



REGULAR CITY COUNCIL MEETING AGENDA

JANUARY 3, 2023

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 Business Spotlight – Parlor Donuts
4. 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 related to legislative items.
 - b. Seek advice of the city attorney regarding driveway access to FM 1938 and other construction related matters for a future subdivision located on property addressed as 208 Randol Mill Avenue and located at the northern terminus of Maranatha Way.
 - c. Seek advice of the city attorney regarding drainage easements.
 2. Section 551.087: Deliberation regarding economic development negotiations.
 - a. Deliberate the terms and conditions of an economic development incentive program – Project No. 2017-03.

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- b. Deliberate the terms and conditions of an economic development incentive program – Project No. 2022-01.

B. **Reconvene:** Action necessary on items discussed in Executive Session.

3. **REPORTS:**

A. Mayor's Report

B. City Manager's Report

1. National Mentoring Month

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 December 6, 2022, regular City Council meeting.
- B. Approve an annual purchase agreement for BEACON Cellular Service for the City's Water Smart Program with Badger Meter Inc. in an amount of \$123,396.
- C. Authorize expenditures with Prime Controls, LP for SCADA software and repair services in an amount not to exceed \$60,000.
- D. Approve Resolution No. 23-001, amending the City of Southlake Employee Business Code of Conduct, as provided for by Chapter 2, Article VI, Code of Ethics and Conduct, and providing an effective date.
- E. Approve contract renewal for landscape services with O'Donnell's Landscape Services, Inc. for an amount not to exceed the approved funding for contract landscape services.
- F. Approve purchase of replacement motorcycles from BMW Motorcycles of North Dallas in an amount not to exceed \$135,000.
- G. Approve a professional services agreement with Weaver L.L.P. for audit services, in the amount not to exceed \$136,000.

- H. Approve the proposal from Ford Audio-Video Systems, LLC designed to add audio-video capabilities at the Parkwood Training Facility in an amount not to exceed \$94,000.
- I. Approve an additional one (1) year extension of the validity of the Preliminary Plat, Case ZA19-0083, and Final Plat, Case ZA20-0065, for Southlake Villas on property described as Tracts 2A03, 2A03A1, 2A03B, 2A05 and 2A03A, William H. Martin Survey, Abstract No. 1068, City of Southlake, Tarrant County, Texas and addressed as 1719 and 1825 Maranatha Way and 208 Randol Mill Ave., Southlake, Texas. Current Zoning: "R-PUD" Residential Planned Unit Development District. SPIN Neighborhood #5.
- J. Excuse the absence of Mayor John Huffman from the January 3, 2023 regular 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. 480-791a, ZA22-0058, 2nd Reading, Zoning Change and Site Plan for Mach 1800, to include a variance to the Masonry Ordinance No. 557, as amended, on property described as Lot 1R, Brewer Industrial District, City of Southlake, Tarrant County, Texas and located at 1800 E. State Highway 114, Southlake, Texas. Current Zoning: "S-P-1" Detailed Site Plan District Proposed Zoning: "S-P-1" Detailed Site Plan District SPIN Neighborhood #4. **PUBLIC HEARING**
 - B. ZA22-0056, Site Plan for Postino Southlake, being a portion of Lot 2, Block 4R1, Southlake Town Square Addition, City of Southlake, Tarrant County, Texas, and located at 1440 & 1460 Main Street, Southlake, Texas. Current Zoning: "DT" Downtown District. Spin Neighborhood #8. **PUBLIC HEARING**
 - C. Approve an Encroachment and Joint Use Agreement for Southlake Town Square Addition, Block 4R1, Lot 2R outdoor patio within the city right of way of Main Street for the development located at 1460 Main Street.

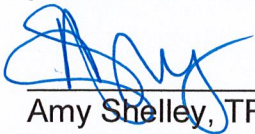
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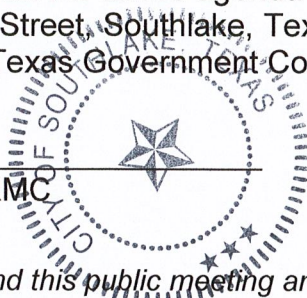
7. Ordinances, first readings, and related items: *(There are no items on this agenda.)*
8. Resolutions: *(There are no items on this agenda.)*
9. Other items for consideration: *(There are no items on this agenda.)*
10. Other items for discussion: *(There are no items on this agenda.)*
11. Adjournment

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, December 30, 2022, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.



Amy Shelley, 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. 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.
2. Pedram and Karol Farahnak v. City of Southlake Board of Adjustment and Brian and Melissa Reukema
3. City of Southlake v. Town of Westlake, Texas; Cause No. 2020-007041.
4. Constance Westfall v. Jose Luna, et al; Cause No. 4:15-cv-00874-0.
5. Myra Nunez v. City of Southlake; Cause No. 048-330936-21.

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 551.089: Deliberation regarding security devices or security audits. The City Council may discuss or deliberate regarding security assessments or deployments relating to information resources technology; network security information as described

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by Section 2059.055(b); the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices; or results of security audits.

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.