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, AUGUST 15, 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 the Cause No. PR-2014-00099 in the case styled FLCT, LTD. v. City of Frisco, Texas.

iv. Consultation with the City's attorney regarding Settlement Agreement and Release with Marcy Jones.

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.

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. Deliberation regarding Settlement Agreement and Release with Marcy Jones.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

4. Ramiro Garza 20 year anniversary

REPORTS

5. Carter Blood Care Presentation of Award to Frisco Fire Department for the 2017 Battle of the Badges Blood Drive.

6. Presentation of the Frisco Economic Development Corporation 25 Year Project Executive Summary by Elizabeth Morris from Insight Research Corporation.

7. Police Department's crime statistics and response times for the month of July 2017.

8. Financial Services Budget Status Report for the month of July 2017.

9. Fire Department Monthly Report on Incident Response and Educational Activities for the months of June 2017 and July 2017.

10. Visit Frisco July report on sales and marketing.

11. Development Services Activity Update Report for months of June 2017 and July 2017.

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. May 16, 2017 Regular City Council Meeting.

14. Consider and act upon approval of the Second Amendment to the Tower Site Lease Agreement between the City of Frisco and Dallas MTA, L.P. d/b/a Verizon Wireless, at 3968 Parkwood Drive and a Resolution authorizing the City Manager to execute this amendment. (CMO/BB)

15. Consider and act upon a Settlement Agreement with Marcy Jones. (CMO)

16. Consider and act upon a Chapter 380 Economic Development Program Agreement between Texas Developers, LLC, BMC Texas Sales, LLC, BMC Stock Holdings, Inc. and the City of Frisco and authorizing the City Manager to execute all necessary documents. (CMO)

17. Consider and act upon an amendment of the Lease Agreement with Musicmaker Enterprises, L.P. for lease space at 6891 Main Street and authorizing the City Manager or his designee to execute the agreement. (CMO/NL)

18. Consider and act upon authorizing the City Manager to execute an agreement by and between the City of Frisco and the BNSF Railway Company for the repair of existing and installation of new railroad crossing surfaces. (Engineering/RC)

19. Consider and act upon award of bid to Mountain Cascade of Texas, LLC and authorizing the City Manager to execute a Standard Form Agreement for Construction Services for Northeast Water and Wastewater Improvements (Bid

No.1706-084) and authorizing construction phase contingencies. (Engineering/DC)

20. Consider and act upon approval authorizing the City Manager to execute the Decorative Sign Post Agreement with The Canals at Grand Park-South Owners' Association, Inc. (Engineering/JF)

21. Consider and act upon approval authorizing the City Manager to execute the Decorative Sign Post Agreement with North Canals at Grand Park Owners' Association, Inc. (Engineering/JF)

22. Consider and act upon authorizing the City Manager to execute an Interlocal Agreement by and between the City of Frisco and the City of Plano to provide funding for the construction of improvements on northbound and southbound SH 121 frontage roads at Legacy Drive. (Engineering/BM)

23. Acceptance of Quarterly Investment Report for the period April 1, 2017 – June 30, 2017. (Financial Services/DC)

24. Consider and Act upon Execution of a Professional Contract with the Frisco Independent School District for services related to the School Resource Officer Program for school year 2017-2018. (Police/JB)

25. Consider and act upon approval of a purchase order to Nouveau Construction for Central Fire Station renovations. (Fire/DF)

26. Consider and act upon approval of a purchase order to Professional Turf Products for the purchase of parks landscape equipment. (Parks & Recreation/DF)

27. Consider and act upon approval of a purchase order to Nouveau Construction for Police Department renovations. (Police/DF)

28. Consider and act upon approval of a purchase order increase to KT Contracting for sidewalk and street repairs during FY 2017. (Public Works/DF)

29. Consider and act upon approval authorizing the City Manager to execute an agreement with American Public Works Association for a Public Works accreditation program. (Public Works/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 adoption of an Ordinance 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. Zoned Planned Development-237-Retail/Patio Home/Multifamily. Neighborhood #41. Zoning Case No. Z17-0006. (Development Services/KM)

32. Consider and act upon adoption of an Ordinance 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. Zoned Commercial-1. Neighborhood #3. Zoning Case No. Z17-0016. (Development Services/KM)

33. Consider and act upon adoption of an Ordinance for a Specific Use Permit for an 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. Zoning Case No. SUP16-0015. (Development Services/SS)

