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 07, 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 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).
     - ii. Receive legal advice regarding Frisco's involvement in the Arts of Collin County and other legal issues related thereto.
     - 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 551.074. Personnel Matters: Section 551.074 authorizes certain deliberations about officers and employees of the governmental body to be held in executive session:
   i. Deliberation regarding the annual evaluation of George Purefoy (City Manager).

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. Recognition of Civil Air Patrol

5. Tamara Bouma, Girl Scout Gold Award

6. National Garden Week--Frisco Garden Club

INDIVIDUAL ITEMS

7. Present Certificates of Election and receive Statements of Elected Officials for Maher Maso, Tim Nelson, and Scott Johnson. (CSO/JP)

8. Issuance of Oaths of Office to Maher Maso, Mayor; Tim Nelson, City Council Place 5; and Scott Johnson, City Council Place 6 (CSO/JP)

9. Recess for a reception honoring outgoing City Council Member, Bart Crowder.

10. Reconvene into Regular Session after reception.

11. Consider and act upon nomination and election of Mayor Pro-Tem. (CSO/JP)

12. Consider and act upon nomination and election of Deputy Mayor Pro-Tem. (CSO/JP)

REPORTS

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

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

15. 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.)

16. Consider and act upon the approval of the May 17, 2011 Regular City Council meeting and the May 24, 2011 Special Council meeting minutes. (CSO/JP)

17. Consider and Act Upon Request for Noise Ordinance Variance from Texas Sterling Construction for night time paving operations on Stonebrook Parkway Phase I (Legacy Drive to Stonebrook Parkway Sta. 29+82) and Fighting Eagles Lane. (Engineering/DLC)

18. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Interlocal Agreement by and between the City of Frisco and Collin County to provide funding for the construction of Coit Road from Main Street to north of Eldorado Parkway. (Engineering/JB)

19. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Interlocal Agreement by and between the City of Frisco and Collin County to provide funding for the construction of Eldorado Parkway from Preston Road to Custer Road. (Engineering/JB)

20. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Advance Funding Agreement by and between the Texas Department of Transportation and the City of Frisco to provide funding for the construction of FM 3537 (Main Street) from Preston Road to Custer Road. (Engineering/JB)

21. Consider and act upon a Resolution authorizing the City Manager to execute a Partial Release of Water Easement at the southeast corner of Eldorado Parkway and Dallas North Tollway, granted by Robert Cobb and Charlene Cobb. (Engineering/PK)

22. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Kimley-Horn and Associates, Inc. to perform Design and Bid Package Preparation for Lebanon Road and Dallas North Tollway Intersection Modifications (Engineering/AH)

23. Consider and act upon award of bid to Jim Bowman Construction Company, L.P. and act upon a Resolution authorizing the City Manager to execute a

Standard Construction Contract for the Meadow Creek and Grayhawk Street Rehabilitation Project, Bid No. 1104-042 and authorizing construction phase contingencies (Engineering/AH)

24. Consider and act upon adoption of a Resolution authorizing the City Manager to establish procedures for acquiring by purchase or condemnation certain property for right-of-way and easements for the construction of and/or improvements to Independence Parkway from Main Street to northern City limits; appropriating funds; making offers; and providing for an effective date. (Engineering/TN)

25. Consider and Act upon a Resolution authorizing the City Manager to execute a Worksite Agreement between the City of Frisco and Workforce Solutions for North Central Texas for participating in the Youth Employment Program (CMO/SB).

26. Consider and Act upon a Resolution to accept a grant from Oncor for funds to implement energy efficient projects (CMO/SB).

27. Consider and Act on a Resolution approving the terms and conditions of a grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services, for funding of two (2) Patrol Officers, and authorizing the submission of the grant applications by the City Manager or his designee. (Police/GW)

28. Consider and act upon a Resolution adopting the Collin County Local Mitigation Strategy as the City of Frisco Hazard Mitigation Plan (FIRE / PS).

