

AGENDA

FLOWER MOUND TOWN COUNCIL REGULAR MEETING

11/1/2021

**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."
Cub Scout Pack 256 to lead.

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. Presentation of the National Night Out block party winners on behalf of the Flower Mound Police Dept.
2. Proclamation to designate November as Arts Month in Flower Mound
3. Cultural Arts Commission report

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members

G. TOWN MANAGER'S REPORT

Update and discussion on:

1. Introduction of new Town Manager James Childers
2. Capital Improvement projects
3. Economic Development projects

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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, November 15.
2. A work session is scheduled for Thursday, November 18.

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- Consider approval of the minutes from a special meeting of the Town Council held on October 15; a regular meeting of the Town Council held on October 18; and a special meeting of the Town Council held on October 25, 2021.
2. Opioid Settlement- Consider approval of a Resolution authorizing the Town Manager to execute global opioid settlement documents, and adopting the Texas term sheet.
3. Amenities - Rheudasil Pk- Consider approval of the purchase of amenities for the Rheudasil Park Improvements project, from Paul E. Allen Company, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$67,242.00.
4. Hound Mound Parking CO2- Consider approval of Change Order No. 2 to J.B. & Co., LLC. for the Hound Mound Parking Lot and Restroom project, in the amount of \$37,998.60; and authorization for the Mayor to execute same on behalf of the Town.
5. CIP Amendment- Consider approval of Amendment No. 1 to the Fiscal Year 2021-2022 Capital Improvement Program.
6. Automatic Aid Agreement-DCESD- Consider approval of an agreement with Denton County Emergency Services District No. 1 to provide fire suppression, emergency medical services, hazardous materials response and other emergency and non-emergency services to citizens located in designated areas of the District and the Town and authorization for the Mayor to execute same on behalf of the Town.
7. WSB & Associates Contract- Consider approval of an amended Professional Services Agreement with WSB & Associates, Inc., to provide consultant services regarding mixed-use developments; and authorization for the Mayor to execute same on behalf of the Town after approval of the contract terms by the Town Attorney.

K. REGULAR ITEMS

8. MPA21-0005 Silveron FM Duke- Public Hearing to consider an ordinance for a Master Plan Amendment (MPA21-0005 - Silveron Flower Mound Duke) 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 within the Lakeside Business District Area Plan from Campus Commercial uses to Campus Industrial uses. The property is generally located north of International Parkway and east of Silveron Boulevard. (On July 12, 2021, the Planning and Zoning (P & Z) Commission tabled this item to July 26, 2021 - vote of 6 to 0. On July 26, 2021, P & Z tabled this item to August 9, 2021 - vote of 5 to 0. On August 9, 2021, P & Z tabled this item to August 30, 2021 - vote of 5 to 0. On August 30, 2021 P & Z recommended approval by a vote of 5 to 1.) (On October 4, 2021, the Town Council

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moved to approve as presented; the motion failed by a vote of 3 to 2 as Master Plan Amendments require a super majority vote.)

9. ZPD21-0003 Silveron FM Duke PD-181- Public Hearing to consider an ordinance amending the zoning (ZPD21-0003 - Silveron Flower Mound Duke) from Planned Development District No. 31 (PD-31) with Campus Commercial District (CC) uses to Planned Development District No.181 (PD-181) with Campus Industrial District (CI) uses, with certain waivers, exceptions and modifications to the Code of Ordinances including but not limited to an exception to Section 98-147, "Topographical Slope Protection", and an exception to Section 82-302, Compatibility buffer. The property is generally located north of International Parkway and east of Silveron Boulevard. (On July 12, 2021, the Planning & Zoning (P&Z) Commission tabled this item to July 26, 2021-vote of 6 to 0. On July 26, 2021, P & Z tabled this item to August 9, 2021-vote of 5 to 0. On August 9, 2021, P & Z tabled this item to August 30, 2021-vote of 5 to 0. On August 30, 2021, P & Z recommended approval by a vote of 5 to 1). (On October 4, 2021, the Town Council moved to deny this item on the basis of inconsistency with the Master Plan [MPA21-0005]. The motion passed by a vote of 4 to 1.)
10. SP21-0004 Dutch Bros Coffee- Public Hearing to consider a Site Plan (SP21-0004 – Dutch Bros Coffee) to develop a fast food restaurant with a drive through window, with an exception to the Architectural Standards of the Town's Urban Design Plan for meritorious design, a waiver to Architectural Standards in the Town's Urban Design Plan for roof pitch, and an exception to 'Underground Utilities' pursuant to Section 82-377, "Exceptions," of the Code of Ordinances. The property is generally located south of Justin Road and west of Stone Hill Farms Parkway. (The Planning & Zoning Commission recommended approval without exceptions by a vote of 6 to 0 at its October 11, 2021, meeting.)
11. SP21-0006 Loreto House- Public Hearing to consider a request for a Site Plan (SP21-0006 – Loreto House) to develop an office building with an exception to 'Underground Utilities' pursuant to Section 82-377, "Exceptions," of the Code of Ordinances. The property is generally located southwest corner of Morriss Road and Acropolis Drive. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 25, 2021, meeting.)

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.

12. Board & Commission Process- Discuss the process associated with the recruitment and selection of board and commission members, including communication resources.

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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. 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, cultural arts 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. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

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.

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: October 29, 2021, at 2:15 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.