REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034

5:30 PM

WEDNESDAY, OCTOBER 08, 2008

AGENDA

CALL TO ORDER

CLOSED SESSION

1. 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. Potential litigation with TRC and/or Greystar regarding the Eldorado Pump Station.
     - ii. Legal issues regarding housing concerns raised by Inclusive Communities Project, Inc.
   - B. Section 551.072. To deliberate the purchase, exchange, lease or value or real property located:
     - i. South of US 380, North of Lebanon Road, East of FM 423, and West of Hillcrest Road.
   - 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.
   - D. Section 551.074. Evaluation of Municipal Judge.

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

INVOCATION

PLEDGE OF ALLEGIANCE

REPORTS

3. Public Library Monthly Report

4. Parks and Recreation Department Monthly Report

5. Engineering Services Department Monthly Report

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.)

6. Consider and act upon approval of the Minutes from the September 15, 2008 Regular City Council Meeting. (CSO)

7. Consider and act upon approval of a Resolution authorizing the City Manager to execute an Agreement by and between the City of Frisco and JBI Partners, Inc. for Landscape Architectural Design Services for Duncan Park Renovations and Improvements. (Parks and Recreation)

8. Consider and Act Upon a Resolution Authorizing the City Manager or His Designee to Execute an Agreement Between the City of Frisco and the Frisco Association for the Arts. (Finance)

9. Consider and act upon approval of a Resolution authorizing the City Manager to execute Amendment Number 4 to the Professional Services Agreement by and between the City of Frisco and Wier and Associates, Inc.to perform additional services for the design of Eldorado Parkway paving, drainage and bridge improvements, Phase I and II (Dallas North Tollway to Preston Road). (Engineering)

10. Consider and act upon a Resolution ratifying the City Manager's execution of a Development Agreement with Darling Frisco Partners, LTD, arranging for the construction of turn lanes in conjunction with TxDOT's construction of Eldorado Parkway improvements (FM 423 to Dallas North Tollway) and the City's construction of a traffic signal at the median opening for Lenox Lane. (Engineering)

11. Consider and act upon a Resolution ratifying the City Manager's execution of a Development Agreement with WD Eldorado & Tollway, L.P., arranging for the

construction of turn lanes in conjunction with TxDOT's construction of Eldorado Parkway improvements (FM 423 to Dallas North Tollway) and the City's construction of a traffic signal at the median opening for Eldorado Market Place. (Engineering)

12. Consider and act upon adoption of a Resolution rescinding Change Order #2, approved by City Council on August 8, 2007, and authorizing the City Manager to execute Change Order Number 2R to the Standard Form of Agreement for Construction Services by and between the City of Frisco and CB&I Constructors, Inc. decreasing the contract cost relating to the construction of the Southwest and Northwest Elevated Water Storage Tanks. (Engineering)

13. Consider and act upon award of Bid Number 0808-068 Competitve Sealed Proposal to Gracon Construction Inc. of Mesquite, Texas and adoption of a Resolution authorizing the City Manager to execute a Contract Agreement for Construction Services for the Remediation of Existing Eldorado/BNSF Pump Station Deficiencies. (Engineering)

14. Consider and act upon approval of a purchase order to 3M Company for the purchase of Sign Sheeting Type IV & XI to be used by Traffic Division during the fiscal year 2009. (Engineering)

15. Consider and act upon authorization for the City Manager to execute Change Order Number 1 to the Standard Form of Agreement for Construction Services by and between the City of Frisco and SMB Enterprises, Inc. for the construction of FM 2934 Water Relocations. (FM 423 to Dallas Parkway). (Engineering)

16. Consider and act upon authorization for the City Manager to execute Change Order Number 1 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Dowager Utility Construction, Ltd. for additional services relating to the construction of the Preston Manor Sanitary Sewer Replacement. (Engineering)

17. Consider and act upon approval of a Resolution of the City Council of the City of Frisco, Texas hereby authorizing the City Manager of the City of Frisco, Texas to execute an Agreement by and between the City of Frisco and the Texas Department of Transportation wherein the Texas Department of Transportation will provide funds for a Selective Traffic Enforcement Program (STEP) Wave Grant and providing an effective date. (Police)

18. Consider and act upon award of bid #0806-061, annual contract for Custodial Services, to Initial Building Maintenance Services, Inc. d/b/a International Building Services, and Approval of Resolution Authorizing the City Manager to execute the agreement. (Facilities)

19. Consider and act upon approval of a purchase order with Brodart Company, for the purchase of Library books during the 2009 fiscal year. (Library)

20. Consider and act upon approval of purchase orders with Book Wholesalers Incorporated, for the purchase of Library materials during the 2009 fiscal year. (Library)

