REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034

5:00 PM

TUESDAY, JUNE 04, 2013

AGENDA

CALL TO ORDER

1. ROLL CALL

CLOSED SESSION

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;

   A. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:

      i. Receive legal advice regarding parking issues and a lease amendment with Dallas Stars.
      ii. Receive legal advice regarding Exide cleanup/remediation of hazardous and non-hazardous waste.
      iii. Receive legal advice regarding Frisco's involvement in the Arts Center of North Texas and other legal issues related thereto.

   B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:

i. Bordered by Eldorado Parkway on the north, FM 423 on the west, Preston Road on the east and SH121 on the south.
ii. Bordered by Main Street on the South, Eldorado Parkway on the North, West of Independence Parkway, and East of Preston Road.

C. Section 551.074. Personnel Matters: Section 551.074 authorizes certain deliberations about officers and employees of the governmental body to be held in executive session:

i. Discussion regarding the evaluation of the City Manager including changes to his employment contract.

D. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

INVOCATION

PLEDGE OF ALLEGIANCE

INDIVIDUAL ITEMS

4. Issuance of the Oath of Office and Statement of Elected Officer to Jeff Cheney, City Council Place 2, and John Keating, City Council Place 4. (CSO/JP)

5. Recognition of Service for the Downtown Advisory Board, Public Art Board, Parks and Recreation Board and Urban Forestry Board. (CSO/WW).

6. Recess for a reception honoring the members of the Downtown Advisory Board, Public Art Board, Parks and Recreation Board and the Urban Foresry Board. (CSO/WW)

7. Reconvene into open session.

8. Consider and act upon nomination and election of Mayor Pro-Tem. (CSO/JP)

9. Consider and act upon nomination and election of Deputy Mayor Pro-Tem. (CSO/JP)

PROCLAMATIONS

10. Bobby Johnson--20 Years of Service to City of Frisco

11. National Garden Week

12. Eagle Scout Aidan Wemhoff

REPORTS

13. Bike Rack Presentation

14. Recognition of FISD Tornado Relief Volunteers

15. Parks and Recreation Monthly Report regarding Park and Trail Development, Facilities, Special Events and Youth Development.

16. Engineering Services Monthly Report on Roads, Traffic, Water & Sewer Projects

17. Library report on usage and programming activities

18. Council Subcommittee reports for current activities of the Legislative, Governance, and Budget and Audit Committee.

CITIZEN INPUT (to begin approximately at 7:30 p.m.)

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

19. Consider and act on approval of the minutes from the May 21, 2013 City Council Worksession and the May 21, 2013 Regular City Council Minutes. (CSO/WW)

20. Consider and act upon authorization for the City Manager to execute Change Order Number 1 to the Standard Construction Contract by and between the City of Frisco and Massana Construction, Inc., Stonebrook Parkway Phase II (Fighting Eagles Lane to Longhorn Trail) (Bid No. 1205-051). (Engineering/DC)

21. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number Three to the Professional Services Agreement by and between the City of Frisco, Texas and Kimley-Horn and Associates, Inc. for Rockhill Parkway (formerly Virginia Parkway) (CR 26 to Preston Road). (Engineering/MP)

22. Consider and act upon adoption of a Resolution authorizing the City Manager to

execute a Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc. for the Design of the Panther Creek Reuse Water Line Project (Engineering/AH)

23. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Kimley-Horn and Associates, Inc. for the Downtown Elevated Tank Condition Assessment Project (Engineering/AH)

24. Consider and act upon a resolution authorizing the City Manager to execute an agreement with InSite Amenities for landscape improvements and the purchase of a pavilion at Beavers Bend Park. (Parks/DR)

25. Consider and act upon a resolution authorizing the City Manager to execute Change Order Number One with G.P Cooper Industries Inc, dba Cooper General Contractors for Bicentennial Park Phase II. (Parks/DR)

26. Consider and act upon a resolution authorizing the City Manager to execute an agreement with Studio 13 Design Group for design services for the Independence Parkway Practice Facility. (Parks/DR)

27. Consider and act upon authorization for the City Manager to submit three (3) State Homeland Security Grant Applications to the United States Department of Homeland Security (DHS) and Federal Emergency Management Agency (FEMA), Urban Area Security Initiative (UASI) Grant Program (POLICE / FIRE)

28. City Council consider and act upon approval of the Ordinance for the Rate Review Mechanism (RRM) tariff that reflects the negotiated RRM process with Atmos Energy Corp, Mid-Tex Division. (CMO/BB)

