



## REGULAR CITY COUNCIL MEETING AGENDA

**SEPTEMBER 21, 2021**

**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 Updates by Justin Lewis
4. Transportation Bond Program Update by Commissioner Fickes
5. Municipal Service Center - Alternate Design Options
6. 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 federal rules related to COVID-19.

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2. Section 551.087: Deliberation regarding economic development negotiations.
    - a. Discuss the terms and conditions of an economic development incentive program – Project No. 2018-01.
  - B. **Reconvene:** Action necessary on items discussed in Executive Session.
3. **REPORTS:**
- A. Mayor’s Report
  - B. City Manager’s Report
    1. National IT Professionals Day
    2. Financial Report (written)

**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 7, 2021, special City Council meeting.
  - B. Approve Resolution No. 21-041, Amending the City of Southlake Personnel Policy No. 704 - Vacation and providing an effective date.
  - C. Approve Resolution No. 21-042, Approving the City of Southlake Paid Quarantine Leave for Firefighters and Peace Officers Policy and providing an effective date.
  - D. Approve Resolution No. 21-043, Approving the City of Southlake Mental Health Leave for Peace Officers Policy and providing an effective date.
  - E. Approve renewal of and amendment to the Southlake Tennis Center Management Agreement with Roxy Tennis, LLC. for the term January 1, 2022 - December 31, 2024.
  - F. Ordinance No. 480-FFFFF, 1st reading, amendments to the City of Southlake Zoning Ordinance No. 480, as amended, pertaining to solar energy systems, commercial outdoor dining areas, brew pubs and other similar uses. (If approved at first reading the public hearing will be held on October 5, 2021.)

- G. Resolution No. 21-029, adopting the proposed framework, role, responsibilities and providing appointment of a Target Industry Recruitment Task Force with oversight from the Community Enhancement and Development Corporation.
- H. TABLE: ZA21-0057, Site Plan, to include a variance to the Masonry Ordinance No. 557, as amended, for Natuzzi on property described as Lot 1, Block 2, Village Center Addition, an addition to the City of Southlake, Tarrant County, Texas and located at 1600 E. Southlake Blvd., Southlake, Texas. Current Zoning: "C-3" General Commercial District. SPIN Neighborhood #8. *The applicant has requested to table this item indefinitely.*

**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. 1244, 2<sup>nd</sup> Reading, Tax Levy Ordinance. **PUBLIC HEARING**
  - B. Ordinance No. 1245, 2<sup>nd</sup> Reading, Approving and adopting the Annual Budget for Fiscal Year 2022 and approving the revised budget figures for Fiscal Year 2021 and Multi-year capital improvement. **PUBLIC HEARING**
  - C. Ordinance No. 480-785, (ZA21-0053), 2nd Reading, Zoning Change and Development Plan for Ferguson Place on property described as 1B4E and 1B4H, Leonard Lincoln Survey, Abstract No. 981, City of Southlake, Tarrant County, Texas, located at 2589 and 2593 Lonesome Dove Rd., Southlake, Texas. Current Zoning: "AG" Agricultural District. Proposed Zoning: "R-PUD" Residential Planned Unit Development District. SPIN Neighborhood #2. **PUBLIC HEARING**
  - D. ZA21-0068, Site Plan for Market by Macy's Patio on property described as Lots 2R1 and 3R1, Block 3R2R, Southlake Town Square Phase I and Phase IV and Lot 1, Block 3R1, Southlake Town Square Phase I, additions to the City of Southlake, Tarrant County, Texas, and located at 301 State St. (store address is 321 State St. and also addressed as 300 Grand Ave. by Tarrant Appraisal District), 1361 Federal Way, and 1400 Civic Place, Southlake, Texas. Current Zoning: "DT" Downtown District. SPIN Neighborhood #8. **PUBLIC HEARING**

