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 15, 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.
     - ii. Legal issues regarding amendments to the City Charter.
   - 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. Constitution Week

5. Proclamation recognizing Phillip Climer's obtaining the Master Code Professional Certification with the International Code Council. (Development Services/SC)

6. Recognize staff associated with assisting at Frisco Junction, Heritage Center, and conversion of old City Hall. (CMO)

REPORTS

7. Public Works Report on Monthly Water Usage and Other Monthly Activities

8. Fire Department Monthly Report on Incident Response and Educational Activities (FIRE)

9. Update on SAFER program. (Fire)

10. Police Department's report on crime statistics and response times for the month of August 2009.

11. Development Services August 2009 Report on Building Inspection, Code Enforcement, Animal Control, development, and training activities

12. Presentation from Community Association Institute of library materials pertaining to community association management. (Development Services/GC)

13. Report from Convention & Visitors Bureau for August definite business, economic impact and public relations results.

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.)

14. Consider and act upon approval of the Minutes from the August 24, 2009 Meet & Greet Board Interviews, August 27, 2009 Joint City Council and P&Z Zoning Advisory Committee Meeting and the September 01, 2009 Regular City Council Meeting.

15. Consider and act upon adoption of a Resolution authorizing the City Secretary to designate Estela Barrera and/or Angela Lunsford to act on behalf of the City Secretary in her absence by performing the duties of City Secretary.

16. Consider and act upon a Resolution authorizing the City Manager to execute a Facilities Utilization Agreement between the City of Frisco and the Pioneer Heritage Middle School, Theater Department for the use of the Frisco City Hall Council Chambers on November 19 thru 21, 2009. (CSO/JP)

17. Consider and act upon approval of a Resolution authorizing the City Manager or his designee to execute an interlocal agreement with Denton County for Library funding. (Library)

18. Consider and act upon adoption of an Ordinance establishing Article VIII (Subpoena Penalty) of Chapter 54 (Offenses and Miscellaneous) of the Code of Ordinance. (CSO/JP)

19. Consider and act upon the acceptance of Letter of Resignation from Mike Fisher, Parks and Recreation Board Member. (CSO)

20. 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 Chaing, Patel and Yerby, Inc. for the design, bid package preparation and construction services for the expansion of Frisco Number One Pump Station (Engineering/DC)

21. Consider and act upon authorization for the City Manager to execute Change Order Number Two to the Standard Form Agreement for Construction Services by and between the City of Frisco and JRJ Paving, LP, for the construction of Intersection Improvements - Main & Teel, Gaylord & Mall Road F, and Parkwood & John Q. Hammons (Engineering/TF).

22. Consider and act upon authorization for the City Manager to execute Change Order Number 3 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)

23. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Kimley-Horn Associates, Inc. for the 2010 Water, Wastewater, and Roadway Impact Fee Update (Engineering/EM).

24. Consider and act upon approval of a resolution authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and GSWW, a Division of Burgess and Niple to perform a flow monitoring study for a capacity evaluation of a portion of the sanitary sewer system. (Public Works)

25. Consider and act upon a resolution authorizing the City Manager to execute an agreement by and between Alpha Testing, Inc. and the City of Frisco for geotechnical exploration services for Preston North Park. (P/R JD)

26. Consider and act upon a resolution authorizing the City Manager to execute a Change Order to an agreement by and between the City of Frisco and Cooper General Contractors, Inc. for Shawnee Trail Sports Complex. (P/R JD)

27. Consider and Act upon acceptance of a $825,800 grant award from the Department of Energy for the Energy Efficiency and Conservation Block Grant Program. (CMO/SB)

28. Consider and Act on Acceptance of a Grant Award of $229,950 from the Federal Emergency Management Agency for the Assistance to Firefighters Grant Program (CMO\SB)

REGULAR AGENDA

29. Public Hearing: Specific Use Permit SUP09-0004. A request for a Specific Use Permit for a Child Day Care on one lot on 5.7± acre on the west side of Custer Road, 200± feet south of Stonebridge Drive and consider and act to direct the staff to prepare an ordinance of the same. Zoned Planned Development-176-Single-Family-1. Neighborhood #15. (Development Services\JE)

30. Consider and act upon a Resolution authorizing the City Manager to execute the First Amendment to Star Center Lease Agreement with Zoom Sports, Inc. (CMO/RP)

31. Report from the Mayor's Sister City Ad Hoc Committee (MM/Council)

32. Discussion and Review of Proposed 2010 Annual Budget. (CMO/NL)

33. 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)

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

35. 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 Friday, September 11, 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.