

**AGENDA**

**FLOWER MOUND TOWN COUNCIL REGULAR MEETING**

**11/15/2021**

**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. 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. Small Business Saturday (November 27, 2021) Proclamation
2. Denton County Transportation Authority (DCTA) Presentation on GoZone on-demand rideshare services
3. Animal Services Board update

**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. Communication Awards
4. Online Ordinances and Special Use Permits

**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 work session is scheduled for Thursday, November 18.
2. A regular meeting is scheduled for Monday, December 6.

**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 11/1- Consider approval of the minutes from a regular meeting of the Town Council held on November 1, 2021.
2. 2021-2022 Strategic Plan- Consider adoption of the Town Council Strategic Plan for Fiscal Year 2021-2022.
3. Computer Replacement Program- Consider approval for the purchase and roll out service of desktop and laptop computers, ruggedized laptop computers and peripherals from Dell, in the amount of \$160,275.19.
4. AT&T Site Rental- Consider approval of a Third Amendment to a Tower-Ground Lease Agreement with AT&T located at 3810 Bruton Orand Road.
5. DOJ 2021 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 2021 Bulletproof Vest Partnership.
6. Firefighter Turnout Gear- Consider approval of the purchase of fifty sets of bunker gear and gear cleaner from NAFECO, Inc. through BuyBoard Purchasing Contract No. 603-20 in the total amount of \$162,733.36 and authorization for the Mayor to approve same on behalf of the Town.
7. Axon Body Worn Cameras- Consider approval of the purchase from Axon Enterprise, Inc., for the acquisition of Axon body worn cameras, related hardware, and licensing; and authorization for the Mayor to execute same on behalf of the Town.
8. Screen Wall Repair- Consider approval of the purchase of Screening Wall Repair Services from Aber Fence and Supply Company, in the amount of \$146,536.00.
9. Purchase Fitness Equip. -Heritage Park- Consider approval of the purchase of outdoor fitness equipment from MoveStrong Functional Training Equipment, LLC, for the Heritage Park Improvements project, in the amount of \$74,576.93; and authorization for the Mayor to execute same on behalf of the Town.
10. Install Fitness Equip. -Heritage Park- Consider approval of the installation of the MoveStrong Functional Training Equipment and synthetic turf surfacing for the Heritage Park Improvement project, from Child's Play, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$82,688.00.

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11. FM1171 @ FM2499 Turn Lane Amendment- Consider approval of the First Amendment to Professional Services Agreement for the FM1171 at FM2499 Westbound Right Turn Lane project, amending the agreement with Kimley-Horn and Associates, Inc., for an increase of \$47,400.00, and authorization for the Mayor to execute same on behalf of the Town.
12. Lift Station Ph III Design Amend 1- Consider approval of the First Amendment to Professional Services Agreement for the Lift Station Improvements and Decommissioning Phase III project, amending the agreement with Plummer, Inc., for an increase of \$198,500.00, and authorization for the Mayor to execute same on behalf of the Town.

### K. REGULAR ITEMS

13. MPA21-0006 Spinks Road Tract- Public Hearing to consider an ordinance amending the Master Plan (MPA21-0006 – Spinks Road Tract) to amend Section 1.0, Land Use Plan, of the Master Plan, and Section 2.0 Area Plans, of the Master Plan, to change the current land use designation from Estate Residential and Lakeside Business District with Campus Commercial uses to Low Density Residential uses. The property is generally located east of Long Prairie Road and north of Spinks Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 27, 2021, meeting.) (The Town Council postponed this item by a vote of 5 to 0 at its October 4, 2021, meeting.)
14. ZPD21-0004 Spinks Road Tract- Public Hearing to consider an ordinance for rezoning (ZPD21-0004 – Spinks Road Tract) from Agricultural District uses to Planned Development District No. 182 (PD-182) with Single Family District-15 uses and with certain exceptions and modifications to the Code of Ordinances, including but not limited to an exception to 'Underground Utilities' pursuant to Section 82-377, Exceptions, and an exception to 'Depth' pursuant to Section 90-272, Lot depth, lines, and frontage. The property is generally located east of Long Prairie Road and north of Spinks Road. (The Planning and Zoning Commission recommended approval of alternate Option C {not included in the packet} by a vote of 6 to 0 at its September 27, 2021, meeting.) (The Town Council postponed this item by a vote of 5 to 0 at its October 4, 2021, meeting.)
15. DP21-0001 Estuary Pointe- Consider a request for a Development Plan (DP21-0001 – Estuary Pointe) to develop a residential subdivision. The property is generally located south of Meadow Lark and east of Deer Path. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)
16. Z21-0003 Dixon Park- Public Hearing to consider an ordinance amending the zoning (Z21-0003- Dixon Park) from Agricultural District (A) uses to Single Family District-15 (SF-15) uses. The property is generally located south of Dixon Lane and east of Windridge Lane. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)
17. DP21-0004 Dixon Park- Consider a request for a Development Plan (DP21-0004 – Dixon Park) to develop a residential subdivision. The property is generally located south of Dixon Lane and east of Windridge Lane. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)

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18. TRP21-0026 Dixon Park- Public Hearing to consider an application for a tree removal permit (TRP21-0026) for fourteen (14) specimen trees on property proposed for development as Dixon Park. The property is generally located west of Morriss Road and south of Dixon Lane. (The Environmental Conservation Commission motion to approve the requested tree removal permit failed by a vote of 1 - 5, at its November 2, 2021, meeting.)
19. Z21-0004 Sethi Property-Waketon Rd- Public Hearing to consider an ordinance amending the zoning (Z21-0004 - Sethi Property – Waketon Road) from Agricultural District (A) uses to Single Family District-15 (SF-15) uses. The property is generally located North of Waketon Road and east of Timber Way. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)
20. Z21-0006 Caldwell Court- Public Hearing to consider an ordinance amending the zoning (Z21-0006 – Caldwell Court) from Agricultural District (A) to Single Family District-10 (SF-10). The property is generally located east of Morriss Road and north of Cortadera Street. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)
21. Townwide Residential Speed Limit- Consider approval of an ordinance amending Chapter 66, Article V, Section 66-214 of the Code of Ordinances of the Town of Flower Mound, Texas, relating to the prima facie speed limit of streets within the Town of Flower Mound to 25 mph. (The Transportation Commission recommended approval by a vote of 5 to 1 at its October 13, 2020, meeting).
22. Residential 30 mph Option- Consider approval of a resolution amending Resolution 12-10 by repealing the policy on implementing reduced speed limits on certain residential streets and adopting a new policy implementing increased speed limits on certain residential streets. (The Transportation Commission recommended approval by a vote of 5 to 1 at its October 13, 2020, meeting).
23. 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.

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

- a. Consultation with Attorney.
  1. Request for Public Information Ruling

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2. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications
3. Cause No. 18-9622-431; EagleRidge Operating, LLC v Town of Flower Mound, Texas, et al
  - 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: November 12, 2021, at 3:45 p.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.