



REGULAR CITY COUNCIL MEETING AGENDA

OCTOBER 20, 2020

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 by Justin Lewis
4. Home for the Holidays
5. Southlake Business Relief Grant Program
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 pending litigation subjects.
 - c. Seek advice of the city attorney regarding driveway access to FM 1938 for a future subdivision located on property addressed as 208 Randol Mill and located at the northern terminus of Maranatha Way.
 - d. Seek advice of the city attorney regarding a Developer's Agreement for Cornerstone Plaza / S. Nolen Dr.

2. Section 551.074: Deliberation regarding personnel matters.
 - a. Deliberate the appointment of City board and commission members.
3. Section 551.087: Deliberation regarding economic development negotiations.
 - a. Discuss the terms and conditions of the economic development incentive program – Project No. 2014-01.

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

3. **REPORTS:**

- A. Mayor's Report
- B. City Manager's Report
 1. National Teen Driver Safety Week (October 18-24, 2020)
 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 October 6, 2020 regular City Council meeting.
 - B. Consider the cancellation of the November 3, 2020 City Council meeting.
 - C. Approve Resolution No. 20-049, adopting a legislative agenda for the 87th Texas Legislative Session.
 - D. Approve a professional services agreement with Weaver L.L.P., for audit services, in the amount not to exceed \$137,500.
 - E. Approve Resolution No. 20-045, Pandemic Vacation Carryover Policy.
 - F. Approve renewal of contract with Crowley Sports Officials for sports officiating and scorekeeping services in the amount not to exceed \$200,940.
 - G. Approve a grazing lease agreement between the City of Southlake and Dove Estate Partners, Ltd. on approximately 4.5 Acres of undeveloped City park property located at the southeast corner of Lonesome Dove Road and

Firefox Lane and referred to as the Coker property (2303 Lonesome Dove Road).

- H. Ordinance No. 1233, 1st Reading, Adopting the 2021 Standards of Care for the recreation programs for elementary school age children operated by the Community Services Department.
- I. Approve an Engineering Services Agreement (ESA) with Freese and Nichols, Inc. (FNI) to provide engineering services for the American Water Infrastructure Act (AWIA) Risk and Resilience Assessment – Phase II in an amount not to exceed \$115,000.
- J. Approve an annual purchase agreement for BEACON Cellular Service for the City's Water Smart Program with Badger Meter Inc., in an amount of \$123,395.
- K. Authorize expenditures with Pace Analytical for various laboratory testing services to comply with Federal and State Regulatory Requirements in an amount not to exceed \$68,600.
- L. Approve annual purchase agreements with Reynolds Asphalt & Construction Co. (RAC) for pavement resurfacing services and for the purchase of asphalt paving materials through Interlocal Agreements (ILAs) with the City of Grand Prairie and Tarrant County in an amount not to exceed \$1,500,000.
- M. Award the contract for the Town Hall HVAC Upgrade Replacement to Infinity Contractors International, Ltd., in an amount not to exceed \$2,075,000.
- N. Approve an Engineering Services Agreement (ESA) with Fugro USA Land, Inc. (Fugro) for construction materials testing services for the White Chapel Boulevard Paving, Drainage, & Water Improvements in an amount not to exceed \$187,960.
- O. Approve Resolution No. 20-046, authorizing the acceptance of the 2018 SWAT Equipment Enhancement under the 2018 Homeland Security Grant Program; executing an agreement with the Office of the Governor; and authorizing the Emergency Manager to execute the agreement on behalf of the City.
- P. Approve Resolution No. 20-047, authorizing the acceptance of the 2020 SWAT Equipment Enhancement under the 2020 Homeland Security Grant Program; executing an agreement with the Office of the Governor; and

authorizing the Emergency Manager to execute the agreement on behalf of the City.

