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, AUGUST 05, 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 Exide cleanup/remediation of hazardous and non-hazardous waste.
      ii. Receive legal advice regarding legal issues related to Section 6409(a) of the Middle Class Relief & Job Creation Act of 2012 as the same relates to wireless telecommunication towers.
      iii. Receive legal advice regarding billboards on Hwy 380 and FM 423.

   B. Section 551.072. To deliberate the purchase, exchange, lease or value of

real property located:

i. Bordered by Eldorado Parkway 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

REPORTS

4. Financial Services Monthly Budget Report June 2014

5. Engineering Services Monthly Report on Roads, Traffic, Water and Sewer Projects

6. Library usage report

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

8. Public Works/Water Update

9. Frisco Economic Development Quarterly update of Activities

10. Council Subcommittee reports for current activities of the Legislative, Governance, and Budget and Audit Committee.

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 minutes from the July 1, 2014 Regular City

Council Meeting and the July 5, 2014 Special Called Council Meeting. (CSO/JP)

12. Consider and Act on a Resolution approving the application of a grant between the State of Texas, acting by and through the Texas Department of Transportation and the City of Frisco for the 2014-2015 Special Traffic Enforcement Program (STEP) and authorizing application for the grant by the City Manager or his designee. The grant period is 10/01/2014 to 09/30/2015. (Police/GW)

13. Acceptance of Quarterly Investment Report for the period April 1, 2014 – June 30, 2014 (Financial Services/DC)

14. Consider and act upon Adoption of a Resolution approving an Interlocal Agreement by and between the City of Frisco, the City of McKinney and the Frisco Independent School District for Mooneyham Sidewalk Improvements (North Frisco City Limits at Villages at Willow Bay) (Engineering/RC).

15. Consider and act upon request for Noise Ordinance Variance Extension from Texas Sterling Construction Co. for nighttime material stockpiling & paving operations on FM 3537/Main Street (Engineering/MP)

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 La Cima Boulevard and Coit Road (Engineering/SL).

17. Consider and act upon authorizing the City Manager to execute a Master Agreement with Freese and Nichols, Inc. for On-call Professional Engineering Services, Water and Wastewater Modeling. (Engineering/JB)

18. 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 funding for the construction of Custer Road from State Highway 121 to Stonebridge Drive. (Engineering/JB)

19. 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 professional services for Lift Station Electrical Improvements (Engineering/AH)

20. Consider and act upon authorization for the City Manager to execute Change Order Number 7 to the Standard Construction Contract by and between the City of Frisco and Tiseo Paving Company, to construct the Stonebrook Parkway and

36-inch Water Line (Preston to DNT) Project (Engineer/AH)

21. Consider and act upon approval of purchase order change orders to Vulcan Signs for the purchase of sign blades and blanks to be used by Traffic Division during the fiscal year 2014. (Engineering/DF)

22. Consider and act upon ratification of a purchase order change order to Consolidated Traffic Controls, Inc., for additional School Zone Flashers. (Engineering/DF)

23. Consider and act upon approval of a purchase order to 3M Company for the purchase of pavement marking tape. (Engineering/DF)

24. Consider and act upon ratification of a purchase order increase for library materials and approval of a purchase order increase for library materials with OverDrive, Inc. (Library/DF)

25. Consider and act upon approval of a purchase order increase with Ingram Library Services Incorporated, for the purchase of Library materials. (Library/DF)

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

27. Consider and act upon award of Bid #1405-067, Cooperative Bid for Fire Department Uniforms, to Red the Uniform Tailor. (Fire/DF)

28. Consider and act upon award of Competitive Sealed Bid No. 1407-079, Frisco Athletic Center Geothermal Bore Field Expansion, to Central North Construction, LLC, and approval authorizing the City Manager to execute an agreement for these Services. (Administrative Services/DF)

29. Consider and act upon ratification of Amendment Number Two to the interim recycling services agreement with Progressive Waste Solutions. (Environmental Services/DF)

30. Consider and act upon ratification of a purchase order to Rehrig Pacific Company for the collection of the remaining CWD trash and recycling carts within the City of Frisco. (PW/TJ)

31. Consider and act upon ratifying a signature of the City Manager on a License Agreement with Pogue Construction Company L.P. for construction access on an undeveloped park site located on Plum Creek Drive and Stonebrook Parkway. (Parks/DR)

32. Consider and act upon a resolution authorizing the City Manager to execute a contract by and between the City of Frisco and Core Construction Services of Texas, Inc for the Warren Sports Complex Soccer Field Fence Improvements. (Parks/DR)

33. Consider and act upon an Ordinance amending the Frisco Code of Ordinances Chapter 2 (Administration), Article III (Authorities, Boards and Commissions), Division 1 (Administrative Policies and Procedures). (Amending Ord. 11-09-46) (CSO/JP)

34. Consider and act upon approval of a Chapter 380 Agreement between the City of Frisco and Indoor Plex of Frisco, LLC. (CMO/RP)

35. Consider and act upon approval of Work Authorization #2 as authorized by 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, for utilities and roadway construction related to the construction of a multi-use special events and sports facility, and authorizing the City Manager to execute. (CMO/RP)

