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, FEBRUARY 17, 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. Legal advice and issues regarding converting public streets to private streets.
     - ii. Legal issues regarding the Code of Ethics.
     - iii. Update on Cause 296-01766-2008; *Black Lab Partnership Fund, Ltd. vs. City of Frisco.*
     - iv. Legal issues regarding condemnation of 1.8253 acres of property located at the southeast corner of Eldorado Parkway and Independence Parkway owned by Mr. Warren Blackmon.
   - B. Section 551.072. To deliberate the purchase, exchange, lease or value or real property located:
     - i. South of US 380, North of Lebanon Road, East of FM 423, and

West of Hillcrest Road.

C. Section 551.074. Deliberation regarding the annual evaluation of George Purefoy (City Manager)

D. 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. National Engineer's Week

5. Frisco Canyons Rock Climbing Team

REPORTS

6. Financial Services January 2009 Report on financial status

7. Planning & Development Services monthly report on building permit, code enforcement, animal control, and training activities and assigned projects.

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

9. Public Works Report for water usage and other monthly activities for January 2009

10. Police Department monthly report on crime statistics and response times for month of January 2009

11. Convention and Visitors Bureau Monthly Report

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.)

12. Consider and act upon approval of the Minutes from the February 03, 2009 Regular City Council Meetings and the January 24, 2009 City Council Work Session. (City Secretary's Office/SB)

13. Approval of the May 09, 2009 Joint General Election Contract. (City Secretary's Office)

14. Consider and act upon adoption of a Resolution setting a Public Hearing on revisions to the currently adopted Water Conservation Plan and the Drought Contingency Plan. (Public Works)

15. Consider and act upon approval of a contract by and between the City of Frisco and Texas State Library and Archives Commission for Loan Star Libraries Grant and adoption of a Resolution authorizing the City Manager to execute the contract. (Library)

16. Consider and act upon approval of a resolution endorsing certain legislative changes to enhance the competitive electric market supported by Cities Aggregation Power Project, Inc. (CMO/AG)

17. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Interlocal Cooperation Agreement by and between the City of Frisco and Denton County to provide funding for the design and construction of a traffic signal at FM423 and Stonebrook Parkway (Engineering).

18. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number Two to AIA Document (A121/CMc-a) Standard Form Agreement by and between the City of Frisco and Lee Lewis Construction, Inc. to perform Construction Manager At-Risk Services for the construction of the Frisco Recreation and Aquatics Center. (Engineering)

19. Consider and act upon a Resolution authorizing the City Manager to execute Amendment Number Three to the Professional Services Agreement between the City of Frisco and Kimley-Horn and Associates, Inc. for the addition of Traffic Signal Design Services to finish the design and prepare a bid package to install a permanent traffic signal at the intersection of Legacy Drive at Town & Country Boulevard (Engineering/BM).

20. Consider and act upon authorization for the City Manager to execute Change Order Number 4 to the Standard Form Agreement for Construction Services by and between the City of Frisco and S. J. Louis Construction of Texas, Ltd. and a Warranty Agreement by and between the City of Frisco and Hanson Pressure Pipe, Inc. both of which are related to the construction of the Rolater Road 42-inch Water Transmission Main (Preston Road to Coit Road) (Engineering/AH)

21. Consider and act upon award of Bid #0901-011, Rebid of Black Wrought Iron Fence at Frisco 1 Pump Station, to Sunnyvale Fence Company, and approval of resolution authorizing the City Manager to execute an agreement for these services. (Public Works)

22. Consider and Act on Resolutions approving the terms and conditions of three

grant applications to the North Central Texas Council of Governments and the Office of the Governor, Criminal Justice Division for the funding of a School Resource Officer, a Juvenile Intervention Specialist, and purchase of investigative surveillance equipment and authorizing the submission of the grant applications by the City Manager or his designee. (Police)

23. Consider and Act Upon a Resolution Authorizing the City Manager to Execute the Renewal of the Lease Agreement with Collin County for Space in the George A. Purefoy Municipal Center. (CMO/NL)

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.)

24. Consider and act upon adoption of an Ordinance to amend Planned Development-201 regarding landscape requirements along the northern property line. The property contains 108.1± acres located on the west side of Custer Road, 2,000± feet north of Eldorado Parkway. Zoned Planned Development-201-Single Family-3/Single Family-4/Single Family-5. Neighborhood #6. Zoning Case Z08-0017. (Planning & Development Services)

REGULAR AGENDA

25. Public Hearing: Annexation Case A08-0004. A proposed involuntary annexation of 1.5± acres in the John W. Cox Survey, Abstract 159, generally located on the north side of CR 23, 250± feet north of Panther Creek Parkway. Neighborhood #4. (Planning & Development Services)

26. Public Hearing: Annexation Case A08-0006. A proposed involuntary annexation of 2.7± acres in the John W. Cox Survey, Abstract 159, generally located on the southwest corner of the intersection of CR 23 and Panther Creek Parkway. Neighborhood #4. (Planning & Development Services)

27. Public Hearing: Annexation Case A08-0005. A proposed involuntary annexation of 1.5± acres in the John W. Cox Survey, Abstract 159, generally located on the north side of CR 23, 200± feet north of Panther Creek Parkway. Neighborhood #4. (Planning & Development Services)

28. Public Hearing: Zoning Case ZA08-0005, An amendment to Article IV, Section 9.12 (A) of the Comprehensive Zoning Ordinance regarding the definition of automotive uses and consider and act to direct staff to prepare an Ordinance of the same. (Planning & Development Services)

29. 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 Planning and Development Services. (Planning and Development Services)

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

31. 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 02-13-09 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.