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, JUNE 20, 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 Exide cleanup/remediation of hazardous and non-hazardous waste.
      ii. Receive legal advice regarding Civil Action No. 4:17-cv-00311, Exide Technologies v. The City of Frisco, Frisco Economic Development Corporation and Frisco Community Development Corporation in the United States District Court for the Eastern District of Texas.
      iii. 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.

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 Main Street, and east of Teel Parkway.

C. Section 551.074. Personnel Matters: Section 551.074 authorizes certain deliberations about officers and employees of the governmental body to be held in executive session:

i. Deliberate the appointment, duties and evaluation of members to the Community Development Corporation, Economic Development Corporation, Planning and Zoning Commission, and Board of Adjustment.

D. 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

INDIVIDUAL ITEMS

4. Consider and act upon an Ordinance canvassing the June 10, 2017 General Runoff Election. Considerar y actuar sobre una Ordenanza sondeando el 10 de junio de 2017, Segunda Vuelta Electoral General. (CSO/JP)

5. Recognition of Service for Council Member Scott Johnson.

6. Recess for Reception.

7. Reconvene into Regular Session.

8. Receive Statement of Elected Officer, issue the Oath of Office, and present Certificate of Election for Council Member-Elect Brian Livingston. Recibir declaración del funcionario electo, emitir el juramento, y presentar certificado de elección para el Consejo Member-Elect Brian Livingston. (CSO/JP)

9. Consider and act upon nomination and election of Mayor Pro-Tem. Considerar y actuar sobre la nominación y elección de alcalde Pro-Tem. (CSO/JP)

10. Consider and act upon nomination and election of Deputy Mayor Pro-Tem. Considerar y actuar sobre la nominación y elección de teniente de alcalde Pro-Tem. (CSO/JP)

PROCLAMATIONS

11. Scott Johnson

REPORTS

12. Financial Services Monthly Budget Status Report for May 2017.

13. Fire Department Monthly Report on Incident Response and Educational Activities for May 2017.

14. Police Department's crime statistics and response times for May 2017.

15. Development Services Activity Monthly report for May 2017.

16. Frisco CVB May report on sales and marketing.

17. 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, the Regional Transportation Council, and the North Central Texas Council of Governments Emergency Preparedness 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.)

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

    A. March 13, 2017 Joint P&Z and City Council Work Session.

19. Consider and act upon contract of sale of land of 3.7+ acres in Pennant Park between the City of Frisco, the Frisco Community Development Corporation and Northland Developments (Texas), Inc. (CMO)

20. Consider and act upon authorizing the City Manager to execute an Interlocal Agreement by and between the City of Frisco and the City of McKinney to provide funding for the construction of left turn lanes and median illumination on Coit Road from Panther Creek Parkway to US 380. (Engineering/JB)

21. Consider and act upon award of bid to Roadway Solutions, Inc. authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Installation of a Traffic Signal on FM2934 (Eldorado Parkway) at Grayhawk Boulevard (Bid No. 1705-077). (Engineering/RC)

22. Consider and act upon authorizing the City Manager to execute a Pipeline License Agreement by and between the City of Frisco and the BNSF Railway Company. (Engineering/AH)

23. Consider and act upon award of bid to Flow-Line Construction, Inc. and authorizing the City Manager to execute a Standard Construction Contract for the Lebanon Road Improvements and Force Main Project (Bid No. 1704-071) and authorizing construction phase contingencies. (Engineering/AH)

24. Consider and act upon award of bid to Pavecon Public Works, LP and authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Frisco Fire Station No. 9 Infrastructure Improvements (Bid No. 1705-078) and authorizing construction phase contingencies. (Engineering/TN)

25. Consider and act upon a Resolution approving the Community Development Block Grant Annual Action Plan Program Year 2017, a grant application to the U.S. Department of Housing and Urban Development, and authorizing the submission of the grant application by the City Manager or his designee. (Financial Services/JH)

26. Consider and act upon award of bid #1704-073 Sign Sheeting to Osburn Associates, 3M Company and Orafol Americas. (Administrative Services/DF)

27. Consider and act upon approval authorizing the City Manager to execute an agreement with Hyland Software for agenda and records management software and support services. (City Secretary/DF)

28. Consider and act upon a Resolution approving a Grant Agreement with North Central Texas Council of Governments (NCTCOG) to fund the Closest To Dispatch System, approving the terms and conditions of the grant award and

authorizing the execution of the grant agreement by the City Manager or his designee. (Police/DS)

29. Consider and act upon approval authorizing the City Manager to execute an agreement with Integrated Computer Systems, Inc., for “Closest To” dispatching software. (Police/DF)

30. 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.)

