# 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, MAY 02, 2017

## 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 annexation agreements.
      ii. Receive legal advice regarding PUC Docket No. 45870 and SOAH Docket 473-16-4619 pending before the Public Utility Commission of Texas in the case styled Formal Complaint of Ker-Seva LTD., ADC West Ridge Villas, L.P., and Center for Housing Resources, Inc. against the City of Frisco, Texas.
      iii. Receive legal advice regarding PUC Docket No. 46662 pending before the Public Utility Commission of Texas in the case styled Petition of the Cities of Garland, Mesquite, Plano and Richardson

Appealing the Decision by North Texas Municipal Water District Affecting Wholesale Water Rates.

iv. Receive legal advice from the city attorney regarding Cause No. D-1-GN-17-000877 in the case styled North Texas Municipal Water District v. Public Utility Commission of Texas pending in the 419th Judicial District Court of Travis County, Texas and Cause No. D-1-GN-17-000861 in the case styled Ex Parte North Texas Municipal Water District pending in the 98th Judicial District Court of Travis 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 Warren Parkway, north of SH 121, east of Legacy Drive and west of Preston Road.

ii. South of Eldorado Parkway, west of the Preston Road, east of Teel Parkway and north of Stonebrook Parkway.

iii. South of US 380, west of Preston Road, north of Eldorado Parkway, and east of Teel Parkway.

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. Motorcycle Safety and Awareness Month

5. Bicycle Safety Month

6. Centennial High School UIL One Act Play

7. Girl Scout Gold Award Recipients

**REPORTS**

8. Mayor's Youth Council Report.

9. Public Works and Engineering report on activities related to roadways, traffic control and transportation, stormwater drainage, water and wastewater, and solid waste collection.

10. Parks and Recreation monthly report regarding park and trail development, facilities, special events and youth development.

11. Library usage report.

12. 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.)

13. Consider and act upon approval of Minutes. (CSO/JP)

    A. February 21, 2017 Council Work Session.

14. Approval of the attached reimbursement requests presented by Mayor and Council Members. (CMO/GP)

15. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Voluntary Interlocal Cooperation Agreement by and between the City of Frisco and the Town of Little Elm for the operation and maintenance of three traffic signals owned by the Town of Little Elm. (Engineering/CJ)

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, Texas and Kimley-Horn and Associates, Inc. for Main Street (FM 423 to DNT). (Engineering/MP)

17. Review & acceptance of Quarterly Investment Report for the period January 1, 2017 – March 31, 2017. (Financial Services/DC)

18. Consider and act upon authorization for the City Manager to execute a Master Agreement with Kimley-Horn and Associates, Inc. for On-Call Professional Engineering Services for Public Works Related Projects, Contract Number

2017-04. (Public Works/RK)

19. Consider and act upon approval authorizing the City Manager to execute amendment number one with Superlative Group for sponsorship sales agent services. (Communications/DF)

20. Consider and act upon approval authorizing the City Manager to execute an agreement with Digital Resources, Inc. for a media asset management system. (Communications/DF)

21. Consider and act upon approval of a purchase order to Trafficware, LLC for the purchase of traffic signal cabinets. (Engineering/DF)

22. Consider and act upon award of Competitive Sealed Bid #1701-030 Wrangler's Range Park to Northridge Construction Group and approval authorizing the City Manager to execute an agreement for these services. (Parks/KL)

23. Consider and act upon award of Competitive Sealed Bid #1701-038 Plum Creek Park to Schmoldt Construction Inc. and approval authorizing the City Manager to execute an agreement for these services. (Parks/KL)

24. Consider and act upon award of Competitive Sealed Bid #1701-037 Preston Ridge Park-Reinvestment to Ironwood Development, LLC and approval authorizing the City Manager to execute an agreement for these services. (Parks/KL)

25. 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.)

