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, JANUARY 03, 2017

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. 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
      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. Receive legal advice regarding PUC Docket No. 46662 pending

before the Public Utility Commission of Texas in the case styled Petition of the Cities of Garland, Mesquite, Plano and Richardson Appealing the Decision by North Texas Municipal Water District Affecting Wholesale Water Rates.

iv. 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. South of Warren Parkway, north of SH 121, east of Legacy and west of Preston.
ii. South of Stonebrook Parkway, west of the DNT, east of Teel Parkway and north of Lebanon Road.
iii. South of US 380, west of Preston Rd, north of Stonebrook Pkwy., and east of Teel Parkway.

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. Darrin Scott Nottingham, Jr., recognition for service in the USAF

5. FISD School Board Appreciation Month

REPORTS

6. Parks and Recreation monthly report regarding park and trail development, facilities, special events and youth development.

7. Library usage report.

8. Public Works and Engineering report on activities related to roadways, traffic control and transportation, stormwater drainage, water and wastewater, and solid waste collection

9. 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 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.)

10. Consider and act upon approval of the October 18, 2016 Regular City Council Meeting minutes. (CSO/JP)

11. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number Two to the Impact Fee and Development Agreement by and between the City of Frisco and CTMGT Frisco 122, LLC. (CMO/BB)

12. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number One to the Impact Fee and Development Agreement by and between the City of Frisco and Pulte Homes of Texas, L.P. (CMO/BB)

13. Consider and act upon approval of an Amended and Restated Master Development Agreement by and between the City of Frisco and Lebanon 390 WR, LLC related to the development of Wade Park. (CMO/RKP)

14. Consider and act upon a First Amendment to the Retail Development Agreement between the City of Frisco and Walmart Real Estate Business Trust and authorize the City Manager to execute the documents. (CMO)

15. Consider and act upon approval of AIA Document G701 – 2001 Change Order #8 to that certain AIA Document A133 – 2009 for construction management services by and between the City of Frisco, Texas and Manhattan Construction Company dated December 4, 2013, related to the construction of a multi-use special events and sports facility, and authorizing the City Manager to execute. (CMO/RP)

16. Consider and act upon a Resolution designating an Official Newspaper. (CSO/KM)

17. Consider and act upon actions necessary for the February 18, 2017 Special Election to Fill a Vacancy in the City of Frisco. (Considerar y actuar sobre las acciones necesarias para el 18 de febrero de 2017 elección especial para llenar

una vacante en la ciudad de Frisco. (CSO/JP)

A. Collin County Election Contract.

B. Denton County Election Contract.

18. Consider and act upon authorizing the City Manager to execute a Consent To Assignment Agreement with MSA Professional Services, Inc. (Engineering/BM)

19. Consider and act upon authorizing the City Manager to execute Amendment #1 to the 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)

20. Consider and act upon authorizing the City Manager to execute a Master Agreement with HDR Engineering, Inc. for On-Call Professional Traffic Engineering Services, Contract 2017-001.(Engineering/BM)

21. Consider and act upon authorizing the City Manager to execute Amendment Number Two to the Professional Services Agreement by and between the City of Frisco, Texas and Freese and Nichols, Inc. for the Design of the Lebanon Lift Station. (Engineering/AH)

22. Consider and act on the approval of a resolution supporting the Texas State Library and Archives Commission (TSLAC) Libraries and Literacy Grant application and Authorize the City Manager or his designee to submit the application to the TSLAC. (Financial Services/SB)

23. Consider and act upon authorization for the City Manager to execute Interlocal Cooperation Agreements by and between the City of Frisco and Denton County for the provision of Fire Protection Services and for the provision of Ambulance Services. (FIRE / MP)

24. Consider and act upon approval of a purchase order to Texas First Rentals for the purchase of a towable boom lift for Building Services. (Administrative Services/DF)

25. Consider and act upon approval of a purchase order to Simplex Grinnell for annual inspection of fire alarm and fire suppression systems. (Administrative Services/DF)

26. Consider and act upon approval of a purchase order to Sam Pack’s Five Star Ford for the purchase of one (1) pickup. (Administrative Services/DF)

27. Consider and act upon approval of a purchase order to RDO Equipment Company for the purchase of one (1) John Deere excavator for the Stormwater

division. (Administrative Services/DF)

28. Consider and act upon approval of a purchase order to Silsbee Toyota for the purchase of three (3) Prius sedans. (Administrative Services/DF)

29. Consider and act upon approval of a purchase order to Community Impact Newspaper for the purchase of various advertising. (Communications/DF)

30. Consider and act upon award of Request for Proposal #1710-014 Frisco Convention and Visitor's Bureau Content Storytelling and Digital Marketing to Madden Media. (CVB/DF)

31. Consider and act upon approval of purchase orders to Entech Sales & Service, Inc. for the installation of facility access and control systems for the Fire Department. (Fire/DF)

32. Consider and act upon approval of a purchase order to Farrwest Environmental Supply for hazardous material response equipment. (Fire/DF)

33. Consider and act upon approval of purchase orders to Network Cabling Service, Inc. for the purchase of labor and materials to complete data network and cabling upgrades at Old Central/Fire Fleet and Fire Station No. 3. (Fire/DF)

34. Consider and act upon approval of purchase orders to Stalker Radar for the purchase of radar units for police vehicles. (Police/DF)

35. Consider and act upon approval of a purchase order increase to Nortex Concrete Lift and Stabilization for pavement under-sealing and raising services during FY 2017. (Public Works/DF)

36. Consider and act upon approval of a purchase order increase with Curtco, Inc. for roadway joint and crack sealing. (Public Works/DF)

37. Consider and act upon approval of purchase orders to Cla-Val Company for a water pump control valve and transfer valve parts. (Public Works/DF)

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.)

