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, FEBRUARY 15, 2011

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 proposed Indemnity Agreement with Racetrac Petroleum Inc.
     - ii. Receive legal advice from City Attorney concerning legal issues regarding Exide and lead issues.
     - iii. 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.

ii. 25.98 acres located West of Independence Parkway and South of the Harold H. Bacchus Community Park.

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. Eagle Scouts from Troop 216--Brad Bleggi, Nick Bleggi, Chase Buonanno, E.J. Burbage and Stephen Davis

REPORTS

5. Presentation of 2010 Young Heroes of the Guard Toy Drive.

6. FEDC report on 2010 Economic Development Accomplishments, New Jobs, Square Footage and Potential Capital Investment and report on Q1 FY11 Economic Development Accomplishments, New Jobs, Square Footage and Potential Capital Investment.

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

8. Library report on usage and programming activities

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

10. Convention & Visitors Bureau report on economic impact, in kind media and future bookings.

11. Development Services January 2011 Report on Building Inspection, Code Enforcement, Animal Control, development, and training activities

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

13. Fire Department Monthly Report on Incident Response and Educational Activities, January 2011.

14. Police Department's report on crime statistics and response times for the month of January 2011.

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.)

15. Consider and act upon approval of the Minutes from the February 1, 2011 Regular City Council Meeting and the February 1, 2011 Supplemental Agenda Meeting(CSO/JP)

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 Kimley-Horn and Associates, Inc., for design and preparation of construction documents for Legacy Elevated Water Tank. (Engineering/AH)

17. Consider and act upon approval of a Resolution in support of the Municipal Setting Designation application to the Texas Commission on Environmental Quality for the proposed QuikTrip Store No. 920, located at 101 FM 423 Little Elm, Texas. (Engineering/BB)

18. Consider and Act on a Resolution approving the submission of a grant application to the North Central Texas Council of Governments and the Office of the Governor, Criminal Justice Division for the funding under the Criminal Justice Grant Program for a portable Electronic Driving Simulator and authorizing the submission of the grant application by the City Manager or his designee. (Police/GW)

19. Consider and Act on a Resolution approving the submission of a grant application to the North Central Texas Council of Governments and the Office of the Governor, Criminal Justice Division for funding under the Criminal Justice Grant Program for two Hybrid Police Investigator vehicles and authorizing the submission of the grant application by the City Manager or his designee. (Police/GW)

20. Consider and Act on a Resolution approving the submission of a grant application to the North Central Texas Council of Governments and the Office of the Governor, Criminal Justice Division for funding under the Criminal Justice Grant Program for two LiveScan® digital fingerprint scanners and authorizing the submission of the grant application by the City Manager or his designee. (Police/GW)

21. Consider and act upon approving an Indemnity Agreement between the City of Frisco and Racetrac Petroleum, Inc. authorizing the City Manager to execute same. (CMO/RP)

22. Consider and act upon approval of purchase orders to ThyssenKrupp Elevator Corporation for the maintenance and repair of City elevators, and approval of a resolution authorizing the City Manager to execute agreements for these services. (Building Services/TJ)

23. Consider and act upon approval of a purchase order to RDO Equipment Company for the purchase of one (1) John Deere 240D LC excavator. (Public Works/TJ)

24. Consider and act upon award of request for qualifications 1008-059, Performance Contracting (Utility Conservation and Cost Reduction Services) to Schneider Electric Buildings Americas, Inc., and approval of a resolution authorizing the City Manager to execute agreements for these services. (Administrative Services/TJ)

25. Consider and act upon award of bid #1101-023, for Police Pursuit Sport Utility Vehicles to Holiday Chevrolet. (Police/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.)

REGULAR AGENDA

26. Public Hearing: Zoning Case Z10-0004, A request to amend Planned Development-202 regarding development standards and site layout and consider and act to direct staff to prepare an Ordinance of the same. The property contains 947.6± acres on the east side of FM 423 from Old Newman Road on the north to south of Lebanon Road. Zoned: Planned Development-202-Single- Family-3/Single Family-4/Single Family-5/Patio Home/Townhome/ Multifamily-2. Neighborhood Nos. 37, 38, and 42. Tabled: 2/1/11. (Development Services/MW)

27. Consider and act upon a Resolution requesting Orchard Economic Development Corporation (4B) to Finance a project within Frisco for Frisco Family Services. (CMO/RP)

28. Consider and Act Upon Approval of Amendment to Ordinance No. 10-09-41 Adopting the City of Frisco Fiscal Year 2011 Budget. (CMO/NL)

29. Consider and Act Upon Approval of Amendment to Ordinance No. 10-09-43 Adopting the City of Frisco Community Development Corporation (FCDC) Fiscal Year 2011 Budget. (CMO/NL)

30. Discuss and receive recommendations from the Election and Polling Locations Committee for polling locations for the May 2011 General Election. (CSO/JP)

31. Consider and act upon actions necessary for the May 14, 2011 General Election in the City of Frisco. (CSO/JP)
Considere y actúe sobre acciones necesarias para la Elección general en la Ciudad de Frisco el 14 de Mayo, 2011. (CSO/JP)

A. Consider and act on an Ordinance of the City Council of the City of Frisco, Texas, repealing Ordinance No. 03-02-04 and Ordinance No. 10-01-06 and designating six (6) election precincts for elections to be held in the City of Frisco, Texas; Providing for the Pre-Clearance and all necessary actions; and Providing for an effective date. (CSO/JP)

Considere y actúe sobre una Ordenanza del Ayuntamiento de la Ciudad de Frisco, Texas, revocando Ordenanza No.03-02-04 y la Ordenanza No.10-01-06 y designando seis (6) zonas de elección para elecciones que se convocarán en la Ciudad de Frisco, Texas; Proporcionando pre-consentimiento y todas otras acciones necesarias; y Proporcionando una fecha de vigencia. (CSO/JP)

B. Consider and act on a Resolution of the City Council of the City of Frisco, Texas, designating election day polling places within the election precincts within the City of Frisco, Texas for elections ordered; Providing for Pre-Clearance and all other necessary actions; and Providing an effective date. (CSO/JP)

Considere y actúe sobre una Resolución del Ayuntamiento de la Ciudad de Frisco, Texas, designando centros electorales de día de elecciones dentro de las zonas de elección dentro de la Ciudad de Frisco, Texas para elecciones ordenadas; Proporcionando pre-consentimiento y todas otras acciones necesarias; y Previendo una fecha de vigencia. (CSO/JP)

32. Discussion and possible action on rescheduling the March 15, 2011 Regular City Council Meeting.

33. Consider and Act Upon the Purchase of 25.98 acres located West of Independence Parkway and South of Harold H. Bacchus Community Park. (CMO)

34. 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)

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

36. 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, February 11, 2011 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.