

**AGENDA**

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING**

**3/7/2022**

**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."*

**D. PRESENTATIONS**

1. Proclamation for Winning the Fight BetteRx Safe Than Sorry Program
2. Texas Municipal Library Directors Association (TMLDA) "Achievement of Library Excellence" Award
3. Environmental Conservation Commission update

**E. 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.

**F. ANNOUNCEMENTS**

1. Announcements from the mayor and council members

**G. TOWN MANAGER'S REPORT**

Update and discussion on:

1. Capital Improvement projects
2. Economic Development projects
3. Operational updates

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### 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 Monday, March 21.

### 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 council member by making such request prior to a motion and vote.

1. Minutes 2/21- Consider approval of the minutes from a regular meeting of the Town Council held on February 21, 2022.
2. Library Fee Amendments- Consider approval of an ordinance amending Appendix A "Fee Schedule" to update Library fees. (The Cultural Arts Commission recommended approval by a vote of 4 to 0 at its July 22, 2021, meeting.)
3. Police Services - Lake Grapevine- Consider approval of the 2022 US Army Corps of Engineer (USACE) solicitation for contract with the Town of Flower Mound for law enforcement services at Lake Grapevine and authorize the Mayor to execute same.
4. Hillside Water Line Construction Award- Consider approval of a Construction Agreement with Four Star Excavating for the Hillside Water Line Connection project, in the amount of \$197,687.50; and authorization for the Mayor to execute same on behalf of the Town.
5. Chinn Chapel Soccer Drainage Design- Consider approval of a Professional Services Agreement with Parkhill, for the design phase services associated with the Chinn Chapel Soccer Complex Drainage Improvements project, in the amount of \$53,700.00; and authorization for the Mayor to execute same on behalf of the Town.
6. Timber Creek WL Design Amend 1- Consider approval of a First Amendment to the Professional Services Agreement with Pacheco Koch Consulting Engineers, LLC (successor in interest to Pacheco Koch Consulting Engineers, Inc.), for the design phase services associated with the Timber Creek Water Line Replacement Phase 1 project, to increase the design fee by \$75,085.00; and authorization for the Mayor to execute same on behalf of the Town .
7. Timber Creek Water & Sewer Services- Consider approval of a Professional Services Agreement with The Rios Group, for subsurface utility engineering services associated with the Timber Creek Water and Sewer Replacements project, in the amount of \$24,300.00; and authorization for the Mayor to execute same on behalf of the Town.
8. 2499@407 Intersection Design Award- Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., for the design phase services associated with the FM2499 at FM407 Intersection Improvements project, in the amount of \$298,350.00; and authorization for the Mayor to execute same on behalf of the Town.
9. Grand Park Construction Award- Consider approval of a Construction Agreement with Quick Set Concrete for the Grand Park (2020-21 Playground Replacements) project, in the amount of \$94,912.20; and authorization for the Mayor to execute same on behalf of the Town.

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10. Emergency Repair Safety Ventilations Sys- Consider approval of an emergency expenditure with Archer Western Construction LLC for the emergency repair of the Employee Safety Ventilation System at the Wastewater Treatment Plant, in the amount of \$144,410.57.
11. Opioid Settlement- Consider approval of a resolution authorizing the Town Manager to execute global opioid settlement documents relating to the Teva pharmaceutical companies and the Endo pharmaceutical companies.

### K. REGULAR ITEMS

12. SP21-0009 - Doctor's Urgent Care- Consider a Site Plan (SP21-0009 – Doctor's Urgent Care) to develop a medical office, with a request for a deviation to computing parking and loading requirements pursuant to Section 82-73 of the Code of Ordinances and a waiver to Architectural Standards in the Town's Urban Design Plan for roof pitch. The property is generally located east of Long Prairie Road and north of Forest Vista Drive. (P&Z recommended approval/denial by a vote of 6 to 0 at its February 28, 2022, meeting.)
13. ZPD21-0012 - Windhaven Assisted Living- Public Hearing to consider an ordinance amending the zoning (ZPD21-0012 - Windhaven Assisted Living PD Amendment) to amend Planned Development District-173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility, with certain waivers, exceptions and modifications to the Code of Ordinances. The property is generally located south of Cross Timbers Road and west of Auburn Drive. (P&Z recommended approval by a vote of 6 to 0 at its February 28, 2022, meeting.)
14. Z22-0001 - FM Woods Blk D, Lots 3R & 4R- Public Hearing to consider an ordinance amending the zoning (Z22-0001 – Flower Mound Woods Block D, Lots 3R & 4R) from Planned Development District-173 (PD-173) with Agricultural District (A) uses and a nursing or congregate care facility to Single Family District-15 (SF-15) uses. The property is generally located north and west of Nan Lane and Alberta Lane. (P&Z recommended approval by a vote of 6 to 0 at its February 28, 2022, meeting.)
15. Z21-0009 - FM Ranch Prairie Vista- Public Hearing to consider an ordinance amending the zoning (Z21-0009- Flower Mound Ranch Prairie Vista) from Interim Holding (IH) uses to Single Family-Estate (SF-E) uses. The property is generally located north of Cross Timbers Road and east of U.S. Hwy. 377. (P&Z recommended approval by a vote of 6 to 0 at its February 28, 2022, meeting.)
16. MU21-0003 - Lakeside Village- Public Hearing to consider an ordinance for rezoning (MU21-0003 – Lakeside Village) to amend Mixed Use District-1 (MU-1) to amend certain development standards related to Character Zone Standards, Open Space Standards, Parking Standards, Architectural and Building Standards, and Signage Standards in the Lakeside Village Development Code subject to the terms and conditions in the attached Development Agreement and authorization for the Mayor to execute same on behalf of the Town after approval of the terms by the Town Attorney. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway. (P&Z recommended approval by a vote of 6 to 0 at its February 28, 2022, meeting.)

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

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: All Together Flower Mound Commission, Animal Services Board, Cultural Arts Commission, Denton County Transportation Authority, Environmental Conservation Commission, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

### 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 Town Attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, as follows:

- a. Consultation with Town Attorney.
  1. Open Government Rules
  2. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications
- b. 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.
- c. 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.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.
- e. Deliberate the appointment, employment, evaluation, reassignment, duties and responsibilities, of the Presiding and Alternate Municipal Court Judge.

The Town Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Town Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the above referenced items.

### 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.

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### 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: March 4, 2022, at 9:00 a.m., at least 72 hours prior to the scheduled time of said meeting.

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**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.