36. Consider and act upon approval of a Construction Cost Sharing Agreement by and between the City of Frisco, Texas, Frisco Community Development Corporation, Blue Star HQ, Inc., and Blue Star Frisco related to Work Authorization #2 for the construction of utilities and roadways and authorizing the City Manager to execute. (CMO/RP)

37. Consider and act upon approval of AIA Document G701 – 2001 Change Order #2 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)

38. 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 utilities and roadways that are 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)

39. Consider and act upon approval of a Thoroughfare Construction Agreement by and between the City of Frisco, Texas, the Rudman Partnership and the Sater Family Partnership, L.P. for the dedication of certain rights-of-way and easements, the construction of utilities and roadways in said rights-of-way and easements, and the establishment of a development fee to offset the cost of the contemplated improvements authorizing the City Manager to execute.

(CMO/RP)

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

41. 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.)

42. Consider and act upon adoption of an Ordinance rezoning 34.0± acres on the south side of Main Street, 250± feet west of Legacy Drive from Planned Development-40-Office-2/Commercial-1/Commercial-2/Retail Industrial and Industrial to Planned Development-Retail/Patio Home/Multifamily. Neighborhood #41. Zoning Case No. Z14-0007. (Development Services/RC)

43. Consider and act upon adoption of an Ordinance amending Planned Development-52 regarding development standards and the zoning exhibit. The property contains 50.0± acres on the north side of Rockhill Parkway 2,200± feet west of FM 423. Zoned Planned Development-52-Patio Home. Neighborhood #50. Zoning Case No. Z14-0009. (Development Services/MW)

44. Consider and act upon an Amendment to Ordinance 14-02-04 to establish new and modified Reduced Speed School Zones on identified streets within the City of Frisco (Engineering/KS)

REGULAR AGENDA

45. Public Hearing: Specific Use Permit Case SUP14-0003. A request for a Specific Use Permit for an Assisted Living Facility on one lot on 4.5± acres on the southeast corner of McKinney Road and Dr. Pink Road and consider and act to direct staff to prepare an ordinance of the same. Zoned Commercial-1. Neighborhood #11. (Development Services/SP)

46. Discussion and Consideration of Demand Response Transit Service. (Engineering/PK)

47. Consider and Act upon an Ordinance amending Chapter 54 of the Code of

Ordinances regarding the prohibition of smoking or the possession of all tobacco products in parks. (Development Services/SC)

48. Public Hearing: Regarding amending the Project Plan and Financing Plan for Reinvestment Zone Number One, City of Frisco, Texas, and expanding the boundaries of the zone Pursuant to Chapter 311, Texas Tax Code. (CMO/NL)

49. Consider and act upon adoption of an ordinance of the City Council of the City of Frisco, Texas amending City of Frisco Ordinance No. 97-02-17, Ordinance No. 00-12-22, Ordinance No. 03-12-101, Ordinance No. 05-01-03, Ordinance No. 05-12-99, Ordinance No. 08-02-27, Ordinance No. 09-12-68 and Ordinance No. 12-02-05; Amending the Project and Financing Plans of Reinvestment Zone Number One, City of Frisco, Texas, Expanding the Boundaries of Reinvestment Zone Number One, City of Frisco, Texas (Tax Increment Reinvestment Zone); and providing an effective date. (CMO/NL)

50. Public Hearing: Regarding creation of and approving the Project Plan and Financing Plan for Reinvestment Zone Number Five, City of Frisco, Texas, and establishing the boundaries of the Zone Pursuant to Chapter 311, Texas Tax Code. (CMO/NL)

51. Consider and act upon adoption of an ordinance of the city council of the City of Frisco, Texas, designating a geographic area within the City as Tax Increment Reinvestment Zone Number Five; describing the boundaries of the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings related to the creation of the zone; providing a termination date for the zone; providing for immediate effectiveness of the zone. (CMO/NL)

52. Consider and take action to appoint the members and Chairman of the Board of Directors for Reinvestment Zone Number Five, City of Frisco, Texas. (CMO/NL)

53. Consider and Act Upon a Resolution Calling for a Public Hearing on the City of Frisco FY 2015 Budget, Frisco Economic Development Corporation FY 2015 Budget and Frisco Community Development Corporation FY 2015 Budget (Financial Services/JH)

54. Consider and Act Upon Resolution Adopting the Fiscal Year 2015 Certified Appraisal Roll (Financial Services/JH)

55. Consider and Act Upon Acceptance of the Certification of Anticipated Collection Rate and Excess Collections (Financial Services/JH)

56. Consider and act on accepting a Richard Oldham's resignation from Place 2 on the Public Art Board. (CSO/WW)

57. Consider and act on appointing an individual to fill the unexpired term for Place 2 on the Public Art Board. (CSO/WW)

58. Consider and act on accepting Gary Downey's resignation from the North Texas Municipal Water District Board. (CSO/WW)

59. Consider and act on appointing an individual to replace Gary Downey on the North Texas Municipal Water District Board. (CSO/WW)

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

61. 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, Aug. 1st, 2014 at 8:30 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.