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, DECEMBER 01, 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 advise regarding intervening in Cause No. 296-04045-2008 in the case styled Roughriders Baseball Partners, L.P. v. HKS, Inc, et al., pending in the 296th Judicial District Court in Collin County , Texas
   - 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. Dr. Paul H. Reyes, Medical Director of the Frisco Cares Clinic

REPORTS

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

6. Engineering Services Monthly Report on Roads, Traffic, Water and Sewer Projects.

7. Library Report on usage and programming activities

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.)

8. Consider and act upon approval of the Minutes from the November 17, 2009 Regular City Council Meeting (CSO/J Page)

9. 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 Cineco Cinema Corporation for property located on the northwest corner of Preston Road and Hickory Street. (Development Services/SI)

10. Consider and act upon a resolution authorizing the City Manager of the City of Frisco, Texas to execute an interlocal cooperation agreement by and between the City of Frisco and the County of Denton for Fire and Ambulance services. (FIRE)

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

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execute Amendment Number Two to the Professional Services Agreement by and between the City of Frisco and Terra-Solve, Inc. for Environmental Assessment and Remediation Services for three sites on Main Street (John Elliott to Fourth Street) (Engineering Services/EDM).

12. Consider and Act Upon Resolution Amending the Authorized Representatives for the City's Legacy Bank Accounts (Financial Services/AC)

13. Consider and Act Upon Resolution allowing the City Manager to Amend the Authorized Representatives for the City's TexPool Investment Accounts (Financial Services/AC)

14. Consider and Act Upon Resolution allowing the City Manager to Amend the Authorized Representatives for the City's TexStar Investment Accounts (Financial Services/AC)

15. Consider and act upon a recommendation by the Parks and Recreation Board to adopt a master plan for Youth Center Park. (Parks/JED)

16. Consider and act upon awarding a bid and approve a resolution authorizing the City Manager to execute an agreement by and between the City of Frisco and C.R. Reynolds, Inc. for construction of B.F. Phillips Community Park, Phase 2. (Parks/JED)

17. Consider and act upon a Resolution authorizing the City Manager to execute a Development Agreement with McKinney Towne Crossing, L.P. for the construction of a traffic signal on Custer Road (FM 2478) at the existing northern median opening that serves both the McKinney Towne Crossing development to the east and the Custer Bridges development to the west (Engineering/BM).

18. Consider and act upon a Resolution authorizing the City Manager to execute a Development Agreement with Custer Road Marketplace, LTD. for the construction of a traffic signal on Custer Road (FM 2478) at the existing northern median opening that serves both the McKinney Towne Crossing development to the east and the Custer Bridges development to the west (Engineering/BM).

19. Consider and act upon approval of a purchase order to Azteca Systems, Inc. for the purchase of an Annual Update and Support for Cityworks asset management software. (IT/TJ)

20. Consider and act upon approval of a purchase order to Sundance Painting Inc. for installation of furnished wall covering and install wall liner, cleaning and sealing wood walls, and painting of various rooms within the Crozier house in the Heritage Center which is in the process of restoration. (CMO/TJ)

LEGISLATIVE AGENDA

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(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.)

REGULAR AGENDA

21. Consider and act upon an Ordinance repealing Ordinance No. 96-10-10 regulating burglar, robbery, fire, medical emergency, panic alarms and regulating persons engaged in relaying alarm notification; providing for the issuance and revocation of permits and for the establishment of permit fees; providing an appeal procedure for permit denial or revocation, providing for the enforcement of such regulations, providing for the service charge fee for false alarms; allowing for response termination, providing savings, repealing and severability clauses, providing for the penalty for violations and an effective date. (Police)

22. Consider and act upon approval of an agreement with PMAM Corporation for Alarm Management Services and approval of a resolution authorizing the City Manager to execute this agreement. (Police/TJ)

23. Consider and Act Upon a Resolution Authorizing the City Manager to Execute an Agreement between the City and the Frisco Association for the Arts (Tabled October 6, 2009 & November 17, 2009) (Financial Services/AC)

24. Consider and act upon the appointment of one (1) Board Member to the Board of Adjustment/Construction Board of Appeals, representing one (1) "Member", and possible appointment of one (1) "Alternate 1" Member, one (1) "Alternate 2" Member, or one (1) "Alternate 3" Member. (CSO/JP)

25. Public Hearing and Consider and Act Upon an Ordinance Expanding the Boundaries of the Reinvestment Zone Number One and Amending the Project Plan and the Financing Plan. (CMO/NL)

26. Consider and act upon authorizing the City Manager to execute a contract for public affairs consulting services with HillCo Partners. (CMO/RP)

27. 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)

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

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

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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 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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