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. 480-771, (ZA20-0040), 2nd Reading, Zoning Change and Site/Concept Plan for GMI, on property described as Tract 11E, Thomas Easter Survey Abstract No. 474, City of Southlake, Tarrant County, Texas, and located at 2450 Crooked Lane, Southlake, Texas. Current Zoning: "AG" Agricultural District. Requested Zoning: "S-P-2" Generalized Site Plan District. SPIN Neighborhood #8. **PUBLIC HEARING**
 - B. Ordinance No. 1236, 2nd Reading, appointing Sara Jane del Carmen as an associate Judge. **PUBLIC HEARING**
7. Ordinances, first readings, and related items:
 - A. Ordinance No. 480-643D, (ZA20-0021), 1st Reading, Zoning Change and Site Plan for Park Village on property described as Lot 1, Block 1 and Lot 1, Block 2, Park Village, an addition to the City of Southlake, Tarrant County, Texas, and located at 1035 E. Southlake Blvd. and 300 S. Carroll Ave., Southlake, Texas. Current Zoning: "S-P-1" Detailed Site Plan District. Proposed Zoning: "S-P-1" Detailed Site Plan District. SPIN Neighborhood #9.
 - B. Ordinance No. 480-273B, (ZA20-0041), 1st Reading, Zoning Change and Site Plan for 751/771 E. Southlake Blvd. on property described as Lot 9, O.W. Knight No. 899 Addition, an addition to the City of Southlake, Tarrant County, Texas and located at 751 and 771 E. Southlake Blvd., Southlake, Texas. Current Zoning: "S-P-1" Detailed Site Plan District. Proposed Zoning: "S-P-1" Detailed Site Plan District. SPIN Neighborhood #9.
 - C. Ordinance 480-772, (ZA20-0048), Zoning Change and Site Plan for Lot 15, Lake Wood Acres (Landmark Office) on property described as Lot 15, Phase 1, Lake Wood Acres Addition, City of Southlake, Tarrant County, Texas and located at 750 N. Carroll Avenue, Southlake, Texas. Current

Zoning: "O-1" Office District. Proposed Zoning: "S-P-1" Detailed Site Plan District. SPIN Neighborhood # 7.

- D. Ordinance No. 480-773 (ZA20-0049), 1st Reading, Zoning Change and Development Plan for The Conservation on property described as Lot 10, Block 2, Harbor Oaks Subdivision, an addition to the City of Southlake, Tarrant County, Texas, and Tract 5, Rees D. Price Survey, Abstract No. 1207, Southlake, Texas and located at 2970 Burney Lane and 3185 Southlake Park Dr., Southlake, Texas. Current Zoning: "AG" Agricultural District and "SF-1A" Single-Family Residential District. Proposed Zoning: "R-PUD" Residential Planned Unit Development District. SPIN Neighborhood #2.

8. Resolutions:

- A. Resolution No. 20-048, appointing a member to fill a vacancy on the Community Enhancement and Development Corporation.

9. Other items for consideration:

- A. MSP20-0004, Amendment to the Watermere Conditional Sign Permit sign regulations located at 101 and 201 Watermere Drive, Southlake, Texas.
- B. SV20-0013, Sign Variance for Tom Thumb located at 100 W. Southlake Blvd., Suite 200, Southlake Texas.
- C. SV20-0014, Sign Variance for First National Bank located at 605 W. SH 114, Southlake, Texas.

10. Other items for discussion:

- A. Proposed improvements to Rustin and Family Park and Frank Edgar Cornish, IV Park.

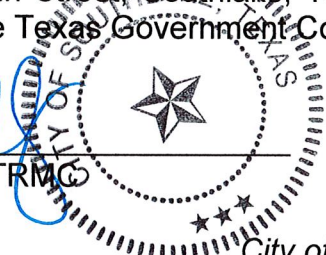
11. Adjournment

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, October 16, 2020, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.



Amy Shelley, TRMC



City of Southlake values:

Integrity ♦ Innovation ♦ Accountability ♦ Commitment to Excellence ♦ Teamwork

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.
6. David Lesak v. John Stokes (City of Southlake) – Civil Action No. 4:18-CV-00295-O
7. Russell Smith v. Blas A Hernandez, and Southlake, Texas – Civil Action No. 4:19-cv-940
8. 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)
9. Pedram and Karol Farahnak v. City of Southlake Board of Adjustment and Brian and Melissa Reukema

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.