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 18, 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 Cause No. 296-04045-2008 in the case styled RoughRiders Baseball Partners, LP v. HKS, Inc. and David Schwarz Architectural Services, P.C. pending in the 296th Judicial Court of Collin County, Texas.
     - ii. Receive legal advice regarding petition filed by voters concerning the Arts Hall if it is filed before the City Council meeting.
   - 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 Hillcrest Road
   - 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.

INDIVIDUAL ITEMS

4. Consider and act upon adoption of an Ordinance canvassing the May 8, 2010 Election and Calling for a Runoff Election for Place 4 (CSO/JP)

5. Present Certificate of Election and receive Statement of Elected Officials (J Cheney) (CSO/JP)

6. Issuance of the Oath of Office to Jeff Cheney, City Council, Place 2 (CSO/JP)

7. Consider and act upon nomination and election of Mayor Pro-Tem to serve until the runoff election on June 12, 2010

8. Consider and act upon nomination and election of Deputy Mayor Pro-Tem to serve until the runoff election on June 12, 2010

9. Consider and act upon the ordinance entering an order into the records of the City that the charter amendments are adopted. (CSO/JP)

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

10. Wakeland High School Varsity Boys Soccer Team -- State Champions

11. National Safe Boating Week

REPORTS

12. Mayor's Youth Council Presentation

13. Texas Association of Government Information Technology Managers (TAGITM) Annual Statewide Technology "Excellence Award" Presentation for SAFER to the City of Frisco and the Frisco Independent School District. (IT/CB)

14. Final Report of the 2010 Frisco Census Committee. (CMO/HH)

15. Presentation of the Government Finance Officers Association Distinguished Budget Award for the Fiscal Year Beginning October 1, 2009.

16. Financial Services Monthly Budget Status Report for April 2010

17. Convention & Visitors Bureau monthly report on definite bookings, projected economic impact and in-kind media values.

18. Fire Department Monthly Report on Incident Response and Educational Activities (FIRE)

19. Development Services April 2010 Report on Building Inspection, Code Enforcement, Animal Control, development, and training activities

20. Public Works Report on Water Usage and other Monthly Activities

21. Police Department's report on crime statistics and response times for the month of April 2010

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.)

22. Consider and act upon approval of the Minutes from the May 4, 2010 Regular City Council Meeting. (CSO/JP)

23. 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 Halff Associates, Inc. to perform Engineering Design Services for Teel Parkway (Eldorado Parkway to Freestone) (Engineering/JB).

24. Consider and act upon award of bid to Roadway Solutions, Inc., and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for a Traffic Signal on Teel Parkway at Purefoy Elementary School (Bid No. 1004-038) (Engineering/BM).

25. Consider and act upon approval of a Resolution authorizing the City Manager to execute Amendment Number One to Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc. for Professional Design and Engineering Services for the 20”/24” Water Improvements along the proposed TxDOT Right-of-Way for FM 3537, from State Highway 289 (Preston Road) to FM 2478 (Custer Road).(Engineering/DLC)

26. Consider and act upon authorization for the City Manager to execute Change Order Number 4 to the Standard Form Agreement for Construction Services by and between the City of Frisco and Tiseo Paving Company, for the construction of Eldorado Parkway (Dallas North Tollway to Preston Road) and Frisco Street (Eldorado Parkway to Newton Drive) (Engineering/JB).

27. Consider and act upon approval of an Enterprise Agreement renewal by and between the City of Frisco and Microsoft Licensing, GP and adoption of a Resolution authorizing the City Manager or his Designee to execute the agreement. (IT/TJ)

28. Consider and act upon approval of a purchase order with Envisionware Inc. for the purchase of a a new automated library circulation and security system based on radio frequency identification (RFID) technology, and adoption of a resolution authorizing the City Manager to execute an agreement for this system and related services. (Library/TJ)

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

30. Consider and act upon a Resolution authorizing the submission of the Shawnee Trail Partnership Grant to the Texas Historical Commission. (CMO/SB)

