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 15, 2015

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 status and recommended path forward regarding the proposed Brazos Electric Transmission Line routes in the City of Frisco.

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

i. South of Gaylord, West of Hillcrest, North of SH 121 and East of Teal.
ii. South of US380, West of Coit, North of Main, and East of Custer.

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 2015

5. Leukemia & Lymphoma Society--Blood Cancer Awareness Month

REPORTS

6. Police Department's crime statistics and response times for the month of August 2015.

7. Frisco CVB August report on industry statistics.

8. Fire Department Monthly Report on Incident Response and Educational Activities, August 2015.

9. Development Services Activity Monthly Update Report for month of August, 2015

10. 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.)

11. Consider and act upon approval of minutes from the June 16, 2015 Work Session, June 16, 2015 Regular City Council Meeting, August 4, 2015 Regular City Council Meeting, August 10, 2015 Budget Work Session, August 18, 2015 Regular City Council Meeting, August 24, 2015 Budget Public Hearing, September 1, 2015 Work Session, and the September 1, 2015 Regular City Council Meeting. (CSO/JP)

12. Consider and act upon an Agreement with Walmart Real Estate Trust for a Chapter 380 Sales Tax Agreement. (CMO)

13. Consider and act upon approval of the First Amendment to the Tower Site Lease Agreement between the City of Frisco and T-Mobile West, LLC at 5100 4th Army and a Resolution Authorizing the City Manager to execute this amendment. (CMO/BB)

14. Consider and act upon authorizing the City Manager to execute Amendment Number Three to the Master Agreement between the City of Frisco and Specialty Land Services, LLC for on-call acquisition of property for easements and rights-of-way. (Engineering/JW)

15. Consider and act upon authorizing the City Manager to acquire by purchase certain property for right of way for construction, access, and maintenance for Cobb Hill Road. (Engineering/JW)

16. Consider and act upon authorizing the City Manager to acquire by purchase certain property for right of way for construction, access, and maintenance for Frisco Street from Newton Drive to Cobb Hill Road. (Engineering/JW)

17. Consider and act upon authorizing the City Manager to execute a Letter Agreement with NTEX and 124 Frisco regarding the relocation of the right-of-way for future Hillcrest Road. (Engineering/JF)

18. Consider and act upon award of bid to North Texas Contracting and authorizing the City Manager to execute a Standard Form Agreement for Construction Services for 24 inch and 12 inch Dallas North Tollway Water Line (Bid No. 1505-071) and authorizing construction phase contingencies. (Engineering/DC)

19. Consider and act upon a Resolution of the City Council of the City of Frisco, Texas, approving the Social Service Grant Agreements between the City of Frisco and the Boys and Girls Clubs of Collin County, Children's Advocacy Center of Denton County, Collin County Adult Clinic, Collin County Committee on Aging, Court Appointed Special Advocates of Collin County, Court Appointed Special Advocates of Denton County, Community Dental Services, Frisco Cares, Frisco Family Services, Hope's Door, Journey of Hope, Small World with Love, Texas Muslim Women's Foundation, the Turning Point, and the Wellness

Center; and Authorizing the City Manager to Execute the Grant Agreements. (Financial Services/SB)

20. Consider and act upon adoption of a Resolution authorizing the City Manager to submit an application to the CoServ Charitable Foundation. (FIRE / MP)

21. Consider and act on a Resolution to apply for a STARNet grant to provide STEM (Science, Technology, Engineering, and Math) resources to Frisco residents. (Library/SH)

22. Consider and act upon approving the City Manager to execute an agreement by and between the City of Frisco and DD Preston Road, LLC for the Frisco 23 Hike and Bike Trail Improvements. (Parks/DR)

23. Consider and act upon award of Request for Qualifications #1505-068, Hike and Bike Master Plan (Update), to Alta Planning + Design and approval authorizing the City Manager to execute an agreement for these services. (Engineering/Parks & Recreation/DF)

24. Consider and act upon award of bid #1507-086, Communication Towers Inspection, Maintenance and Repair to Larson Associates USA, Inc. (Engineering/DF)

25. Consider and act upon approval of a purchase order increase with KT Contracting, LLC for pavement and sidewalk repair. (Public Works/DF)

26. Consider and Act on Approval of a Contract for Public Affairs Consulting Services and Addendum between the City of Frisco and HillCo Partners (CMO)

27. 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.)

