# 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, OCTOBER 06, 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 billboards on Hwy 380 and FM 423.
      ii. 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 Eldorado Parkway, east of Teel Parkway, north of

Stonebrook Parkway, west of Preston Road.

ii. South of US 380, East of Teel, North of Eldorado, West of Independence.

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. Clothe a Child Month

**REPORTS**

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

6. Financial Services August 2015 Monthly Report.

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

8. Library usage report.

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

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 minutes from the September 15, 2015 Work Session and the September 15, 2015 Regular City Council meeting. (CSO/JP)

12. 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 CTMGT Frisco 113, LLC for Rockhill at Preston Phase 1 and 2. (CMO/BB)

13. Consider and act upon a request to Call for Public Hearing: A request to call for a public hearing to amend certain portions of the Zoning Ordinance. ZA15-0001. (Development Services/AS)

14. Consider and act upon authorizing the City Manager to execute a Consent To Assignment Agreement with Stantec Consulting Services Inc. (Engineering/BM)

15. Consider and act upon ratifying the City Manager execution of Amendment Number Two to the Construction Management Services Agreement by and between the City of Frisco and HNTB Corporation for Stonebrook Parkway Phase II DOT 675214G (Engineering/dlc)

16. 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. to include flow monitoring in the preparation of the Water, Wastewater, and Reuse Water Master Plans. (Engineering/JB)

17. Consider and act upon award of bid to Tiseo Paving Co. and authorizing the City Manager to execute a Standard Form Agreement for Construction Services for Dallas Parkway Improvements Phase 1 (From Sam Rayburn Tollway (SH 121) to Lebanon Road) and authorizing construction phase contingencies (Bid No. 1508-095). (Engineering/MP)

18. Consider and act on a Resolution approving the acceptance of a grant award from the North Central Texas Council of Governments and the Office of the Governor, Criminal Justice Division for funding for a full-time Crime Victim Advocate under the Victims of Crime Act Grant Program and authorizing the acceptance of the grant award by the City Manager or his designee. (Police/TC)

19. Consider and act upon approval of a purchase order to American Tire Distributors, Inc. for the purchase of tires during fiscal year 2016. (Administrative Services/DF)

20. Consider and act upon approval of a purchase order to Goodyear Tire for the purchase of Police Tahoe replacement tires during fiscal year 2016. (Administrative Services/DF)

21. Consider and act upon approval of a purchase order to O’Reilly Auto Parts for

the purchase of miscellaneous vehicle maintenance and repair parts during fiscal year 2016. (Administrative Services/DF)

22. Consider and act upon approval of purchase orders to Napa Auto Parts for the purchase of miscellaneous vehicle maintenance and repair parts during fiscal year 2016. (Administrative Services/DF)

23. Consider and act upon approval of purchase orders to Northern Imports d/b/a Work Wear Safety Shoes for the purchase of safety footwear during the fiscal year 2016. (Administrative Services/DF)

24. Consider and act upon approval of a purchase order to Gear Cleaning Solutions, LLC for advanced cleaning, inspection and repair services for Fire Department personal protective equipment. (Fire/DF)

25. Consider and act upon approval of a purchase order to Hall-Mark Fire Apparatus, Inc. for the purchase of parts and service for the Frisco Fire Department's E-One fire trucks during fiscal year 2016. (Fire/DF)

26. Consider and act upon approval of a purchase order to Hoyt Breathing Air products for self-contained breathing apparatus & accessories, testing, and maintenance. (Fire/DF)

27. Consider and act upon approval of a purchase order to North American Fire Equipment Company, Inc. for Fire Department Personal Protective Equipment. (Fire/DF)

28. Consider and act upon approval of a purchase order to Southern Tire Mart, LLC for the purchase of tires for the Frisco Fire Department's emergency vehicles during FY 2016. (Fire/DF)

29. Consider and act upon approval of a purchase order to Siddons-Martin Emergency Group for the purchase of parts and service for the Frisco Fire Department's Pierce apparatus during fiscal year 2016. (Fire/DF)

30. Consider and act upon approval of a purchase order to Southwest International for the purchase of parts and service for the Frisco Fire Department's emergency vehicles during fiscal year 2016. (Fire/DF)

