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, JUNE 01, 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 petition filed by voters concerning the Arts Hall.
     - ii. Receive legal advice regarding EEOC Charge No. 846-2008-57107.
     - iii. Receive legal advice regarding the summary judgment granted the Plaintiff in Cause No. 2009-20183-158; Al Gibson, Contestant and Plaintiff vs. Mary Horn, Hugh Coleman, Ron Marchant, Bobbie J. Mitchell and Andy Eads, In Their Capacities as Denton County Judge and Commissioners of Denton County, Contestees and Defendants/Eric D. Stanley, Contestee Intervenor; In the 158th Judicial District Court of Denton County, Texas.

B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:

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. Deliberate regarding EEOC Charge No. 846-2008-57107.

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. Summer Reading Program (LIB)

5. Presentation of the Texas Municipal Courts Education Center 2010 Municipal Traffic Safety Award

REPORTS

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

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

8. Library report on usage and programming activities

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.)

9. Consider and act upon approval of the Minutes from the May 18, 2010 Regular City Council Meeting (CSO/JP)

10. Adoption of a Resolution approving the cost estimate provided by the Collin County Elections Administrator for the June 12, 2010 Runoff Election (CSO/JP)

11. Consider and act upon approval of a Resolution authorizing the City Manager to

execute a Master Agreement between the City of Frisco and Specialty Land Services, LLC. for on-call acquisition of property for easements and rights-of-way (Engineering/EDM)

12. 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 J&T Excavating for FM 2934 Turn Lanes. (Engineering/JB)

13. Consider and act upon authorization for the City Manager to execute Change Order No. 6 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Mario Sinacola and Sons, Excavating, Inc. for the construction of Independence Parkway (State Highway 121 to Main Street (FM 3537)). (Engineering/TF)

14. Consider and act upon award of bid to Estrada Concrete Company, LLC and act upon a Resolution authorizing the City Manager to execute the Construction Contract for the FM 2934 (Eldorado Parkway) Pedestrian Improvements (FM 423 to Dallas Parkway), Bid No. 1004 041 (Engineering/AH)

15. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number Three to the Professional Services Agreement by and between the City of Frisco and Kimley-Horn and Associates, Inc. for Additional Design Phase Services related to the Design, Bid Package Preparation and Construction Administration Services for the 2.5 million gallon Downtown Elevated Tank, 2.0 million gallon West Elevated Tank, and the Preston Road 24-inch Water Transmission Line. (Engineering\AH)

16. Consider and act upon authorization for the City Manager to execute Change Order Number Three to the AIA Standard Form Agreement, document A101-2007, for Construction Services by and between the City of Frisco and McCarthy Building Services, Inc., for Construction Services for the Frisco Municipal Center Parking Garage. (Engineering/BB)

17. Consider and act upon a resolution authorizing the City Manager to execute an amendment to the professional services agreement by and between the City of Frisco and Southwest Geoscience for oversight and project management for the completion of the closure of the Stewart Creek wastewater treatment plant. (Public Works/GH)

18. Consider and act on a resolution authorizing the City Manager to execute the Non-Exclusive Trademark License Agreement between the City of Frisco, Texas and TWH Collectibles, Inc. to build and sell replicas of the Frisco Fire Department Pierce Velocity HAL. (Fire Department)

19. Consider and act upon a resolution authorizing the City Manager to execute an agreement by and between the City of Frisco, Texas and Cellco Partnership, d/b/a Verizon Wireless for the installation, maintenance and operation by

Verizon Wireless of an in-building coverage system for use with Verizon Wireless Service pursuant to the agreement. (Fire/MB)

20. Consider and act upon authorization for the City Manager and Chief of Police to execute a Memorandum of Understanding and Interlocal Agreement between Collin County Sheriff's Office, City of Plano, City of McKinney, and City of Frisco regarding the BJA FY 2010 Byrne Justice Assistance Grant (JAG) program and formula award. (Police/GW)

21. Consider and act upon approval of a purchase order to Sigma Solutions, Inc., to renew yearly maintenance and support services with the City's primary data storage vendor, NetApp, through the State of Texas Department of Information Resources (DIR) contract. (IT/TJ)

22. Consider and act upon approval of a purchase order increase to GST Public Safety Supply, LLC for the purchase of additional firefighter uniforms during the fiscal year 2010. (Fire/TJ)

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.)

23. Consider and act upon adoption of an Ordinance amending the Comprehensive Zoning Ordinance Article I, Section 11, pertaining to Changes and Amendments to all Zoning Districts and Administrative Procedures. ZA10-0004. (Development Services/MW)

REGULAR AGENDA

24. Consider and act upon presentation of petition from registered voters hereby petitioning the City of Frisco to submit to the voters a referendum to revoke the authorization to sell the remaining $16.4 million in bonds for the Arts of Collin County, such referendum to be on the ballot at the general election on November 2, 2010.

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, May 28, 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.