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, SEPTEMBER 02, 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.
      iv. 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.

v. Receive legal advice regarding claims made by CWD
vi. Receive legal advice regarding late night hours election being held on November 4, 2014
vii. Receive legal advice regarding the lease with Zoom Sports Inc.
viii. Receive legal advice regarding status and recommended path forward regarding the proposed Brazos Electric Transmission Line routes affecting the City of Frisco.

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

i. Deliberate the sale of real property located at Lots 2, 8, and 9 of Block A of the Legacy Crossing addition because the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with the potential buyer
ii. 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.

i. Deliberate economic development negotiations regarding incentives to a business prospect at Block E, Lots 1R and 2, and Block F, Lot 2 of the Frisco Sports Complex addition.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

REPORTS

4. Public Works Report on Water Usage and Other Monthly Activities

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

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

7. Library usage report

8. Council Subcommittee reports for current activities of the Legislative, Governance, Frisco Square Management District Board and the Budget and Audit Committee, also including the Regional Transportation Council, Dallas Regional Mobility Commission, North Texas Commission and Polling Location Ad Hoc 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.)

9. Consider and act upon approval of the Minutes from the August 18, 2014 Special Called City Council Meeting and the August 19, 2014 Regular City Council Meeting. (CSO/JP)

10. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Development Agreement by and between the City of Frisco and Master Developers-TCB2 LLC, for Estates at Rockhill Sanitary Sewer Improvements. (CMO/BB)

11. Consider and act upon authorization for the City Manager to execute Change Order Number 1 to the Standard Construction Contract by and between the City of Frisco and Condie Construction Company for Construction Services for Northwest Frisco Water and Wastewater Infrastructure Improvements (Bid No. 1403-038). (Engineering/DLC)

12. Consider and act upon adoption of a Resolution authorizing the City Manager to submit an application to the Firehouse Subs Public Safety Foundation Grant Program (FIRE / MP).

13. Consider and act upon adoption of a Resolution authorizing the City Manager to submit an application to Texas Urban Forestry Council, totaling $500.00 for the Texas Urban Forestry Council Urban Forestry Micro Grant Program. (Development Services/MZ)

14. Consider and act upon approval of a purchase order to Guard-All Building Solutions for a custom storage solution at Public Works and approval authorizing the City Manager to execute an agreement for these services. (Public Works/DF)

15. Consider and act upon ratification of a purchase order change order to Phillips

May Corporation for bid #1404-058 Municipal Court expansion. (Financial Services/DF)

16. Consider and act upon approval authorizing the City Manager to execute an agreement with ConserveTrack for Water Conservation Software and monthly hosting. (Public Works/DF)

17. Consider and act upon approval of Work Authorization #3 as authorized by that certain AIA Document A133 – 2009 for construction services by and between the City of Frisco, Texas and Manhattan Construction Company dated December 4, 2013, for Mechanical, Electrical, Plumbing and Tower Crane Rental and Mobilization related to the construction of a multi-use special events and sports facility, and authorizing the City Manager to execute. (CMO/RP)

18. Consider and act upon approval of an Easement Agreement by and between Drury Southwest, Inc. and the City of Frisco, Texas. (CMO/RP)

19. Consider and act upon approval of a Parking Easement by and between Drury Southwest, Inc. and the City of Frisco, Texas. (CMO/RP)

20. Consider and act upon approval of a Partial Release of Lien on Property Held by the City of Frisco as Performance Security for the Acquisition of Right-of-Way by the Texas Department of Transportation. (CMO/RP)

21. Consider and act upon approval of a Limited Consulting Services Engagement Letter by and between JDGray Group, LLC and the City of Frisco, Texas. (CMO/GP)

22. Consider and act upon amendment to Resolution No. 14-08-84R. (CMO)

23. 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.)

24. Consider and act upon adoption of an Ordinance granting 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. Zoned Commercial-1. Neighborhood

#11. Specific Use Permit Case No. SUP14-0003. (Development Services/SP)

REGULAR AGENDA

25. Public Hearing: Zoning Case No. Z14-0017. A request to amend Planned Development-163 to modify the architectural standards of Tract 1, with the overall property located on the northwest corner of Coit Road and Rolater Road containing 35.5± acres and consider and act to direct staff to prepare an ordinance of the same. Zoned Planned Development-163-Retail/Office-1/Single Family-16. Neighborhood #18. (Development Services/SP)

26. Consider and Act on and Ordinance Amending Exhibit "A" (Water Management Plan) of Ordinance No. 14-06-32 for the Purpose of Implementing and/or Modifying Viable Alternative Water Supply Strategies During Stage 3 Restrictions. (CMO)

27. Discussion and provide direction for demand response transit service. (Engineering Services/PK)

28. Public Hearing: Second Public Hearing on the City of Frisco Fiscal Year 2015 Annual Budget, including Frisco Economic Development Corporation Fiscal Year 2015 Budget and the Frisco Community Development Corporation Fiscal Year 2015 Budget. (Financial Services/JH)

29. Public Hearing: Second Public Hearing on the City of Frisco Proposed FY15 Tax Rate. (Financial Services/JH)

30. Discussion concerning the continuation of the Downtown Advisory Board. (Council)

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

32. 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. 29th, 2014 at 8:00 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.