31. Consider and act upon an adoption of an Ordinance for an Specific Use Permit on 0.1± acre to allow the use of a Licensed Child-Care Center, on the southeast corner of Legacy Drive and Wyndham Lane. Zoned Planned Development-181-Commercial-1-Office-2. Neighborhood #46 Zoning Case No. SUP17-0003. (Development Services/SS)

32. Consider and act upon an adoption of an Ordinance for a request to amend Specific Use Permit-137 for a Self-Storage Facility on one lot on 7.2± acres on the southeast corner of Frisco Street and Technology Drive. Zoned Commercial-2 with a Specific Use Permit for a Self-Storage Facility (S-137). Neighborhood # 46 Zoning Case No. SUP17-0001. (Development Services/SS)

33. Consider and act upon an adoption of an Ordinance to amend Planned Development-244 to modify the development standards on 251.2± acres on the southwest corner of John Hickman Parkway and Dallas Parkway. Zoned Planned Development-244-Retail/Office-2/Residential Use. Neighborhood #31. Zoning Case No. Z17-0009. (Development Services/KM)

REGULAR AGENDA

34. Public Hearing: A request to rezone 10.1± acres located on the south side of County Road 26, 700± feet west of Preston Road from Commercial-1 to Industrial, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Commercial-1. Neighborhood #3. Zoning Case No. Z17-0016. (Development Services/AH)

35. Public Hearing: A request to amend Planned Development-237 to modify the development regulations on 33.9± acres on the south side of Main Street, 250± feet west of Legacy Drive and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-237 Retail/Patio Home/Multi-Family. Neighborhood #41. (ITEM TABLED 6/6/2017) Zoning Case No. Z17-0006. (Development Services/KM)

36. Public Hearing – Specific Use Permit: A request for a Specific Use Permit for an Alcoholic Beverage Establishment on 10.3± acres on one lot on the southwest corner of The Star Boulevard and Cowboys Way, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-29-Business Center. Neighborhood #31. Zoning Case No. SUP16-0024. (Development Services/AH) (Tabled 3/21/2017)

37. Consider and act upon direction to staff to prepare an Ordinance for a request for a Specific Use Permit for a New Automobile Sales/Leasing Facility on two lots on 9.6± acres on the west side of Preston Road, 900± feet north of Lebanon Road. Zoned Commercial-1. Neighborhood #23. (ITEM TABLED 6/6/2017) Specific Use Permit Case No. SUP16-0015. (Development Services/AH)

38. Consider and act on a Resolution of the City Council of the City of Frisco, Texas, determining a public necessity to acquire certain property for public use by eminent domain for permanent and temporary easements for construction, access, repair, maintenance and replacement for the Northeast Water and Wastewater Improvements Project in or near a recently annexed area of land located south of Westridge Boulevard, East of Memory Lane, West of Custer Road and North of Winding Creek Drive; giving notice of an official determination to acquire certain property for public use by eminent domain for permanent and temporary easements for the Northeast Water and Wastewater Improvements project; authorizing the City Manager of the City of Frisco, Texas to establish procedures for acquiring the permanent and temporary easements, offering to acquire the permanent and temporary easements voluntarily from the landowner(s) through the making of a bona fide offer; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date. (Engineering/JB)

39. Consider and act upon an adoption of an Ordinance 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. Zoned Commercial-1 and Single Family-7. Neighborhood #20. (ITEM TABLED 6/6/2017) Zoning Case No. Z17-0010. (Development Services/AH)

40. Consider and act upon an adoption of an Ordinance to amend Planned Development-29-Business Center on 100.3± acres to allow the uses of Office-2, Retail, and Residential, on the northwest corner of Dallas Parkway and Warren Parkway. Zoned Planned Development-29-Business Center. Neighborhood #31

Zoning Case No. Z17-0007. (Development Services/SS)

41. Consider and Act Upon Adoption of an Ordinance to Provide for a Residential Homestead Exemption to Ad Valorem Property Taxes for Homestead Individuals in the City of Frisco

42. Consider and act upon a proposed settlement offer to be made by the City of Frisco, Texas to enter into a Settlement Agreement and Release between ADC West Ridge, LP, the Center for Housing Resources, Inc., the City of McKinney, Texas, and the City of Frisco, Texas regarding claims made by ADC West Ridge, LP, and/or Center for Housing Resources, Inc. against the City of Frisco, Texas and others and to authorize the City Manager to take all actions necessary to effectuate the offer and settlement of the same if the offer is accepted by the other parties. (CMO)

43. Consider and act upon accepting the resignation of Brian Livingston from Place 1 on the Board of Adjustments/Construction Board of Appeals. (CSO/JP)

44. Consider and act upon appointment of an individual to fill the unexpired term of Place 1 on the Board of Adjustments/ Construction Board of Appeals ending September 30, 2017. (CSO/JP)

45. Consider and act upon acceptance of the resignation of Maher Maso, Place 6 on the Frisco Economic Development Corporation. (CSO/JP)

46. Consider and act upon appointment of a member of the City Council to fill Frisco Economic Development Corporation's Place 6, vacated by Former Mayor Maher Maso. (CSO/JP)

47. Consider and Act Upon Appointments to the Council Committees and the Frisco Square Management District Board. (CMO/NL)

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

49. 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 Saturday, June 17, 2017 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.