



**City of Keller
City Council
Agenda**

Keller Town Hall
1100 Bear Creek Parkway
Keller, TX 76248
817-743-4000
www.cityofkeller.com

Tuesday, August 15, 2023

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER - Mayor Armin R. Mizani

B. DISCUSS AND REVIEW AGENDA ITEMS

C. EXECUTIVE SESSION

1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.

(1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.

1. [401 Golden Triangle Blvd.](#)

2. Adjourn into Open Meeting.

3. Action on Executive Session Item 1 if necessary.

D. WORK SESSION

1. [Pate Orr Sidewalk Discussion](#)
2. [Sports Park Materials Storage Discussion](#)
3. [City Council Updates on Boards and Commissions](#)

E. ADJOURN

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Armin R. Mizani

B. INVOCATION - Pastor Mike Banas, Milestone Church

C. PLEDGE OF ALLEGIANCE

1. Pledge to the United States Flag
2. Pledge to the Texas Flag - "Honor the Texas Flag: I pledge allegiance to Thee, Texas, one State under God, one and indivisible."

D. PRESENTATIONS

1. [Recognition of Ms. Jana Prock](#)
2. [Recognition of the Summer Earn and Learn program Participants](#)

E. PERSONS TO BE HEARD

This is a time for the public to address the City Council on any subject. However, the Texas Open Meetings Act prohibits the City Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to City Staff for research and possible future action. Each speaker will be allowed three (3) minutes to speak.

F. CONSENT

1. [Consider approval of the Minutes of the Tuesday, August 1, 2023 Regular City Council Meeting.](#)

Attachments: [080123 Minutes](#)

2. [Consider a resolution approving the execution and delivery of a Financing Agreement with the Texas Water Development Board regarding the issuance of certificates of obligation by the city for water system improvements and related issuance costs, and approving the obligations of the city with respect to such agreement; and resolving other matters relating to the subject.](#)

Attachments: [081523 Resolution Keller SWIFT Approving Finance Agreement](#)
[081523 City of Keller Financing Agreement DRAFT 08.02.2023](#)

3. [Consider a resolution directing publication of notice of the City's intention to issue combination tax and revenue certificates of obligation to provide funds for water and sewer system improvements and related issuance costs, and resolving other matters related to the subject.](#)

Attachments: [081523 Keller SWIFT NOI Resolution](#)

4. [Consider a resolution rejecting all proposals for the construction of the Pate Orr Sidewalk Project and authorizing the City Manager to re-advertise the project on behalf of the City of Keller, Texas.](#)

Attachments: [081523 PateOrrRejection ProposedResolution](#)
[081523 PateOrrRejection BidTab](#)

5. [Consider a resolution authorizing the City Manager to execute an agreement with Datavox, of Houston, Texas, for the purchase and configuration of networking equipment, through the State of Texas Department of Information Resources \(DIR\) Cooperative Purchasing Program, for the Information Technology Department.](#)

Attachments: [081523 DataVox Resolution](#)

6. [Consider a resolution authorizing the City Manager to execute an Interlocal Agreement with Keller Independent School District, for the funding of School Resource Officers, for the Keller Police Department.](#)

Attachments: [081523 School Resource Officer Resolution](#)
[081523 SRO Contract 23-24](#)

7. [Consider a resolution approving a contract with Baley & Co Enterprises LLC \(DBA Leak Geeks\) of Fort Worth, TX for unforeseen wastewater line damage at Fire Station #3; and authorizing the City Manager to execute all purchasing documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [081523 FS3 WW Line Repair Resolution](#)
[081523 Leak Geeks FS3 Quote](#)

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to sell used goods and merchandise at County Line Records in an existing 1,211 square-foot structure on .17 acres located on the west side of South Elm Street, at the intersection of South Elm Street and Hill Street, legally described as Lot 13R2, Block 10 of Keller City Addition, zoned Old Town Keller and addressed 148 S. Elm St. Francis Moser, Owner, Rodney Holder, Applicant. \(SUP-23-0019\).](#)

Attachments: [081523 148 S Elm SUP Ordinance](#)
[081523 148 S Elm AerialZoning](#)
[081523 148 S Elm SUP Application](#)
[081523 148 S Elm SUP PublicResponse](#)
[H-1 County Line Records](#)

2. [PUBLIC HEARING: Consider an ordinance approving two Specific Use Permits \(SUPs\) for an approximately 1,980 square-foot accessory structure with an average height of 18.5 feet on .88 acre, on the north side of Greenwood Lane, approximately 1,250 feet from the intersection of North Pearson Lane and Greenwood Lane, legally described as Lot 14, Block 2 of the Hickory Hollow estates Addition, zoned Single-Family Residential 20,000 square-foot lots \(SF-20\) and addressed 2041 Greenwood Lane. Mark S. Adair, Applicant, Chris Navarro, Owner. \(SUP-23-0024\)](#)