28. Consider and act upon an adoption of an Ordinance to rezone from Agricultural to Highway on one lot on 0.2± acres, 2,300± feet west of Custer Road, 700± feet north of SH 121. Zoned Agricultural. Neighborhood #27. Zoning Case No. Z15-0004. (Development Services/SP)

29. Consider and act upon an adoption of an Ordinance for a Specific Use Permit for a Commercial Antenna and/or Antenna Support Structure on one lot on 0.2± acres, 2,300± feet west of Custer Road, 700± feet north of SH 121. Zoned Agricultural. Neighborhood #27. Case No. SUP15-0003. (Development Services/SP)

30. Consider and act upon an adoption of an Ordinance to rezone 38.7± acres from Planned Development-147-Retail/Multifamily-15 to Single Family-7 on the southeast corner of Rolater Road and Coit Road. Zoned Planned Development-147-Retail/Multifamily-15. Neighborhood #26. Zoning Case No. Z15-0017. (Development Services/SP)

31. Consider and act upon an adoption of an Ordinance to amend a Specific Use Permit (S-201) for Private Streets to add 14.6± acres for a total of 520.6± acres, on the south side of Rolater Road and the north side of CR 68 between Coit Road and Independence Parkway. Zoned Planned Development-140-Single Family-7, Planned Development-141-Patio Home, Planned Development-142-Single Family-7, Planned Development-143-Patio Home, Planned Development-144-Single Family-8.5, Planned Development-146-Single Family-7, and Retail, with a Specific Use Permit (S-201) for a Private Street Development, and Planned Development-147-Retail/Multifamily-15 (Proposed Single Family-7). Neighborhood #26. Case No. SUP15-0009 (Development Services/SP)

32. Consider and act upon an adoption of an Ordinance to amend Planned Development-233 to add a public school and modify development standards on 308.0± acres located 1,400± feet east of FM 423, 750± feet south of U.S. 380. Zoned Planned Development-233-Single Family-8.5/Single Family-7/Patio Home. Neighborhood #51. Zoning Case No. Z15-0001. (Development Services/SP)

33. Consider and act upon an adoption of an Ordinance to amend Planned Development-80-Patio Home/Single Family-7/Neighborhood Services, a 210.2± acre development, to modify the development standards and remove 1.1± acres of the property and rezone it to Commercial-1, on the south side of Lebanon Road, 800± feet east of Rock Creek Parkway. Zoned Planned Development-80-Patio Home/Single Family-7/Neighborhood Services. Neighborhood #36. Zoning Case No. Z15-0018. (Development Services/SP)

REGULAR AGENDA

34. Consider and act upon an Amendment to that certain Soccer Complex Lease Agreement dated April 3, 2003 by and between Frisco Stadium, LLC, as successor to Frisco Stadium, LP, and the City of Frisco Texas. (CMO/RP)

35. Public Hearing: A request to rezone 32.6± acres at the northeast corner of Frisco Street and Main Street from Original Town Commercial and Commerical-2 to Planned Development-OTC/Office-2/Retail/Residential and consider to direct Staff to prepare an ordinance of the same. Neighborhood #46. Zoning Case No. Z15-0013 (Development Services/AS)

36. Public Hearing: Specific Use Permit. Case No. SUP15-0010. A request for a Specific Use Permit for a Mini-Warehouse/Self-Storage facility on one lot on 5.0± acres on the northeast corner of Lebanon Road and 4th Army Road and consider and direct Staff to prepare an ordinance of the same. Zoned Commercial-1. Neighborhood #39. (Development Services/SS)

37. Public Hearing: Specific Use Permit Case No. SUP15-0012. A request for a Specific Use Permit for an Automotive Repair Major on one lot on 2.0± acres on the east side of Preston Road 800± north of John Hickman Parkway and consider to direct Staff to prepare an ordinance of the same Zoned Commercial-1 and S6. Neighborhood #29. (Development Services/ SS)

38. Public Hearing: Zoning Case No. Z15-0025. A request to rezone 6.0± acres south of Hickory Street 365± feet east of Parkwood Boulevard from Single Family-7 to Office-1 and to consider to direct Staff to prepare an ordinance of the same. Zoned Single Family-7. Neighborhood #20. (Development Services/ SS)

39. Public Hearing: A request for a Specific Use Permit for a utility distribution facility on one lot on 0.08± acres south of Cotton Gin Road, 172± feet east of Legacy Drive and consider to direct staff to prepare an ordinance of the same. Zoned Commercial-1. Neighborhood #40. Case No. SUP15-0013. (Development Services/AS)

40. Consider and act upon adoption of an ordinance authorizing the issuance and sale of City of Frisco, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2015A; levying an annual ad valorem tax and providing for the security for and payment of said certificates; approving the official statement; providing an effective date; and enacting other provisions relating to the subject. (CMO/NL)