34. Consider and act upon adoption of an Ordinance to amend Zoning Ordinance Subsection 9.07. Form-Based Code Manual regarding section LU-2, Retail At-Grade Standards. Zoning Case No. ZA17-0004. (Development Services/JH)

REGULAR AGENDA

35. Public Hearing: First Hearing on the City of Frisco Fiscal Year 2018 Annual Budget, including Frisco Economic Development Corporation Fiscal Year 2018 Budget and the Frisco Community Development Corporation Fiscal Year 2018 Budget. (Financial Services/JH)

36. Public Hearing: A request to consider possible amendments to Zoning Ordinance Section 2, Zoning Districts regarding amendments to the Preston Road Overlay District and Tollway Overlay District. Zoning Case No. ZA17-0006. (Development Services/JH)

37. Consider and act upon adoption of an Ordinance to amend Zoning Ordinance Section 2, Zoning Districts regarding amendments to the Preston Road Overlay District and Tollway Overlay District. Zoning Case No. ZA17-0006. (Development Services/JH)

38. Public Hearing: A request to amend certain tracts within the City of Frisco boundary to allow for the addition of the Network Node Overlay District

consisting of the Frisco North Design District on 531.1± acres generally located 2,200± feet south of Rockhill Parkway and bounded by US 380 to the north, BNSF Railroad to the east, and CR 26 (future Mahard Parkway) to the west; the City Center Design District on 1,772.4± acres generally located 1,100± feet south of Eldorado Parkway and bounded by South County Road to the east, Stonebrook Parkway to the south, and Legacy Drive to the west; the 5B Mile Design District on 722.2± acres generally located 1,520± feet north of Lebanon Road, 800± feet east of Legacy Drive and bounded by Parkwood Drive to the east and Warren Parkway to the south; and the Frisco Bridges/Stonebriar Design District on 854.6 acres generally located 1,350± feet west of Gaylord Parkway, 1,650± feet north of Warren Parkway and bounded by Preston Road to the east and SH 121 to the South. Zoning Case No. Z17-0022. (Development Services/JH)

39. Consider and act upon adoption of an Ordinance to amend certain tracts within the City of Frisco boundary to allow for the addition of the Network Node Overlay District consisting of the Frisco North Design District on 531.1± acres generally located 2,200± feet south of Rockhill Parkway and bounded by US 380 to the north, BNSF Railroad to the east, and CR 26 (future Mahard Parkway) to the west; the City Center Design District on 1,772.4± acres generally located 1,100± feet south of Eldorado Parkway and bounded by South County Road to the east, Stonebrook Parkway to the south, and Legacy Drive to the west; the 5B Mile Design District on 722.2± acres generally located 1,520± feet north of Lebanon Road, 800± feet east of Legacy Drive and bounded by Parkwood Drive to the east and Warren Parkway to the south; and the Frisco Bridges/Stonebriar Design District on 854.6 acres generally located 1,350± feet west of Gaylord Parkway, 1,650± feet north of Warren Parkway and bounded by Preston Road to the east and SH 121 to the South. Zoning Case No. Z17-0022. (Development Services/JH)

40. Consider and approve an Ordinance to amend Code of Ordinances, Part II, Chapter 78 (Right of-Way Management) to include the Network Node Design Manual. (Public Works/SL) (Tabled 8/1/2017)

41. Consider and act upon a Resolution authorizing the City Manager or his designee to execute from time to time Service Pole Collocation Attachment License Agreements pursuant to Chapter 284 of the Texas Local Government Code. (CMO/BB) (Tabled 8/1/2017)

42. Consider and act upon approval of a Chapter 380 Agreement by and between the City of Frisco, Texas and Nack Development, LLC. (CMO/RP)

43. 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. Zoning Case No. Z17-0010

(Development Services/AH)

44. Consider and direct Staff in the formation and structure of the US 380 District Design Strategy Advisory Committee (DDSAC) and appoint one City Councilmember to the committee. (Development Services/JH)

45. Consider and act upon accepting the resignation of Robert Ouellette from Place 2 on the Board of Adjustments. (CSO/JP)

46. Consider and act upon appointment of an individual to fill the unexpired term of Place 2 on the Board of Adjustments, ending September 30, 2018. (CSO/JP)

47. Consider and act upon acceptance of the resignation of Sally Storie from Place 2 on the Social Services and Housing Board. (CSO/JP)

48. Consider and act upon appointment of an individual to fill the unexpired term of Place 2 on the Social Services and Housing Board, ending September 30, 2018. (CSO/JP)

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

50. 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 AUGUST 11, 2017 at 11:00 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.