



REGULAR CITY COUNCIL MEETING AGENDA

SEPTEMBER 20, 2022

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 Update
4. Recognition of excellent performance related to the DalDen fire response and hazardous material mitigation.
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.
 - 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 legal issues related to the city's sexually-oriented business ordinance.

- d. Seek advice of the city attorney regarding legal issues related to the city's zoning ordinance related to permitted and accessory uses and activities.
 2. Section 551.072: Deliberation regarding real property.
 - a. Deliberate the purchase, exchange, lease or value of real property for city facilities and projects being 1.54-acres of open space located at 620 Walnut Grove.
 3. Section 551.087: Deliberation regarding economic development negotiations.
 - a. Deliberate 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 IT Professionals Month
 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 6, 2022, regular City Council meeting.
 - B. Ordinance No. 635-D, 1st Reading, amending Chapter 2, Article VI, Code of Ethics and Conduct of the City of Southlake Code of Ordinances.
 - C. *This item left blank intentionally.*
 - D. Approve Resolution No. 22-024, appoint Clerk of the Court.
 - E. Approve Purchase of Replacement Ambulance from Twin State Trucks, Inc., dba Pliier International in an amount not to exceed \$268,000.

- F. Approve Teen Court Interlocal Agreement.
- G. Reject all bid proposals for the Water Distribution System & Sidewalk Improvements at S. Pearson Lane & Union Church Road, E. Dove Road, and Oak Bend Court project.
- H. Approve Community Services Agreement with Call A Ride Southlake, Inc. (CARS) for the term October 1, 2022- September 30, 2025.
- I. Approve Community Services Agreement with Metroport Meals On Wheels for the term October 1, 2022- September 30, 2025.
- J. Approve Community Services Agreement with Grapevine Relief and Community Exchange for the term October 1, 2022- September 30, 2025.
- K. Approve Community Services Agreement with SafeHaven of Tarrant County for the term October 1, 2022- September 30, 2025.
- L. Approve Community Services Agreement with Southlake Community Band for the term October 1, 2022- September 30, 2025.
- M. Approve Amended Community Services Agreement with APEX Arts League for the term October 1, 2022 – September 30, 2024.
- N. Approve Amended Community Services Agreement with Arts Council Northeast for the term October 1, 2022 – September 30, 2024.
- O. Approve Amended Community Services Agreement with Southlake Historical Society for the term October 1, 2022 – September 30, 2024.
- P. Approve Amended Community Services Agreement with Southlake Sister Cities for the term October 1, 2022 – September 30, 2024.
- Q. ZA22-0039, Preliminary Plat for Highland Terrace on property described as Lots 1-9, Block A, Highland Terrace, on a portion of property described as Lot 1R1, Block 1, Southlake Assembly of God Addition, City of Southlake, Tarrant County, Texas, located at 101 E. Highland Street, Southlake, Texas. Current Zoning: “SF-20A” Single Family Residential District. SPIN Neighborhood #7.
- R. ZA22-0038, Preliminary Plat for Rainey Court on property described as Tract 15, R.D. Price Survey, Abstract No. 992A, City of Southlake, Denton County, Texas, and located at 4078 N. White Chapel Blvd, Southlake, Texas.

- S. ZA22-0040, Plat Revision for Lot 14R, Hilltop Acres Addition, being a revision of Lot 14 Hilltop Acres Addition, City of Southlake, Tarrant County, Texas, and including a 0.116 Acre tract of land in the David Douthit Survey, Abstract No. 448, Southlake, Tarrant County, Texas.
- T. Ordinance No. 483-R, 1st Reading, being an amendment to the City of Southlake Subdivision Ordinance No. 483, as amended, adding provisions requiring notes on plats pertaining to maintenance responsibilities of park land, open space, drainage easement, and other dedications where applicable.
- U. Resolution No. 22-023, approving a negotiated settlement between the Atmos Cities Steering Committee & Atmos Energy Corp., Mid-Tex Division regarding the 2022 Rate Review Mechanism Filing.
- V. Ratify expenditures with Wildstone Construction LLC. for emergency water leak repairs at Bear Creek, Ray White Drive, North Pearson Water Tank Site, and Westwood Drive in an amount of \$142,939.
- W. Resolution No. 22-025, Annual review of investment policy and investment strategies.

REGULAR AGENDA:

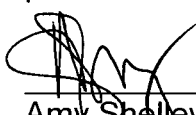
- 5. Public Forum. *(The Public Forum will not begin prior to 7:00 p.m. This is the public's opportunity to address the City Council about non-agenda items. During this proceeding, the City Council will not discuss, consider, or take action on any item presented. We respectfully ask that anyone stepping 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. 1265, 2nd Reading, Tax Levy Ordinance. **PUBLIC HEARING**
 - B. Ordinance No. 1266, 2nd Reading, approving and adopting the Annual Budget for Fiscal Year 2023 and approving the revised budget figures for Fiscal Year 2022 and Multi-year capital improvement. **PUBLIC HEARING**
- 7. Ordinances, first readings, and related items:
 - A. Ordinance No. 1264, CP22-0002, 1st reading, a Land Use Plan Amendment, an element of the City's Comprehensive Plan, changing the Land Use Designation from "Low Density Residential" to "Medium Density


Residential” on Lot 1, Block 1, Raven Bend Addition, City of Southlake, Tarrant County, Texas and located at 1100 Raven Bend Ct., Southlake, Texas. SPIN Neighborhood #6.

- B. Ordinance No. 480-796, ZA22-0037; 1st Reading, Zoning Change and Concept Plan for Malik Estates, on property described as Lot 1A, Malik Estates Addition, and Tracts 1A01A2B and 1A01A2C, Ben J. Foster Survey Abstract 519, located at 905-925 Randol Mill Ave., Southlake, Tarrant County, Texas.
8. Resolutions: *(There are no items on this agenda.)*
9. Other items for consideration:
- A. SV22-0010, Sign Variance for Priority Signs and Graphics located at 2865 Market Loop, Southlake.
 - B. Consider request for solid waste rate adjustments in accordance with Republic Waste Services of Texas, Ltd. contract for the provision of commercial and residential solid waste and recycling services.
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 16, 2022, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.


Amy Shelley, FRMC
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

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.