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, APRIL 06, 2010

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. Receive legal advice regarding Cause No. 296-04045-2008 in the case styled RoughRiders Baseball Partners, LP v. HKS, Inc. and David Schwarz Architectural Services, P.C. pending in the 296th Judicial Court of Collin County, Texas.
     - ii. Receive legal advice concerning interpretation of City Charter.
     - iii. Receive legal advice and update on Cause 296-01766-2008; Black Lab Partnership Fund, Ltd. vs. City of Frisco.
   - 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 and North of 121, East of FM 423, and West of Hillcrest Road

C. Section 551.074. Personnel Matters: Section 551.074 authorizes certain deliberations about officers and employees of the governmental body to be held in executive session:
   i. Deliberation regarding the annual evaluation of Jenny Page (City Secretary).
   ii. 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. Johnny & Nathan Hopkins -- Lake Lewisville Heroes

5. Animal Control Appreciation Week

6. Certified Tourism Ambassadors

REPORTS

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

8. Library report on programming and usage activities

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 March 25, 2010 Regular City Council Meeting. (CSO/JP)

11. Consider and act on ratifying corrections made to the March 02, 2010 Regular City Council Meeting approved Minutes. (CSO/JP)

12. Consider and act upon adoption of a Resolution amending Resolution No. 10-02-09R, Section 3 to add the additional Collin County Early Voting Polling Places designated by the Elections Administrator for Collin County (CSO/JP)

13. Consider and act upon adoption of an Ordinance amending Ordinance No. 10-02-03 amending Section 8 to add the additional Collin County Early Voting Places designated by the Elections Administrator for Collin County (CSO/JP)

14. Consider and act upon the acceptance of Letter of Resignation from Sean Merrell, Parks and Recreation Board Member (CSO/JP)

15. Consider and act upon authorization for the City Manager to execute Change Order Number 3 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Tiseo Paving Company, for the construction of Eldorado Parkway (Dallas North Tollway to Preston Road) and Frisco Street (Eldorado Parkway to Newton Drive) (Engineering/JB).

16. 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 Halff Associates, Inc. to perform Design, Bid Package Preparation, and Construction Administration Services for Coit Road Improvements (Main Street to North of Eldorado Parkway) (Engineering/TF).

17. Consider and act upon authorization for the City Manager to execute Change Order Number 2 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Mario Sinacola & Sons Excavating, Inc., for the construction of Teel Parkway (Eldorado Pkwy to Panther Creek Pkwy). (Engineering/JB)

18. Consider and act upon approval of a purchase order to Paradigm Traffic Systems, Inc. for six - (6) traffic signal video detection systems. (Engineering/TJ)

19. Consider and act upon approval of purchase orders to Star Community Newspaper for the publication of Frisco Focal Point, during the fiscal year 2010. (Communications/TJ)

20. Consider and act upon Resolution authorizing the Mayor to execute an Agreement with ICMA Retirement Corporation for an Executive Money Purchase Plan and Trust. (HR/LS)

21. Consider and act upon approval of a resolution authorizing the City Manger to execute a letter agreement by and between the City of Frisco and the Superdrome Management Group for facility improvements to the Frisco Superdrome (Parks/SW).

22. Consider and act upon award of bid for renovation of Duncan Neighborhood

Park to Henneberger Construction, Inc. and approve a resolution authorizing the City Manager to execute a construction contract for these renovations and improvements. (Tabled on 3/25//10; Parks/JED)

23. Consider and Act on appointment of the North Texas Municipal Water District (NTMWD) Board Member. (CMO/HH)

24. Consider and act upon approval of a purchase order to Sam Pack's Five Star Ford for the purchase of two–(2) Ford F150 pickups. (Development Services/TJ)

25. Request to call a public hearing to amend Planned Development-33 (Section 2.16 of Ordinance No. 89-09-01) on 241.9+ acres on the west side of Legacy Drive and Warren Parkway to remove the "Public Service" provision. Neighborhood No. 31, 32 and 33. (Development Services/JE).

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 on one lot on 2.3± acres on the east side of Legacy Drive, 1,260± feet south of Eldorado Parkway. Zoned Planned Development-171-Retail. Neighborhood #46. SUP09-0011. (Development Services/RC)

27. Consider and act upon adoption of an Ordinance rescinding Ordinance No. 94-01-08 granting a Specific Use Permit for a Private Club on one lot on 0.5± acre on the southwest corner of Main Street and Seventh Street. Zoned Original Town Commercial with a Specific Use Permit for a Private Club (S-13), for a Hotel/Motel (S-29) and for a Church (S-193). Neighborhood #20. SUP1993-0008. (Development Services/JE)

28. Consider and act upon adoption of an Ordinance rescinding Ordinance No. 96-10-08 granting a Specific Use Permit for a Hotel/Motel on one lot on 0.5± acre on the southwest corner of Main Street and Seventh Street. Zoned Original Town Commercial with a Specific Use Permit for a Private Club (S-13), for a Hotel/Motel (S-29) and for a Church (S-193). Neighborhood #20. SUP1996-0019. (Development Services/JE)

REGULAR AGENDA

29. Public Hearing: Zoning Case ZA10-0001, A request to amend Article III, Section 3, Subsection 5.05 – General Requirements of the Tollway Overlay District regarding requirements for gas pumps. (Development Services/MW)

30. Public Hearing: A request to amend the Comprehensive Zoning Ordinance

Article IV, Section 4, Subsection 4.07(A) Off-street Parking Requirements and Subsection 4.07(B) Stacking Requirements for Child Day Care Centers, and consider and act to direct staff to prepare an ordinance of the same. (Development Services/RC)

31. Public Hearing: A request to amend the Comprehensive Zoning Ordinance, Article I, Section 11, pertaining to Changes and Amendments to all Zoning Districts and Administrative Procedures. ZA10-0004. (Development Services/SI)

32. 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)

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

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

ADJOURN

CERTIFICATION

Henry J. 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, April 2, 2010 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.