29. Consider and act upon approval of a purchase order to Lone Star Emergency Vehicles for the purchase of two (2) Braun Super Chief Type I Medium Duty International Durastar Ambulances. (Fire/DF)

30. Consider and act upon approval of a purchase order to Physio Control, Inc., for the purchase of six (6) LUCAS chest compression systems for Frisco Fire Department ambulances. (Fire/DF)

31. Consider and act upon approval of a change order to Lone Star Emergency Vehicles for the purchase of three (3) Stryker Power Load systems and accessories. (Fire/DF)

32. Consider and act upon approval authorizing the City Manager to execute an agreement with SafetyCom, Inc., for the purchase and installation of nine (9) outdoor warning sirens, and the replacement and relocation of one (1) existing outdoor warning siren. (Fire/DF)

33. Consider and Act Upon Lease Amendments concerning parking issues for the Dallas Stars and the Frisco Rough Riders. (CMO/GP)

    A. First Amendment to Lease Agreement with Rough Riders Baseball Partners L.P.

    B. Sixth Amendment to Lease Agreement with DSE Hockey Centers L.P.

    C. Team Owner's Parking Easement.

34. Consider and act upon a proposed Contract of Sale by and between SSR Collin Land, L.P., as the seller, and the City of Frisco , as the buyer, for the sle and purchase of two tracts of property containing approximately 13.36 acres of property located south of Gaylord Parkway and east of the Dallas North Tollway in Frisco, Collin County, Texas. (CMO/GP)

35. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Development Services, pursuant to Subsection 6.19 of the Zoning Ordinance and/or Section 4.02 of the Subdivision Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Development Services. (Development Services)

REGULAR AGENDA

36. Public Hearing: Annexation Case A13-0001. A proposed voluntary annexation of 463.4± acres in the Samuel Whittenberg Survey, Abstract No. 1510; the J.L. Saling Survey, Abstract No. 1675; the J. Bates Survey, Abstract No. 1620; the A.W. Robertson Survey, Abstract No. 1487; the F. Hawkins Survey, Abstract No. 582; and the W.P. Bates Survey, Abstract No. 73, Denton County, Texas, generally located on the south side of US Highway 380, 1,150± feet east of FM 423 and consider and act to direct staff to prepare an ordinance of the same. Neighborhood #51. (Development Services/MW)

37. Public Hearing: Zoning Case Z13-0001. A request to amend Planned Development-202, located on the east side of FM 423 from north of Stonebrook Parkway to south of Lebanon Road, to reduce the number of allowable Townhome and Patio Home units, redistribute locations of lot sizes, reduce the Urban Living tract, and add approximately 25± acres of retail zoning and consider and act to direct staff to prepare and Ordinance of the same. Zoned Planned Development-202-Single Family-10/Single Family-8.5/Single Family-7/Patio Home/Townhome/Multifamily-2/Urban Living. Neighborhood Nos. 37, 38, & 42. (Development Services/MW)

38. Public Hearing: Zoning Case Z13-0005. A request to rezone 10.5± acres on the

northeast corner of Rolater Road and Hillcrest Road from Retail to Single Family-7 and consider and act to direct staff to prepare an Ordinance of the same. Zoned Retail. Neighborhood No. 18. (Development Services/MW)

39. Discussion and give Direction to Staff regarding Stage 3 Water Restrictions Enforcement Measures (Council Member Allen).

40. Consider and act upon adoption of a resolution directing publication of notice of intention to issue combination tax and revenue certificates of obligation; and resolving other matters relating to the subject. (CMO/NL)

41. Consider and Act Upon appointments to Council Committees.

42. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

43. Discussion on Governance Monitoring of present City Council Meeting.

ADJOURN

CERTIFICATION

Henry Hill, Deputy City Manager, certifies that this Notice of Meeting was posted on the outside bulletin board, at the City Hall of the City of Frisco, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time:

By Friday, May 31st, 2013 at 8:30 PM and remained so posted at least 72 hours before meeting was convened.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with the attorney for the City.
§ 551.072 – Discussing purchase, exchange, lease or value of real property.
§ 551.074 – Discussing personnel or to hear complaints against personnel.

NOTICE

Pursuant to City of Frisco Ordinance Number 01-04-29 all speakers other than City of Frisco Staff are limited to five (5) minutes per item except by prior consent of the City Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

The Frisco City Hall is wheelchair accessible. Access to the building and special parking are available at the primary north entrance facing Frisco Square Blvd. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (972) 292-5025 or by FAX (972) 292-5028. BRAILLE IS NOT AVAILABLE.