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 16, 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 status and recommended path forward regarding the proposed Brazos Electric Transmission Line routes affecting the City of Frisco.
      ii. Receive legal advice regarding potential litigation concerning the Dhawan case.
      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 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 Gaylord Parkway east of Dallas North Tollway and west of Parkwood and north of Sam Rayburn Tollway.

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. Constitution Week.

5. Blood Cancer Awareness Month.

REPORTS

6. Development Service Activity Monthly Update Report for the month of August, 2014.

7. Financial Services Monthly Report for August 2014.

8. Fire Department Monthly Report on Incident Response and Educational Activities, August 2014.

9. Police Department's crime statistics and response times for the month of August 2014.

10. Frisco CVB August report on industry statistics.

11. Council Subcommittee reports for current activities of the Legislative, Governance, Budget and Audit Committee, Frisco Square Management District, and 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.)

12. Consider and act upon authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc. for the design of the 4th Army Drive Reconstruction. (Engineering/dlc)

13. Consider and act upon award of bid to SJ Louis Construction of Texas Ltd. and authorizing the City Manager to execute a Standard Construction Contract for the Panther Creek Water Reuse Pipeline Phase II Project (Bid No. 1407-074) and authorizing construction phase contingencies. (Engineering/AH)

14. City Council consider and approve an Ordinance to include the Criminal Background Check Policy, City Equal Employment Opportunity (EEO) Policy, Americans with Disabilities as Amended (ADAAA) Policy, Sexual and Other Unlawful Harassment Policy, Non-DOT Drug and Alcohol Policy, Communications and Computer Use Policy, and Vacation Policy. (HR/LS)

15. Consider and act upon a Resolution approving the fiscal year 2015 City of Frisco General Fund, Social Service Grant allocations. (Financial Services/SB)

16. Consider and Act on a Resolution accepting a Special Projects grant from the Texas State Library and Archives Commission for the purpose of funding a Smartlocker kiosk for the Frisco Public Library in partnership with the Frisco Parks and Recreation department. (LIB/PR)

17. Consider and act upon authorizing the City Manager to execute a reclaimed water use agreement with the Frisco Independent School District for Rick Reedy High School. (Public Works/GH)

18. Consider and act upon award of Request for Qualifications 1407-075, Compliance Review Services for Franchise Tax, Local Hotel Occupancy Tax, and Sales Tax to MuniServices, LLC and approval authorizing the City Manager to execute an agreement for these services. (Financial Services/DF)

19. Consider and act upon award of bid #1405-068, HVAC Preventative Maintenance and Repair/Service Agreement, to Joplin AC and Heating, EEC Enviro Service, Gulf Energy Mechanical, and Infinity Contractors.

(Administrative Services/DF)

20. Consider and act upon approval authorizing the City Manager to execute a professional services agreement with Ernest Swiger Consulting, Inc. to serve as the City's Housing and Urban Development Consolidated Plan Consultant. (Financial Services/DF)

21. Consider and act upon approval authorizing the City Manager to execute an agreement with Pavecon, Ltd. for pavement reconstruction on Frisco Lakes Drive. (Engineering/DF)

22. Consider and act upon approval of a Chapter 380 Agreement between the City of Frisco and CMAMNP, LLC. (CMO/BB)

23. Consider and act upon a Resolution authorizing the City Manager to execute a contract for landscape architectural services with Talley Associates for creating a conceptual plan(s) for the east end of Simpson Plaza in Frisco Square. Neighborhood #21. (Development Services/JL)

24. Consider and act upon actions necessary for the November 4, 2014 Special Election in the City of Frisco. (Considere y actúe sobre acciones necesarias para la Elección especial en la Ciudad de Frisco, Noviembre 4, 2014.) CSO/JP

    A. Consider and act on approving a contract with Collin County Elections Administrator. (Considere y actúe sobre la aprobación de un contrato con el Administrador de Elecciones del Condado de Collin.)

    B. Consider and act upon approval of a contract with Denton County Elections Administrator. (Considere y actúe sobre la aprobación de un contrato con el Administrador de Elecciones del Condado de Denton.)

25. Consider and act upon approval of Work Authorization #4 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 Concrete Foundations and Below-Grade Waterproofing related to the construction of a multi-use special events and sports facility, and authorizing the City Manager to execute. (CMO/RP)

26. 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.)

27. Consider and act upon adoption of an Ordinance rezoning 104.3± acres from Commercial-1 and Highway to Planned Development-Patio Home/Multifamily. The property is generally located on the east side of Ohio Drive north of Gaylord Parkway and on the east and west sides of Ohio Drive south of Gaylord Parkway. Zoned Commercial-1 and Highway. Neighborhood #29. Zoning Case No. Z13-0025. (Development Services/MW)

28. Consider and act upon adoption of an Ordinance granting a Specific Use Permit for a Licensed Child Care Center on one lot on 3.0± acres south of CR 68 (future Lebanon Road) and 800± feet west of Independence Parkway. Zoned Highway. Neighborhood #26. Case No. SUP14-0009. (Development Services/AS)

REGULAR AGENDA

29. Public Hearing : Zoning Case ZA14-0001. A request to amend Zoning Ordinance No. 11-04-09 regarding data centers and consider and act to direct staff to prepare an Ordinance of the same. (Development Services/MW)

