



REGULAR CITY COUNCIL MEETING

OCTOBER 4, 2016

LOCATION: 1400 Main Street, Southlake, Texas 76092
Council Chambers in Town Hall

WORK SESSION: 5:30 P.M.

1. Call to order
2. Invocation: Clayton Reed
3. Southlake Chamber of Commerce Update
4. Honors and Recognitions:
 - A. Proclamation for National 4H Week
5. Discuss all items on tonight's agenda. No action will be taken and each item will be considered during the Regular Session.

REGULAR SESSION: Immediately following the work session

1. Call to order.
2. A. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 418.183(f), and 418.106(d) & (e). Refer to posted list attached hereto and incorporated herein. **Executive Session may be held, under these exceptions, at the end of the Regular Session or at any time during the meeting that a need arises for the City Council to seek advice from the city attorney as to the posted subject matter of this City Council meeting.**
 1. **Section 551.071: Consultation with city attorney**
 - a. Seek advice of the city attorney regarding legal issues associated with tree removal at 2060 East Continental Boulevard.
 - b. Seek advice of the city attorney regarding updated case law on the Religious Land Use and Institutionalized Persons Act (RLUIPA) as it relates to cities.

- c. Seek advice of the city attorney regarding legal issues with Dove Road infrastructure improvements.
 2. **Section 551.072: Deliberation regarding real property**
 - a. Discuss the potential purchase or lease of real property for city facilities and projects.
 3. **Section 551.087: Deliberation regarding economic development negotiations**
 - a. Discuss the terms and conditions of an economic development incentives program - Project No. 2014-03.
 - B. **Reconvene:** Action necessary on items discussed in Executive Session.
3. **REPORTS:**
- A. Mayor's Report
 - B. City Manager's Report
 1. November 8 Election Update

CONSENT AGENDA: All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of items unless a Councilmember or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

4. Consent:
- A. Approve minutes from the September 20, 2016 regular City Council meeting.
 - B. Approve the purchase of replacement vehicles and equipment from Caldwell Country Chevrolet in the amount of \$364,626.
 - C. Approve the purchase of replacement vehicles from Silsbee Ford in the amount of \$146,513.
 - D. Approve the purchase of replacement vehicles from East Texas Mack in the amount of \$141,500.
 - E. Approve the purchase of replacement ambulance from Sterling McCall Ford in the amount of \$245,025.

- F. Approve the purchase of equipment installation services for police services vehicles from Professional Safety Systems in the amount of \$21,295.
- G. Approve annual city fuel purchasing from Martin Eagle Oil through the use of a Cooperative Purchasing Agreement with National IPA and City of Fort Worth in an amount not to exceed \$377,482.
- H. Approve an extension of the expiration date and modifications of Case ZA16-037, Resolution No. 16-022, being the Specific Use Permit for Temporary Construction Facilities for TD Ameritrade on property described as Lot 1R1R1, Block 1, Sabre Group Campus Addition, an addition to the City of Southlake, Tarrant County, Texas and located at 1051 (also addressed as 1801) West Kirkwood Boulevard, Southlake, Texas. Current Zoning: "NR-PUD" Non-Residential Planned Unit Development District. SPIN #1.
- I. Approve TRER16-0128 Tree Conservation Plan and Tree Removal Permit for TD Ameritrade on property described as Lot 1R1R1, Block 1, Sabre Group Campus Addition, an addition to the City of Southlake, Tarrant County, Texas and located at 1051 (also addressed as 1801) West Kirkwood Boulevard, Southlake, Texas. Current Zoning: "NR-PUD" Non-Residential Planned Unit Development District. SPIN #1.
- J. Approve the absence of Planning and Zoning Commissioner Chris Greer from the September 8th and 22nd meetings.

TABLED ITEMS:

- K. Table Ordinance No. 480-474A, (ZA16-026), 1st Reading, Zoning Change and Site Plan for River Oaks Park office building on property described as Lot 7, Block 1, River Oaks Addition, an addition to the City of Southlake, Tarrant County, Texas, and located at 121 River Oaks Drive, Southlake, Texas. Current Zoning: "S-P-2" Generalized Site Plan District. Requested Zoning: "S-P-2" Generalized Site Plan District. SPIN #11. *(The applicant has requested to table this item to the October 18, 2016 City Council meeting.)*
- L. Ordinance No. 480-643C, (ZA16-058), 2nd Reading, Zoning Change and Site Plan for Park Village Landscape Plan on property described as Lot 1, Block 1 and Lot 1, Block 2, Park Village, an addition to the City of Southlake, Tarrant County, Texas, and located at 1035 East Southlake Boulevard and 300 South Carroll Avenue, Southlake, Texas. Current Zoning: "S-P-1" Detailed Site Plan District. Requested Zoning: "S-P-1"