Attachments: [081523 2041 Greenwood SUP Ordinance](#)
[081523 2041 Greenwood SUP Application and Letter](#)
[081523 2041 Greenwood SUP MAPS](#)
[081523 2041 Greenwood SUP Plans and Elevations](#)
[081523 2041 Greenwood SUP Support Letters](#)
[H-2 2041 Greenwood Lane](#)

3. [PUBLIC HEARING: Consider an ordinance approving one amendment to an existing Specific Use Permit \(SUP\) for the Penguin Patch, by allowing a 6-month extension to the time the Applicant has to apply for and secure building permit, on a property legally described as Abstract 457 Tract 14C03 of John Edmonds Survey, being 4.07-acres, approximately 270 feet southeast from the intersection of W. Bear Creek Parkway and Chisholm Trail, zoned Commercial \(C\), and addressed as 721 Chisholm Trail. Jennifer Randklev, Owner/Applicant. \(SUP-23-0022\)](#)

Attachments: [081523 Penguin Patch SUP Extension Ordinance](#)
[081523 Penguin Patch SUP Extension Letter](#)
[081523 Penguin Patch SUP Extension Application](#)
[081523 Penguin Patch SUP Extension Maps](#)
[H-3 Penguin Patch SUP Extension](#)

4. [Consider a resolution approving a Site Plan for Penguin Patch, a proposed 43,640 square-foot building, on a property legally described as Abstract 457 Tract 14C03 of John Edmonds Survey, being 4.07-acres, approximately 270 feet southeast from the intersection of W. Bear Creek Parkway and Chisholm Trail, zoned Commercial \(C\), and addressed as 721 Chisholm Trail. Jennifer Randklev, Owner/Applicant. \(SP-23-0013\)](#)

Attachments: [081523 Penguin Patch Site Plan Resolution](#)
[081523 Penguin Patch SP Exhibit A-Site Plan and Elevations](#)
[081523 Penguin Patch SP MAPS](#)
[H-4 Penguin Patch Site Plan](#)

5. [PUBLIC HEARING: Consider an ordinance approving a Planned Development \(PD\) amendment and rezoning a portion \(11.94 acres\) to Single Family Residential-36,000 square-foot lots, for The Birch Racquet and Lawn Club, on the property legally described as Block A, Lot 1 AG of The Birch Addition, being 26.99 acres, approximately 340 feet northwest from the intersection of Keller Smithfield Road and Johnson Road, zoned Planned Development 1822-Single Family Residential-36,000 square-foot minimum lots \(PD 1822-SF-36\), and addressed as 660 Keller Smithfield Road. Taylor Dent, The Birch Racquet and Lawn Club, Applicant/Owner. \(Z-23-0002\)](#)

- Attachments:** [081523 Birch PD Amendment Proposed Ordinance](#)
[081523 Birch PD Amendment Exhibit A-Concept Plan](#)
[081523 Birch PD Amendment Ordinance 1845 \(2017 Amendment\)](#)
[081523 Birch PD Amendment Ordinance No. 1822 \(2016 PD Approval\)](#)
[081523 Birch PD Amendment Application](#)
[081523 Birch PD Amendment Existing Conditions](#)
[081523 Birch PD Amendment MAPS](#)
[081523 Birch PD Amendment Summary Table](#)
[081523 Birch PD Amendment Staff Attachment A](#)
[H-5 Birch PD Amendment](#)
[081523 Birch PD Amendment Support Letters](#)
[081523 Birch PD Amendment Opposition Letters](#)
[H-5 Birch PD Amendment](#)

6. [Consider a resolution of the City Council of the City of Keller, Texas, to consider a proposal to adopt a tax rate that will be lower than the no new revenue and voter-approval tax rates; and providing an effective date.](#)

- Attachments:** [081523 Max Tax Rate Resolution](#)
[Item H-6 Max Tax Rate](#)

I. EXECUTIVE SESSION

1. **Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.**

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(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.

1. [401 Golden Triangle Blvd.](#)
2. **Adjourn into Open Meeting.**
3. **Action on Executive Session Item 1 if necessary.**

J. ADJOURN

**CITY OF KELLER
MISSION STATEMENT**

We commit to preserving a safe, informed and vibrant community of quality neighborhoods, thriving businesses and natural beauty by setting the standard for municipal engagement, collaboration, service and innovation.

CERTIFICATE

I hereby certify that the above notice is posted, per the Open Meetings Law, Texas Government Code, Chapter 551, on the official bulletin board at Keller Town Hall, 1100 Bear Creek Parkway, on Thursday, August 10, 2023 at 5:00 P.M.

Kelly Ballard, TRMC, CMC
City Secretary

Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the ADA Coordinator 48 hours in advance, at 817-743-4041, and reasonable accommodations will be made for assistance.