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

12:00 PM

FRIDAY, JULY 01, 2016

AGENDA

CALL TO ORDER

1. ROLL CALL

2. INDIVIDUAL ITEMS

   A. Recognize John Keating and Jeff Cheney for their service.

   B. Recess for a reception honoring John Keating and Jeff Cheney.

   C. Reconvene into Open Session.

   D. Issuance of the Statement of Elected Officer, Oath of Office, and Certificate of Election to Shona Huffman, Place 2, and Bill Woodard, Place 4. (CSO/JP)

CLOSED SESSION

3. 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 PUC Docket No. 45870 and SOAH Docket 473-16-4619 pending before the Public Utility Commission of Texas in the case styled Formal Complaint of Ker-Seva LTD., ADC West Ridge Villas, L.P., and Center for Housing Resources, Inc. against the City of Frisco, Texas.
iii. Received legal advice regarding the Court of Appeals decision in Cause No. 02-14-00335-CV in the case styled FLCT, LTD. v. City of Frisco, Texas
iv. Receive legal advice regarding the applicability and enforcement of Ordinance No. 09-07-39.

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

i. South of US 380, west of Preston Rd, north of Stonebrook Pkwy., and east of FM 423.
ii. South of Lebanon Rd., East of Legacy, North of Hwy 121 and West of Hillcrest.

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. Deliberate the appointment, duties and evaluation of members of the City Council regarding the Mayor Pro Tem and Deputy Mayor Pro Tem positions.

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.

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

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

REPORTS

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

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

7. Presentation of Texas Association of Municipal Information Officers Awards

8. Library usage report.

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

10. Monthly Report and Highlights from Public Works and Engineering Services Department

11. Council Subcommittee reports for current activities of the Legislative, Governance, Budget and Audit Committee, Frisco Square Management District, also including the Dallas Regional Mobility Commission, North Texas Commission and Regional Transportation Council.

CITIZEN INPUT (to begin approximately at 2:30 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.)

12. Consider and act upon approval of an Ordinance amending Ordinance No. 482 to adjust the amount of the CoServ franchise fee rate. (CMO/BB)

13. Approval of the attached reimbursement requests presented by Mayor and Council Members. (CMO/GP)

14. Consider and act upon passing a Resolution ratifying that certain Performance Agreement by and between the Frisco Community Development Corporation and Moon Hotel Stonebriar, Ltd. dated April 21, 2016. (CMO/RP)

15. Consider and act upon adoption of a Resolution setting Public Hearings on a proposed involuntary annexation of consisting of 10.6± acres, the MEP & PRR Co. Survey, Abstract 919, Denton County, Texas; generally located south of Old Witt Road, east and west of Lake Trails Drive. (Development Services/AM)

16. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Brown & Gay

Engineers, Inc. to perform Design and Construction Administration, for the Ohio Drive at Warren Parkway Roundabout project. (Engineering/JB)

17. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Advance Funding Agreement for CMAQ Funding by and between the City of Frisco and the Texas Department of Transportation for the Ohio Drive at Warren Parkway Roundabout project. (Engineering/JB)

18. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Dunaway Associates, L.P. to perform Design and Bid Package Preparation, for Coit Road (Rockhill Parkway to US 380). (Engineering/TN)

19. Consider and act upon a resolution approving the Community Development Block Grant Annual Action Plan Program Year 2016, a grant application to the U.S. Department of Housing and Urban Development, and authorizing the submission of the grant application by the City Manager or his designee. (Financial Services/SB)

20. Consider and act upon award of Request for Proposal #1604-080 Health and Wellness Services to Viverae, Inc., and approval authorizing the City Manager to execute an agreement for these services. (HR/DF)

21. Consider and act upon approval of a purchase order to Dell Marketing for the purchase of servers for the video management system project. (Engineering/DF)

22. Consider and act upon approval of a purchase order to Loftin Equipment Company for the purchase of a generator for Fire Station No. 3. (Fire/DF)

23. Consider and act upon approval of a purchase order to Luber Bros., Inc., for the purchase of one (1) chemical sprayer. (Parks & Recreation/DF)

24. Consider and act upon approval of a purchase order to Romco Equipment Company for the purchase of one (1) asphalt paver for the Street Division. (Public Works/DF)

25. Consider and act upon approval of a purchase order to Hertz Equipment Rental for the purchase of one (1) trench roller for the Street Division. (Public Works/DF)

26. Consider and act upon approval of a purchase order to Southwest International for the purchase of one (1) 12-yard dump truck for the Street Division. (Public Works/DF)

27. Consider and act upon approval of a purchase order to RDO Equipment

Company for the purchase of one (1) John Deere backhoe for the Water Division. (Public Works/DF)

28. Consider and act upon approval authorizing the City Manager to execute amendment one with Quorum Architects for professional design services related to the Public Works parking expansion. (Public Works/DF)

29. 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.)

30. Consider and act upon adoption of an Ordinance amending a Specific Use Permit for a Commercial Antenna and/or Support Structure on a 0.1± acre, on the north side of State Highway 121, 875± feet west of Coit Road. Zoned Highway with a Specific Use Permit (S-159). Neighborhood #28. Case No. SUP16-0003 (Development Services/AM)

31. Consider and act upon adoption of an Ordinance rescinding a Specific Use Permit for New Automobile Sales/Leasing (S-94) on 34.7± acres on the northeast corner of Hillcrest Road and SH 121. Zoned Highway with a Specific Use Permit (S-94). Neighborhood #28. Case No. Z16-0004. (Development Services/AM)

REGULAR AGENDA

32. Consider and act upon authorizing the City Manager to release the remaining funds for the Interlocal Cooperation Agreement by and between the City of Frisco, Texas and Denton County Transit Authority (DCTA) for the Provision of Demand-Response Transit Services. (Engineering/KS)

33. Consider and act upon acceptance of the resignation of Robert Gallagher, from Place 7, on the Urban Forestry Board. (CSO/JP)

34. Consider and act upon appointment of an individual to fill the unexpired term of Place 7 on the Urban Forestry Board ending September 30, 2017. (CSO/JP)

35. Consider and act upon acceptance of the resignation of Ellen Lyon, from Place

2, on the Urban Forestry Board. (CSO/JP)

36. Consider and act upon appointment of an individual to fill the unexpired term of Place 2 on the Urban Forestry Board ending September 30, 2016. (CSO/JP)

37. Consider and act upon acceptance of the resignation of Bill Woodard, from Place 7, on the Planning & Zoning Commission. (CSO/JP)

38. Consider and act upon appointment of an individual to fill the unexpired term of Place 7 on the Planning & Zoning Commission ending September 30, 2016. (CSO/JP)

39. Consider and act upon an Ordinance of the City Council of the City Of Frisco, Texas, amending Ordinance No. 15-12-91 and the Frisco Code Of Ordinances, Ordinance No. 06-03-31, as amended, Chapter 2 (Administration), Article III (Authorities, Boards and Commissions), Division 4 (Convention and Visitors Bureau Board), Sections 2-119 (Board of Directors) and 2-122 (Qualifications); modifying certain of the qualifications for appointment to the Convention and Visitors Bureau Board; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof. (CSO/JP)

40. Consider and Act Upon Appointments to the Council Committees and the Frisco Square Management District Board. (CMO/NL)

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.

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 June 28, 2016 at 12:00 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.