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, FEBRUARY 07, 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 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. 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 the Court of Appeals decision in Cause No. 02-14-00335-CV in the case styled FLCT, LTD. v. City of Frisco, Texas

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 US 380, west of Preston Rd, north of Stonebrook Pkwy., and east of Legacy.

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 City Manager, George Purefoy
ii. Discussion regarding the Annual review of the Municipal Judge, Art Maldonado
iii. Discussion regarding the Annual review of the City Attorney, Richard Abernathy

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. Lance Hobbs -- Recognition for 20 Years of Service to City of Frisco

REPORTS

5. Library usage report.

6. Public Works and Engineering report on activities related to roadways, traffic

control and transportation, stormwater drainage, water and wastewater, and solid waste collection.

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

8. 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.)

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

   A. November 29, 2016 Joint City Council and Convention and Visitors Bureau meeting

   B. January 25, 2017 Special City Council Work Session and Tour

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

11. Consider and act upon approval of a First Amendment to Chapter 380 Agreement by and between BRE Retail Residual Owner 1, LLC and the City of Frisco, Texas. (CMO/RP)

12. Consider and act upon adoption of a Resolution approving an Agreement between the City of Frisco and the Texas Department of Transportation (TxDOT) for lane closures on FM 3537 (Main Street) and FM 2478 (Custer Road) as part of an approved half marathon route (SH 3537 between Hillcrest Road and FM 2478, and FM 2478 between FM 3537 and Rolater Road). (Engineering/RC)

13. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc. for the Stewart Creek Reuse Pump Station and Ground Storage Tank Feasibility Study. (Engineering/AH)

14. Consider and act upon authorizing the City Manager to execute Amendment

Number Four to the Professional Services Agreement by and between the City of Frisco and Garver, LLC for design and preparation of construction documents for Stewart Creek North Interceptor Project. (Engineering/AH)

15. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Interlocal Agreement by and between the City of Frisco and Collin County to provide project funding for Legacy Drive from SH 121 to Warren Parkway. (Engineering/JB)

16. Consider and act upon authorizing the City Manager to execute a Master Agreement by and between the City of Frisco and Freese and Nichols, Inc. for On-Call Professional Drainage Engineering Services, Contract Number 2017-001. (Engineering/MD)

17. Consider and act upon authorizing the City Manager to execute a Master Agreement by and between the City of Frisco and Kimley-Horn and Associates, Inc. for On-Call Professional Drainage Engineering Services, Contract Number 2017-001. (Engineering/MD)

18. Consider and act upon request for Noise Ordinance Variance from Zachry Construction Co. for nighttime wastewater force main abandonment operations adjacent to the Stewart Creek Wastewater Treatment Plant (Engineering/DLC)

19. Consider and act upon adoption of a Resolution authorizing the City Manager to submit an application for a Federal Emergency Management Agency (FEMA) Grant Program, Staffing for Adequate Fire and Emergency Response (SAFER) (FIRE / MP).

20. Consider and Act on a Resolution approving the submission of a grant application to the North Central Texas Council of Governments and the Office of the Governor, Criminal Justice Division for funding under the Violence Against Women Act (VAWA) Grant Program for a dedicated Special Victims Investigator and authorizing the submission of the grant application by the City Manager or his designee. (Police/GW)

21. Consider and Act on a Resolution approving the submission of a grant application to the North Central Texas Council of Governments and the Office of the Governor, Criminal Justice Division for funding under the Justice Assistance Grant for a Raman Spectroscopy Drug Detection System and authorizing the submission of the grant application by the City Manager or his designee. (Police/GW)

22. Consider and Act on a Resolution approving the submission of a grant application to the North Central Texas Council of Governments and the Office of the Governor, Criminal Justice Division for the funding for a dedicated High Risk Lethality Domestic Violence Detective under the Violence Against Women Act

(VAWA) Grant Program and authorizing the submission of the grant application by the City Manager or his designee. (Police/GW)

23. Consider and act upon approval of an Ordinance granting purchasing authority to the City Manager or designee for all budgeted items not exceeding $50,000. (Administrative Services/DF)

24. Consider and act upon award of bid #1712-024 annual contract for street sign blades and blanks to Vulcan, Inc. and Osburn Associates, Inc. (Administrative Services/DF)

25. Consider and act upon approval of an annual participation fee to NCAA for the NCAA Division I Football Championship game. (CVB/DF)

26. Consider and act upon approval of a purchase order with PRP Services, LLC, d/b/a Municipal Mosquito, for mosquito management services for the 2017 mosquito season. (Development Services/DF)