41. Consider and act upon adoption of an ordinance authorizing the issuance and sale of City of Frisco, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Taxable Series 2015B; levying an annual ad valorem tax and providing for the security for and payment of said certificates; approving the official statement; providing an effective date; and enacting other provisions relating to the subject. (CMO/NL)

42. Consider and Act Upon Adoption of an Ordinance Approving the Revised Budget Figures for Fiscal Year 2014-2015 and Adopting a Budget and

Appropriating Resources for the City of Frisco Budget Year Beginning October 1, 2015

43. Consider and Act Upon Adoption of an Ordinance Approving Revised Figures for Fiscal Year 2014-2015 and Adopting a Budget and Appropriating Resources for the Frisco Economic Development Corporation Budget Year Beginning October 1, 2015

44. Consider and Act Upon Adoption of an Ordinance Approving Revised Figures for Fiscal Year 2014-2015 and Adopting a Budget and Appropriating Resources for the Frisco Community Development Corporation Budget Year Beginning October 1, 2015

45. Consider and Act Upon Adoption of an Ordinance Levying the Tax Rate for the City of Frisco, Texas for the Tax Year 2015 and Fiscal Year 2016

46. Consider and Act Upon an Amendment to the Master Fee Ordinance Setting New Rates for Water and Sanitary Sewer Service Fees, Emergency Medical Service Fees, and Public Works Fees

47. Consider and act upon the appointment of four (4) members (Places 1, 3, 5, and 7) to the Frisco Economic Development Corporation Board of Directors for a term of two (2) years each beginning October 1, 2015 and ending September 30, 2017. (CSO/JP)

48. Consider and act upon the appointment of four (4) regular members (Places 1, 3, 5, and 7) to the Frisco Community Development Corporation Board of Directors for a term of two (2) years each beginning October 1, 2015 and ending on September 30, 2017. (CSO/JP)

49. Consider and act upon the appointment of three (3) members (Places 3, 4, and 5) to the Planning and Zoning Commission for a term of three (3) years each beginning on October 1, 2015 and ending on September 30, 2018. (CSO/JP)

50. Consider and act upon the appointment of four (4) members (Places 1, 3, 5, and 7) to the Parks and Recreation Board for a term of two (2) years each beginning October 1, 2015 and ending September 30, 2017. (CSO/JP)

51. Consider and act upon the appointment of two (2) regular members (Place 3 and 5) and one (1) Alternate member (Place 7 - Alternate #2) to the Board of Adjustment/Construction Board of Appeals for a term of two (2) years each beginning on October 1, 2015 and ending on September 30, 2017 and appointment of one (1) member to fill the unexpired term of Place 1 for a one (1) year term beginning on October 1, 2015 and ending on September 30, 2016. (CSO/JP)

52. Consider and act upon the appointment of six (6) members to the Convention and Visitors Bureau, representing the following sectors: Place 1 - Hotel 1; Place 3 - At Large; Place 5 - Retail; Place 7 – Frisco Square; Place 9- Chamber Representative; and Place 11-Ex Officio for a term of two (2) years each beginning on October 1, 2015 and ending on September 30, 2017. (CSO/JP)

53. Consider and act upon the appointment of four (4) members to the Downtown Advisory Board representing: Place 1 - Business/Property; Place 3 - Business/Property Owner; Place 5 - At Large; and Place 7 - At Large for a term of two (2) years beginning on October 1, 2015 and ending on September 30, 2017. (CSO/JP)

54. Mayor's appointment of three (3) members (Places 1, 3, and 5) to the Frisco Housing Authority Board for a term of two (2) years each beginning October 1, 2015 and ending on September 30, 2017. (CSO/JP)

55. Consider and act upon the appointment of four (4) members (Places 1, 3, 5, and 7) to the Frisco Public Art Board for a term of two (2) years each beginning on October 1, 2015 and ending on September 30, 2017. (CSO/JP)

56. Consider and act upon the appointment of four (4) members (Places 1, 3, 5, and 7) to the Frisco Social Services and Housing Board for a term of two (2) years each beginning on October 1, 2015 and ending on September 30, 2017. (CSO/JP)

57. Consider and act upon the appointment of four (4) members (Places 1, 3, 5, and 7) to the Urban Forestry Board for a term of two (2) years each beginning on October 1, 2015 and ending on September 30, 2017. (CSO/JP)

58. Consider and act on a Resolution nominating a member or members to serve on the Collin Central Appraisal District Board. (CSO/JP)

59. Consider and act on nominating a member or members to serve on the Denton Central Appraisal District Board. (CSO/JP)

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, September 11, 2015 at 5:00 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.