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, FEBRUARY 18, 2014

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 litigation with FLCT, LTD. and Field Street Development I, LTD., Cause No. 429-00074-2014, in the District Court of Collin County, Texas.
      ii. Receive legal advice regarding litigation concerning the Arts Center of North Texas, Cause no. 199-00002-2014 in the 199th Judicial District Court of Collin County, Texas.
      iii. Discussion regarding appointment of board members to the Arts Center of North Texas.
      iv. Receive legal advice regarding Exide cleanup/remediation of

hazardous and non-hazardous waste.

v. Receive legal advice regarding the sale of alcohol.

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

i. Deliberation regarding the annual evaluation of City Manager, George Purefoy.

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

PROCLAMATIONS

4. Tyler Sampson -- "Together We Make Football"

5. Frisco Family Services 20 Year Anniversary

REPORTS

6. Library of Excellence Award

7. Financial Services Monthly Budget Status Report for January 2014

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

9. Fire Department Monthly Report on Incident Response and Educational Activities for January 2014.

10. Police department's crime statistics and response times for the month of January 2014.

11. CVB January report on Industry Statistics.

12. Development Services Activities Monthly Update January 2014.

13. 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.)

14. Consider and act upon approval of the minutes from the February 4, 2014 Regular City Council meeting. (CSO/JP)

15. 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 development of a Texas Pollutant Discharge Elimination System (TPDES) Phase II Municipal Separate Storm Sewer System (MS4) Stormwater Management Program. (PW/PH)

16. 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 Brown & Gay Engineers, Inc. for the Development of Stormwater Fee Credit Guidance. (PW/PH)

17. Consider and act upon approval of Change Order Number 1 to the Standard Construction Contract of Wright Construction Co., Inc. to construct the Panther Creek Wastewater Interceptor Phase 2 (Line B) Phase 3 (Line D) & Phase 1 (Line A) Manhole Rehabilitation (Bid No. 1306-058) project and authorizing the City Manager to execute Change Order Number 1. (Engineering/DLC)

18. Consider and act upon approval of Change Orders Number 3 and 4 to the Standard Construction Contract by and between the City of Frisco and Mario Sinacola & Sons Excavating, Inc. to construct the Rockhill Parkway (CR 26 to Preston Road) project and authorizing the City Manager to execute all necessary documents. (Engineering/MP)

19. Consider and act upon authorization for the City Manager to execute Change Order Number 6 to the Standard Construction Contract by and between the City of Frisco and Tiseo Paving Company to construct the Stonebrook Parkway and 36-inch Water Line (Preston to DNT) Project. (Engineer/AH)

20. Consider and act upon setting the Public Hearing to Amend the Impact Fee Ordinance. (ENG/LC)

21. Consider and act upon a resolution nominating Careington as a participant in the Texas Enterprise Fund Program. (CMO)

22. Consider and act upon approval of reimbursement to members of the City Council for actual expenses incurred by them in the performance of their official duties. (CMO/HH)

23. Consider and act upon approval of a purchase order to Digital Resources, Inc., for the purchase and installation of audio visual equipment for Frisco Television Network. (Communications/DF)

24. Consider and Act Upon Authorizing the City Manager or his Designee to execute Work Authorizations for services for the Internal Audit Master Services Professional Agreement for FY 2014. (Financial Services/AC)

25. 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.)

26. Consider and act upon an Amendment to Ordinance 13-08-46 to establish new and modified Reduced Speed School Zones on identified streets within the City of Frisco. (Engineering/SL)

27. Consider and act upon adoption of an Ordinance amending the Comprehensive Plan regarding the Future Land Use Plan designation from Technology to Residential on tracts of land consisting of 200± acres on the west side of Fields Road, 750± feet south of US 380. Neighborhoods #51 & 52. Case No. CA13-0001. (Development Services/SP)

28. Consider and act upon adoption of an Ordinance amending the Comprehensive Plan's Thoroughfare Plan regarding the alignment and intersection of Teel Parkway and Rockhill Parkway. Neighborhoods #51 & 52. Case No. TA13-0002. (Development Services/SP)

29. Consider and act upon adoption of an Ordinance rezoning 308.0± acres on the west side of Fields Road, 750± feet south of US 380 from Agricultural to Planned Development-Single Family-8.5/Single Family-7/Patio Home. Neighborhoods #51 & 52. Case No. Z13-0014. (Development Services/SP)

ADJOURN

REGULAR AGENDA

30. Public Hearing: Zoning Case Z13-0017. A request to rezone 48.8± acres located on the northeast corner of Sanctuary Drive and Peaceful Lane from Agricultural to Planned Development-Agricultural and consider and act to direct staff to prepare an Ordinance of the same. Zoned Agricultural. Neighborhood #10. (Development Services/MW)

31. Public Hearing: Zoning Case Z13-0019. A request to rezone 89.9± acres located on the west side of Independence Parkway, 2,800± south of Eldorado Parkway from Planned Development-194-Single Family-8.5/Single Family-7 to Single Family-8.5 and Single Family-7 and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-194-Single Family-8.5/Single Family-7. Neighborhood #14. (Development Services/MW)

32. Public Hearing: Zoning Case Z13-0023. A request to amend Planned Development-224 to incorporate an additional 6.9± acres into the Planned Development and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-224-Retail/Office-2 with a Specific Use Permit (S-199) for an Automobile Dealership. Neighborhood #33. (Development Services/MW)

33. Public Hearing: Specific Use Permit SUP13-0014. A request to amend Specific Use Permit-199 to incorporate an additional 6.9± acres into the Planned Development and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-224-Retail/Office-2 with a Specific Use Permit (S-199) for an Automobile Dealership. Neighborhood #33. (Development Services/MW)

34. Consider and act on appointing two (2) individuals to serve on the Urban Forestry Board Places 4 and 7. (CSO/WW)

35. Consider and act on appointing an individual to fill the unexpired term for Place 4 on the Planning and Zoning Commission. (CSO/WW)

36. Consider and act upon appointment of Board Members to the Arts Center of North Texas. (MM)

37. Consider and Act on an Ordinance establishing regulations on the Sale, Possession and Use of Electronic Cigarettes by Minors and/or Prohibiting the Use of Electronic Cigarettes where smoking is prohibited. (Development Services/SC)

38. Consider and act on Proposed Charter Amendments and give staff direction for calling a Special Charter Amendment election. (CSO/JP)

39. Discussion concerning Mayor and Council compensation. (JK)

40. Consider and act upon actions necessary for the May 10, 2014 General Election in the City of Frisco. (Considere y actúe sobre acciones necesarias para la Elección general en la Ciudad de Frisco el 10 de Mayo, 2014) CSO/JP

    A. Consider and act upon calling the May 10, 2014 Joint General Election with FISD, Denton County and Collin County. Considerar y actuar sobre invocar la Elección General Conjunta del 10 de mayo de 2014 con FISD, Condado de Denton y Condado de Collin. (CSO/JP)

    B. Consider and act upon approval of a contract with Collin County Elections Administrator. (CSO/JP) Considerar y actuar sobre la aprobación de un contrato con el Administrador de Elecciones del Condado de Collin.

    C. Consider and act upon approval of a contract with Denton County Elections Administrator. (CSO/JP) Considerar y actuar sobre la aprobación de un contrato con el Administrador de Elecciones del Condado de Denton.

    D. Consider an act on approval of an agreement to hold a joint election with Lewisville Independent School District. (CSO/JP) Considerar y actuar sobre la aprobación de un acuerdo para celebrar una elección conjunta con el Distrito Escolar Independiente de Lewisville.

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

42. 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, February 14, 2014 at 7:30 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.