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 16, 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 a possible amendment of the lease and development agreements with the Museum of the American Railroad.
     - ii. Receive legal advice from City Attorney concerning legal issues regarding Exide and lead issues.
     - iii. Receive legal advice regarding housing concerns raised by Inclusive Communities Project.
   - 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

REPORTS

4. Storm Water Book Mark Contest Winners

5. Development Services October 2010 Report on Building Inspection, Code Enforcement, Animal Control, development, and training activities

6. Financial Services Monthly Budget Status Report - September 2010 Preliminary

7. Public Works Report On Water Usage and Other Monthly Activities

8. Convention Bureau October report on activities, definite business booked and media valuations.

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

10. Police Department's report on crime statistics and response times for the month of October 2010.

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.)

11. Consider and act upon approval of the Minutes from the November 02, 2010 Regular City Council Meeting (CSO/JP)

12. Review and Acceptance of the Quarterly Investment Report for the period July 1, 2010 - September 30, 2010 (Financial Services/AC)

13. Review and Acceptance of the Annual Investment Report (Financial Services/AC)

14. Consider and act upon approval of a Resolution authorizing the City Manager to execute Amendment Number Two to the Professional Services Agreement by and between the City of Frisco and CH2M Hill for additional services relating to the design of Stonebrook Parkway Improvements (Dallas Parkway to Preston Road) and a 36-inch Water Transmission Main. (Engineering/AH)

15. Consider and act upon authorization for the City Manager to execute Change Order Number 1 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Mario Sinacola & Sons Excavating, Inc., for Rolater Road Improvements project (Independence Parkway to Custer Road). (Engineering/TN)

16. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Development Agreement by and between the City of Frisco and SCMC, LP, Jim Lee and Tomlin for the S.E.C. F.M. 423 & Old Newman Addition, Block A, Lots 1-14 (27.5440 acres) Offsite Sanitary Sewer Improvements (Engineering Services / JE).

17. 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 Garver, LLC for design and preparation of construction documents for Street Pavement Rehabilitation in Meadow Creek Subdivision and Polo Heights Drive (Engineering/AH)

18. Consider and Act Upon amendemnt number two to the agreement by and between the City of Frisco and Donna L. Dobberfuhl. (CMO/RO)

19. Consider and act upon a resolution authorizing the City Manager to execute an amendment to an agreement by and between Estrada Concrete for additional work needed along Lebanon and Warren Trail Infil Project. (Parks/DR)

20. Consider and Act Upon an Amendment to the Lease Agreement with the School of Rock LLC for Additional Space Located at 6827 Main Street. (CMO/NL)

21. Consider and act upon approval of a purchase order to 3M Company for the purchase of lane striping material to be used by the Traffic Division to re-stripe Dallas North Tollway service roads. (Public Workts/TJ)

22. Consider and act upon approval of a change order to OverDrive's Digital Library Reserve, Inc. for the purchase of additional digital media hosting and downloads services during the fiscal year 2011. (Library/TJ)

23. 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)

24. Consider and Act on a Resolution approving the terms and conditions of a grant application to the North Central Texas Council of Governments and Homeland

Security, Regional Emergency Preparedness Advisory Committee (REPAC) for funding the purchase of two Terminal Bridge/Gateways to enhance the City's P25 Radio System authorizing the submission of the grant application by the City Manager or his designee. (Police/GW)

25. Consider and act upon a Resolution authorizing the City Manager to execute an Agreement between the City and The Frisco Association for the Arts (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.)

26. Consider and act upon an Amendment to Ordinance 09-07-36 establishing maximum speed limits on city streets within the City of Frisco (Engineering/BM).

27. 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) (Tabled from 11/2/10)

REGULAR AGENDA

28. Public Hearing: Z10-0002 A request to rezone 12.2± acres on the north side of State Highway 121, 400± feet west of Legacy Drive from Highway to Planned Development-Retail/Office-2 and consider and act to direct staff to prepare an Ordinance of the same. Neighborhood #33. (Development Services/MW)

29. Public Hearing: Specific Use Permit SUP10-0004. A request for a Specific Use Permit for a Church and Parochial School on one lot on 24.3± acres on the northwest corner of Eldorado Parkway and Rogers Road, and consider and act to direct staff to prepare an ordinance of the same. Zoned Planned Development-71-Single-Family-4 with a Specific Use Permit (S-96) for a Church and Parochial School and a Specific Use Permit (S-102) for a Day Care. Neighborhood #10. (Development Services/JE)

30. 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 and consider and act to direct staff to prepare an Ordinance of the same. (Development Services/MW)

31. Consider and Act upon the appointment of an individual to serve on the Denton County Transportation Authority Board. (MM)

32. NCAA Football Championship Update. (MM)

33. 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)

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

35. 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, November 12, 2010 at 5:30 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.