29. Consider and act upon approval of a Negotiated Resolution between the Steering Committee of Cities Served by Oncor and Oncor Electric Delivery Company LLC., regarding the company's application to increase electrical rates in all cities exercising original jurisdiction. (CMO/BB)

30. Consider and act upon approval of a purchase order to Paradigm Traffic Systems, Inc. for purchase of five (5) traffic signal video detection systems. (Engineering/TJ)

31. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Impact Fee Agreement by and between the City of Frisco and Celebration Covenant Church. (CMO/RP)

32. Consider and act upon approval of purchase orders to Lion Apparel Corporation for fire bunker gear inspection and repairs. (Fire/TJ)

33. Consider and act upon approval of the First Amendment to the tower site lease agreement between the City of Frisco and Dallas MTA, L.P. d/b/a Verizon Wireless , at 3385 Timber Ridge, and a resolution authorizing the City Manager to execute this amendment. (CMO/DF)

34. Consider and act upon approval of the Tower Site Lease Agreement at 3968 Parkwood between the City of Frisco and New Cingular Wireless PCS, LLC, and a resolution authorizing the City Manager to execute agreement. (CMO/DF)

35. Consider and Act Upon the Second Amendment to the Repurchase Agreement Between the City of Frisco and Zarky Development, LLC and Authorize the City Manager to Execute the Amendment. (CMO)

36. Consider and Act Upon Repealing Ordinance 08-08-76 concerning compensation for Council Place 5. (CMO)

37. 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)

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.)

38. Consider and act upon adoption of an Ordinance approving a Specific Use Permit for a Nursing/Convalescent Home on one lot on 4.9± acres on the south side of Lebanon Road, 1,700± feet west of Coit Road. Zoned: Highway. Neighborhood #28. (Development Services/MW)

39. Consider and act upon adoption of an Ordinance approving a Specific Use Permit for Automobile Sales/Leasing, New on 7.9± acres on the north side of State Highway 121, 1,200± feet west of Legacy Drive. Zoned: Planned Development-224-Retail/Office-2. Neighborhood #33. (Development Services/MW)

40. Consider and act upon adoption of an Ordinance amending Planned Development-156-Retail regarding development standards an update of the zoning exhibit, and an expansion of the boundaries of the Planned Development located on 60.4± acres on the southeast corner of Eldorado Parkway and Dallas Parkway. Zoned Planned Development-156-Retail, Industrial and Specific Use Permit (S-149) for a Big Box Retail Building. Neighborhood #46. (Development Services/SM)

41. Consider and act upon the adoption of an ordinance amending minor clerical errors in Chapter 70 (Sign Regulations) of the Frisco Code of Ordinances. (Development Services/GC)

REGULAR AGENDA

42. Zoning Case ZA10-0001, Discuss proposed amendments to Section 3.02.01, Conditional Development Standards of the Zoning Ordinance, regarding Convenience Stores with Gas Pumps within the Tollway Overlay District and consider and act to direct staff to prepare an Ordinance of the same. (Development Services/MW)

43. Consider and act upon extending the term dates of four (4) commissioners on the Planning & Zoning Commission. (CSO/JP)

44. Appointment of a Council Member to the Budget and Audit Committee. (CMO/NL)

45. Appointment of a Council Member to the Governance Committee (CMO/HH)

46. Consider Adoption of An Ordinance Authorizing the Issuance of General Obligation Refunding and Improvement Bonds, Series 2011; establishing procedures for the sale and delivery of the bonds; providing an effective date; and enacting other provisions relating to the subject. (CMO/NL)

47. Consider and Act Upon the City of Frisco's ownership in the Arts of Collin County.

48. Consider and act on rescheduling the Tuesday, June 21, 2011 Regular City Council Meeting to Thursday, June 23, 2011. (CSO/JP)

49. Consider and act upon rescheduling the Tuesday, August 2, 2011 Regular City Council Meeting to Monday, August 1, 2011. (CSO/JP)

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

51. 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, June 3, 2011 at 6:00 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.