



**City of Keller
City Council
Agenda**

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

Tuesday, May 7, 2024

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.

- a. [401 Golden Triangle Blvd.](#)

2. Adjourn into Open Meeting.
3. Action on Executive Session Item 1 if necessary.

D. WORK SESSION

1. [City Council Updates](#)
2. [Keller Sports Park Update](#)
3. [Strategic Budget Planning - Economic Development, Sales Tax](#)

E. ADJOURN

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Armin R. Mizani

B. INVOCATION

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. PROCLAMATIONS

1. [National Therapy Animal Day](#)
2. [Ehlers-Danlos and Hypermobility Spectrum Disorders Awareness Month](#)

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, April 16, 2024 Regular City Council Meeting.](#)

Attachments: [041624 Minutes Draft](#)

2. [Consideration and action regarding a resolution directing publication of notice of the City's intention to issue combination tax and revenue certificates of obligation to provide funds for street improvements and related issuance costs.](#)

Attachments: [050724 ElmSt_NOI Resolution](#)

3. [Consider a resolution approving Amendment No. 2 of the Ground Lease Agreement with ME Development, approved by Resolution No. 4716, dated October 17, 2023, through a Chapter 380 Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code, and further authorizes the City Manager to execute said documents on behalf of the City of Keller, Texas.](#)

Attachments: [050724 Ground Lease Amend 2 Resolution](#)

[050724 Exhibit A Proposed Ground Lease Amendment No. 2](#)

[050724 Staff Attachment Ground Lease](#)

[050724 Staff Attachment Ground Lease Amend 1](#)

4. [Consider a resolution approving an Agreement for Engineering Services with Peloton Land Solutions, Inc, a Westwood Company, of Plano, Texas; for the purpose of providing design of the Annual Sanitary Sewer Replacement Project 2024 for the Public Works Department; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [050724 SewerReplacement Resolution](#)
[050724 SewerReplacement ExhibitA](#)
[050724 SewerReplacement StaffAttachment](#)

5. [Consider a resolution rescinding Resolution No. 4776, approved on April 16, 2024, and approving a professional services agreement with Wade Trim, Inc., of Fort Worth, Texas; for the purpose of providing engineering design services related to the 2024 Annual Street Maintenance Project for the Public Works Department; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [050724 StreetRehabilitationProject Resolution](#)
[050724 StreetRehabilitationProject StaffAttachment](#)

6. [Consider a resolution approving Change Order No. 1 to the Construction Management at Risk \(CMAR\) Services Agreement with Dean Construction of Cedar Hill, Texas, to re-establish the Guaranteed Maximum Price \(GMP\) for construction of the splashpad at the Keller Sports Park; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [Keller Sports Park GMP Change Order No. 1 Resolution](#)
[Complete with DocuSign 533422-G701-Change O \(2\)](#)
[Copy of Keller Splash Pad Schedule](#)

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for Thai Yoga Massage in an approximately 1,600 square-foot building, on 0.12 acre, approximately 750 feet northwest from the Cindy Street and Keller Parkway intersection, legally described as Lot 1A1B, Block A of the Bryant Parc Two Addition, zoned Retail \(R\) and addressed 415 Keller Parkway. Thai Yoga Massage, LLC, Applicant. Wang-TCM LLC, owner. \(SUP-24-0007\)](#)

Attachments: [050724 Ordinance SUP-24-0007](#)
[050724 ThaiYogaSUP AerialZoning](#)
[050724 ThaiYogaSUP Application](#)
[050724 ThaiYogaSUP TripGenerationForm](#)
[H-1 - Thai Yoga Massage SUP Presentation](#)

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to expand an existing carport, on 0.41 acre, approximately 400 feet northeast from the Santa Barbara Drive and Bourland Road intersection, legally described as Lot 5, Block 1 of the Parkwood Subdivision, zoned Single-Family Residential - 12,000 square-foot lots \(SF-12\) and addressed 507 Santa Barbara Drive. Marcelo Barron, Applicant. Charles Binz, Owner. \(SUP-24-0011\)](#)

Attachments: [050724_507_Santa_Barbara_SUP_Ordinance](#)
[050724_507_Santa_Barbara_SUP_Application_and_Proposal](#)
[050724_507_Santa_Barbara_SUP_Plans](#)
[050724_507_Santa_Barbara_SUP_street_view_image](#)
[050724_507_Santa_Barbara_SUP_MAPS](#)
[H-2 - 507_Santa_Barbara_SUP_Presentation](#)

3. [Consider a resolution approving a Chapter 380 Economic Development Agreement, pursuant to Chapter 380 of the Texas Local Government Code, and pursuant to the City's Economic Development Policy for Café Medi, 129 Olive Street, Keller, TX 76248](#)

Attachments: [Exhibit A.1 - Resolution](#)
[Exhibit A - Cafe Medi - 129 Olive St - 380 Agreement](#)
[Exhibit A.2 - FIG Application_129 Olive](#)
[Exhibit A.3 Resolution No. 4371](#)
[H-3 - FIG Presentation 129 Olive Presentation](#)

4. [Consider a resolution approving a Chapter 380 Economic Development Program Agreement pursuant to Chapter 380 of the Texas Local Government Code, and pursuant to the City's Economic Development Policy, with ME Development, owner of an approximately 70,000 SF indoor recreational multi-sports facility on approximately 7.8 acres at 401 Golden Triangle Blvd, Keller, Texas; and further authorizing the City Manager to execute said documents on behalf of the City of Keller, Texas.](#)

Attachments: [050724_380_Agreement_ME_Dev_Resolution](#)

5. [PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code \(UDC\), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article Nine – Development Standards, relating to regulations for billboards; providing penalties; authorizing publication; and establishing an effective date. \(UDC-24-0002\)](#)

Attachments: [050724_Ordinance_UDC-24-0002](#)
[050724_UDC_Amendment_Billboards_Exhibit_A-Clean](#)
[050724_UDC_Amendment-Billboards_Exhibit_A-Redline](#)
[H-5 - UDC Amendment Billboards Presentation](#)

6. [PUBLIC HEARING: Consider an ordinance amending the City of Keller Code of Ordinances, Chapter 19, Water and Sewers, Article XIV, Water Conservation and Drought Contingency, Section 19-1600, Adoption of plan and policies, by deleting the current Water Conservation Plan in its entirety and replacing it with a new Attachment "A", 2024 Water Conservation Plan for the City of Keller, and by deleting the current Drought Contingency and Emergency Water Management Plan in its entirety and replacing it with a new Attachment "B", 2024 Drought Contingency and Emergency Water Management Plan for the City of Keller.](#)

Attachments: [050724 WaterConservation Ordinance](#)
[050724 WaterConservation AttachmentA](#)
[050724 WaterConservation AttachmentB](#)
[050724 WaterConservation StaffAttachment](#)
[H-6 - Water Conservation and Drought Contingency Plan Presentation](#)

I. EXECUTIVE SESSION

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

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a. [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, May 2, 2024 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.