27. Consider and act upon approval of a purchase order to Siddons-Martin Emergency Group for the purchase of one (1) Pierce Brush Fire Apparatus. (Fire/DF)

28. Consider and act upon approval of a purchase order to Municipal Emergency Services for the purchase of Fire personal protective equipment during FY 2017. (Fire/DF)

29. Consider and act upon approval authorizing the City Manager to execute a letter of agreement with Texas A&M Engineering Extension Services (“TEEX”) for the provision of high angle rescue courses for the Fire Department. (Fire/DF)

30. Consider and act upon approval of a purchase order to Effective Edge for employee training and development programs during FY 2017. (HR/DF)

31. Consider and act upon approval of a purchase order to Collin College for employee training and development programs during FY 2017. (HR/DF)

32. Consider and act upon award of Request for Proposal #1711-017 Employee Benefits Insurance Consultant to Lockton and approval authorizing the City Manager to execute an agreement for these services. (HR/DF)

33. Consider and act upon approval of purchase orders to L3 Communications for body worn cameras and CDW-G for network switches. (Police/DF)

34. Consider and act upon award of bid #1712-027 Asphalt Road Improvements to Advanced Paving Company and approval authorizing the City Manager to execute an agreement for these services. (Public Works/DF)

35. 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.)

36. Consider and act upon an adoption of an Ordinance to amend Planned Development-203 to modify the development standards for Sub-Area A on two lots on 15.9± acres on the southwest corner of Independence Parkway and Eldorado Parkway. Zoned Planned Development-203-Office-1 with a Specific Use Permit (S-251) for a Licensed Child-Care Center. Neighborhood #14. Zoning Case No. Z16-0023. (Development Services/KM)

37. Consider and act upon an adoption of an Ordinance 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. Zoned Agriculture. Neighborhood #2. Zoning Case No. Z16-0025. (Development Services/SS)

REGULAR AGENDA

38. Public Hearing: Specific Use Permit Case SUP16-0022. A request for a Specific Use Permit for a Licensed Child-Care Center on one lot on 4.4± acres on the southeast corner of Frisco Street and Sports Village Road and consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-165-Commercial-1. Neighborhood #46. (Development Services/KM)

39. Public Hearing: A request for a proposed involuntary annexation consisting 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 located within the City's ETJ. Neighborhood #6. Case No. A16-0003. (Development Services/AS)

40. 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)

41. Public Hearing: Zoning Case Number Z16-0020. A request to amend Planned Development-19-Single Family 8.5, Single Family-7, Commercial-1, Office-1 to allow Commercial-1 on 703.9± acres on the northwest corner of Coit Road and Lebanon Road and consider to direct Staff to prepare an Ordinance of the same. 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), a Church(S-46), a Church and Child Daycare Center(S-163), an Elementary School(S-14), an Elementary School(S-15) and a Television Reception Tower(S-18). Neighborhood #25. (Development Services/SS)

42. Consider and act on appointing an individual to serve as the Alternate Frisco Representative on the Denton County Transportation Authority (DCTA) Board. (CSO/JP)

43. Consider and act upon actions necessary for the May 06, 2017 General Election in the City of Frisco. (Considerar y actuar sobre las acciones necesarias para el 06 de mayo de 2017 elecciones generales en la ciudad de Frisco) CSO/JP

    A. Consider and act upon calling the May 6, 2017 Joint General Election with Frisco ISD, Collin College, Lewisville ISD, Denton County Election Administrator, and Collin County Administrator. Considerar y actuar a llamar el 06 de mayo de 2017 conjunta elecciones generales con Frisco ISD, Collin College, Lewisville ISD, administrador de elecciones del Condado de Denton y Collin County Administrator

    B. Consider and act upon approval of a contract with Collin County Elections Administrator. Considerar y actuar sobre la aprobación de un contrato con el Administrador de Elecciones del Condado de Collin.

    C. Consider and act upon approval of a contract with Denton County Elections Administrator. Considerar y actuar sobre la aprobación de un contrato con el Administrador de Elecciones del Condado de Denton.

    D. Consider an act on an agreement to hold a joint election with Frisco Independent School District (FISD) and Collin College. Considerar un

acto sobre un acuerdo para celebrar una elección conjunta con el distrito escolar independiente de Frisco (FISD) y Collin College.

E. Consider an act on approval of an agreement to hold a joint election with Lewisville Independent School District. Considerar y actuar sobre la aprobación de un acuerdo para celebrar una elección conjunta con el Distrito Escolar Independiente de Lewisville.

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

45. 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 FEBRUARY 3, 2017 at 11:00 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.