31. Consider and act upon approval of a purchase order to Reinert Paper and Chemical for the purchase of janitorial supplies and paper products for Frisco Fire Department during fiscal year 2016. (Fire/DF)

32. Consider and act upon approval of a purchase order to Red the Uniform Tailor for Fire Department uniforms during FY 2016. (Fire/DF)

33. Consider and act upon approval of a purchase order to Azteca Systems, Inc. for the purchase of Cityworks annual update and software support. (IT/DF)

34. Consider and act upon approval of purchase orders to Dell Marketing for the purchase of office computers, mobile data computers (MDC's), and servers. (IT/DF)

35. Consider and act upon approval of a purchase order to Porter Burgess Company d/b/a Flair Data Systems for the purchase of annual maintenance and equipment for the City's Cisco network infrastructure. (IT/DF)

36. Consider and act upon approval authorizing the City Manager to execute an agreement with Microsoft Corporation for Microsoft Premier Services during FY 2016. (IT/DF)

37. Consider and act upon approval of a purchase order with Baker and Taylor, Inc. for the purchase of Library materials during fiscal year 2016. (Library/DF)

38. Consider and act upon approval of purchase orders with Brodart Company for the purchase of Library materials during fiscal year 2016. (Library/DF)

39. Consider and act upon approval of purchase orders with Ingram Library Services Incorporated, for the purchase of Library materials during fiscal year 2016. (Library/DF)

40. Consider and act upon approval of a purchase order with Midwest Tapes, LLC for the purchase of Library materials during fiscal year 2016. (Library/DF)

41. Consider and act upon approval of purchase orders to OverDrive, Inc. for the purchase of digital media hosting and download services during fiscal year 2016. (Library/DF)

42. Consider and act upon approval of purchase orders to 3M Company for the purchase of downloadable digital media during fiscal year 2016. (Library/DF)

43. Consider and act upon approval of a purchase order to DCC, Inc. for the purchase of pool chemicals used at the Frisco Athletic Center during FY 2016. (Parks & Recreation/DF)

44. Consider and act upon approval of a purchase order to Motorola for the annual hardware and software support of the City of Frisco radio communications system. (Police/DF)

45. Consider and act upon approval of a purchase order to L3 Communications for purchase of L3 Mobile Vision extended maintenance, body cameras and related equipment. (Police/DF)

46. Consider and act upon approval of a purchase order to APAC-Texas Inc. for the purchase of hot mix asphalt concrete to be used by the Street division during FY 2016. (Public Works/DF)

47. Consider and act upon approval of a purchase order with Curtco, Inc. for roadway joint and crack sealing. (Public Works/DF)

48. Consider and act upon approval of purchase orders to HD Supply for the purchase of water meters and water meter parts during fiscal year 2016. (Public Works/DF)

49. Consider and act upon approval of a purchase order with KT Contracting, LLC for pavement and sidewalk repair during FY 2016. (Public Works/DF)

50. Consider and act upon approval of a purchase order to Nortex Concrete Lift and Stabilization for pavement under-sealing and raising services during the fiscal year 2016. (Public Works/DF)

51. Consider and act upon approval of a purchase order to Ratliff Hardscape for the purchase of screening wall maintenance and repairs to be used by the Street Division during the fiscal year 2016. (Public Works/DF)

52. Consider and act upon approval of a purchase order to Smith Pump Company for pump repairs during FY 2016. (Public Works/DF)

53. Consider and act upon approval of purchase orders to Xylem Water Solutions USA, Inc. for maintenance and repair of Flygt Pumps during FY 2016. (Public Works/DF)

54. Consider and act upon approval of a purchase order to Argos Ready Mix (South Central) for ready-mixed concrete. (Public Works/DF)

55. Consider and act upon approval of a purchase order to Russell Madden, Inc. for electrical repair and maintenance services for City water distribution stations and sewer lift stations during fiscal year 2016. (Public Works/DF)

56. Consider and act upon approval of a purchase order to Kimark Systems for FY 2016 water and wastewater SCADA system maintenance services. (Public Works/DF)

57. Approval of the attached reimbursement requests presented by Mayor and Council Members.

58. 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.)