21. Consider and act upon approval of an Interlocal Cooperation Agreement by and between the City of Frisco and Denton County for library services and adoption of a Resolution authorizing the City Manager to execute the Agreement. (Library)

22. Consider and act upon a Resolution of the City Council of the City of Frisco, Texas hereby ratifying actions of the City Manager of the City of Frisco, Texas in executing an Interlocal Agreement by and between the City of Frisco and the North Central Texas Council of Governments for E9-1-1 service, equipment, addressing and database maintenance. (Fire)

23. Consider and act upon approval of a purchase order with EMS Biocare, for Medical Control and Continuing Education during the 2009 fiscal year. (Fire)

24. Consider and act upon approval of a purchase order to Hall-Mark Fire Apparatus, Inc. for the purchase of parts and service for the Frisco Fire Department's E-One fire trucks during the 2009 fiscal year. (Fire)

25. Consider and act upon approval of a purchase order to Southwest General Services of Dallas, LLC for EMS billing and collections. (Fire)

26. Consider and act upon approval of a purchase order to Gray's Wholesale Tire for the purchase of tires for Fleet Services and the Fire Department during the fiscal year 2009. (Fire & Public Works)

27. Consider and act upon approval of purchase orders with Napa Auto Parts, for the purchase of miscellaneous vehicle maintenance and repair parts during the 2009 fiscal year.(Fire & Public Works)

28. Consider and act upon approval of a purchase order to Ergon Asphalt and Emulsions, Inc. for emulsified asphalt material during the fiscal year 2009. (Public Works)

29. Consider and act upon approval of an interlocal purchasing agreement renewal by and between the City of Frisco and Collin County to allow Collin County to purchase fleet fuel from the City of Frisco, and adoption of a resolution authorizing the City Manager to sign this agreement. (Public Works)

30. Consider and act upon approval of a purchase order to Vulcan Signs for the

purchase of sign blades and blanks to be used by Traffic Division during the fiscal year 2009. (Public Works)

31. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Advance funding Agreement by and between the City of Frisco and the Texas Department of Transportation to provide funding for the construction of left turn lanes on FM 2478 (Custer Road) from Stonebridge to US 380. (Engineering)

32. Consider and Act Upon a Resolution Authorizing the City Manager or His Designee to Execute an Agreement with Illumimax, LLC for the design and operation of the computer animated holiday lighting show. (CMO/NL)

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.)

33. Consider and act upon adoption of an Ordinance granting a Specific Use Permit for an Assisted Care Facility on two lots on 6.7± acres on east side of Legacy Drive, 645± feet north of Stonebriar Way. Zoned Planned Development-32-Garden Office. Neighborhood #34. Specific Use Permit SUP08-0008. (Planning & Development Services)

34. Consider and act upon an Amendment to Ordinance 08-09-78 to establish Reduced Speed School Zones on identified streets within the City of Frisco. (Engineering)

REGULAR AGENDA

35. Discussion regarding CAPP long-term power contract. (CMO/AG)

36. Consider and act upon approval of special cost adjustments for *Community Waste Disposal (CWD)* under contract for Residential Solid Waste, Recycling, Yard Waste and Debris Collection Services; and *Champion Waste Services* under contract for Commercial Construction Debris Services to address increases in fuel and disposal costs. (CMO/HJH)

37. Consider and act upon the appointment of one (1) Board Member to the Convention & Visitors Bureau, representing the following sector: one (1) “Ex-Officio” Representative. This is for a one (1) year term. (CMO/GP)

38. Consider and act upon approval of the development plan for the George A. Purefoy Municipal Center Parking Garage. (Engineering)

39. Direction regarding implementation of the Storm Water Utility and associated fee to fund state mandated Phase II Municipal Separate Storm Sewer System (MS4) requirements. (Engineering)

40. Consider and act upon an Interlocal Agreement and a Real Property Exchange Agreement by and between the City of Frisco and Frisco Independent School District for the exchange of various City and FISD properties. (CMO/HJH)

41. Consider and act upon acceptance of a Local Political Subdivision Grant Agreement between the City of Frisco and the Inclusive Communities Project and authorize the City Manager to execute the agreement. (CMO/JM)

42. Discussion regarding the Water Tower Site located at the southwest corner of Preston Road and FM 720. (CMO)

43. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Planning and Development Services, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning and Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Planning and Development Services. (Planning and Development Services)

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

45. Discussion on Governance Monitoring of present City Council Meeting.

ADJOURN

CERTIFICATION

I, the undersigned authority, do hereby certify 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 October 3, 2008 at 5:30 p.m. 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.