26. Consider and act upon adoption of an Ordinance for a Specific Use Permit for a Mini-Warehouse/Self-Storage Facility on one lot on 4.9± acres on the northeast corner of 4th Army Drive and Lebanon Road. Zoned Commercial-1/S-249 for the use of a Mini-Warehouse/Self-Storage Facility. Neighborhood #39. Zoning Case No. SUP17-0004. (Development Services/SS)

27. Consider and act upon adoption of an Ordinance to rezone 5.1± acres on the

north side of Main Street, 830± feet east of FM 423 from Agricultural to Single Family-7. Zoned Agricultural. Neighborhood #44. Zoning Case No. Z16-0026. (Development Services/KM)

**REGULAR AGENDA**

28. Public Hearing: Specific Use Permit Case SUP17-0001. A request to amend a Specific Use Permit for a Self-Storage Facility on one lot on 7.2± acres on the southeast corner of Frisco Street and Technology Drive and to consider to direct Staff to prepare an Ordinance of the same. Zoned Commercial-2/S-137 for the use of a Self-Storage Facility. Neighborhood #46. (Development Services/SS)

29. Public Hearing: A request for a Specific Use Permit for a Licensed Child-Care Center on 0.1± acre on the southeast corner of Legacy Drive and Wyndham Lane and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-181-Commercial-1/Office-2. Neighborhood #46. Specific Use Permit Case No. SUP17-0003. (Development Services/SS)

30. Public Hearing: A request to rezone 1.9± acres from Commercial-1 and Single Family-7 to Original Town Commercial, on the southeast corner of South County Road and Main Street, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Commercial-1 and Single Family-7. Neighborhood #20. Zoning Case No. Z17-0010. (Development Services/AH)

31. Public Hearing: A request for a proposed involuntary annexation consisting of 79.98± acres and containing the following tracts of land located in Collin County, Texas: (1) Tract 1, in the A S. Young Survey, Abstract No. 1037 (A/K/A Russwood Acres), 40.167± acres; (2) Tract 2, in the Andrew S. Young Survey, Abstract No. 1037, sheet 1, Tract 6m 19.967± acres; (3) Tract 3, in the Andrew S. Young Survey, Abstract No. 1037, Sheet 1, Tract 5, 1.2909± acres; (4) Tract 4, in the Andrew S. Young Survey, Abstract No. 1037, 8.579± acres; (5) Tract 5, in the Andrew S. Young Survey, Abstract No. 1037, Sheet 1, Tract 7, 5.00± acres; (6) Tract 6, in the Andrew S. Young Survey, Abstract No. 1037, 4.984± acres, generally located west of Custer Road, east of Memory Lane, south of Westridge Boulevard and north of Booker Trail, Willowbrook Lane and Winding Creek Drive located within the City's ETJ, and to consider and act upon adoption of an Ordinance of the same. Neighborhood #6. Case No. A16-0003 (Tabled 4/4/2017). (Development Services/AS)

32. Consider and act upon adoption of an Ordinance on the involuntary annexation consisting of 79.98± acres and containing the following tracts of land located in Collin County, Texas: (1) Tract 1, in the Andrew S. Young Survey, Abstract No. 1037 (A/K/A Russwood Acres), 40.167± acres; (2) Tract 2, in the Andrew S. Young Survey, Abstract No. 1037, sheet 1, Tract 6m 19.967± acres; (3) Tract 3, in the Andrew S. Young Survey, Abstract No. 1037, Sheet 1, Tract 5, 1.2909± acres; (4) Tract 4, in the Andrew S. Young Survey, Abstract No. 1037, 8.579±

acres; (5) Tract 5, in the Andrew S. Young Survey, Abstract No. 1037, Sheet 1, Tract 7, 5.00± acres; (6) Tract 6, in the Andrew S. Young Survey, Abstract No. 1037, 4.984± acres, generally located west of Custer Road, east of Memory Lane, south of Westridge Boulevard and north of Booker Trail, Willowbrook Lane and Winding Creek Drive located within the City's ETJ. Neighborhood #6. Annexation Case No. A16-0003. (Tabled 4/4/2017)(Development Services/AS)

33. Consider and act upon the adoption of a Resolution of the City Council of the City of Frisco, Texas, authorizing the City Manager of the City of Frisco to execute annexation agreements between the City of Frisco and certain property owners pursuant to section 212.172 of the Texas Local Government Code, and to take any and all other actions necessary to effectuate the same; and providing for an effective date hereof.

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

35. 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 APRIL 28, 2017 at 7:30 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.