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, OCTOBER 20, 2009

AGENDA

FINAL

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. Receive legal advice regarding and possible settlement of City of Frisco protest of APAC permit renewal.
     - iii. Receive legal advice regarding Exide's request for a renewal permit from the TCEQ.
   - 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

4. Red Ribbon Week

5. Eagle Scout Jonathan Bedard

6. Frisco Education Foundation 10 Year Anniversary

7. Kevin Barrow -- 25 Years of Service with City of Frisco

8. Penny Mince -- 20 Years of Service with City of Frisco

9. Chamber of Commerce Week

10. Cares Enough to Wear Pink Campaign

REPORTS

11. Quarterly update from Mike Simpson on the ACC

12. Public Works Report on Monthly Activities (Gary Hartwell)

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

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

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

16. Convention & Visitors Bureau September report on definite bookings, economic impact and in-kind media.

17. CVB/Heritage Museum update on The Shawnee Trail partnership and exhibits (CVB/MR)

CITIZEN INPUT (to begin approximately at 7:30 p.m.)

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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.)

18. Consider and act upon approval of the Minutes from the October 06, 2009 Regular City Council Meeting. (CSO/JP)

19. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Amendment Number One to the Professional Services Agreement by and between the City of Frisco and RLK Engineering to perform additional hydraulic design services for Rolater Road Improvements from Independence Parkway to Custer Road. (Engineering/JB)

20. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Termination and Release of Impact Fee Agreement by and between the City of Frisco and the Saratoga/Hall Joint Venture for property located on the east side of Legendary Drive 400± feet south of Lebanon Road. (Development Services/SI)

21. Consider and act upon a resolution of the City of Frisco authorizing the filing of a project application with the North Central Council of Governments (NCTCOG) for a regional sold waste program local implementation project, authorizing the City Manager, to act on behalf of the city of Frisco in all matters related to the application. (Environmental Services/PC)

22. Consider and act upon a Resolution of the City Council approving the terms and conditions of a grant application to the Flow Health Care Foundation, Inc., authorizing the submission of the grant application by the City Manager and providing an effective date. (Police/GW)

23. Consider and act upon a resolution authorizing the City Manager of the City of Frisco, Texas to execute an amendment to an agreement by and between the City of Frisco and the Frisco Independent School District for the Public Safety Pre-Plan Project (FIRE).

24. Consider and act upon approval of an Interlocal Agreement by and between the City of Frisco and Frisco Economic Development Corporation for GIS services and adoption of a Resolution authorizing the City Manager to execute the agreement. (IT/SO)

25. Consider and act upon approval of an Interlocal Agreement by and between the City of Frisco and the Town of Prosper for GIS Services and adoption of a Resolution authorizing the City Manager to execute the agreement. (IT/SO)

26. Consider and act upon authorization for the City Manager to execute Change

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Order Number 3 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).

27. 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 Smith Contracting, Inc., for Construction Services for Annual Sidewalk Improvements (Various Locations). (Engineering/JB)

28. Consider and act upon a resolution authorizing the City Manager to execute an agreement by and between the City of Frisco and Gametime, c/o Total Recreation Products, Inc. for replacement of a play structure at Duncan Neighborhood Park. (Parks/JED)

29. Consider and act upon authorization for the City Manager to execute Change Order Number 2 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)

30. Consider and act upon award of bid to Roadway Solutions, Inc., and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Installation of Roadway Lighting on Rolater Road from Preston Road to approximately 1,085 feet east of Whittingham Drive (Bid No. 0909-071) (Engineering/BM).

31. Consider and act upon approval of purchase orders with Book Wholesalers Incorporated, for the purchase of Library materials during the fiscal year 2010. (Library/TJ)

32. Consider and act upon approval of a purchase order with Ingram Library Services Incorporated, for the purchase of Library materials during the fiscal year 2010. (Library/TJ)

33. Consider and act upon approval of a purchase order to Environmental Industries, LP, for the collection, transportation and disposal of household hazardous waste during the fiscal year 2010. (Environmental Services/TJ)

34. Consider and act upon approval of a purchase order to Flair Data Systems for the purchase of a Cisco wireless network controller, through the State of Texas Department of Information Resources (DIR) contract. (IT/TJ)

35. Consider and act upon approval of purchase order to Sigma Solutions, Inc., for the purchase of a fiber channel storage shelf, through the State of Texas Department of Information Resources (DIR) contract. (IT/TJ)

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36. Consider and Act upon a Resolution approving the submission of a Fire Prevention and Safety Grant application to the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA). (CMO/SB)

37. Consider and Act Upon Approval of a Resolution Adopting the 2009 Official Tax Roll as Certified by the Tax Assessor Collector of Collin County with the Amount of Tax Affixed to Each Account. (CMO/NL)

38. Consider and act upon a resolution authorizing the City Manager to execute an agreement by and between the City of Frisco and Ratliff Hardscape, for Hike and Bike Trail construction along Parkwood Blvd. from Warren Pkwy to Wade Blvd. (Parks/DR)

39. Consider and act upon a resolution to accept a Grant Award of $124,190.43 from the U.S. Department of Homeland Security for three Grants: UASI; UASI-LEAP; and CCP. (CMO/SB)

40. Consider and act upon approval of a purchase order to Noofangle Media, Inc. for the development and ongoing support of a Frisco Green Web Portal and approval of a resolution authorizing the City Manager to execute an agreement for this service. (Communications/TJ)

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.)

41. Consider and act upon adoption of an Ordinance granting a Specific Use Permit for a Child Day Care on one lot on 5.7± acre located on the west side of Custer Road, 200± feet south of Stonebridge Drive. Zoned Planned Development-176-Single Family-1. Specific Use Permit No. SUP09-0004. Neighborhood #15. (Development Services/JE)

REGULAR AGENDA

42. Public Hearing: Zoning Ordinance Amendment ZA09-0005, Request to amend the Comprehensive Zoning Ordinance pertaining to regulations for alcohol sales in conjunction with golf courses. (Development Services/MW)

43. Consider and act upon adoption of an Ordinance amending the Comprehensive Zoning Ordinance pertaining to regulations for alcohol sales in conjunction with golf courses. ZA09-0005. (Development Services/MW)

44. Public Hearing: Specific Use Permit SUP09-0008. A request for a Specific Use Permit for a Child Day Care on one lot on 2.4± acres on the east side of Legendary Drive, 620± feet south of Lebanon Road and consider and act to direct staff to prepare an Ordinance of the same. Zoned Commercial-1.

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Neighborhood #30. (Development Services/RC)

45. Consider and Act on an Ordinance repealing Ordinance No. 00-01-11 and amending Ordinance No. 09-04-25 (Code of Ethics). (CMO/HJH)

46. Consider and act upon award of a best value bid to McCarthy Building Companies, Inc., and adoption of a Resolution authorizing the City Manager to execute all Standard Forms of Agreement for Construction Services for the Municipal Center Parking Garage. (CMO/BB)

47. Consider and Act Upon a Resolution Authorizing Notice to the Taxing Authorities having Jurisdiction Over Certain Real Property within the City of the City's Intent to Amend the Project Plan and Financing Plan for Reinvestment Zone Number One and to Enlarge the Boundaries of said Reinvestment Zone Number One; Calling a Public Hearing with Regard to Such Amendments and Enlargement of Boundaries. (CMO/NL)

48. Discussion and give staff direction regarding the placing of preliminary or draft minutes for Boards on website. (MM)

49. Consider and act upon a Settlement Agreement between the City of Frisco and APAC. (CMO)

50. 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)

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

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

ADJOURN

FINAL

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, October 16, 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.

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