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 21, 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 concerning the Arts Center of North Texas, Cause no. 199-00002-2014 in the 199th Judicial District Court of Collin County, Texas.
      ii. Receive legal advice regarding Exide cleanup/remediation of hazardous and non-hazardous waste.
      iii. Receive legal advice regarding 3rd Eye Surveillance, LLC v. City of Frisco, Texas, No. 6:14cv0053 JDL, pending in Federal District Court, Eastern District of Texas

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

i. Bordered by US 380 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. 25 Years of Service for Penny Mince

REPORTS

5. NTTA Presentation

6. Frisco CVB September report on industry statistics.

7. Police Department's crime statistics and response times for the month of September 2014.

8. Fire Department Monthly Report on Incident Response and Educational Activities, September 2014.

9. Development Service Activity Monthly Update Report for the month of September, 2014.

10. Council Subcommittee reports for current activities of the Legislative, Governance, Budget and Audit Committee, the North Texas Commission, Regional Transportation Council, and the Dallas Regional Mobility Commission.

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.)

11. Consider and act upon approval of the minutes from the September 22, 2014 Joint FISD City Council meeting. (CSO/JP)

12. Consider and act upon approval of an Agreement by and between the City of Frisco, Texas and Alliance Geotechnical Group for professional services to perform engineering inspection and testing services for the construction of a multi-use events center located on the northwest corner of Warren Parkway and Dallas Parkway and authorizing the City Manager to execute. (CMO/RP)

13. Consider and act upon approval of an Agreement by and between the City of Frisco, Texas and Alliance Geotechnical Group for professional services to perform engineering inspection and testing services for the construction of a parking garage being completed in support of the multi-use events center located on the northwest corner of Warren Parkway and Dallas Parkway and authorizing the City Manager to execute. (CMO/RP)

14. Consider and act upon approval of Work Authorization #5 as authorized by that certain AIA Document A133 – 2009 for construction services by and between the City of Frisco, Texas and Manhattan Construction Company dated December 4, 2013, for Concrete Part 2 for Elevated Structures, Elevators, Fire Protection, and Mechanical, Plumbing & Electrical Rough-In related to the construction of a multi-use special events and sports facility, and authorizing the City Manager to execute. (CMO/RP)

15. Consider and act upon a Lease Agreement by and between the City of Frisco and Texas Legends, LLC for property located at 2601 Avenue of the Stars, Suite 300 and to authorize the City Manager to execute the Lease Agreement. (CMO)

16. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Agreement for Furnishing and Installing of Traffic Signal Equipment by a Municipality by and between the City of Frisco and the Texas Department of Transportation to reimburse the City of Frisco for the cost of equipment provided for the traffic signals on US 380 at Dallas Parkway and Preston Road (Engineering/SL).

17. Consider and act upon ratifying the City Manager's execution of USACOE Consent Agreement DACW63-9-14-0641 by and between the City of Frisco and the United States Army Corps of Engineers (USACOE) to allow for the placement of City of Frisco utilities inside a perpetual flowage easement for Lewisville Lake, Texas. (Engineering/DC)

18. 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)

19. Consider and act upon the approval of the Parks and Recreation Comprehensive Ordinance, repealing Ordinance No. 06-06-55, 05-07-51, 05-01-07, 03-12-102 and 03-06-44. Tabled 8-20-13 (Parks / RW)

20. Consider and act upon authorizing the City Manager to execute a reclaimed water use agreement with the Frisco Independent School District for Pearson Middle School. (Public Works/GH)

21. Consider and act upon award of best value bid #1406-071 Plumbing Services to Infinity Contractors, Berkey's Air Conditioning and Plumbing and Enco Plumbing. (Administrative Services/DF)

22. Consider and act upon approval of purchase orders to Trafficware Group Inc., for the purchase of signal cabinets, controllers, school zone twelve (12) volt flashers and related hardware and software. (Engineering/DF)

23. Consider and act upon approval of purchase orders to Consolidated Traffic Controls, Inc., for Opticom detector equipment, school zone flashers and rectangular rapid flashing beacon systems. (Engineering/DF)

24. Consider and act upon approval of purchase orders to Paradigm Traffic Systems, Inc. for purchase of traffic signal equipment and video detection systems. (Engineering/DF)

25. Consider and act upon approval of purchase orders to Interspec, LLC, for the purchase of computerized irrigation control equipment. (Engineering/DF)

26. Consider and act upon approval of a purchase order to Caldwell Country Chevrolet for the purchase of four vehicles for Frisco Fire Department. (Fire/DF)

27. Consider and act upon approval authorizing the City Manager to execute Change Order No. 1 to the contract with Pogue Construction Co., L.P., for the construction of Fire Station No. 8. (Fire/DF)

28. Consider and act upon approval of a purchase order to Gear Cleaning Solutions, LLC for advanced cleaning, inspection and repair services for Fire Department personal protective equipment. (Fire/DF)

29. Consider and act upon approval of a purchase order to North American Fire Equipment Company, Inc., for Fire Department Personal Protective Equipment. (Fire/DF)

