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 17, 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. Legal issues related to sex offender ordinance.
     - iii. Receive legal advice regarding Cause No. 296-04045-2008 in the case styled RoughRiders Baseball Partners, L.P. v. HKS, Inc. and David Schwarz Architectural Services, P.C. pending in the 296th Judicial Court of Collin County, Texas.
     - iv. Legal issues related to records retention.
   - 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. Receive remarks from Texas Secretary of State Hope Andrade.

5. Wakeland High School Marching Band

6. Glynda Covington, 20 Years of Service with City of Frisco

REPORTS

7. Financial Services Monthly Budget Status Report - September 2009 Preliminary and October 2009

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

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

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

11. Public Works Report on Water Usage and Other Monthly Activities

12. Convention & Visitors Bureau October Activities, Definite Business Summary, and PR/Media Results

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.)

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13. Consider and act upon approval of the Minutes from the October 20, 2009 Board of Directors Meeting of the Frisco Reinvestment Zone Number One; October 27, 2009 Special Joint Workshop of the Frisco EDC & City Council; October 28, 2009 Joint Frisco ISD and City Council Meeting; October 28, 2009 Special City Council Meeting and the November 03, 2009 Regular City Council Meeting. (CSO/JP)

14. Consider and act upon adoption of a Resolution casting all of the City's 129 votes for Ron Carlisle to the Collin Central Appraisal District. (CSO)

15. Consider and act upon adoption of a Resolution casting all of the City's 95 votes for Michael Roe to the Denton Central Appraisal District. (CSO/JP)

16. Consider and act upon the acceptance of Letter of Resignation from Mike Ballard, Board of Adjustments Member. (CSO/JP)

17. Consider and Act Upon a Resolution Authorizing the City Manager to execute an Agreement between the City and the Frisco Association for the Arts (Financial Services/AC)

18. Review and Accept the Quarterly Investment Report (Financial Services/AC)

19. Review and Accept the Annual Investment Report (Financial Services/AC)

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

21. Consider and act upon a Resolution authorizing the City Manager to execute Amendment Number Two to the Professional Services Agreement between the City of Frisco and Kimley-Horn and Associates, Inc. for Intersection Improvements at various locations (Engineering/BM).

22. Consider and act upon award of bid to Jim Bowman Construction Company, L. P. and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for the FM 423 Utility Relocations Middle Section. (Engineering/DC)

23. Consider and act upon approval a purchase order to Ford Audio-Video Systems, Inc. for the purchase and installation of audio-video equipment, and reconfiguration of existing equipment at Frisco Fire Safety Town. (Fire Dept./TJ)

24. Consider and act upon authorizing the City Manager to execute Change Order Number 007 to the Standard Form of Agreement between the City of Frisco and Balfour Beatty Construction for the construction of additional improvements to

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Dr Pepper Arena. (CMO\RP)

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 granting 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. Zoned Commercial-1. Neighborhood #30. SUP09-0009. (Development Services/RC)

REGULAR AGENDA

26. Consider and act on receiving the report of findings and recommendations of the Charter Review Commission and direct staff to have published in the official newspaper of the City a comprehensive summary of the report. (HH/CMO)

27. Consider and act on the Zoning Diagnostic Report by Freese & Nichols and recommendations of the Zoning Advisory Committee and Planning & Zoning Commission on the City's Zoning Ordinance update. (Development Services/MW)

28. Consider and Act Upon Adoption of Ordinances Authorizing the Issuance and Sale of $4,000,000 City of Frisco, Texas Certificates of Obligation Bonds, Series 2009 and Refunding $28,010,000 in General Obligation Bonds, Series 2009. (CMO/NL)
    A. Consider Adoption of an Ordinance Authorizing the Issuance and Sale of the City's Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2009; Levying an Annual Ad Valorem Tax for the Payment of Said Certificates; Approving an Official Statement; and Enacting Other Provisions Relating to the Subject. (CMO/NL)
    B. Consider Adoption of an Ordinance Authorizing the Issuance and Sale of the City's General Obligation Refunding Bonds, Series 2009; Levying an Annual Ad Valorem Tax for the Payment of said Bonds; Approving an Official Statement; Calling Certain Outstanding Obligations for Redemption Prior to Maturity; and Enacting Other Provisions Relating to the Subject. (CMO/NL)

29. 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)

30. City Council discussion with City Staff concerning any actions required by City

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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 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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