31. Consider and act upon a Resolution approving the terms and conditions of a grant application to the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, Paul Coverdell Forensic Science Improvement Grants Program and authorizing the submission of the grant application by the City Manager or his designee. (Police/GW)

32. Consider and act upon award of RFP #1010-006, Enterprise Discovery of Electronic Records Software to Mimosa Systems, Inc. and approval of a resolution authorizing the City Manager to execute an agreement for this software and services. (CSO/TJ)

33. Consider and act upon approval of a purchase order to Sigma Solutions, Inc. for the purchase of additional storage necessary for the implementation of the eDiscovery solution, through the State of Texas Department of Information Resources (DIR) contract. (IT/TJ)

34. Consider and act upon approval of a Resolution authorizing the City Manager to execute an Assignment of Agreement for assignment of the AIA Document B101 - 2007, Standard Form of Agreement Between Owner and Architect for professional services related to the adaptive reuse of the Frisco Community Development Corporation ("FCDC") building located at 8000 North Dallas Parkway to the FCDC. (CMO/RP)

35. Consider and act upon a Resolution authorizing the City Manager to execute an Air Monitoring Site Agreement with the Texas Commission on Environmental Quality. (CMO/RP)

36. Consider and Act Upon Purchase of Property along Main and Legacy.
    A. Consider and Act Upon a Resolution Approving an Assignment and

Assumption of Contract Between the City of Frisco, Texas and Shula Netzer, Trustee, for that certain Commercial Property Contract of Sale between Legacy Parkway, L.P. and Shula Netzer, Trustee, dated effective April 26, 2010 covering Lot 9, Block A of Legacy Crossing, Lots 2, 4, 7, 8 and 9, Block A, an Addition to the City of Frisco, Denton County, Texas according to the Plat thereof recorded in Cabinet Y, Page 483 of the Plat Records of Denton County, Texas, and the payment of consideration therefor and Ratifying the Actions of the City Manager on Behalf of the City of Frisco, Texas, Relating to the Execution of an Assignment and Assumption of Contract Between the City of Frisco, Texas and Shula Netzer, Trustee, for that certain Commercial Property Contract of Sale between Legacy Parkway, L.P. and Shula Netzer, Trustee, dated effective April 26, 2010 covering Lot 9, Block A of Legacy Crossing, Lots 2, 4, 7, 8 and 9, Block A, an Addition to the City of Frisco, Denton County, Texas according to the Plat thereof recorded in Cabinet Y, Page 483 of the Plat Records of Denton County, Texas, and the payment of consideration therefor.

B. Consider and Act Upon a Resolution Authorizing the City Manager to take all actions necessary to consummate the closing of that certain Commercial Property Contract of Sale between Legacy Parkway, L.P. and the City of Frisco, Texas, dated effective April 26, 2010 covering Lot 9, Block A of Legacy Crossing, Lots 2, 4, 7, 8 and 9, Block A, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet Y, Page 483 of the Plat Records of Denton County, Texas.

37. Consider and act upon approving the settlement of and authorize the City Manager to execute the settlement documents in Cause No. 4:09cv88; Black Lab Partnership Fund, Ltd. vs. City of Frisco; In the United States District Court, Eastern District of Texas, Sherman Division. (CAO/RA)

38. Consider and Act Upon a Resolution Authorizing the City Manager to Execute an Interlocal Agreement between the City of Frisco and the Town of Prosper for Municipal Court Deputy Clerk Staffing Services. (Financial Services/MF)

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

39. Consider and Act Upon the Appointment of one (1) individual to fill the vacancy on the North Texas Municipal Water District (NTMWD) Board with a term expiration date of May 31, 2012. (CMO/HH)

40. Consider and Act Upon Moving the Regular City Council meeting from

Tuesday, July 6, 2010 to Thursday, July 1, 20l0. (CMO/HH)

41. Consider and Act Upon Moving the Regular City Council meeting from Tuesday, August 3, 2010 to Wednesday, August 4, 2010 (CMO/HH)

42. 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)

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

44. 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 14, 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.