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, NOVEMBER 03, 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 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. United States Civil Air Patrol Frisco Cadet Squardron Open House

REPORTS

5. Texas Municipal League Municipal Excellence Award -- Smart Irrigation Program

6. 2008 Summit Award -- George A. Purefoy Municipal Center

7. Library Report on usage and programming activities

8. Parks and Recreation Monthly Report

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

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 October 12, 2009 Charter Review Commission and City Council Joint Work Session and the October 20, 2009 Regular City Council Meeting. (CSO/JP)

11. Consider and act on a resolution designating the Official Newspaper (CSO/JP)

12. Consider and act upon a Resolution of the City Council of the City of Frisco, Texas authorizing the City Manager of the City of Frisco, Texas to execute an Encroachment Agreement by and between the City of Frisco and Oncor Electric Delivery Company for an encroachment of Stonebrook Parkway within an existing Oncor Electric Delivery Company easement. (Engineering/JM)

13. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Reclaimed Water Use Agreement by and between the City of Frisco and Pearson Farms Community Association, Inc. (Engineering\AH)

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14. Consider and act upon award of bid to W. R. Hodgson Co., LP and act upon a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for the 4th Army Memorial Dr. Force Main (Stewart Creek West WWTP to Morgan Hill Rd.), Bid No. 0908 069 (Engineering/AH)

15. 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. to perform Engineering Design, Bid Package Preparation and Construction Administration Services for the Eldorado Parkway Streetscape Improvements (FM 423 to Dallas Parkway). (Engineering\AH)

16. Consider and act upon approval of a resolution authorizing the City Manager or his designee to execute an interlocal agreement with Collin County for Library funding. (Library/SH)

17. Consider and act upon award of bid to Durable Specialties, Inc., and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for a Temporary Traffic Signal on FM 423 at Stonebrook Parkway (Bid No. 0908-060) (Engineering/BM).

18. Consider and act on a resolution approving a Memorandum of Understanding (MOU) between the City of Frisco and North Texas Municipal Water District (NTMWD) regarding the charge for solid waste items delivered directly to the Melissa landfill and authorizing City Manager to sign the MOU. (PW/PC)

19. Consider and Act on approval of a grant application to the State Energy Conservation Office for the Transportation Energy Efficiency Traffic Signal Synchronization or Replacement Stimulus Grant Program of the Texas Comptroller of Public Accounts and authorize the City Manager to sign the grant application (Engineering/BM)

20. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Local Project Advance Funding Agreement by and between the City of Frisco and the Texas Department of Transportation for the construction of FM 2934 (Eldorado Parkway) from FM 423 to Dallas North Tollway. (Engineering/JB)

21. Consider and act upon approval of a purchase order to Integrated Computer Systems, Inc. (ICS), for a software interface package to link the Brazos Handheld Citation Application with the Police ICS Computer Aided Dispatch (CAD) system. (Municipal Court/TJ)

22. Consider and act upon approval of a purchase order to DataProse for utility bill printing, handling and mailing, and adoption of a resolution authorizing the City Manager to execute an agreement for these services. (Financial Services/TJ)

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23. Consider and act upon approval of a purchase order to Texas Moving Co. Inc. dba Texas Archives, for storage, tracking and destruction of City documents according to the legally required record retention schedules. (Records Management/TJ)

24. Consider and act upon the approval of Resolutions in support of two grant applications to the Texas Transportation Enhancement Program which is federally funded through the Surface Transportation Program, administered by the Texas Department of Transportation (TxDOT) for the Federal Highway Administration (FHWA) of the U.S. Department of Transportation (USDOT) (CMO/SB)

25. Consider and act upon approval of a contract for public affairs consulting services with HILLCo Partners and authorize the City Manager to execute.

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

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.)

26. Consider and act upon adoption of an Ordinance granting a Specific Use Permit for a Child Day Care (SUP09-0008) on one lot on 1.5± acres within a 7,153 square foot building on the east side of Pasadena Drive, 400± feet south of Preston Trace Boulevard. Zoned Commercial-1. Neighborhood #11. (Development Services/RC)

REGULAR AGENDA

27. Consider and act upon the Mayor's appointment of one (1) Board Member to the Housing Authority Board representing the following sector: three (3) Board Members "At Large". (CSO/JP)

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

29. Consider and act upon award of 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 in the amount of $6,438,105.00 for the Municipal Center Parking Garage (Bid No. 0909 067). (CMO/TJ)

30. 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

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the Planning and Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Development Services. (Development Services)

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

32. 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 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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