



**CITY OF THE COLONY
CITY COUNCIL MEETING AGENDA
TUESDAY, JULY 5, 2016
6:30 PM**

TO ALL INTERESTED PERSONS:

Notice is hereby given of a **REGULAR SESSION** of the **CITY COUNCIL** of the City of The Colony, Texas to be held at **6:30 PM** on **Tuesday, July 5, 2016** at **CITY HALL, 6800 MAIN STREET, THE COLONY, TEXAS**, at which time the following items will be addressed:

1.0 ROUTINE ANNOUNCEMENTS, RECOGNITIONS AND PROCLAMATIONS

1. Call to Order
- 1.1. Invocation
- 1.2. Pledge of Allegiance to the United States Flag
- 1.3. Salute to the Texas Flag
- 1.4. Proclamation Declaring July as Parks & Recreation Month (PARD, Swain)
- 1.5. Items of Community Interest
- 1.5.1. Receive presentation from Parks and Recreation regarding upcoming events and activities (PARD, Stansell)
- 1.5.2. Presentation from the Library Director regarding current and upcoming programs, events, and service improvements (Library, Sveinsson)

2.0 WORK SESSION

The Work Session is for the purpose of exchanging information regarding public business or policy. No action is taken on Work Session items. Citizen input will not be heard during this portion of the agenda.

- 2.1. Discuss Public Information Requests Quarterly Report as presented for Council review (Interim City Secretary, Stewart)
- 2.2. Council to provide direction to staff regarding future agenda items (Council)

3.0 CITIZEN INPUT

This portion of the meeting is to allow up to five (5) minutes per speaker with a maximum of thirty (30) minutes for items not posted on the current agenda. The council may not discuss these items, but may respond with factual data or policy information, or place the item on a future agenda. Those wishing to speak shall submit a Request Form to the City Secretary.

¹ These items are strictly public service announcements. Expressions of thanks, congratulations or condolences; information regarding holiday schedules; honorary recognition of city officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that are scheduled to be attended by a city official or city employee. No action will be taken and no direction will be given regarding these items.

4.0 CONSENT AGENDA

The Consent Agenda contains items which are routine in nature and will be acted upon in one motion. Items may be removed from this agenda for separate discussion by a Council member.

- 4.1. Consider approving City Council and Community Development Corporation Special Session minutes for June 20, 2016, and City Council Regular Session minutes for June 21, 2016 (Interim City Secretary, Stewart)
- 4.2. Consider approving Council Expenditures for the month of May 2016 (Council)
- 4.3. Consider approving a resolution authorizing the City Manager to execute an Interlocal Cooperation Agreement with the City of Carrollton for assistance in Engineering Inspections for Private Subdivisions (Engineering, Scruggs)
- 4.4. Consider approving a resolution authorizing the City Manager to execute a Letter of Direction with CD Builders, Inc., Endurance Reinsurance Corporation of America, and Dayhill Group, LLC to amend Payment Provisions for the Phase 5 Residential Street reconstruction (Engineering, Scruggs)
- 4.5. Consider approving a resolution authorizing the City Manager to execute an Amendment to the Interlocal Cooperation Agreement with the Texas Department of Transportation and City of Lewisville for Maintenance of Traffic Signals on FM 423 and SH 121 (Engineering, Scruggs)
- 4.6. Consider approving a resolution authorizing the City Manager to execute an Agreement with the Texas Department of Transportation for Furnishing, Installing and Maintenance of Traffic Signal Preemption Equipment (Engineering, Scruggs)

5.0 REGULAR AGENDA ITEMS

- 5.1. Conduct a public hearing, discuss and consider an ordinance approving revocation of a Specific Use Permit (SUP) in a General Retail Zoning District that allowed outside display of vehicles and merchandise on a tract of land totaling approximately 0.88 acres, generally located on the East side of Main Street (FM 423) at 7228, 7300 and 7320 Main Street (Development Services, Scruggs)
- 5.2. Conduct a public hearing, discuss and consider an ordinance approving a Specific Use Permit (SUP) for proposed Pappy's Pet Lodge at 4000 Paige Road within Planned Development 9 (PD-9) zoning district (Development Services, Scruggs)
- 5.3. Discuss and consider approving an ordinance adopting an amendment to the Code of Ordinances, Chapter 6, Article VI, by adding Section 6-170, Entitled "Variance for Dogs on Premises of a Food Establishment"; and approve a resolution amending resolution No. 2015-070 adopting the 2015-16 Master Fee Schedule, by amending the Master Fee Schedule to establish a variance fee for dogs on the premises of food establishments (General Admin, Perez)

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- 5.4. Discuss and consider cancelling or rescheduling the August 2, 2016 City Council meeting due to National Night Out (Council)

6.0 EXECUTIVE SESSION

- 6.1. A. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding Tax Increment Reinvestment Zone Number One, City of The Colony, Texas.
- B. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation – Quality Excavation, Ltd. v. City of The Colony, Texas, Cause Number 16-03350-442.
- C. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation – Atlantic Colony Venture I, LLC and Atlantic Colony Venture II, LLC v. City of The Colony, Texas, et al., Cause No. 16-02219-442.
- D. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation – Appeal of Brazos Electric Power Cooperative, Inc. and Denton County Electric Cooperative, Inc. D/B/A CoServ Electric from an Ordinance of The Colony, Texas, and, in the Alternative, Application for a Declaratory Order, SOAH Docket No. 473-16-1119, PUC Docket 45175.
- E. Council shall convene into a closed executive session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.
- 6.2. A. Any action as a result of executive session regarding Tax Increment Reinvestment Zone Number One, City of The Colony, Texas.
- B. Any action as a result of executive session regarding pending or contemplated litigation – Quality Excavation, Ltd. v. City of The Colony, Texas, Cause Number 16-03350-442.
- C. Any action as a result of executive session regarding the pending or contemplated litigation - Atlantic Venture, LLC and Atlantic Colony Venture II, LLC v. City of The Colony, Texas, et al.
- D. Any action as a result of executive session regarding the pending or contemplated litigation Appeal of Brazos Electric Power Cooperative, Inc. and Denton County Electric Cooperative, Inc. D/B/A CoServ Electric matter.

E. Any action as a result of executive session regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.

Pursuant to the Texas Open Meeting Act, Government Code Chapter 551 one or more of the above items may be considered in executive session closed to the public, including but not limited to consultation with attorney pursuant to Texas Government Code Section 551.071 and Section 551.074 arising out of the attorney's ethical duty to advise the city concerning legal issues arising from an agenda item. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session.

ADJOURNMENT

Persons with disabilities who plan to attend this meeting who may need auxiliary aids 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 972-624-3105 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

CERTIFICATION

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 p.m. on the 30th day of June, 2016.

Tina Stewart

Tina Stewart, TRMC, Interim City Secretary