38. Consider and act upon an adoption of an Ordinance for a Specific Use Permit for an Office/Warehouse/Distribution Center on one lot on 0.9± acre on the south side of Ohio Drive, 200± feet west of Hillcrest Road. Zoned Commercial-1. Neighborhood #24. Zoning Case No. SUP16-0007. (Development

Services/AH)

39. Consider and act upon adoption of an Ordinance for a request for a Specific Use Permit for a Residence Hotel (Extended Stay Hotel) on two lots on 3.8± acres on the west side of Frisco Green Avenue and 285± feet south of John Hickman Parkway. Zoned Planned Development-244-Retail/Office-2/Residential. Neighborhood #31. Zoning Case No. SUP16-0018. (Development Services/KM)

40. Consider and act upon adoption of an Ordinance for a request for a Specific Use Permit for a request for a Utility Distribution Center on one lot on 5.8± acres on the east side of 4th Army Drive, 900± feet north of Lebanon Road. Zoned Industrial. Neighborhood #39. Zoning Case No. SUP16-0021. (Development Services/SS)

REGULAR AGENDA

41. Public Hearing: Zoning Case No. Z16-0023. A request to amend Planned Development-203 to modify the development standards for Sub-Area A on two lots on 13.1± acres on the southwest corner of Independence Parkway and Eldorado Parkway and consider to direct Staff to prepare an ordinance of the same. Zoned Planned Development-203-Office-1 with a Specific Use Permit (S-251) for a Licensed Child-Care Center. Neighborhood #14. (Development Services/KM)

42. Public Hearing: Zoning Case No.Z16-0025. A request to rezone the property from Agriculture to Retail on one lot on 5.5± acres on the north side of Rockhill Parkway 425± feet east of Preston Road and to consider to direct Staff to prepare an Ordinance of the same. Zoned Agriculture. Neighborhood #2. Zoning Case No. Z16-0025. (Development Services/SS)

43. Public Hearing: Specific Use Permit Case SUP16-0016 - A request for a Licensed Child-Care Center on one lot on 5.6± acres on the southwest corner of Legacy Drive and Stonebrook Parkway and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-167-Single Family-10/Single Family-8.5/Single Family-7/Patio Home. Neighborhood #39. REQUEST ITEM TO BE REMOVED FROM THE TABLE. (Development Services/SS)

44. Public hearing for proposed increases to the Municipal Stormwater System Fee Schedule. (Financial Services/JH)

45. Consider and act upon an Ordinance amending Ordinance No. 14-12-75 – Municipal Storm Water Utility System Fee Schedule for increases to the Stormwater Drainage Fees. (Financial Services/JH)

46. Consider and act upon adoption of a Resolution setting Public Hearings on a proposed involuntary annexation of 79.98± acres and containing the following tracts of land located in Collin County, Texas: (1) Tract 1, in the A S. Young Survey, Abstract No. 1037 (A/K/A Russwood Acres), 40.167± acres; (2) Tract 2, in the Andrew S. Young Survey, Abstract No. 1037, sheet 1, Tract 6m 19.967± acres; (3) Tract 3, in the Andrew S. Young Survey, Abstract No. 1037, Sheet 1, Tract 5, 1.2909± acres; (4) Tract 4, in the Andrew S. Young Survey, Abstract No. 1037, 8.579± acres; (5) Tract 5, in the Andrew S. Young Survey, Abstract No. 1037, Sheet 1, Tract 7, 5.00± acres; (6) Tract 6, in the Andrew S. Young Survey, Abstract No. 1037, 4.984± acres, generally located west of Custer Road, east of Memory Lane, south of Westridge Boulevard and north of Booker Trail, Willowbrook Lane and Winding Creek Drive. (Development Services/AS)

47. Consider and act upon accepting the resignation of Melissa Cameron from Place 5 on the Social Services and Housing Board. (CSO/JP)

48. Consider and act upon appointment of an individual to Place 5 on the Social Services and Housing Board for a one (1) year term ending on September 30, 2017. (CSO/JP)

49. Consider and act upon appointment of a representative to the Denton County Transportation Authority (DCTA) for a two (2) year term to expire on November 30, 2018. (CSO/JP)

50. Consider and act upon appointment of an Alternate to the Denton County Transportation Authority (DCTA) for a two (2) year term ending November 30, 2018. (CSO/JP)

51. Consider and act upon Winter Work Session dates and times. (CMO)

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

53. 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 DECEMBER 30, 2016 at 5:00 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.