



REGULAR CITY COUNCIL MEETING AGENDA

SEPTEMBER 3, 2019

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 – Buon Giorno Coffeehouse & Roastery
4. Southlake 2035 Parks, Recreation & Open Space Master Plan Kickoff
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 related to legislative items.
 2. Section 551.087: Deliberation regarding economic development negotiations.
 - a. Discuss the terms and conditions of an economic development incentive program - Project No. 2017-03
- B. **Reconvene:** Action necessary on items discussed in Executive Session.

3. **REPORTS:**

- A. Mayor's Report
- B. City Manager's Report
 - 1. National Preparedness 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 August 20, 2019 regular City Council meeting.
- B. Resolution No. 19-036, Approving a negotiated settlement between The Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the 2019 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement.
- C. Consider ratification of the collateral assignment of a Chapter 380 agreement with SRH Hospitality Southlake Investments, LLC.
- D. TABLE: ZA19-0043, Site Plan for Rockenbaugh Elementary School on property described as Lot 1, Block 60, Timarron Addition, an addition to the City of Southlake, Tarrant County, Texas and located at 301 Byron Nelson Parkway, Southlake, Texas. Current Zoning: "R-PUD" Residential Planned Unit Development. SPIN Neighborhood #9. This item has been tabled by the applicant until the September 17, 2019 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. Approval of the amended Fiscal Year 2019 Southlake Crime Control and Prevention District Operating Budget and adoption of Fiscal Year 2020

Operating Budget and Multi-Year Capital Improvement Plan. **PUBLIC HEARING**

- B. Ordinance No. 1223, 1st Reading, Tax Levy Ordinance. **PUBLIC HEARING**
 - C. Ordinance No. 1224, 1st Reading, Approving and adopting the Annual Budget for Fiscal Year 2020 and approving the revised budget figures for Fiscal Year 2019 and Multi-Year Capital Improvement Plan. **PUBLIC HEARING**
 - D. Ordinance Nos. 480-763 and 480-764 (ZA19-0033), 2nd Reading, Zoning Change and Site Plan for The Wheelhouse and Zoning Change and Concept Plan for The Wheelhouse Open Space Lots on property described as Tracts 6C01A, 6C02, 6C and 6C03, Jesse G. Allen Survey, Abstract No. 18, City of Southlake, Tarrant County, Texas and located at 880 – 950 Davis Blvd (F.M. 1938), Southlake, Texas. Current Zoning: "I-1" Light Industrial District and "AG" Agricultural District. Proposed Zoning: "S-P-1" Detailed Site Plan District and "SF-20A" Single Family Residential District. SPIN Neighborhood #11. **PUBLIC HEARING**
 - E. Resolution No. 19-031 (ZA19-0044) Specific Use Permit for Texas Fitness to allow a Commercial School, including trade school on property being described as Lot 3R, Block B, Hart Industrial Park, an addition to the City of Southlake, Tarrant County, Texas and located at 1605 Hart Street, Suite 100, Southlake, Texas. Current Zoning: "I-1" Light Industrial District. SPIN Neighborhood #8. **PUBLIC HEARING**
 - F. Ordinance No. 480-AAAAA, 2nd reading, an amendment to the City of Southlake the Zoning Ordinance, No. 480, as amended, to amend provisions regarding appeals to the Board of Adjustment. **PUBLIC HEARING**
 - G. Ordinance No. 1221 (CP19-0002), 2nd Reading, adopting amendments to the City of Southlake Consolidated Future Land Use Plan, an element of the Southlake 2035 Comprehensive Plan for properties located at 1640 and 1660 W. Continental Blvd., 925 N. Peytonville Ave., and 2311 and 2701 Lonesome Dove Ave. **PUBLIC HEARING**
7. Ordinances, first readings, and related items:
- A. Ordinance No. 480-762 (ZA19-0008), 1st Reading, Zoning Change and Development Plan for Maranatha Residential on property described as Tracts 2A03, 2A03A1, 2A03B, 2A05 and 2A03A, William H. Martin Survey, Abstract No. 1068, Southlake, Texas and addressed as 1719 and 1825 Maranatha Way and 208 Randol Mill Ave., Southlake, Texas. Current

City of Southlake values:

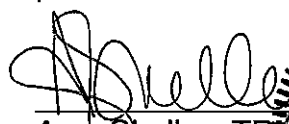
Integrity ♦ Innovation ♦ Accountability ♦ Commitment to Excellence ♦ Teamwork

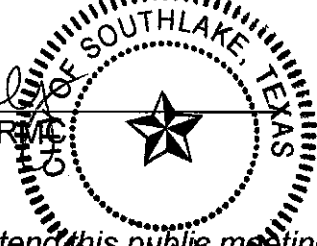
Zoning: "AG" Agricultural District and "SF-1B" Single Family Residential District. Proposed Zoning: "R-PUD" Residential Planned Unit Development District. SPIN Neighborhood #5.

- B. Ordinance No. 480-744A (ZA19-0042), 1st Reading, Zoning Change and Site Plan for Southlake Commons on property described as Lots 20-23, H. Granberry No. 581 Addition, an addition to the City of Southlake, Tarrant County, Texas and located at 171 - 211 W. Southlake Blvd., Southlake, Texas. Current Zoning: "S-P-1" Detailed Site Plan District. Proposed Zoning: "S-P-1" Detailed Site Plan District. SPIN Neighborhood #10.
 - C. Ordinance No. 788, 1st Reading, Amending the Alarm System Ordinance.
- 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, August 30, 2019, 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. James H. Watson v. City of Allen, et.al.; Civil Action No. 4:15-CV-00335-A.
2. 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.
3. 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.
4. Lester J. Strait v. Savannah Court Partnership, et.al.; Cause No. 342-281936-15.
5. Lester J. Strait v. Savannah Court Partnership, et.al.; Cause No. 342-295089-17.

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.