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, OCTOBER 04, 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 from City Attorney concerning legal issues regarding Exide and lead issues.
      ii. Receive legal advice regarding housing concerns raised by Inclusive Communities Project.
      iii. Receive legal advice regarding the Cause No. 02-10-300CV in the case styled Mary Horn, Hugh Coleman, Ron Marchant, Bobbie J. Mitchell, and Andy Eads, in the Capacities as Denton County Judge and Commissioners of Denton County Texas v. Al Gibson, pending the 2nd District Court of Appeals at Ft. Worth, Texas.

iv. Receive legal advice regarding the Cause No. 2011-20779-158 in the case styled First Glendora Partners, LTD D/B/A Impact Outdoor Advertising Co. v. The City of Frisco, Texas and Steve Covington, Chief Building Official for the City of Frisco, Texas, pending the District Court, 158th Judicial District, Denton County, Texas.

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 Rd.

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. Library report on usage and programming activities

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

6. Engineering Services Monthly Report On Roads, Traffic, Water & 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.)

7. Consider and act on approval of the September 20, 2011 Regular City Council meeting and the September 20, 2011 Supplemental City Council meeting

minutes. (CSO/JP)

8. Consider and Act on a Resolution approving the acceptance of a grant from the US Department of Justice, Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) funded under the Byrne Memorial Competitive Grant and the Byrne Justice Assistance Grant Programs and authorizing the acceptance of the grant by the City Manager or his designee. (Police/GW)

9. Consider and act upon a Resolution authorizing the City Manager to execute a First Amendment to Sanitary Sewer, Lift Station and Water Line Construction and Escrow Agreement by and between the City of Frisco and Pulte Homes of Texas, LP, 423-Phillips Ranch, LTD., 720-120, LTD., LSR Development, INC., PCR Land Company, LLC, Z Professional Services, LLC, and Hexter-Fair Title Company for the construction of additional lift station improvements. (CMO\RP)

10. Consider and act upon approval of an Interlocal Agreement by and between the City of Frisco and the Town of Prosper for GIS Services and adoption of a Resolution authorizing the City Manager to execute the agreement. (IT/SO)

11. Consider and act upon award of bid to Durable Specialties, Inc., and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services to modify the Traffic Signal on Eldorado Parkway (FM 2934) at Teel Parkway (Bid No. 1108-064) (Engineering/BM).

12. 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 K. Hovnanian Homes – DFW, LLC for the construction of Panther Creek Parkway Paving & Sanitary Sewer Improvements. (Engineering/BB)

13. Consider and act upon approval of a purchase order to 3M Company for the purchase of sign sheeting to be used by the Public Works-Traffic Division during fiscal year 2012. (PW/TJ)

14. Consider and act upon approval of a purchase order to APAC-Texas Inc., for the purchase of hot mix asphalt concrete to be used by the Public Works-Street Division during fiscal year 2012. (PW/TJ)

15. Consider and act upon approval of a purchase order to HD Supply Waterworks for the purchase of water meters and water meter parts during fiscal year 2012. (PW/TJ)

16. Consider and act upon approval of a purchase order to Nortex Concrete Lift and Stabilization for pavement under-sealing and raising services during fiscal year 2012. (PW/TJ)

17. Consider and act upon approval of a purchase order to Vulcan Signs for the

purchase of sign blades and blanks to be used by Traffic Division during the fiscal year 2012. (PW/TJ)

18. Consider and act upon approval of a purchase order to Azteca Systems, Inc. for the purchase of annual update and software support for Cityworks asset management software for the Information Technology Department for FY 2012. (IT/TJ)

19. Consider and act upon approval of a purchase order to CRW Systems, Inc. for the purchase of TRAKiT, TRAKiT PDA, eTRAKiT and TRAKiT Sync annual updates and software support for fiscal year 2012. (IT/TJ)

20. Consider and act upon approval of purchase orders to Dell Marketing for purchase of office computers, MDCs and Servers, and continuation of the City's Microsoft Enterprise Agreement, through the State of Texas Department of Information Resources (DIR) contract during fiscal year 2012. (IT/TJ)

21. Consider and act upon approval of a purchase order with Baker and Taylor, Inc. for the purchase of Library materials during fiscal year 2012. (Library/TJ)

22. Consider and act upon approval of a purchase order with Book Wholesalers Incorporated, for the purchase of Library materials during fiscal year 2012. (Library/TJ)

23. Consider and act upon approval of a purchase order with Ingram Library Services Incorporated, for the purchase of Library materials during the fiscal year 2012. (Library/TJ)

24. Consider and act upon approval of purchase orders to OverDrive's Digital Library Reserve, Inc. for the purchase of digital media hosting and download services during fiscal year 2012. (Library/TJ)

25. Consider and act upon approval of a purchase order to the City of Carrollton for hardware repair and support for police vehicle make ready services during fiscal year 2012. (Police/TJ)

26. Consider and act upon approval of a purchase order for annual maintenance fees to Integrated Computer Systems, Inc. (ICS) for hardware and software support related to the Police Records Management System, Public Safety Computer Aided Dispatch System and the Public Safety Mobile Data Computer System for fiscal year 2012. (Police/TJ)

