# 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, MARCH 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 Exide cleanup/remediation of hazardous and non-hazardous waste.
      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.

   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. World Olympic Gymnastics Academy (WOGA)--20th Anniversary

5. Fix A Leak Week

**REPORTS**

6. Financial Services February Budget Status Report

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

8. Development Services Activities Monthly Update February 2014.

9. Police department's crime statistics and response times for the month of February 2014.

10. Fire Department Monthly Report on Incident Response and Educational Activities for February 2014.

11. Frisco CVB January report on industry statistics.

12. 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.)

13. Consider and act upon approval of the February 28, 2014 Special Called Meeting and the March 4, 2014 Regular City Council Meeting minutes. (CSO/JP)

14. Consider and act upon award of bid to Roadway Solutions, Inc., authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Traffic Signal Modifications at the Coit Road and College Parkway Intersection (Bid No. 1402-028) (Engineering/SL).

15. Consider and act upon a Resolution approving the application to the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, Paul Coverdell Forensic Science Improvement Grants Program and authorizing the submission of the grant application by the City Manager or his designee. The Frisco Police Department seeks approval to submit a new grant proposal to fund specialized digital forensic training and purchase digital analysis equipment not to exceed the RFP maximum amount of $175,000.00 (Police/DS)

16. Consider and act upon authorizing the City Manager to execute the First Amendment to Reclaimed Water Use Agreement by and between the City of Frisco and Pearson Farms Community Association, Inc. to reduce the minimum annual take and to reduce the minimum annual charge based on three years of usage data. (PW/GH)

17. Consider and act upon the approval of the First Amendment to the First Supplement to the Frisco Square Development Agreement and authorize the City Manager to execute the agreement. (CMO)

18. Consider and act upon approval authorizing the City Manager to execute Amendment Number One to the AIA Document B101-2007 (Standard Form of Agreement Between Owner and Architect) with Phelps Wood Corp. for professional services for the design of Frisco Fire Stations No. 8. (Fire/DF)

19. Consider and act upon award of Competitive Sealed Bid #1411-015, Annual Contract for Self Contained Breath Apparatus and Accessories, to Hoyt Breathing Air Products. (Fire/DF)

20. Consider and act upon approval of purchase orders to RDO Equipment Company for the purchase of two (2) John Deere backhoes and one (1) John Deere compact track loader. (Public Works/DF)

21. Consider and act upon approval of a purchase order to Southwest International for the purchase of one (1) crane truck, one (1) TerraStar crew cab truck, one (1) 12-yard dump truck, one (1) brush truck and one (1) concrete mixer. (Public Works/DF)

22. Consider and Act Upon a Resolution authorizing the Renewal of the contract for the Collection of Delinquent Taxes (Financial Services/AC)

23. Consider and act upon a Chapter 380 Grant Agreement by and between the City of Frisco and Duke Realty Limited Partnership and approval for the City Manager to execute the Agreement. (CMO/NL)

24. Consider and act upon a Purchase Agreement by and between the City of Frisco and Donnie Nelson and approval for the City Manager to execute all necessary documents. (CMO/NL)

25. Consider and act upon a License Agreement with the DSE Hockey Centers, L.P. and authorizing the City Manager to execute all necessary documents. (CMO/NL)

26. Consider and act upon a Performance Agreement by and between the Frisco Economic Development Corporation and the City of Frisco, Texas for utility infrastructure improvements at Highway 380 and Dallas North Tollway in support of the Cinemark development. (CMO\RP)

27. 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.)

28. Consider and act upon adoption of an Ordinance amending Planned Development-224 to incorporate an additional 6.9± acres into the Planned Development. The property contains 19.1± acres on the north side of SH 121, 400± feet west of Legacy Drive. Zoned Planned Development-224-Retail/Office-2 with a Specific Use Permit (S-199) for an Automobile Dealership. Neighborhood #33. Zoning Case No. Z13-0023. (Development Services/MW)

29. Consider and act upon adoption of an Ordinance amending Specific Use Permit-199 to incorporate an additional 6.9± acres into the Specific Use Permit. The property contains 12.9± acres on the north side of SH 121, 1,200± feet west of Legacy Drive. Zoned Planned Development-224-Retail/Office-2 with a Specific Use Permit (S-199) for an Automobile Dealership. Neighborhood #33. Case No. SUP13-0014. (Development Services/MW)

30. Consider and act upon adoption of an Ordinance rezoning 48.8± acres located on the northeast corner of Sanctuary Drive and Peaceful Lane from Agricultural to Planned Development-Agricultural. Zoned Agricultural. Neighborhood #10. Zoning Case No. Z13-0017. (Development Services/MW)

31. Consider and act upon adoption of an Ordinance rezoning 89.9± acres located on the west side of Independence Parkway, 2,800± feet south of Eldorado Parkway from Planned Development-194-Single Family-8.5/Single Family-7 to Single Family-8.5 and Single Family-7. Zoned Planned Development-194-Single Family-8.5/Single Family-7. Neighborhood #14. Zoning Case No. Z13-0019. (Development Services/MW)

**REGULAR AGENDA**

32. Public Hearing: Annexation Case A14-0001. A proposed voluntary annexation of 250.5± acres in the John H. Collins Survey, Abstract No. 219, Collin County, Texas, generally located on the southwest corner of County Road 25 (Rockhill Parkway) and Coit Road. Neighborhood #5. (Development Services/MW)

33. Provide staff direction on Amli at the Ballpark, Phase Two building and plaza plans prior to issuing building permit. Located on the southeast corner of Dallas North Tollway and Hicks Boulevard. Neighborhood #35. (Development Services/JL)

34. Consider and act upon a land acquisition and a developer agreement to provide a park just south of Eldorado Parkway and West of Independence and authorizing the City Manager to execute all necessary documents. (Parks/DR)

    A. Adoption of a Resolution authorizing the City Manager to execute the Real Estate Contract by and between the City of Frisco and the Frisco Independent School District for the property located south of Eldorado Parkway and west of Independence Parkway and take any all actions necessary to effectuate the same

    B. Adoption of a Resolution authorizing the City Manager to execute the Development Agreement by and between the City of Frisco and Hillwood Residential Services, LP, and take any all actions necessary to effectuate the same;

    C. Adoption of a Resolution authorizing the City Manager to execute the Interlocal Agreement by and between the City of Frisco and the Frisco Community Development Corporation (FCDC) regarding the FCDC's purchase of the property located south of Eldorado Parkway and west of Independence Parkway and take any all actions necessary to effectuate the same; and

D. Approval of the Performance Agreement by and between the Frisco Community Development Corporation and Hillwood Residential Services, LP, including the Project made the subject thereof

35. Consider and Act Upon Approval of Amendment to Ordinance No. 13-09-59 Adopting the City of Frisco Fiscal Year 2014 Budget (Financial Services/JH)

36. Consider and Act Upon Approval of Amendment to the Ordinance Adopting the City of Frisco Community Development Corporation (FCDC) Fiscal Year 2014 Budget (Financial Services/JH)

37. Consider and Act Upon Approval of Amendment to the Ordinance Adopting the City of Frisco Economic Development Corporation Fiscal Year 2014 Budget (Financial Services/JH)

38. Consider and act upon adoption of an Ordinance amending Frisco's Code of Ordinances, Chapter 78 by adding Article X; regulations concerning medians.

39. Reappointment for the North Texas Municipal Water District. (CMO/HH)

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

41. 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, March 14, 2012 at 10:00 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.