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

5:30 PM

TUESDAY, MARCH 03, 2009

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. Legal issues regarding the Code of Ethics.
     - ii. Update on Cause 296-01766-2008; *Black Lab Partnership Fund, Ltd. vs. City of Frisco.*
     - iii. Legal advise concerning Judge's ruling in *Daniel W. Schreimann v. City of Frisco, Texas*, Cause No. 380-00753-08, pending in the 380th Judicial District Court of Collin County, Texas.
   - 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.

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

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

4. Eagle Scouts -- Russell "Steven" Hankins, John Robert Polarinakis, Garrett Samuel Williams

5. Centennial High School Varsity Football Team

REPORTS

6. Recognition of Police Department's accreditation by the Commission on Accreditation of Law Enforcement Agencies (CALEA).

7. Community Waste Disposal, Annual Report

8. Parks & Recreation Monthly Report regarding Park & Trail Development, Facilities, Special Events and Youth Development.

9. Library Report on usage and programming activities.

10. Engineering Services Monthly Report on Roads, Traffic, Water, & Sewer Projects

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.)

11. Consider and act upon approval of the Minutes from the February 17, 2009 Regular City Council Meeting. (City Secretary)

12. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Malcolm Pirnie, Inc., for the design of the Cottonwood Creek Lift Station, Force Main, and Cottonwood Wastewater Treatment Plant Decommissioning. (Engineering/AH)

13. 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 McMahon Contracting, LP for the Dogwood Street (CIP #03-0111) and Meadow Lane (CIP #04-0003) Paving, Drainage, Water and Wastewater Improvements (Engineering/AH)

14. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a First Amendment to the Development Agreement by and between the City of Frisco and Christie Ranch Community Developers, L.P. (Engineering\JE)

15. Consider and act upon approval of a Resolution authorizing the City Manager to execute an agreement by and between the City of Frisco and Vortex Aquatic Structures International, Inc. for a spray ground at Bicentennial Park. (Parks & Recreation)

16. Consider and act upon approval of a Resolution authorizing the City Manager to execute a contract by and between the City of Frisco and InSite Amenities, LLP for construction of a new pavilion at Stewart Creek and Beaver's Bend Trail Extension. (Parks & Recreation)

17. Consider and act upon approval of a Resolution authorizing the City Manager to execute an Amendment to an Agreement by and between the City of Frisco and JBI Partners, Inc. (Jones and Boyd, Inc.) for professional services for Hickory Street Trail. (Parks & Recreation)

18. Consider and act upon approval of purchase orders to Six & Mango Equipment, LLP for the purchase of one-(1) zero turn riding mower and one-(1) flex wing mower. (Parks and Recreation)

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

20. Consider and act upon approval of a purchase order to Taurus Technologies for the purchase of equipment and installation services to upgrade the Emergency Operations Center. (Fire)

21. Consider and act upon approval of a purchase order to Paradigm Traffic Systems, Inc. for the purchase of twenty-six-(26) uninterruptible power supplies. (Engineering)

22. Consider and act upon award of bid to Utility Construction Services of Texas Inc., and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for State Highway 289 Utility Relocation (Main Street to US 380) (Bid No. 0901-012). (Engineering/JB)

23. Consider and act upon adoption of a Resolution authorizing the City Manager to

execute an Impact Fee and Development Agreement by and between the City of Frisco and Garry A. Weber for the dedication of right-of-way and easements relating to the construction of the Eldorado Parkway Paving Improvements (DNT - Preston Road) (Engineering/JE)

24. Consider and act upon award of bid 0901-014, Removal of Youth Center Building / Swimming Pool and Frisco Community Center, to Lindamood Excavating Co., and Approval of a resolution authorizing the City Manager to execute an agreement for these services. (Parks and Recreation)

25. Consider and act upon award of bid to JRJ Paving L.P., and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Eldorado Parkway Improvements (Fragrant Drive to West of Castleman Creek Drive) (Bid No. 0902-022) (Engineering/DC)

26. Consider and act upon award of RFP#0807-066, RFP for an Electronic Patient Care Reporting System, to Southwest General Services of Dallas, LLC, and approval of a resolution authorizing the City Manager to execute an agreement for these services. (Fire Department)

27. Consider an act upon approval of a purchase order to Portable Computer Systems, Inc. for the purchase of thirty-(30) Panasonic Toughbook computers with accessories, through the State of Texas Department of Information Resources contract. (Fire Department)

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.)

28. Consider and act upon an Ordinance adding University Drive to U.S. Highway 380 from Custer Road to the Western Boundary of the City of Frisco's City Limit Line, approximately 2,000± feet West of Farm-to-Market Road 423. STRE08-0021. (Planning & Development Services)

REGULAR AGENDA

29. Public Hearing: Specific Use Permit SUP08-0011. A request for a Specific Use Permit for a Day School on one lot on 2.2± acres located on the north side of Eldorado, 115± feet west of Coit Road and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-88-Office-1. Neighborhood #8. (Planning & Development Services)

30. Public Hearing: Annexation Case A08-0004. A proposed involuntary annexation of 1.5± acres in the John W. Cox Survey, Abstract 159, generally located on the north side of CR 23, 250± feet north of Panther Creek Parkway. Neighborhood

#4. (Planning & Development Services)

31. Public Hearing: Annexation Case A08-0005. A proposed involuntary annexation of 1.5± acres in the John W. Cox Survey, Abstract 159, generally located on the north side of CR 23, 200± feet north of Panther Creek Parkway. Neighborhood #4. (Planning & Development Services)

32. Public Hearing: Annexation Case A08-0006. A proposed involuntary annexation of 2.7± acres in the John W. Cox Survey, Abstract 159, generally located on the southwest corner of the intersection of CR 23 and Panther Creek Parkway. Neighborhood #4. (Planning & Development Services)

33. Public Hearing: Zoning Case Z08-0018, A request to amend Planned Development-196 regarding permitted uses and development standards for Tract 4 and consider and act to direct staff to prepare an Ordinance of the same. The property contains 36.2± acres on the southwest corner of Warren Parkway and Parkwood Boulevard. Zoned Planned Development-196-Mixed Use. Neighborhood #35. (Planning & Development Services)

34. Public Hearing on revisions to the currently adopted Water Conservation Plan and Drought Contingency Plan combining both plans into one Water Management Plan. (Public Works)

35. Consider and act upon adoption of an ordinance approving the revisions to the currently adopted Water Conservation Plan and Drought Contingency Plan into one Water Management Plan. (Public Works)

36. Consider and act upon award of RFP#0805-045, P25 Radio System, to Motorola, Inc., and approval of a resolution authorizing the City Manager to execute an agreement for the system and services. (Police and Fire)

37. Consider and Act Upon a Resolution to Approve a Contract for the Collection of Delinquent Taxes

38. Discussion and give staff direction on the establishment of an Advisory Committee for Grand Park. (Parks and Recreation)

39. Consider and act upon a Resolution supporting the Regional Transportation Council Legislative Program for the 81st Texas Legislature Including Rail North Texas. (CC/MM)

40. 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)

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

42. 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 02-27-08 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.