City of Southlake values:

Integrity ♦ Innovation ♦ Accountability ♦ Commitment to Excellence ♦ Teamwork

Detailed Site Plan District. SPIN #9. *(The applicant has requested to table this item to the October 18, 2016 City Council meeting.)*

REGULAR AGENDA:


5. Public Forum. *(The Public Forum will not begin prior to 7:00 p.m. This is the public's opportunity to address the City Council about non-agenda items. During this proceeding, the City Council will not discuss, consider or take action on any item presented. We respectfully ask that anyone stepping forward to speak during Public Forum to please limit remarks to three minutes or less.)*
6. Ordinances, second readings, public hearings, and related items:
 - A. Ordinance No. 480-564B, (ZA16-029), 2nd Reading, Zoning Change and Development Plan for Carillon Corporate District on property described as Tracts 3B2 and 3B and a portion of Tract 3A1, Larkin H. Chivers Survey, Abstract No. 300, City of Southlake, Tarrant County, Texas and located between the 200 and 400 Block of East State Highway 114, being approximately 1,100 feet east of the northeast corner of East State Highway 114 and North White Chapel Boulevard, Southlake, Texas. Current Zoning: "ECZ" Employment Center Zoning District. Requested Zoning: "ECZ" Employment Center Zoning District. SPIN #3. **PUBLIC HEARING**
 - B. ZA16-030, Site Plan for Hotel Indigo Carillon on property described as a portion of Tract 3A1, Larkin H. Chivers Survey, Abstract No. 300, City of Southlake, Tarrant County, Texas and located between the 200 and 400 Block of East State Highway 114, being approximately 1,100 feet east of the northeast corner of East State Highway 114 and North White Chapel Boulevard, Southlake, Texas. Current Zoning: "ECZ" Employment Center Zoning District. Requested Zoning: "ECZ" Employment Center Zoning District. SPIN #3. **PUBLIC HEARING**
 - C. ZA16-031, Preliminary Plat or Lots 1 and 2, Block 1, Carillon - Hotel Indigo on property described as portions of Tracts 3A5, 3A3, 3A and 3A1, Larkin H. Chivers Survey, Abstract No. 300, City of Southlake, Tarrant County, Texas and located between the 200 and 400 Block of East State Highway 114, being approximately 1,100 feet east of the northeast corner of East State Highway 114 and North White Chapel Boulevard, Southlake, Texas. Current Zoning: "ECZ" Employment Center Zoning District. Requested Zoning: "ECZ" Employment Center Zoning District. SPIN #3.

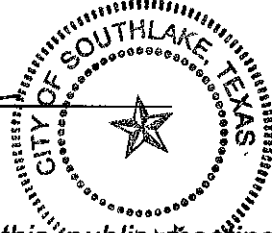
- D. Ordinance No. 480-564C, 2nd Reading, (ZA16-071), the City of Southlake is proposing a Zoning Change and Development Plan for Carillon, Plaza District on property described as Tracts 1, 3A04, 3A04A, 3A05 and portions of Tracts, 3A, 3A01, and 3A03, Larkin H. Chivers Survey, Abstract No. 300, City of Southlake, Tarrant County, Texas and generally located at the northeast intersection of East State Highway 114 and North White Chapel Boulevard and bounded by East State Highway 114 on the south, North White Chapel Boulevard on the west, East Kirkwood Boulevard on the north and Riviera Lane on the east, Southlake, Texas. Current Zoning: "ECZ" Employment Center Zoning District. Requested Zoning: "ECZ" Employment Center Zoning District. SPIN #3. **PUBLIC HEARING**
 - E. ZA16-066, Site Plan for a medical office building on property described as Lot 2R, Block 1, Chivers Park, an addition to the City of Southlake, Tarrant County, Texas and located at 1210 North Carroll Avenue, Southlake, Texas. Current Zoning: "O-1" Office District. SPIN #3. **PUBLIC HEARING**
 - F. *This item was intentionally left blank.*
 - G. Ordinance No. 1164, 2nd Reading, Adopting the 2017 Standards of Care for the recreation programs for elementary school age children operated by the Community Services Department. **PUBLIC HEARING**
 - H. Sign Ordinance No. 704-I, 2nd Reading, Amendment to the City of Southlake Sign Ordinance No. 704-H. **PUBLIC HEARING**
 - I. Ordinance No. 1161, (CP16-005), 2nd Reading, Adopting the City of Southlake Economic Development Master Plan an element of the Southlake 2035 Comprehensive Plan. **PUBLIC HEARING**
7. Ordinances, first readings, and related items:
- A. Ordinance No. 480-VVV, 1st Reading, Amendment to the City of Southlake Comprehensive Zoning Ordinance No. 480, as amended, to add development regulations for the buffering of natural areas along streams, to add regulations regarding the use of permeable pavement and to include miscellaneous corrections. *(If approved, the public hearing will be held on October 20, 2016.)*
8. Resolutions: *(There are no items on this agenda.)*
9. Other items for consideration:

