



## REGULAR CITY COUNCIL MEETING AGENDA

**MAY 2, 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: Kung Fu Tea, 2175 E. Southlake Blvd., Suite 130
4. Honors & Recognition: Proclamation for the Leukemia and Lymphoma Awareness Project
5. Presentation of Volunteer Service Awards
6. Southlake Kids Interested in Leadership Presentation
7. 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.

*City of Southlake values:*

*Integrity ♦ Innovation ♦ Accountability ♦ Commitment to Excellence ♦ Teamwork*

- c. Seek advice of the city attorney regarding Roger Best, Et Al vs. Vann/Elli, Inc., and the City of Southlake; Cause No. 141-337858-22.
- d. Seek advice of the city attorney regarding potential bond election requirements.

2. Section 551.072: Deliberation regarding real property

- a. Discuss the acquisition of real property for public purposes.

3. Section 551.074: Deliberation regarding personnel matters

- a. Deliberate the appointment of City board and commission members.
- b. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public employee or officer: special counsel for grant and other federal funding opportunities.

4. Section 551.076: Deliberation regarding security devices.

- a. Deliberate the deployment of security personnel for school safety.

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

3. **REPORTS:**

A. Mayor's Report

B. City Manager's Report

1. Water Safety Awareness 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 April 18, 2023, regular City Council meeting.
- B. Award the contract for the construction of the Water Distribution System Improvements at South Pearson Lane, Union Church Road, and East Dove Road to Canary Construction, Inc., in an amount not to exceed \$1,800,000.
- C. Approve an Interlocal Agreement (ILA) with Tarrant County for shared costs associated with the repaving of Jellico Circle in an amount not to exceed \$150,000.

- D. Variance to Subdivision Ordinance No. 483, as amended, Section 5.06, requiring a minimum 5-foot-wide residential sidewalk along the street frontage of Lot 2 , I.G. Belcher No. 30 Addition, located at 1095 N. Westpark Circle, City of Southlake, Denton County, Texas., Lot 3, I.G. Belcher No. 30 Addition, located at 1086 N. Westpark Circle, City of Southlake, Denton County, Texas, and Lot 4, I.G. Belcher No. 30 Addition, located at 1074 N. Westpark Circle, City of Southlake, Denton County, Texas.
- E. TABLE: ZA23-0016, Site Plan for SiteOne Landscape Supply, located on property described as Tracts 2AR and 2BR, Brumlow Industrial District, an addition to the City of Southlake, Tarrant County, Texas and located at 1635 Brumlow Ave., Southlake, Texas. Current Zoning: "I-1" Light Industrial District. SPIN Neighborhood #8. *(This item was administratively tabled from the April 20, 2023, Planning and Zoning Commission meeting and is scheduled to be considered by the Planning and Zoning Commission at its May 18, 2023 meeting. If the Planning and Zoning Commission makes a recommendation on this item at its May 18, 2023, meeting, the item will be placed on the June 6, 2023 City Council agenda for consideration and public hearing.)*
- F. *This item left blank intentionally.*
- G. SV23-0007, Sign Variance for Greater Metroplex Interiors (GMI) Headquarters, located at 350 S. Nolen Dr., Southlake, TX.

**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. 1271, 2<sup>nd</sup> Reading, appointing Lindsay Kinzie as an Associate Judge of the Municipal Court of Record and authorizing the Mayor to execute an employment agreement with the Associate Municipal Judge. **PUBLIC HEARING**
  - B. Ordinance No. 1272, 2<sup>nd</sup> Reading, appointing Kara Carreras as an Associate Judge of the Municipal Court of Record and authorizing the Mayor to execute an employment agreement with the Associate Municipal Judge. **PUBLIC HEARING**

7. Ordinances, first readings, and related items: *(There are no items on this agenda.)*
8. Resolutions:
  - A. Resolution No. 23-009, appointing a member to fill a vacancy on the Planning and Zoning Commission.
9. Other items for consideration:
  - A. Variance to Subdivision Ordinance No. 483, as amended, Section 5.06, requiring a minimum 5-foot-wide residential sidewalk along the street frontage of Lot 34, T.M. Hood No. 706 Addition, located at 1029 Shady Oaks Lane, City of Southlake, Tarrant County, Texas.
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, April 28, 2023, 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. City of Southlake v. Town of Westlake, Texas; Supreme Court Case No. 22-0188; Court of Appeals No. 02-21-00241-CV; and Trial Court No. 2020-007041-1.
2. Myra Nunez v. City of Southlake; Cause No. 048-330936-21.
3. Roger Best, Et Al vs. Vann/Elli, Inc, and the City of Southlake; Cause No. 141-337858-22.

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 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.