Place 2, and Town Council Place 4; and a Special Election for the office of Town Council Place 1, on this same date
3. **Budget amendment** - Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2015, and ending on September 30, 2016, as adopted by Ordinance No. 52-15 and amended by Ordinance No. 70-15 and Ordinance No. 04-16 for an adjustment to the Utility Fund.
4. **Electric supply agreement** - Consider approval of a resolution of the Town Council of the Town of Flower Mound, Texas, authorizing the Texas Coalition for Affordable Power (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018.
5. **Truck purchase** - Consider approval of the purchase of a new Super Duty, Regular Cab, 4x4, Cab/Chassis w/Brush-Chip Tree Care Body for the Parks Department from Sam Pack's Five-Star Ford through the Texas Local Government Purchasing Cooperative program, in the total amount of \$62,182.00.
6. **Car purchase** - Consider approval of the purchase of two (2) new 2016 Ford Interceptor Sedans for the Police Department from Sam Pack's Five-Star Ford through the Texas Local Government Purchasing Cooperative program, in the total amount of \$98,456.34.
7. **SIM membership fee** - Consider approval of an ordinance amending the Code of Ordinances of the Town of Flower Mound by amending Article I, "In General" of Chapter 54 "Parks and Recreation" of the Code of by amending Sections 54-2(d)(1-3) and adding Section 54-2(d)(4), entitled "Seniors in Motion", and by amending Appendix A "Fee Schedule" Section 54-2(d) "Seniors in Motion Membership Fee" to change the calendar year annual fee to a twelve month pass and add a day pass for the Seniors in Motion program.
8. **Alcohol approval** - Consider approval of the consumption of alcoholic beverages at the Flower Mound Senior Center during the SIM Auxiliary's Casino Night.

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9. **CIP amendment** - Consider approval of Amendment No. 3 to the Fiscal Year 2015-2016 Capital Improvement Program.
10. **Oncor street lights** - Consider approval of 14 Decorative Street Lights and an agreement with Oncor to provide the fixtures and provide for maintenance service of same in the amount of \$25,528.57 and authorize the Mayor to execute same on behalf of the Town.
11. **Turn Lanes (FM 1171)** - Consider approval of the Final and Change Order No. 1 for the construction of the Flower Mound Road Turn Lanes at Native Oak Drive and Auburn Turn Lane at FM 1171 project, amending the contract with 3D Paving and Contracting, LLC., for a decrease in the contract amount of \$29,032.40; acceptance of the project; and authorization of final payment to the contractor, 3D Paving and Contracting, LLC., in the amount of \$20,287.57; and authorization for the Mayor to execute same on behalf of the Town.
12. **Easement abandonments** - Consider approval of an Ordinance for the release and abandonment of three easements located on a 50 acre tract located within the City of Grapevine and Town of Flower Mound limits that is owned by Grapevine; and authorization for the Mayor to execute same on behalf of the Town.
13. **PSA turn lane project (FM1171 @ FM2499)** - Consider approval of the Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services, for the FM 1171 at FM 2499 East Bound Right Turn Lane project in the amount of \$52,000.00; and authorization for the Mayor to execute same on behalf of the Town.

K. REGULAR ITEMS

14. **Protest resolution** - Consider approval of a Resolution protesting the proposed sale by the United States Department of the Interior, Bureau of Land Management of minerals encompassing the Lake Lewisville area for oil and gas development and directing the Town Attorney to submit the protest on behalf of the Town.
15. **Minors curfew** **Public Hearing**
The first of two Public Hearings to review Chapter 50, Article III, "Offenses regarding Minors," Division 2, "Curfew."
16. **Calling special election – Charter** **Public Hearing**
Public Hearing to consider approval of an ordinance of the Town of Flower Mound, Texas calling for a special election to be held on May 7, 2016, for the purpose of submitting Charter amendments to the voters.
17. **Mi Dia - tree removal** **Public Hearing**
Public Hearing to consider an application for a tree removal permit for one (1) specimen tree on property proposed for development as Mi Dia. The property is generally located west of Long Prairie Road and south of West Windsor Drive.

(The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its February 2, 2016, meeting).

18. **Hawks Hill (DP14-0009)** - Consider a request for a Development Plan (DP14-0009 – Hawks Hill) to develop a non-residential subdivision. The property is generally located south of Waketon Road and west of Long Prairie Road. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its February 8, 2016, meeting.)*
19. **Food establishment variances** - Consider approval of an ordinance amending the Code of Ordinances of the Town of Flower Mound by amending Chapter 18, "Businesses", Article III "Food and Food Establishments", by amending Section 18-92 to adopt the updated Texas Food Establishment Rules from the Texas Department of State Health Services, and adopting a new Section 18-127 to establish a variance process to allow dogs on patios of permitted food establishments, and by amending Appendix A "Fee Schedule", relative to adding a permit fee for the variance application.
20. **Emerson Lane fencing** - Consider Town participation options for proposed Emerson Lane Screening Fence/Guardrail Installation.

L. 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**.

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.

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d. Consultation with Attorney as follows:

1. Hillside at Flower Mound Development by Rembert Enterprises, Inc.

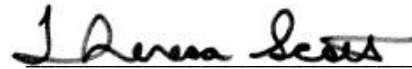
Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda.

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 posted on the following date and time: February 12, 2016, at 12:15p.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.