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, AUGUST 04, 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. Discussion of legal issues regarding annexation of land in Frisco's extraterritorial jurisdiction.
     - ii. Legal issues regarding housing concerns raised by Inclusive Communities Project, Inc.
     - iii. Receive legal advise regarding possible condemnation of firelane on Preston-Stonebrook Center Subdivision.
   - 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. Special Recognition for Andrew Chen 2009 US Open Table Tennis
Special Recognition for Peng Li, Coach of Andrew Chen

REPORTS

5. Fusion Check Presentation to Frisco Education Foundation

6. Financial Services June 2009 Budget Status Report / Division Indicators

7. Library Report on usage and programming activities

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

9. Engineering Services Monthly Report on Roads, Traffic, Water and 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.)

10. Consider and act upon approval of the Minutes from the July 07, 2009 Regular City Council Meeting and July 6, 2009 Special City Council Meeting. (CSO)

11. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Voluntary Interlocal Cooperation Agreement by and between the City of Frisco, the Texas Department of Transportation, the Town of Prosper, and the Town of Little Elm for the operation and maintenance of traffic signals at US 380 at La Cima and FM 423 at FM 720 (Engineering/BM).

12. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Surface Transportation System Project Agreement by and between the City of Frisco and the Texas Department of Transportation to reimburse the

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City of Frisco for the cost of equipment provided for the traffic signal at US 380 and La Cima (Engineering/BM).

13. Consider and act upon a Resolution approving the fiscal year 2010 City of Frisco General Fund Social Service Grant allocations. (CMO/SB)

14. Consider and act upon approval of an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corp, Mid-Tex Division regarding the company's Rate Review Mechanism (RRM) filing. (CMO/AG)

15. Consider and act upon approval of a Resolution authorizing the Housing Trust Fund Board to release additional funds in the amount of $50,000 from the Housing Trust Fund to support the City of Frisco Targeted Down Payment Assistance Program. (CMO/SB)

16. Acceptance of Quarterly Investment Report for the period April 1, 2009 – June 30, 2009. (Finance)

17. Consider and act upon authorization for the City Manager to execute Change Order Number 6 to the Standard Form Agreement for Construction Services by and between the City of Frisco and S. J. Louis Construction of Texas, Ltd. for additional services related to the construction of the Rolater Road 42-inch Water Transmission Main (Preston Road to Coit Road) (Engineering/AH)

18. Consider and act upon authorization for the City Manager to execute Change Order Number One to the Standard Form of Agreement for Construction Services by and between the City of Frisco and Archer Western Contractors, LTD., for construction services relating to the Expansion of Frisco Number 1 Pump Station. (Engineering/DLC)

19. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Interlocal Agreement by and between the City of Frisco and Collin County to provide 2009 funding for the construction of Rolater Road from Independence Parkway to Custer Road. (Engineering/JB)

20. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Interlocal Agreement by and between the City of Frisco and Collin County to provide funding for the construction of Independence Parkway from Main Street to Frisco North City Limits. (Engineering/JB)

21. Consider and act upon approval of a Resolution authorizing the City Manager to execute an agreement between the City of Frisco and GSWW Inc. for the evaluation of the sanitary sewer system in the southwest part of the City. (Public Works/KG)

22. Consider and act upon authorization for the City Manager to execute Change Order Number Two to the Standard Form of Agreement by and between the

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City of Frisco and JRJ Paving, L. P. for Construction Services for Eldorado Parkway Improvements (Fragrant Drive to West of Castleman Creek Drive) (Engineering/DLC)

23. Consider and act upon award of Bid #0906-045, Frisco Central Fire Station Hardened Room Project, to Brown Custom Building and Remodeling, and approval of a resolution authorizing the City Manager to execute an agreement for these services. (Fire)

24. Consider and act upon a resolution authorizing the City Manager to execute an agreement with Studio 13 Design Group Inc. for a landscape architecture and engineering services for trail improvements along Lebanon Road and Warren Parkway. (Parks and Rec/DR)

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.)

25. Consider and act upon adoption of an Ordinance to amend Article IV, Section 1.07 (B) of the Comprehensive Zoning Ordinance regarding preliminary site plan requirements. Comprehensive Zoning Ordinance Amendment ZA09-0001. (Development Services)

REGULAR AGENDA

26. Public Hearing: Specific Use Permit SUP09-0002, A Specific Use Permit for a Big Box on one lot on 22.5± acres on the west side of Preston Road 600± feet north of Hickory Street and consider and act to direct staff to prepare an Ordinance of the same. (Development Services)

27. Consider and Act on a resolution supporting a request for a Preserve America Designation to the Advisory Council on Historic Preservation. (CMO/CJ)

28. Consider and act upon the acceptance of the letter of resignation from Dave Preston, Urban Forestry Board. (CSO)

29. Consider and act upon the appointment of one (1) individual to fill the vacant position on the Urban Forestry Board. (CSO)

30. Consider and Act Upon Appointment of Councilmember to the PID Board (CMO/NL)

31. Consider and Act Upon a Resolution Calling the Public Hearing for the Fiscal Year 2010 Proposed Budget, the Frisco Economic Development Corporation Fiscal Year 2010 Proposed Budget and the Frisco Community Development Corporation Fiscal Year 2010 Proposed Budget. (CMO/NL)

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32. Consider and Act Upon a Resolution Adopting the Fiscal Year 2010 Certified Appraisal Roll and Approve the Certification of Anticipated Collection Rate and Excess Collections. (CMO/NL)

33. Consider and act upon a Resolution authorizing the Mayor to sign an Indemnity Agreement between the City of Frisco and Mr. Al Gibson, and Mr. Richard Belyan, Jr. (CMO)

34. 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)

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

36. 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, July 31, 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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