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- E. Encroachment and Joint Use Agreement for Market by Macy's outdoor patio within the City right of way of State Street and within multiple utility easements for the development located at 301 State Street. **PUBLIC HEARING**
  - F. ZA19-0068, Site Plan for Lot 6, River Oaks office building on property described Lot 6, Block 1, River Oaks Addition, City of Southlake, Tarrant County, Texas, and located at 116 River Oaks Drive, Southlake, Texas. Current Zoning: "S-P-2" Generalized Site Plan District. SPIN Neighborhood #11. **PUBLIC HEARING**
  - G. ZA19-0069, Site Plan for Lot 9, River Oaks office building on property described Lot 9, Block 1, River Oaks Addition, City of Southlake, Tarrant County, Texas, and located at 124 River Oaks Drive, Southlake, Texas. Current Zoning: "S-P-2" Generalized Site Plan District. SPIN Neighborhood #11. **PUBLIC HEARING**
  - H. Resolution No. 21-037, (ZA21-0067), Specific Use Permit for Two Accessory Buildings on Lot 1, Block 1, Solana Addition, City of Southlake, Tarrant County, Texas and located at 500 W. Dove Road, Southlake, Texas. Current Zoning: "NR-PUD" Non-Residential Planned Unit Development District. SPIN Neighborhood # 1. **PUBLIC HEARING**
  - I. Resolution No. 21-038, (ZA21-0071), Specific Use Permit for a Commercial School, including Trade School on property described as Lot 3R2R2, Green Meadows Subdivision, City of Southlake, Tarrant County, Texas and located at 2211 E. Continental Blvd., Unit 150, Southlake, Texas. Current Zoning: "I-1" - Light Industrial District. SPIN Neighborhood #8. **PUBLIC HEARING**
7. Ordinances, first readings, and related items:
- A. Ordinance No. 480-786 (ZA21-0058), 1<sup>st</sup> Reading, Zoning Change and Concept Plan for 603 N. Kimball Avenue (Pemberton) on property described as Tract 5A03, Samuel Freeman Survey, No. 525 Addition, City of Southlake, Tarrant County, Texas, located at 603 N. Kimball Avenue, Southlake, Texas. Current Zoning: "AG" Agricultural District. Proposed Zoning: "SF-20A" Single Family Residential District. SPIN Neighborhood #4. (If approved at 1st reading, the public hearing will be held on October 5, 2021).
  - B. Ordinance No. 480-787, (ZA21-0059), 1<sup>st</sup> Reading, Zoning Change and Concept/Site Plan for Phillips Edison Development on property described as Lots 2R1 and 4R, L.B.G. Hall No. 686 Addition, an addition to the City of

Southlake, Tarrant County, Texas and located at 100 and 110 W. Southlake Blvd., Southlake, Texas. SPIN Neighborhood #7. Current Zoning: "S-P-2" Generalized Site Plan District. Requested Zoning: "S-P-2" Generalized Site Plan District. (If approved at 1st reading, the public hearing will be held on October 5, 2021).

- C. Ordinance No. 337A, 1<sup>st</sup> Reading, amendments to the City of Southlake Solid Waste Ordinance No. 337, establishing a construction debris license and modernizing the ordinance. (If approved at 1st reading, the public hearing will be held on October 5, 2021).
- D. Ordinance No. 480-657F, (ZA21-0070), 1<sup>st</sup> Reading, Zoning Change and Concept/Site Plan for Kimball Park on property described as Lots 1, 2R, and 3-6, Kimball Park, an addition to the City of Southlake, Tarrant County, Texas and located at 2102-2116 E. State Hwy. 114, Southlake, Texas. Current Zoning: "S-P-2" Generalized Site Plan District. Proposed Zoning: "S-P-2" Generalized Site Plan District. SPIN Neighborhood #4. (If approved at 1st reading, the public hearing will be held on October 5, 2021).
- E. Ordinance No. 480-474b (ZA21-0073), 1<sup>st</sup> Reading, Zoning Change and Concept/Site Plan for River Oaks Addition, on property described as Lots 1-10, Block 1, of the River Oaks Addition, City of Southlake, Tarrant County, Texas, located at 100-125 River Oaks Drive, Southlake, Texas. Current Zoning: "S-P-2" Generalized Site Plan District. Proposed Zoning: "S-P-2" Generalized Site Plan District. SPIN Neighborhood #11. (If approved at 1st reading, the public hearing will be held on October 5, 2021). NARRATIVE

8. Resolutions: *(There are no items on this agenda.)*

9. Other items for consideration:

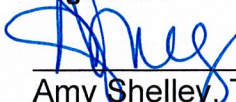
- A. SV21-0018, Sign Variance for Bloomfield Home located at 1050 E. SH 114, Suite 200, Southlake, Texas.

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, September 17, 2021, 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. Lester J. Strait v. Savannah Court Partnership, et.al.; Cause No. 342-281936-15.
3. Lester J. Strait v. Savannah Court Partnership, et.al.; Cause No. 342-295089-17.
4. Lester J. Strait v. Savannah Court Partnership PSJ Properties, Ltd. v. Patrick Gray Custom Homes, Inc. Home Creek, L.L.C. JMJ Torian Properties, L.L.C. Cheatham Partners, The City of Southlake, Texas Laura Hill, in Her Official Capacity as Mayor of the City of Southlake And Shana Yelverton, in Her Official Capacity as the City Manager of the City of Southlake, 02-18-00203-CV (Tex. App. 2020)
5. Pedram and Karol Farahnak v. City of Southlake Board of Adjustment and Brian and Melissa Reukema
6. City of Southlake v. Town of Westlake, Texas; Cause No. 2020-007041.
7. Constance Westfall v. Jose Luna, et al; Cause No. 4:15-cv-00874-0.

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

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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.