# 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 21, 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. Receive legal advice from the city attorney regarding Cause No. D-1-GN-17-000877 in the case styled North Texas Municipal Water District v. Public Utility Commission of Texas pending in the 419th Judicial District Court of Travis County, Texas and Cause No. D-1-GN-17-000861 in the case styled Ex Parte North Texas Municipal Water District pending in the 98th Judicial District Court of Travis County, Texas.

      ii. 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.

iii. 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.

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 Drive and west of Preston Road.

ii. South of Eldorado Parkway, west of the Preston Road, east of Teel Parkway and north of Stonebrook Parkway.

iii. South of US 380, west of Preston Road, north of Eldorado Parkway, and east of Teel Parkway.

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. Discussion regarding the annual review of the Municipal Judge, Art Maldonado.

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. American Legion Post 178 Oratorical Winners

**REPORTS**

5. Presentation on Collin County Transportation Bond Program. (Engineering/PK)

6. Financial Services Department Budget Status Report for February 2017.

7. Police Department's crime statistics and response times for the month of February 2017.

8. Fire Department monthly report on incident response and educational activities for the month of February 2017. (FIRE / MP)

9. Development Services activity monthly update report for month of February 2017.

10. Frisco CVB February sales and marketing report.

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 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.)

12. Consider and act upon approval of Minutes. (CSO/JP)

    A. November 21, 2017 Special Called Meeting.

    B. February 20, 2017 Special City Council Meeting.

    C. February 21, 2017 Regular City Council Meeting.

    D. March 13, 2017 Regular City Council Meeting.

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

14. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Kimley-Horn and Associates, Inc. for the Northeast Water and Wastewater Improvements. (Engineering/DLC)

15. Consider and act upon award of Best Value Bid #1712-023 annual contract for

Custodial Services to GCA Services, and approval authorizing the City Manager to execute an agreement for these services. (Administrative Services/DF)

16. 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.)

17. Consider and act upon the adoption of an Ordinance granting a request to amend Planned Development-19-Single Family 8.5/Single Family-7/Commercial-1/Office-1 to allow Commercial (C-1) uses on a portion of the property (7.03± acres) on 703.9± acres on the northwest corner of Coit Road and Lebanon Road. Zoned Planned Development-19-Single Family 8.5/Single Family-7/Commercial-1/Office-1, with a Specific Use Permit for a Church (S-69), a Daycare (S-70), a Church(S-78), a Daycare (S-45), and a Church (S-46). Neighborhood #25. Zoning Case No. Z16-0020. (Development Services/SS)

18. Consider and act upon an amendment to Ordinance 16-06-45 establishing maximum speed limits on city streets within the City of Frisco. (Engineering/CJ)

19. Consider and act upon adoption of an Ordinance granting a Specific Use Permit for a Licensed Child-Care Center on one lot on 5.6± acres on the southwest corner of Legacy Drive and Stonebrook Parkway. Zoned Planned Development-167-Single Family-10/Single Family-8.5/Single Family-7/Patio Home. Neighborhood #39. Specific Use Permit No. SUP16-0016. (Development Services/SS)

## REGULAR AGENDA

20. Public Hearing: Zoning Case No. Z17-0004. A request to rezone 45.1± acres on the northeast corner of FM 423 and Rockhill Parkway from Information & Technology to Single Family-7, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Information & Technology. Neighborhood #51. (Development Services/KM)

21. Public Hearing: Zoning Case No. Z17-0005. A request to rezone 1.4± acres 1,175± feet east of FM 423, and 850± feet south of US 380 from Information & Technology to Retail, and to consider to direct Staff to prepare an Ordinance of

the same. Zoned Information & Technology. Neighborhood #51. (Development Services/KM)

22. Public Hearing – Specific Use Permit: A request for a Specific Use Permit for an Alcoholic Beverage Establishment on 10.3± acres on one lot on the southwest corner of The Star Boulevard and Cowboys Way, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-29-Business Center. Neighborhood #31. Zoning Case No. SUP16-0024. (Development Services/AH) (Tabled 2/21/2017)

23. Public Hearing: Specific Use Permit Case SUP16-0023. A request for a Church to reduce the area from 8.5± acres to 3.1± acres and modify the development on 8.5± acres on the east side of Independence Parkway, 300± feet north of Eldorado Parkway and to consider to direct Staff to prepare an Ordinance of the same. Zoned Agricultural with a Specific Use Permit (S-154) for a Church. Neighborhood #6. (Development Services/JF)

24. First Public Hearing: Consider renewal of Article V (Juvenile Curfew) of Chapter 54 of the City of Frisco, Texas Code of Ordinances; a Juvenile Curfew Ordinance in Texas must be re-approved every three (3) years. (PD/DS)

25. Consider and act upon approval of amendment to Ordinance No. 16-09-75 adopting the City of Frisco Fiscal Year 2017 Budget. (Financial Services/JH)

26. Consider and act upon approval of an amendment to Ordinance No. 16-09-76 adopting the City of Frisco Community Development Corporation (FCDC) Fiscal Year 2017 Budget. (Financial Services/JH)

27. Consider and act upon approval of amendment to Ordinance No. 16-09-77 adopting the City of Frisco Economic Development Corporation Fiscal Year 2017 Budget. (Financial Services/JH)

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

29. 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 MARCH 17, 2017 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.