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, MAY 03, 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 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).
     - iii. Receive legal advice regarding the Southwest General Services (SGS) contract for ambulance billing practices.
     - iv. Receive legal advice regarding Cause No. 4:11cv222; Brian Lynn v. The City of Frisco, Texas; In the United States District Court, Eastern District, Sherman Division.

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 Michael Drewry (City Judge).
   ii. Deliberation regarding the annual evaluation of Richard Abernathy (City Attorney).

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. Civility Awareness Month

5. Pippa Couvillion Retirement

REPORTS

6. Financial Services Budget Status Report for March 2011

7. Library report on usage and programming activities

8. FEDC report on Q2 FY11 Economic Development Accomplishments, New Jobs, Square Footage and Potential Capital Investment.

9. Monthly Report on Roads, Traffic, Water & Sewer Projects

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

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 on the approval of minutes from the April 19, 2011 Regular Council Meeting.

12. Consider and act upon approval of First Southwest Asset Management , Inc for Investment Advisory Services and adoption of a resolution authorizing the City Manager to execute the agreement. (Financial Services/AC)

13. Review and Accept the Quarterly Investment Report January 1, 2011 - March 31, 2011 (Financial Services/AC)

14. 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 Freese and Nichols, Inc., for design, bid package preparation, and construction administration services for the Fairways Lift Station Peak Flow Improvements (Engineering/AH)

15. 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 Kennedy Consulting, Ltd. to perform Design, Bid Package Preparation, and Construction Administration Services for Eldorado Parkway (Preston Road to Custer Road) (Engineering/JB).

16. Consider and act upon approval of a purchase order to Twincrest Technologies for the purchase of five (5) SmartSensor Matrix vehicle detection systems. (Engineering/TJ)

17. Consider and act upon adoption of a Resolution ratifying the City Manager's execution of a Standard Utility Agreement by and between the City of Frisco and the Texas Department of Transportation (TxDOT) to provide funding for the relocation of City of Frisco utilities on FM 3537 (Main Street) from SH 289 (Preston Road) to FM 2478 (Custer Road) (Engineering EDM)

18. Consider and Act upon the Repeal of Ordinance Number 80-12-02; the Adoption of an Ordinance to establish Fair Housing Practices in the City of Frisco; and the Creation of Chapter 55 in the Frisco Code of Ordinances.(CMO/SB)

19. 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.)

20. Consider and act upon adoption of an Ordinance amending Section 6 (Thoroughfare and Circulation Design Requirements) of the Engineering Design Standards & Construction Details; adding requirements for Traffic Impact Analysis and Mitigation. (Development Services/MW)

REGULAR AGENDA

21. Public Hearing: SUP11-0001. A request for 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 and consider and act to direct staff to prepare an Ordinance of the same. Zoned: Highway. Neighborhood #28. (Development Services/MW)

22. Public Hearing: SUP11-0002. A request for 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 and consider and act to direct staff to prepare and Ordinance of the same. Zoned: Planned Development-Retail/Office-2. Neighborhood #33. MW

23. Public Hearing: Z11-0001. An amendment to 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 and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-156-Retail, Industrial and Specific Use Permit (S-149) for a Big Box Retail Building. Neighborhood #46. (Development Services/SM)

24. Consider and Act Upon Request for Noise Ordinance Variance from Mario Sinacola for night time paving operations on Preston Road (Engineering/BM)

25. Consider and act upon award of RFP #1103-033, CM at Risk for Frisco Fire Station #7 to Core Construction Services of Texas, Inc. and approval of a resolution authorizing the City Manager to execute an agreement for these services. (Fire/TJ)

26. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Proposal by and between the City of Frisco and Alliance Geotechnical Group for Construction Materials Testing and Engineering Inspections Services for the Construction of Frisco Fire Station No. 7 (FIRE / MB)

27. Consider and Act Upon a Resolution to Award a Bank Depository Contract and Authorizing the City Manager or Director of Financial Services to execute the necessary contracts. (Financial Services/AC)

28. City Council discussion with City Staff concerning any actions required by City

Staff as a result of any item on tonight's agenda.

29. 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, April 29, 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.