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, JUNE 03, 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 litigation concerning the Arts Center of North Texas, Cause no. 199-00002-2014 in the 199th Judicial District Court of Collin County, Texas.
      iii. Receive legal advice concerning disposition of City property.
      iv. Receive legal advice regarding Behringer Harvard Bankruptcy and issues related to the Frisco Square Agreement.

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

i. Bordered by Main Street on the north, Legacy on the West, Preston Road on the east and Lebanon on the south.
ii. Bordered by US Hwy 380 on the North, DNT on the West, Main on the South and Independence on the East.
iii. Bordered by Main Street on the north, Custer on the East, HWY 121 on the South and Coit on the West.

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. National Garden Week

5. Ally Perry & Kaylee Cox--Safety Citizens

6. Makenzie Gray--FISD People to People Student Ambassador

7. Frisco Girls Lacrosse Team

8. Hebron High School Varsity Girls Soccer Team--5A State Champions

REPORTS

9. Engineering Services Monthly Report on Roads, Traffic, Water & Sewer Projects

10. Library usage report

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

12. 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.)

13. Consider and Act on approval of the minutes of the May 20, 2014, Special Called Joint Meeting of the City Council with the CDC, and the May 20, 2014 Regular City Council Meeting. (CSO/WW)

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

15. Consider and act upon approval of a purchase order increase to APAC-Texas Inc., for the purchase of hot mix asphalt concrete to be used by the Street Division during the fiscal year 2014. (Public Works/DF)

16. Consider and act upon award of bid #1404-057, annual contract for water valve and hydrant parts to Ferguson Waterworks and Fortiline Waterworks. (Public Works/DF)

17. Consider and act upon approval of a purchase order to Darr Equipment Company for the purchase of one (1) Caterpillar forklift. (Administrative Services/DF)

18. Consider and act upon approval of a purchase order increase to Reynolds Asphalt & Construction Co., for the purchase of wedge milling and asphalt overlay of roadways to be used by the Street Division during the fiscal year 2014. (Public Works/DF)

19. Consider and act upon award of bid #1404-058, Municipal Court Expansion, to Phillips May Corporation. (Financial Services/DF)

20. Consider and act upon approval of purchase orders to Motorola, Inc., and DFW Communications for the purchase of Motorola radios, accessories and equipment, and for the installation of the Fire Station Alerting and Radio System at Fire Station No. 8. (Fire/DF)

21. Consider and act upon approval a First Amendment to Facilities Lease Agreement by and between the City of Frisco, Texas and Blue Star Stadium, Inc. (CMO/RP)

22. Consider and act upon approval of reimbursement to members of the City

Council for actual expenses incurred by them in the performance of their official duties. (CMO)

23. Consider and act upon approval of the second amendment to the first supplement to the Frisco Square Development Agreement. (CMO/NL)

24. 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.)

25. Consider and act upon adoption of an Ordinance amending Planned Development-25 to amend and update the development standards and zoning designations. The property contains 34.7± acres on the northwest corner of Gaylord Parkway and Parkwood Boulevard. Zoned Planned Development-25-Business Center. Neighborhood #35. Zoning Case No. Z13-0024. (Development Services/MW)

26. Consider and act upon adoption of an Ordinance amending Planned Development-181 and Planned Development-186 to rezone 34.8± acres to allow for the development of a Data Center. The property is located on the west side of Dallas Parkway 1,800± feet north of Main Street. Zoned Planned Development-181-Commercial-1/Office-2 and Planned Development-186-Commercial-1/Office-2. Neighborhood #46. Zoning Case No. Z13-0020. (Development Services/MW)

REGULAR AGENDA

27. Consideration and approval of a Resolution adopting the Texas Pollutant Discharge Elimination System (TPDES) Phase II Municipal Separate Stormwater Sewer System (MS4) Stormwater Management Program (SWMP) and authorizing the City Manager to execute and take all necessary and required action to submit a Notice of Intent (NOI) and SMWP to the Texas Commission of Environmental Quality (TCEQ). (Public Works/PH)

28. Public Hearing: Specific Use Permit Case SUP14-0005. A request for a Specific Use Permit for Commercial Antennas and ground equipment on one lot on 0.9± acre on the south side of Warren Parkway, 317± feet east of Legacy

Drive and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development 32-Commercial-1. Neighborhood #34. (Development Services/JW)

29. Public Hearing: Comprehensive Plan Amendment Case TA14-0001. A request to amend the Thoroughfare Plan regarding Gaylord Parkway between Warren Parkway and Lebanon Road and consider and act to direct staff to prepare an Ordinance of the same. Neighborhood #31. (Development Services/JW)

30. Consider and act upon the adoption of an ordinance to implement viable alternative water supply strategies in Stage 3 of the Frisco Water Management Plan based on the North Texas Municipal Water District request to modify outdoor watering from once per week to once every two weeks.

31. Consider and act upon appointments to Council committees.

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

33. 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, May 30th, 2014 at 9:00 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.