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, OCTOBER 15, 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 Exide cleanup/remediation of hazardous and non-hazardous waste.

   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.

C. 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

PROCLAMATIONS

4. Red Ribbon Week

5. Recognition of Danny Carroll for 20 Years of Service

6. Recognition of Paul Siebert for 20 Years of Service

REPORTS

7. Public Works Report on Water Usage and Other Monthly Activities

8. Fire Department Monthly Report on Incident Response and Educational Activities, September 2013.

9. Development Services Activities Monthly Update September 2013

10. Police Department's crime statistics and response times for the month of September 2013.

11. Frisco CVB September report on industry statistics.

12. Council Subcommittee reports for current activities of the Legislative, Governance, Budget and Audit Committee, the Charter Review Commission and the Citizen Bond 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.)

13. Consider and act upon approval of the September 17, 2013 Work Session and

Regular Council meeting minutes. (CSO/JP)

14. Consider and Act Upon Approval of a Resolution Adopting the 2013 Official Tax Roll as Certified by the Tax Assessor Collector of Collin County with the Amount of Tax Affixed to Each Account (Financial Services/JH)

15. Consider and act upon approval of an Annexation Agreement by and between City of Frisco, Texas, a Texas Municipal Corporation, and the Veninga Investment Company, A Texas General Partnership, and all of its General Partners: Dolores Marie Veninga, Louise Ann Veninga, Fredrick William Veninga, Jr., The Ann Kramer Management Trust dated effective July 29, 2011, John Eichholtz Kramer, III, Trustee, Francis David Vincent Veninga, Karen Helen Veninga Driscoll, The Louise A. Veninga Children's Trust I dated June 22, 2005, Benjamin R. Zaricor, Trustee; and the Veninga Children's Trust, Karen Veninga Driscoll, Trustee for 40.569± acres of land located south of US 380 and 5,000± feet west of the Dallas North Tollway. (CMO\RKP)

16. Consider and act upon approval of an Annexation Agreement by and between the City of Frisco, Texas, a Texas municipal corporation, and Wilpat Real Estate Partners, Ltd., a Texas limited partnership; Francis David Vincent Veninga; John Eichholtz Kramer, III, Trustee, The Ann Kramer Management Trust dated effective July 29, 2011; Karen Helen Veninga Driscoll; Louise A. Veninga; Benjamin R. Zaricor, Trustee, The Louise A. Veninga Children's Trust I dated June 22, 2005; Dolores Marie Veninga; and Frederick William Veninga, JR., for 292.76± acres of land located south of US 380 and 3,000± feet west of the Dallas North Tollway. (CMO\RKP)

17. Consider and act upon approval of an AIA Document B101 – 2007 for architectural services by and between the City of Frisco, Texas and M. Arthur Gensler Jr. & Associates, Inc. related to the design of a multi-use special events and sports facility and authorizing the City Manager to execute. (CMO/RKP)

18. Consider and act upon a Chapter 380 Grant Agreement by and between the City of Frisco, Texas and Cornerstone Automation Systems, LLC. (CMO\RKP)

19. 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 rate case filed with the City on or about July 15, 2013. (CMO/BB)

20. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc. for design and preparation of construction documents for 4th Army Drive Reconstruction (Engineering/DLC)

21. Consider and act upon award of bid to Core Construction and authorization for

the City Manager to execute a Standard Form of Agreement for Construction Services for Public Works Parking Expansion (Bid No. 1308-086) and authorizing construction phase contingencies. (Engineering/JB)

22. Consider and act upon authorizing the City Manager to execute an Advance Funding Agreement by and between the Texas Department of Transportation and the City of Frisco to provide funding for the construction of turn lanes on Main Street at the Dallas North Tollway. (Engineering/JB)

23. Consider and Act upon authorizing the City Manager to execute Amendment Number One to the Master Agreement by and between the City of Frisco and Kimley-Horn and Associates, Inc. for On-Call Professional Traffic Engineering Services, Contract Number 2012-001 (Engineering/BM)

24. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Garver to perform Engineering Design and Bid Package Preparation for Street Rehabilitation and Turn Lane Projects. (Engineering/JB)

25. Consider and act upon approval of an Interlocal Agreement by and between the City of Frisco and the Town of Prosper for GIS Services. (IT/SO)

26. Consider and act upon adoption of a Resolution accepting two (2) Fiscal Year 2012-2013 Urban Areas Security Initiative (UASI) Sub-Recipient Grant Awards from the United States Department of Homeland Security (USDHS) and authorizing the City Manager to execute two (2) Sub-Recipient Grant Agreements by and between the City of Frisco and the Texas Department of Public Safety (Fire/MP).

27. Consider and Act on a Resolution approving a Memorandum of Understanding with Collin County for the purposes of a joint grant application. Consider and Act on a Resolution approving the acceptance of the grant award from the Office of the Governor, Criminal Justice Division for the funding under the Victims of Crime Act Grant Program and authorizing the submission of the grant application by the City Manager or his designee. The grant proposal is to partner with the Collin County Sheriff's Office to share a full-time Victim Advocate dedicated to working with victims of violent crimes. The funding period for this grant is from September 1, 2013 – August 31, 2014 in the amount of $62,394.

