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, JUNE 02, 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 551.072. To deliberate the purchase, exchange, lease or value or real property located:
     - i. South of US 380, North of The Colony city limits, East of FM 423, and West of Hillcrest Road.
   - B. 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. Heritage Museum Anniversary

REPORTS

5. Texas Environmental Excellence Award for Water Conservation

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

7. Library Report on usage and programming activities

8. Monthly report from the Frisco CVB regarding April bookings, economic impact and April activities.

9. Engineering Services Monthly Report on Roads, Traffic, Water and 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.)

10. Consider and act upon approval of the Minutes from the May 19, 2009 Regular City Council Meeting. (City Secretary)

11. Consider and act upon authorization for the City Manager to execute Change Order No. 5 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Mario Sinacola and Sons, Excavating, Inc. for the construction of Independence Parkway (State Highway 121 to Main Street (FM 3537)) (Engineering/TF)

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 Kimley-Horn and Associates, Inc., for the Engineering Design, Bid Package Preparation and Construction Phase Services for Virginia Parkway (County Road 26 to Preston Road) (Engineering/DLC).

13. Consider and act upon a Resolution authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Jacobs Civil, Inc., for the design of the 30" Dallas Parkway Water Main (CR 23/Panther Creek Parkway-US 380), 16" US 380 Water Main (DNT-Preston Road), Appurtenances and Transfer Valve Station (Engineering/DLC)

14. Consider and act upon authorization for the City Manager to execute Change Order Number 3 to the Standard Form Agreement for Construction Services by and between the City of Frisco and North Texas Contracting, Inc., for the construction of World Cup Way (Main Street to Frisco Square Blvd) (Engineering/JB).

15. 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 Utility Construction Services of Texas, Inc., for the construction of State Highway 289 Utility Relocations (Main Street to US 380) (Engineering/JB).

16. Consider and act upon a Resolution adopting the Substantial Amendment to the PY 2008 City of Frisco Community Development Block Grant Action Plan. (CMO/JM)

17. Consider and act upon award of bid #0904-035 for renovations and improvements of Shawnee Trail Sports Complex to Cooper General Contractors, Inc. and approval of a resolution authorizing the City Manager to execute a construction contract for these improvements. (Parks and Recreation)

18. Consider and Act upon awarding bid #0904-032 to Wall Enterprises and approve a resolution authorizing the City Manager to execute a contract for construction with Wall Enterprises for Legacy Drive Hike and Bike Trail. (Parks and Recreation/DR)

19. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number Two to the Professional Services Agreement by and between the City of Frisco and Carter & Burgess, Inc., for the Engineering and Survey Services for FM 423 Improvements from U.S. Highway 380 to Stewarts Creek Road (Engineering/EM)

20. Consider and act upon adoption of a Resolution authorizing the City Manager to terminate the Professional Services Agreement by and between the City of Frisco and Birkhoff, Hendricks, & Conway for the preparation of construction drawings for FM 720 (now FM 3537, Main Street) (Preston Rd to Custer Rd). (Engineering/JB)

21. 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 terminate preliminary engineering services by the local government on FM 3537 (Main Street) from SH 289 (Preston Road) to FM 2478 (Custer Road). (Engineering/JB)

22. Consider and Act on modifications to a lease agreement between the City of Frisco and Ski Frisco Sports at 6875 Main Street. (CMO/JM)

23. Consider and Act on a renewal of a lease agreement with Frisco Association for

the Arts at 6827 Main Street. (CMO/JM)

24. Consider and act upon award of bid to Smith Contracting, Inc. and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Annual Sidewalk Improvements (Various Locations) (Bid No. 0905-041). (Engineering/JB)

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.)

25. Consider and act upon adoption of an Ordinance renaming County Road 25 to Rockhill Road between Preston Road and Coit Road. STRE09-0008 (Development Services)

26. Consider and act upon adoption of an Ordinance to amend Planned Development-112 regarding permitted uses on a 9.9± acre tract of land out of a total of 40.1± acres located on the northwest corner of Stonebrook Parkway and Dallas Parkway Neighborhood #22. Z09-0002 (Development Services)

REGULAR AGENDA

27. Public Hearing: Plat Vacation FP09-0002. Consider and act upon adoption of a Resolution to vacate the final plat for Cineco Addition, Block A, Lot 1 in Collin County, Texas, Cabinet I, Page 281, containing one lot on 7.9± acres on the west side of Preston Road, 225± feet north of Hickory Street. Zoned Retail. Neighborhood #20. (Development Services/SM)

28. Public Hearing: Zoning Case Z09-0003, A request to rezone 122.7± acres on the southwest corner of Main Street and the Dallas North Tollway from Planned Development-173-Retail/Office-2/Townhome/Multifamily-1 and Industrial to Planned Development-Mixed-Use and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-173-Retail/Office-2/Townhome/Multifamily-1. Neighborhood #40. (Planning & Development Services)

29. Public Hearing: Zoning Case Z09-0001, A request to amend Planned Development-79 development standards regarding secondary access requirements for Tract 2 (Chapel Creek) and consider and act to direct staff to prepare an Ordinance of the same. The property contains 22.4± acres and is located on the north side of (proposed) Brookhollow Boulevard, 800± feet west of Preston Road. Zoned Planned Development-79-Single Family-5. Neighborhood #23. (Planning & Development Services) Tabled 03/17/09, 4/7/09, 5/5/09.

30. Consider and Act Upon Appointments to the Charter Review Commission.

31. Consider and Act Upon Appointment to the Frisco Square Management District Board

32. Discussion and give Staff direction on a potential amendment to Section 54-24 of the Code of Ordinances to provide an exemption to the prohibition of smoking to allow for a cigar bar. (Development Services)

33. Consider and give staff direction on the possibility of creating an inspection program for rental properties in single family neighborhoods and creating a Good Landlord Program. (Development Services)

34. 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 Development Services. (Development Services)

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

36. 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 05-29-09 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.