59. Consider and Act upon an Ordinance amending Chapter 18, Article II (Contractor Registration) of the Code of Ordinances, Ordinance # 06-03-31. (Development Services/SC)

60. Consider and Act upon an Ordinance amending Chapter 14, (Animals) of the Code of Ordinances, Ordinance # 06-03-31. (Development Service/MZ)

61. Consider and act upon adoption of an ordinance 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. Zoning Case Z15-0013 Neighborhood #46. (Development Services/AS)

62. Consider and act upon adoption of an Ordinance on the voluntary annexation of 75.2± acres in the Collin County School Land Survey, No. 11, Abstract No. 155, Collin County Texas, generally located on the south side of Rockhill Parkway, 3,000± feet east of Preston Road. Neighborhood #50. Annexation Case No. A15-0003. (Development Services/SP)

63. Consider and act upon an adoption of an Ordinance to rezone 75.2± acres on the south side of Rockhill Parkway, 3,000± feet east of Preston Road, from Agricultural to Planned Development-Single Family-7. Zoned Agricultural. Neighborhood #4. Zoning Case No. Z15-0005. (Development Services/SP)

## REGULAR AGENDA

64. Public Hearing: Specific Use Permit Case No. SUP15-0015. A request for a Specific Use Permit for a Contractor Storage Yard on one lot on 3.1± acres on the south side of Core Way, 350± feet west of Clarence Drive, and to consider to direct staff to prepare an ordinance of the same. Zoned Planned Development-97-Commercial-2. Neighborhood #11. (Development Services/AS)

65. Public Hearing: Annexation Case No. A15-0005. A request for a proposed involuntary annexation of 10.16± acres, situated in the C.L. Smith Survey,

Abstract No. 1681, Denton County, Texas; located on the south side of US 380, 1,200± feet west of North Teel Parkway. (Development Services/AM)

66. Public Hearing: A15-0006. A request for a proposed involuntary annexation of 9.9± acres, situated in the C.L. Smith Survey, Abstract No. 1681, Denton County, Texas; located at the southwest corner of North Teel Parkway and US 380. (Development Services/AM)

67. Public Hearing: Annexation Case No. A15-0004. A request for a voluntary annexation of 5.7± acres in the MEP & PRR Co. Survey, Abstract 0919A, Denton County, Texas, generally located on the north side of Stonebrook Parkway, 2,500± feet west of FM 423. Neighborhood #43. (Development Services/KM)

68. Public Hearing: Zoning Case No. Z15-0015. A request to rezone 8.9± acres on the north side of Rockhill Parkway, 3,500± feet west of FM 423 from Agricultural to Townhome and consider to direct Staff to prepare an ordinance of the same. Neighborhood #50. (Development Services/AS)

69. 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 to direct Staff to prepare an ordinance of the same. Zoned Commercial-1. Neighborhood #39. (Development Services/AM)

70. 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 to consider to direct Staff to prepare an ordinance of the same. Zoned Commercial-1 and S-6 for Building Material Sales. Neighborhood #29. (Development Services/SS)

71. Consider and act upon approval of Council Chamber use for Astraios Chamber Music performance. (CSO/JP)

72. Consider and act upon appointment of an individual to fill the unexpired term of Place 8 on the Board of Adjustments/Construction Board of Appeals for a 1 year term ending September 30, 2016. (CSO/JP)

73. Consider and act upon presentation and acceptance of a Local Option Petition.

    Considerar y actuar sobre la presentación y aceptación de una Petición Opción Local. (CSO/JP)

74. Discussion regarding Local Option Petition. (WS)

75. Consider and act upon an Ordinance of the City Council of the City of Frisco, Collin and Denton Counties, Texas, ordering a Special Local Option election to be held on May 7, 2016, for the purpose of submitting to the qualified voters of the City of Frisco the following issue: Legalizing the legal sale of all alcoholic beverages including mixed beverages in the City of Frisco.

    Considerar y actuar sobre una Ordenanza del Concejo Municipal de la ciudad de Frisco, Collin y Denton , Texas , ordenar una elección especial Opción Local , que se celebrará el 7 de mayo de 2016, con el propósito de someter a los votantes calificados de la Ciudad de Frisco el problema siguiente : la legalización de la venta legal de todas las bebidas alcohólicas incluyendo bebidas mixtas en la ciudad de Frisco .(CSO/JP)

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

77. 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, October 2, 2015 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.