27. Consider and act upon approval of a purchase order to Motorola for the annual hardware and software support for the City of Frisco radio communications system for fiscal year 2012. (Police/TJ)

28. Consider and act upon approval of a purchase order to DCC, Inc. for the purchase of pool chemicals used at the Frisco Athletic Center for fiscal year 2012. (Parks/TJ)

29. Consider and act upon award of Bid #1107-054, Frisco Athletic Center Indoor and Outdoor Pool Re-plastering, to Petra Chemical Acquisition Corporation, d/b/a/ DCC, Inc. and approval of a resolution authorizing the City Manager to execute an agreement for these services. (Parks/TJ)

30. Consider and act upon approval of a purchase order with EMS Biocare, for Medical Control and Continuing Education for the Fire Department during fiscal year 2012. (Fire/TJ)

31. Consider and act upon approval of a purchase order to Hall-Mark Fire Apparatus, Inc. for the purchase of parts and service for the Frisco Fire Department's E-One fire trucks during the fiscal year 2012. (Fire/TJ)

32. Consider and act upon approval of a purchase order to Lion Apparel Corporation for fire bunker gear inspection and repairs for the Fire Department during FY 2012. (Fire/TJ)

33. Consider and act upon approval of a purchase order to Southern Tire Mart for the purchase of tires for the Frisco Fire Department's emergency vehicles for fiscal year 2012. (Fire/TJ)

34. Consider and act upon approval of a purchase order to Southwest International for the purchase of parts and service for the Frisco Fire Department's emergency vehicles during the fiscal year 2012. (Fire/TJ)

35. Consider and act upon award of Bid #1108-060, Annual Contract for EMS Medical Supplies, to Boundtree Medical, Henry Schein, Midwest Medical Supply Co., LLC and Quadmed Inc. for fiscal year 2012. (Fire/TJ)

36. Considre and act upon award of RFP #1104-044, Fire/Police Accidental Death and Dismemberment, Employee Assistance Program, Short Term Disability and Voluntary Plans, to The Standard for Police and Fire accidental death and dismemberment service, United Health Care for employee assistance program and UNUM for voluntary short term disability. (HR/TJ)

37. Consider and act upon approval of an agreement with Illumimax, LLC for services related to the design and operation of the holiday lighting of the exterior of the City Hall/Library facility. (Facilities/TJ)

38. 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 Subsection 6.19 of the Zoning Ordinance and/or Section 4.02 of the Subdivision

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)

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.)

39. Consider and act upon adoption of an Ordinance amending Planned Development-178 to allow additional residential units. The property contains 32.7± acres on the northwest corner of State Highway 121 and Legacy Drive. Zoned: Planned Development-178-Mixed Use. Neighborhood #33. (Development Services/MW)

REGULAR AGENDA

40. Public Hearing: Z11-0009. A request to rezone 27.2± acres from Retail to Planned Development-Retail/Patio Home and consider and act to direct staff to prepare an Ordinance of the same. The property is located on the north side of Old Newman Road, 600± feet east of FM 423. Zoned: Retail. Neighborhood #42. (Development Services/MW)

41. Consider and act upon a Resolution submitting a nominee(s) to the Denton Central Appraisal District Board and Casting the City's Votes for that Nominee(s). (CSO/JP)

42. Consider and act upon a Resolution submitting a Nominee(s) to the Collin Central Appraisal District Board and Casting the City's votes for that Nominee(s). (CSO/JP)

43. Mayor's appointment of one (1) member to the Housing Authority Board - Place 4 (tenant position) to the unexpired term ending on September 30, 2012. (CSO/JP)

44. Consider and act upon the appointment of one (1) member to the Downtown Advisory Board representing Place 1-Business/Property Owner for a term of two years ending on September 30, 2013. (CSO/JP)

45. Consider and act upon the appointment of one (1) member to the Convention & Visitors Bureau, Place 7, representing Downtown/Frisco Square Retail for a term of two years ending on September 30, 2013. (CSO/JP)

46. Consider and Act Upon Adoption of a Resolution Amending the Restated Articles of Incorporation of the Frisco Economic Development Corporation,

Article VI (Directors) and the Amended and Restated Bylaws of the Frisco Economic Development Corporation, Article II (Board of Directors), Section 1(b) (Powers, Number and Term of Office) to increase the members of the FEDC from five (5) to seven (7); providing for repealing, savings, and severability clauses; and providing for an effective date. (CSO/JP)

47. Consider and act on appointment of two new members to the Frisco Economic Development Corporation Board. (CSO/JP)

48. Discussion concerning the City of Frisco Over 65 Property Tax Exemption. (PF)

49. Consider and Act on the appointment of one (1) At-Large member for the Arts of Collin County (Arts Center of North Texas) (CMO).

50. Consider and Act on moving to Stage 3 of Frisco's Water Management - Drought Contingency and Water Emergency Response Plan (CMO)

51. Consider and Act on a Resolution expressing the City Council's appreciation for the military service of Council Member Timothy Nelson and finding that the City Council considers his necessary absence from Council Meetings during his deployment to be excused for the purposes of City Charter requirements. (PF)

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

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

ADJOURN

CERTIFICATION

Henry 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, September 30, 2011 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.