28. Consider and Act on a Resolution approving the acceptance of the grant award from Office of the Governor, Criminal Justice Division for the funding under the Violence Against Women Act Grant Program and authorizing the acceptance of the grant application by the City Manager or his designee. This grant, will continue to fund an already grant funded position, not to add an additional full-time employee. The funding period for this grant is from September 1, 2013 –

August 31, 2014, the funding amount for this project is $73,226. (POLICE/TC)

29. Consider and act upon approval of a purchase order to Digital Resources, Inc., for the purchase and installation of two (2) digital projectors and accessories for Council Chambers. (Communications/DF)

30. Consider and act upon approval authorizing the City Manager to execute an agreement with Curtco, Inc., for roadway joint and crack sealing. (Public Works/DF)

31. Consider and act upon approval authorizing the City Manager or his designee to execute an Agreement with CORE Construction Services of Texas, Inc., for a job order contract for driveway, sidewalk, alley and road maintenance and repair at various locations during the fiscal year 2014. (Public Works/DF)

32. Consider and act upon approval authorizing the City Manager to execute an agreement with Pavecon, Ltd., for Redbud Estates asphalt street overlay. (Public Works/DF)

33. Consider and act upon award of RFQ #1307-071 Occupational Medical and MRO Services and RFP #1307-072 Occupational Health and Safety Services to E-Care Management, LP, and approval authorizing the City Manager to execute agreements for these services. (HR/DF)

34. Consider and act upon approval authorizing the City Manager to execute a renewal for Stop Loss Services with Everest Reinsurance Company. (HR/DF)

35. Consider and act upon approval of purchase orders to 3M Company for the purchase of downloadable digital media during the fiscal year 2014. (Library/DF)

36. Consider and act upon approval of purchase orders to OverDrive, Inc., for the purchase of digital media hosting and download services during the fiscal year 2014. (Library/DF)

37. Consider and act upon approval authorizing the City Manager to execute an annual support agreement with CRW Systems, Inc., for software support and updates for TRAKiT, TRAKiT PDA, eTRAKiT and TRAKiT Sync. (IT/DF)

38. Consider and act upon approval of a purchase order to Interspec, LLC, for the purchase of computerized irrigation control equipment for Eldorado Parkway median improvements. (Parks & Recreation/DF)

39. Consider and act upon approval of an agreement with Illumimax, LLC for services related to the design and operation of the holiday lighting of the exterior of the City Hall/Library facility. (Administrative Services/TJ)

40. 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)

LEGISLATIVE AGENDA

(These items may legally require Council Action, but by Council Policy should be the City Manager's responsibility. The Legislative Agenda can be acted upon in one motion. The concurrence of two council members is required to remove any item for separate discussion and action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

41. Consider and act upon adoption of an Ordinance amending Planned Development-206 to amend the Zoning Exhibit and development standards. The property contains 82.8± acres on the east side of Coit Road, 500± feet north of Panther Creek Parkway. Zoned Planned Development-206-Single Family-10/Single Family-8.5/Single Family-7. Neighborhood #5. Zoning Case No. Z13-0009. (Development Services/MW)

42. Consider and act upon adoption of an Ordinance rezoning 38.8± acres located on the northeast corner of All Stars Avenue and Frisco Street from Agricultural and Industrial to Commercial-1 (33.0± acres) and Industrial (5.8± acres). Neighborhood #46. Zoning Case No. Z13-0010. (Development Services/MW)

43. Consider and act upon amending Ordinance No. 13-10-69 Exhibit “A”; providing for the installation of water heaters in attics and above living space; providing for leak detection shut off device installation on water heaters in attics or above living spaces. (Development Services/PDC)

ADJOURN

REGULAR AGENDA

44. Public Hearing: Specific Use Permit Case SUP13-0010. A request for a Specific Use Permit for a Major Automotive Repair Facility on one lot on 1.8± acres on the southeast corner of F.M. 423 and Old Newman Road and consider and act to direct staff to prepare an Ordinance of the same. Zoned Commercial-1. Neighborhood #42. (Development Services/JE)

45. Public Hearing: A request for a Specific Use Permit for a Licensed Child Care Center on one lot on 1.5± acres on the south side of Warren Parkway, 80± feet west of Victory Group Way and consider and act to direct staff to prepare an Ordinance of the same. Zoned Retail and Planned Development-33-Business Center. Neighborhood #32. Case No. SUP13-0009 (Development Services/RC)

46. Mayor's appointment of three (3) members (Places 1, 3, and 5) to the Frisco Housing Authority Board for a term of two (2) years each beginning October 1, 2013 and ending on September 30, 2015. (CSO/WW)

47. Discussion regarding the recent appointment of Mr. David Porter to the Board of Directors of the Frisco Economic Development Corporation; consider an act upon removal of Mr. David Porter as a member of the Board of Directors of the Frisco Economic Development Corporation; and subject to Mr. David Porter being removed as a Board member, consider and act upon appointment of a replacement for Mr. David Porter to the Board of Directors of the Frisco Economic Development Corporation. (TN)

48. Consider and act upon choosing a date for the December 2013 Council meeting and the Council Winter Work Session. (CSO/JP)

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

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

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, October 11, 2013 at 9:00 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.