



REGULAR CITY COUNCIL MEETING AGENDA

DECEMBER 4, 2018

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 - Precision Ortho Express
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 the advice of the City Attorney regarding the regulation of amenities associated with retail development projects.
 - c. Seek advice of the City Attorney regarding legal issues related to the impact of ownership changes on approved public investment agreements.
 - d. Seek the advice of the City Attorney regarding dedication of a franchise utility easement within right of way in Southlake Town Square.

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.
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 the City Manager and City Secretary.

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

3. **REPORTS:**

- A. Mayor's Report
- B. City Manager's Report
 1. Holiday Safety Initiative
 2. Employee Safety Committee

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 November 6, 2018 regular City Council meeting.
- B. Approve an Interlocal Agreement with Carroll Independent School District regarding the City's reimbursement of funds for School Safety Task Force recommendations in amount not to exceed \$305,534.
- C. Authorize expenditures with Davidson Reconstruction, Inc. for various projects in City facilities in FY 2019 in an amount not to exceed \$500,000.
- D. Authorize expenditures with M.T. Casey & Associates for cubicles in the Finance Department, in an amount not to exceed \$70,000.

- E. Approve local project advance funding agreement (LPAFA) with the Texas Department of Transportation (TxDOT) for the construction of eastbound and westbound frontage roads along SH 114 in the amount of \$3,000,000.
- F. Award a construction contract for the Patterson's Pond Spillway Repair project to GRod Construction in an amount not to exceed \$243,000. –
- G. Approve Professional Services Agreement with Kimley-Horn and Associates, Inc. for engineering services to improve the Continental Blvd/FM 1938 intersection, in an amount not to exceed \$335,000.
- H. Approve Professional Services Agreement with Kimley-Horn and Associates, Inc. for engineering services to construct a roundabout at Continental Blvd. and Peytonville Ave., in an amount not to exceed \$212,000.
- I. *This item intentionally left blank.*
- J. Approve contract spending with Cubic Creative, Inc. in an amount over \$50,000 but not to exceed \$80,000.
- K. ZA18-0043, Plat Revision for Stony Brook on property described as Tracts 5A, 5C1, 5B, 5A3, and 5A2, Jesse G. Allen Survey, Abstract No. 18, City of Southlake, Tarrant County, Texas and Lots 5B and 5A (5A and 5B being portions of Lot 5) Brock Addition, an addition to the City of Southlake, Tarrant County, Texas and located at 2607, 2621, 2631, 2641, and 2651 W. Southlake Blvd. and 400 and 410 Brock Dr., Southlake, Texas. Current Zoning: "R-PUD" Residential Planned Unit Development District. SPIN Neighborhood #11.
- L. Excuse the absences of Commissioner Chris Greer from the October 4, 2018, October 18, 2018 and November 8, 2018 Planning and Zoning Commission meetings.
- M. Excuse the absences of Commission Scott Dyche from the October 18, 2018 and November 8, 2018 Planning and Zoning Commission meetings.
- N. Approve agreement extension with Carroll Independent School District to participate in the Tax Increment Reinvestment Zone Number One..

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.)

- A. Recognition of three Eubanks Intermediate School Students
6. Ordinances, second readings, public hearings, and related items:
- A. Ordinance No. 480-638a (ZA18-0030), 2nd Reading, Zoning Change and Site Plan for The Parq on property described as Lot 1R, Block 1, Medical Villas at Tuscan Creek, an addition to the City of Southlake, Tarrant County, Texas, and located at 351 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. **PUBLIC HEARING**
 - B. Resolution No. 18-043, (ZA18-0041), Specific Use Permit for a Residential Solar Energy System on property described as Lot 2, Block 1, Huse Homeplace, an addition to the City of Southlake, Tarrant County, Texas and located at 855 Harbor Court, Southlake, Texas. Current Zoning: "SF-1A" Single Family Residential Development District. SPIN Neighborhood #2. **PUBLIC HEARING**
 - C. Resolution No. 18-046, (ZA18-0046), Specific Use Permit and Site Plan for Verizon Wireless on property described as 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**
7. Ordinances, first readings, and related items:
- A. Ordinance No. 480-753 (ZA18-0032), 1st Reading, Zoning Change and Development Plan for Oxford Place on property described as Tract 1B, Thomas Mahan Survey, Abstract No. 1049, Southlake, Tarrant County, Texas, and located at 1749 E. Highland St., Southlake, Texas. Current Zoning: "AG" Agricultural District. Proposed Zoning: "R-PUD" Residential Planned Unit Development District. SPIN Neighborhood #4. *(If approved at 1st Reading, the public hearing will be held on January 15, 2019.)*
 - B. Ordinance No. 480-454a (ZA18-0034), 1st Reading, Zoning Change and Concept/Site Plan for Central Market Curbside Pick Up on property described as Lots 1-6, Block 1, Shops of Southlake, an addition to the City of Southlake, Tarrant County, Texas, and located at 251 and 275 S. Carroll Ave. and 1201-1451 E. Southlake Blvd., Southlake, Texas. Current Zoning: "S-P-2" Generalized Site Plan District. Proposed Zoning:

City of Southlake values:

Integrity ♦ Innovation ♦ Accountability ♦ Commitment to Excellence ♦ Teamwork

"S-P-2" Generalized Site Plan District. SPIN Neighborhood #8. *(If approved at 1st Reading, the public hearing will be held on January 15, 2019.)*

- C. Ordinance No. 480-754 (ZA18-0047), 1st Reading, Zoning Change and Development Plan for 1000 S. Peytonville Ave., on property described as Tract 9 (also referred to as Lot 9A), Airpark Estates, an addition in the City of Southlake, Tarrant County, Texas, and located at 1000 S. Peytonville Ave., Southlake, Texas. Current Zoning: "SF-1A" Single Family Residential District. Proposed Zoning: "R-PUD" Residential Planned Unit Development District. SPIN Neighborhood #10. *(If approved at 1st Reading, the public hearing will be held on January 15, 2019.)*

8. Resolutions:

- A. Resolution No. 18-049, appointing a member to the Community Enhancement and Development Corporation board to fill a vacancy.
- B. Resolution No. 18-050, establishing the Mayor's Alliance for Unity and Culture.

9. Other items for consideration:

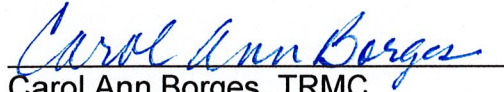
- A. SV18-0007, Variance to Sign Ordinance No. 704, as amended, for Falcon Holdings located at 500 E. State Highway 114, Southlake, Texas.
- B. SV18-0008, Variance to Sign Ordinance No. 704, as amended, for Thairapie Salon located at 1500 N. Kimball Avenue, Southlake, Texas.
- C. Consider the lease of city-owned athletic fields through a Facilities Utilization Agreement(s) for the sport of lacrosse.
- D. Ratify an emergency repair Construction Contract with Grod Construction, LLC to facilitate repairs to the North White Chapel Bridge culvert crossing at Kirkwood Branch, in an amount not to exceed \$580,000.

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, November 30, 2018, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.



Carol Ann Borges, 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.