REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034

4:30 PM

TUESDAY, NOVEMBER 02, 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 from City Attorney concerning legal issues regarding Exide and lead issues.
     - ii. Receive legal advice regarding the Sports Facility Lease Agreement dated January 24, 2008, by and between the City of Frisco, Texas (Lessor) and Sports Village Operating I, LLC (Lessee).
   - 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 Preston 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. Pancreatic Cancer Awareness Month

REPORTS

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

6. Library report on usage and programming activities

7. Engineering Services Monthly Report on Roads, Water, Sewer, Regional Meetings, and Traffic.

CITIZEN INPUT (to begin approximately at 5:30 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.)

8. Consider and act upon approval of the Minutes from the October 19, 2010 Regular City Council Meeting (CSO/JP)

9. 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)

10. Consider and act upon award of bid to UtiliTex Construction, LLP and act upon a Resolution authorizing the City Manager to execute a Standard Construction Contract for the Cottonwood Creek Sanitary Sewer Improvements (East of North County Rd., North of Cottonwood St.) Bid No. 1009 060 (Engineering/DLC)

11. 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 and Associates, Inc. to perform Design and Bid Package Preparation for FM 3537 (Main Street) Landscape and Irrigation Improvements

from SH 289 to FM 2478 (Preston Road to Custer Road) and SH 289 (Preston Road) Landscape, Irrigation, and Street Light Improvements from FM 3537 (Main Street) to US 380. (Engineering/JB)

12. Consider and act upon approving a resolution authorizing the City Manager to execute an agreement by and between the City of Frisco and Studio 13 Design Group, PLLC. for a Feasibility Study for a trail and bridge crossing along Cottonwood Creek from North County Road to Frisco Street. (Parks/JED)

13. Consider and act upon a resolution that authorizes the City Manager to execute a Novation Agreement with Jacobs for Architectural and Engineering Design Services for Grand Park-Phase One Development dated October 4, 2007 and Architectural and Engineering Design Services for Grand Park-Lake Development dated May 4, 2007 (Parks/DR)

14. Consider and Act upon ratifying an interlocal agreement by and between the City of Frisco and Frisco ISD for use and cost sharing of the lighting of the trail located at Ohio Drive and Wade Boulevard. (Parks/DR)

15. Consider and act upon a resolution authorizing the City Manager to execute an agreement by and between Landmark Surveyors LLC for survey work on multiple tracts of land as needed to prepare easements for various Hike and Bike Trail Projects. (Parks/WH)

16. Consider and act upon a resolution that authorizes the City Manager to execute an amendment to an Agreement with Jacobs Consulting Engineers for BF Phillips Community Park Phase 2. (Parks/DR)

17. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Professional Services Agreement with Freese and Nichols, Inc., for Hydrologic and Hydraulic Analysis for the design of Stonebrook Parkway (Legacy Drive to Longhorn Trail) (Engineering\EDM)

18. Consider and Act Upon Adoption of an Ordinance Amending Ordinance 10-09-41 Adopting the Revised Budget Figures and Proposed Budget for the Tax Incremental Reinvestment Zone Fund (TIRZ) Fiscal Year 2009-2010 and 2010-2011. (CMO/NL)

19. Consider and Act upon authorizing the City Manager to execute a Facilities Utilization Agreement between the City of Frisco and the Collin College Foundation for the use of the City Council Chambers and the City Room for the Collin College Foundation 2011 Collin Cabaret. (CSO/J Page)

20. Consider and act upon approval of a Resolution opposing plans by Oncor Electric Delivery Company, LLC, to construct electric transmission lines south of Lake Ray Roberts, relating to the competitive renewable energy zone (CREZ) project in Collin, Cooke, Denton, and Grayson Counties. (CMO/BB)

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.)

REGULAR AGENDA

21. Public Hearing: Specific Use Permit SUP10-0001. A request for a Specific Use Permit for a Private School on one lot on 28.3± acres on the north side of Academy Drive, 220± feet east of Legacy Drive, and consider and act to direct staff to prepare an ordinance of the same. Zoned Planned Development-96-Patio Home, Planned Development-167-Patio Home with a Specific Use Permit (S-121) for a Private School and Agriculture. Neighborhood #22. (Development Services/RC)

22. Consider and act upon adoption of an Ordinance for a Specific Use Permit to allow a Private School on one lot on 28.3± acres on the north side of Academy Drive, 220± feet east of Legacy Drive. Zoned Planned Development-96-Patio Home Planned Development-167-Patio Home with a Specific Use Permit (S-121) for a Private School, and Agriculture. Neighborhood #22. SUP10-0001. (Development Services/RC)

23. Consider and act upon a Resolution amending the Housing Authority Board Ordinance 01-10-72 and the corresponding Resolution 01-10-111(R) to include increasing the number of board members and providing for board member terms of office. (CMO/SB)

24. Discussion regarding how to proceed with a response to the Frisco Developers' Council Report. (CMO)

25. 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)

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

27. 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, October 29, 2010 at 4:30 PM 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.