



**CITY OF THE COLONY
CITY COUNCIL MEETING AGENDA
TUESDAY, OCTOBER 4, 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, October 4, 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. Recognition of the Government Finance Officers Association Distinguished Budget Award. (Finance, Cranford)
- 1.5. Recognition for excellence in financial reporting in the 2014-15 Comprehensive Annual Financial Report (CAFR). (Finance, Cranford)
- 1.6. Items of Community Interest

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. (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 Regular Session minutes for September 20, 2016. (City Secretary, Stewart)
- 4.2. Consider approving Council expenditures for the month of August 2016. (Council)
- 4.3. Consider approving a resolution authorizing the City Manager to execute a contract between the City of The Colony, Medical Center of Plano and Dr. Brandon Meek for Medical Control Services to The Colony Fire Department. (Fire, Stephens)
- 4.4. Consider approving a resolution authorizing the City Manager to execute the acceptance of money in lieu of land for required parkland dedication for Village at The Pointe, a residential town home development on 12.5 acre land located near the southwest corner of Memorial Drive and South Colony Boulevard approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development Zoning District. (Development Services, Scruggs)
- 4.5. Consider approving a resolution authorizing the City Manager to execute a contract amendment for additional services for Building Code and Energy Code plan review, and for inspections and Fire Code plan review. (Engineering, Scruggs)
- 4.6. Consider approving a resolution authorizing the City Manager to execute the purchase of a 2016 Chevrolet Tahoe in the amount of \$49,991.00 for the Division Fire Chief. (Fire, Stephens)
- 4.7. Consider approving a resolution authorizing the City Manager to execute the purchase of a 2016 Chevrolet Tahoe in the amount of \$49,991.00 for the Assistant Fire Chief. (Fire, Stephens)
- 4.8. Consider approving a resolution authorizing the City Manager to execute the purchase of a 2016 Chevrolet Silverado in the amount of \$49,991.00 for the Fire Marshal. (Fire, Stephens)
- 4.9. Consider approving a resolution authorizing the City Manager to approve an amendment to the Option and Lease Agreement with AT&T Wireless for cellular equipment on the Clover Valley Water Tower (Engineering, Scruggs)

5.0 REGULAR AGENDA ITEMS

- 5.1. Conduct a public hearing, discuss and consider approving an ordinance for updating the Land Use Assumptions and Capital Improvements Plan and Amending Roadway Impact Fees. (Engineering, Scruggs)

-
- 5.2. Conduct a public hearing, discuss and consider approving an ordinance for Land Use Assumptions and Capital Improvements Plan and amending the Office Creek Drainage Impact Fees. (Engineering, Scruggs)
 - 5.3. Conduct a public hearing, discuss, and consider an ordinance approving an Specific Use Permit for MJ Convenience Store at 4181 Main Street, Suite 500, for sale of alcoholic beverages and beer and wine for off-premise consumption within Planned Development 14 (PD 14) Zoning District. (Development Services, Sen)
 - 5.4. Conduct a public hearing, discuss and consider an ordinance approving Zoning Change from Shopping Center (SC) to Townhouse Dwelling (TH) Zoning District allowing town homes development at 5700 North Colony Boulevard described as Cornerstone African Methodist Episcopal Church Addition, Block A, Lot 1, The Colony, Denton County, Texas. (Development Services, Sen)
 - 5.5. Discuss and consider approving a resolution authorizing the City Manager to execute a service agreement with Granicus, Inc. which includes an agenda management application, meeting minutes and video streaming component to streamline the agenda, meeting minutes and video streaming processes. (City Secretary, Stewart)
 - 5.6. Discuss and consider approving a resolution authorizing the City Manager to execute the publication Notice of Intention to issue Certificates of Obligation, including the adoption of a resolution pertaining thereto. (Finance, Cranford)
 - 5.7. Discuss and consider approving a resolution authorizing the City Manager to execute the replacement of the current self-contained breathing apparatus (SCBA) in the amount of \$342,943.92. (Fire, Stephens)
 - 5.8. Discuss and consider approving a resolution authorizing the City Manager to execute a construction contract to Quality Excavation, LTD. for the Widening of Memorial Drive from Worley Drive to South Colony Boulevard.(Engineering, Scruggs)
 - 5.9. Discuss and consider a variance to the Noise Ordinance regarding Webber Construction for the FM 423 Project. (General Admin, Shallenburger)
 - 5.10. Discuss and consider a resolution authorizing the city manager to execute a service agreement with SPAN, Inc. for providing demand transportation services to residents and financial support for the Meals on Wheels program (General Admin, Perez)

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 pending or contemplated litigation – Budget Suites matter.

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 Austin Ranch building fee issue.

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., PUC Docket No. 45175 and City of The Colony, Texas v. Brazos Electric Power Cooperative, Inc. matter, Cause No. 16-06424-16.

6.2. A. Any action as a result of executive session regarding the pending or contemplated litigation - Budget Suites matter.

B. Any action as a result of executive session regarding Austin Ranch building fee issue.

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 pending or contemplated litigation – Appeal of Brazos Electric Power Cooperative, Inc., PUC Docket No. 45175 and City of The Colony, Texas v. Brazos Electric Power Cooperative, Inc. matter, Cause No. 16-06424-16.

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 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 September, 2016.



Tina Stewart

Tina Stewart, TRMC, City Secretary