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, SEPTEMBER 01, 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. Receive legal advice regarding and possible settlement of Case No. 09-0069; City of The Colony, Texas vs. North Texas Municipal Water District and City of Frisco, Texas; In the Texas Supreme Court.
   - B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
     - i. South of US 380, North of The Colony city limits, 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

REPORTS

4. Library Report on usage and programming activities

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

6. 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.)

7. Consider and act upon approval of the Minutes from the August 18, 2009 Regular City Council Meeting.

8. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment 1 to the Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc., for Construction Contract Administration Services related to Remediation of Existing Eldorado/BNSF Pump Station Deficiencies (Engineering/EDM)

9. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment 2 to the Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc. for Additional Services relating to the Remediation Design of Existing BNSF Pump Station Deficiencies (Engineering/EDM)

10. 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 Tiseo Paving Company, for the construction of Eldorado Parkway (Dallas North Tollway to Preston Road) and Frisco Street (Eldorado Parkway to Newton Drive) (Engineering/JB)

11. Consider and act upon a resolution authorizing the City Manager to execute an agreement by and between the City of Frisco and Estrada Concrete Company LLC., for Hike and Bike Trails along Wade Boulevard from Ohio Parkway to Parkwood Boulevard. (Parks - DR)

12. Consider and act upon accepting a recommendation from the Parks and Recreation Board to approve a master plan for Preston North Park and adopt the attached resolution (Parks - DR)

13. Consider and Act Upon Adoption of an Ordinance Amending Personnel Policies (Human Resources/LS)

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.)

14. Consider and act upon an Amendment to Ordinance 09-07-35 to establish Reduced Speed School Zones on identified streets within the City of Frisco (Engineering/JF).

REGULAR AGENDA

15. Public Hearing: Zoning Case Z09-0004, A request to amend Planned Development-165 regarding development standards and maximum height and consider and act to direct staff to prepare an Ordinance of the same. The property contains 59.3± acres located on the southeast corner of All Stars Avenue and Frisco Street. Zoned Planned Development-165-Commercial-1. Neighborhood #46. (Development Services/MW)

16. Public Hearing: Specific Use Permit Case SUP09-0006, A request for an Alcoholic Beverage Establishment on one lot on 0.5± acre on the northeast corner of Frisco Square Boulevard and Coleman Boulevard and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-153-Mixed Use. Neighborhood #21. (Development Services/MW)

17. Public Hearing: Appeal: Sign Variance V09-0006, An appeal of the denial of a Sign Variance request by the Planning & Zoning Commission for a taller Wall Sign. Custer Star Addition, Block 1, Lot 2. Neighborhood #6. (Development Services/SI)

18. Public Hearing: Second Hearing on the City of Frisco Fiscal Year 2010 Annual Budget, including the Frisco Economic Development Corporation Fiscal Year 2010 Budget and the Frisco Community Development Corporation Fiscal Year 2010 Budget (CMO/NL)

19. Consider and Ratify the Effective Tax Rate Calculation for the Fiscal Year 2010 (CMO/NL)

20. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to 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)

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

22. 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 August 28, 2009 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.