30. Public Hearing: Zoning Case No. Z14-0013. A request to amend Planned Development-193 to incorporate additional property (currently zoned Commercial-1) and add parking on 92.3± acres on the southeast corner of Parkwood Boulevard and Lebanon Road and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-193-Office-1 and Commercial-1. Neighborhood #30. (Development Services/SP)

31. Public Hearing: Zoning Case No. Z13-0021. A request to rezone 44.8± acres on the south side of US 380, 1,150± feet east of FM 423 from Agricultural to Planned Development-Retail and consider and act to direct staff to prepare an ordinance of the same. Neighborhood #51. (Development Services/SP)

32. Consider and Act Upon Adoption of an Ordinance Approving Revised Figures for Fiscal Year 2013-2014 and Adopting a Budget and Appropriating Resources for the Frisco Economic Development Corporation Budget Year Beginning October 1, 2014 (Financial Services/JH)

33. Consider and Act Upon Adoption of an Ordinance Approving Revised Figures for Fiscal Year 2013-2014 and Adopting a Budget and Appropriating Resources for the Frisco Community Development Corporation Budget Year Beginning October 1, 2014 (Financial Services/JH)

34. Consider and Act Upon Adoption of an Ordinance Approving the Revised Budget Figures for Fiscal Year 2013-2014 and Adopting a Budget and Appropriating Resources for the City of Frisco Budget Year Beginning October 1, 2014 (Financial Services/JH)

35. Consider and Act Upon Adoption of an Ordinance Levying the Tax Rate for the City of Frisco, Texas for the Tax Year 2014 and Fiscal Year 2015 (Financial Services/JH)

36. Consider and act upon a Resolution approving the Northeast Community Park Master Plan which includes the skate park master plan. (Parks/DR)

37. Discussion and possible action regarding the continuation of the Downtown Advisory Board. (Council)

38. Consider and act upon staff recommendation to replace a Board Member (Place 1) on the Downtown Advisory Board. (CMO/NL)

39. Consider and act upon an Ordinance amending Ordinance No. 14-08-41 authorizing the reappointment of members of Boards and Commissions who have reached their term limits with a super-majority vote of the City Council. (CSO/JP)

40. Consider and act upon the appointment of three (3) members (Places 2, 4 and 6) to the Frisco Economic Development Corporation Board of Directors for a term of two (2) years each beginning October 1, 2014 and ending September 30, 2016. (CSO/JP)

41. Consider and act upon the appointment of three (3) regular members (Places 2, 4 and 6) to the Frisco Community Development Corporation Board of Directors for a term of two (2) years each beginning October 1, 2014 and ending on September 30, 2016. (CSO/JP)

42. Consider and act upon the appointment of two (2) members (Places 1 and 2) to the Planning and Zoning Commission for a term of three (3) years each beginning on October 1, 2014 and ending on September 30, 2017. (CSO/JP)

43. Consider and act upon the appointment of three (3) members (Places 2, 4 and 6) to the Parks and Recreation Board for a term of two (2) years each beginning October 1, 2014 and ending September 30 2016. (CSO/JP)

44. Consider and act upon the appointment of three (3) regular members (Place 1, 2 and 4) and two (2) Alternate members (Place 6 - Alternate #1 and Place 8 - Alternate #3) to the Board of Adjustment/Construction Board of Appeals for a term of two (2) years each beginning on October 1, 2014 and ending on September 30, 2016 and one (1) Alternate member (Place 7 - Alternate #2) for

a term of one (1) year beginning October 1, 2014 and ending on September 30, 2015. (CSO/JP)

45. Consider and act on the appointment of five (5) members to the Convention and Visitors Bureau, representing the following sectors: Place 2 - Hotel 2; Place 4 - At Large; Place 6 - Restaurant; Place 8 - Sports Team; Place 10- Ex Officio At Large for a term of two (2) years each beginning on October 1, 2014 and ending on September 30, 2016. (CSO/JP)

46. Consider and act on the appointment of four (4) members to the Downtown Advisory Board representing: Place 1 - Business/Property Owner for a term of one (1) year ending September 30, 2015; Place 2 - Business/Property Owner; Place 4 - At Large; and Place 6 - At Large for a term of two (2) years beginning on October 1, 2014 and ending on September 30, 2016. (CSO/JP)

47. Mayor's appointment of two (2) members (Places 2 and 4) to the Frisco Housing Authority Board for a term of two (2) years each beginning October 1, 2014 and ending on September 30, 2016. (CSO/JP)

48. Consider and act on the appointment of three (3) members (Places 2, 4 and 6) to the Frisco Public Art Board for a term of two (2) years each beginning on October 1, 2014 and ending on September 30, 2016. (CSO/JP)

49. Consider and act upon the appointment of three (3) members (Places 2, 4 and 6) to the Frisco Social Services and Housing Board for a term of two (2) years each beginning on October 1, 2014 and ending on September 30, 2016. (CSO/JP)

50. Consider and act upon the appointment of three (3) members (Places 2, 4 and 6) to the Urban Forestry Board for a term of two (2) years each beginning on October 1, 2014 and ending on September 30, 2016. (CSO/JP)

51. Consider and act upon appointments to the Citizen Bond Committee.

52. Consider and act upon setting future meeting dates. (CSO/JP)

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

54. 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, Sept. 12th, 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.