- A. MSP16-004, Master Sign Plan for Starbucks located at 2155 West Southlake Boulevard, Southlake, Texas.
 - B. SV16-014, Variance to the Sign Variance No. 704, as amended for Lo-Lo's Chicken and Waffles located at 1201 East State Highway 114, Suite 100, Southlake, Texas.
10. Other items for discussion: *(There are no items on this agenda.)*
11. Meeting adjourned.

CERTIFICATE

I hereby certify that the above agenda was posted on the official bulletin boards at Town Hall, 1400 Main Street, Southlake, Texas, on Friday, September 30, 2016 by 6:00 p.m., pursuant to the Texas Government Code, Chapter 551.


Lori Payne, TRMC
City Secretary



If you plan to attend this public meeting and have a disability that requires special needs, please advise the City Secretary's Office 48 hours in advance at 817-748-8016 and reasonable accommodations will be made to assist you.

EXECUTIVE SESSION

Section 551.071: Consultation with attorney. The City Council may conduct a private consultation with its attorney when the City Council seeks the advice of its attorney concerning any item on this agenda, about pending and contemplated litigation, or a settlement offer, or on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Chapter 551. This includes the following pending and/or contemplated litigation subjects:

1. Pending Public Information Act requests.
2. Texas Attorney General litigation defending the constitutionality of the Texas Open Meetings Act.
3. Legal issues regarding the Barnett Shale gas extraction and transportation.
4. Legal issues related to property located at 3100, 3110, and 3112 East Southlake Boulevard.
5. City of Southlake v. Ashwin J. Babaria, et. al.; Cause No. 2011-006149-3; eminent domain action regarding property located at 1470 North Kimball Avenue, Southlake, Texas.
6. James H. Watson v. City of Allen, et.al.; Civil Action No. 4:15-CV-00335-A.
7. Constance Westfall v. Jose Luna, Nathaniel Anderson, Venessa Trevino, Chris Melton, and Thomas Roberson, and the City of Southlake; Civil Action No. 4:15-CV-00874-O.
8. Chad Wilson and Martha Wilson, Individually and as next friend, for S.W. v. City of Southlake, Southlake Police Department and Randy Baker, Individually; Civil Action No. 4:16-cv-00057.
9. Lester J. Strait v. Savannah Court Partnership, et.al.; Cause No. 342-281936-15.

Section 551.072: Deliberation regarding real property. The City Council may conduct a closed meeting to deliberate the purchase, exchange, lease or value of real property.

Section 551.073: Deliberation regarding prospective gift or donation. The City Council may conduct a closed meeting to deliberate a negotiated contract for a prospective gift or donation to the City.

Section 551.074: Deliberation regarding personnel matters. The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officers, including the City Manager, City Secretary, City Attorney, Municipal Judge and city boards and commission members. A complete list of the city boards and commissions is on file in the City Secretary's Office.

Section 551.076: Deliberation regarding security devices. The City Council may deliberate the deployment, or specific occasions for implementation of security personnel or devices.

Section 551.087: Deliberation regarding economic development negotiations. The City Council may discuss or deliberate regarding commercial or financial information received from a business prospect that the city seeks to have locate, stay, or expand in or near the city and which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect as described above.

Section 418.183(f): Texas Disaster Act. The City Council may deliberate information: 1) for purposes of preventing, investigating, or responding to an act of terrorism or related criminal activity and involving emergency response providers, their staffing, contact information and tactical plans; 2) that relates to the risk or vulnerability of persons or property, including infrastructure, to an act of terrorism; 3) that relates to the assembly of an explosive weapon, the location of a material that may be used in a chemical, biological or radioactive weapon, or unpublished information pertaining to vaccines or devices to detect biological agents or toxins; 4) that relates to details of the encryption codes or security keys for a public communication system; 5) that relates to a terrorism-related report to an agency of the United States; 6) that relates to technical details of particular vulnerabilities of critical infrastructure to an act of terrorism; 7) that relates to information regarding security measures or security systems intended to protect public and private property from an act of terrorism. The Texas Disaster Act specifically requires that a tape recording of the closed meeting be made.

Section 418.106(d) & (e): Local meetings to discuss emergency management plans regarding pipeline safety. The City Council may discuss emergency management plans involving pipeline safety and/or security of pipeline infrastructures or facilities when those plans or discussions contain such sensitive information.