30. Consider and act upon approval of a purchase order to Carahsoft Technology Corporation for a Careerbuilder.com recruiting software subscription. (Human Resources/DF)

31. Consider and act upon approval of a purchase order to Porter Burgess Company d/b/a Flair Data Systems for the purchase of annual maintenance and equipment for the City's Cisco network infrastructure. (IT/DF)

32. Consider and act upon approval of a purchase order to Azteca Systems, Inc., for the purchase of Cityworks annual update and software support. (IT/DF)

33. Consider and act upon approval authorizing the City Manager to execute an agreement with Microsoft Corporation for Microsoft Premier Services. (IT/DF)

34. Consider and act upon ratification of a purchase order increase for library materials with Midwest Tapes for FY 2014. (Library/DF)

35. Consider and act upon approval of a purchase order to Six and Mango Equipment for the purchase of Kubota repair parts for the Parks and Recreation Department during the fiscal year 2015. (Parks and Recreation/DF)

36. Consider and act upon approval of additional expenditures with Red the Uniform Tailor for the purchase of law enforcement uniforms. (Police/DF)

37. 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)

38. Consider and act upon approval of a purchase order to RDO Equipment Company for the purchase of one (1) John Deere backhoe for the Street Division. (Public Works/DF)

39. Consider and Act upon a Resolution approving the submission of a grant application to the State Farm Foundation Good Neighbor Citizenship® Company Grants by the City Manager or his designee. (Police/DS)

40. Consider and Act on a Resolution approving the acceptance of a grant award from the Office of the Governor, Criminal Justice Division for funding under the Violence Against Women Act (VAWA) Grant Program funding a dedicated High Risk Lethality Domestic Violence Detective and authorizing the acceptance of the grant award by the City Manager or his designee. (Police/DS)

41. Consider and Act on a Resolution maintaining the existing Memorandum of Understanding with Collin County for the purposes of a joint grant award and Act on a Resolution approving the acceptance of a grant award from the Office of the Governor, Criminal Justice Division for funding under the Victims of Crime Act Grant Program funding a full-time Victim Advocate and authorizing the acceptance of the grant award by the City Manager or his designee. (Police/DS)

42. Consider and Act on a Resolution approving the acceptance of a grant award from the Office of the Governor, Criminal Justice Division for funding under the Violence Against Women Act Grant Program and authorizing the acceptance of the grant award by the City Manager or his designee. (Police/DS)

43. Consider and Act on Extension of a Public Affairs Consulting Services Agreement between the City of Frisco and HillCo Partners, Inc. (CMO)

44. Consider and act upon reappointment of Henry Hill to the Art Center of North Texas. (CSO/JP)

45. Consider upon approval of reimbursement to members of City Council for actual expenses incurred by them in performance of their official duties. (CMO)

46. Consider and act upon on a Resolution approving the appointment of Dr. Mark A. Gamber as the Health Authority of the City of Frisco, Texas for a term of two (2) years in accordance with Section 121.028 of the Texas Health and Safety Code and authorizing the City Manager to execute the Agreement between the City of Frisco, Texas and Dr. Mark A. Gamber for professional services. (FIRE/MP)

47. Consider and act upon an amendment to Ordinance 14-09-56 amending the Fiscal Year 2014 Revised Budget for the Debt Service Fund. (CMO/NL)

48. Consider and Act Upon Approval of a Resolution Adopting the 2014 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)

49. 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.)

50. Consider and act upon adoption of an Ordinance rezoning 44.8± acres on the south side of US 380, 1,150± feet east of FM 423 from Agricultural to Planned Development-Retail. Neighborhood #51. Zoning Case No. Z13-0021. (Development Services/SP)

51. Consider and act upon adoption of an Ordinance amending Planned Development-193 to incorporate additional property (currently zoned Commercial-1) and add parking on 92.3± acres on the southeast corner of Parkwood Boulevard and Lebanon Road. Zoned Planned Development-193-Office-1 and Commercial-1. Neighborhood #30. Zoning Case No. Z14-0013. (Development Services/SP)

52. Consider and act upon adoption of an Ordinance amending Zoning Ordinance No. 11-04-09 regarding data centers. Zoning Case No. ZA14-0001. (Development Services/MW)

53. Consider and act upon an Ordinance to add a construction speed zone to reduce the existing posted speed limit on FM 423 to 45 mph within the City limit of Frisco during the TxDOT widening project, which is contingent upon the acceptance by the Texas Transportation Commission (Engineering/SL).

REGULAR AGENDA

54. Consider and act upon a request to call a public hearing to amend the Future Land Use Plan (FLUP) designation from Industrial to Residential for tracts of land consisting of 93.7± acres on the northwest corner of County Road 26 and Preston Road. Neighborhood #3. (Development Services/MW).

55. Consider and act upon appointments to the Citizen Bond Committee.

56. Consider and act upon acceptance of resignation of Jacob Petras, Place 1, on the Board of Adjustments/Construction Board of Appeals. (CSO/JP)

57. Consider and act upon appointment to Place 1 Board of Adjustments/Construction Board of Appeals. (CSO/JP)

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

59. 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, Oct. 17th, 2014 at 7:00 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.