



**MEETING OF CITY COUNCIL
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034**

5:00 PM

TUESDAY, MARCH 19, 2019

ACTION SUMMARY

*The Action Summary Draft is designed to inform the public of the vote on action items of the most recent City Council Meeting. A more descriptive and complete draft will replace the Action Summary as soon as they are available. Please remember that this Action Summary is **ONLY** a draft and will not be final until approved at the next regularly scheduled City Council Meeting.*

CALL TO ORDER – 5:07 P.M.

1. ROLL CALL

Mayor	Jeff Cheney	Present
Mayor Pro-Tem	Shona Huffman	Absent
Deputy Mayor Pro-Tem	John Keating	Present
Council Member	Brian Livingston	Present
Council Member	Tim Nelson	Present
Council Member	Will Sowell	Present
Council Member	Bill Woodard	Present

Representing Staff: George Purefoy, City Manager; Henry Hill, Deputy City Manager; Nell Lange, Assistant City Manager; Ben Brezina, Assistant City Manager; Kristi Morrow, City Secretary; Richard Abernathy, City Attorney; Ryan Pittman, City Attorney; Department Directors, and other Staff members.

CLOSED SESSION

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit; **RECESSED AT 5:10 P.M.**

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 Exide cleanup/remediation of hazardous and non-hazardous waste.
- ii. Receive legal advice regarding Civil Action No. 4:17-cv-00311, Exide Technologies v. The City of Frisco, Frisco Economic Development Corporation and Frisco Community Development Corporation in the United States District Court for the Eastern District of Texas.
- iii. Receive legal advice regarding PUC Docket No. 46662 pending before the Public Utility Commission of Texas in the case styled Petition of the Cities of Garland, Mesquite, Plano and Richardson appealing the decision by North Texas Municipal Water District affecting wholesale water rates.
- iv. Receive legal advice regarding commercial antenna and support structure located on real property consisting of 21.6± acres on the east side of Teel Parkway, 600± feet north of Main Street, and a proposed ordinance of the City Council of the City of Frisco, Texas, amending Frisco's Zoning Ordinance, Ordinance No. 04-05-11, as amended, Sections 3.02.01 (Conditional Development Standards), 4.07.05 (Special Height Regulations), 6.15.01 (Specific Use Permit Regulations and Procedures), and 7.01 (Definitions), modifying certain regulations relating to antennas, stealth antennas, commercial antennas, and antenna support structures.
- v. Receive legal advice regarding Development Agreement between 505 Riverfront, Ltd. and the City of Frisco for the conveyance of certain property for parkland, the construction of certain park improvements and the payment of park fees related to the development of a 45.148± acre tract of land in the William G. Garvin Survey, Abstract No. 453, City of Frisco, Denton County, Texas, generally located east of Spring Creek Parkway, north of State Highway 121 and south of Town and Country Boulevard.

B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:

- i. South of Warren Parkway, north of SH 121, east of Legacy Drive and west of Preston Road.

- ii. South of US 380, east of FM 423, north of Panther Creek Parkway, and west of DNT.
 - 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. **RECONVENED AT 6:55 P.M. / NO ACTION TAKEN**

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

4. American Legion's 100th Anniversary & 5th Anniversary for Post 178
5. Imagine Beyond Foundation
6. La Hacienda Ranch's 25th Anniversary
7. Keith Siebert - Recognition for 20 Years of Service

REPORTS

8. Financial Services Budget Status Report for February 2019
9. Development Services Activity Monthly Update Report for month of February, 2019.
10. Police Department's crime statistics and response times for the month of February 2019.
11. Fire Department Monthly Report on Incident Response and Educational Activities, February 2019,
12. Visit Frisco February report on sales and marketing.
13. Council Subcommittee reports for current activities of the Legislative, Governance, Budget and Audit Committee, Frisco Square Management District, also including the Dallas Regional Mobility Commission, North Central Texas Emergency Preparedness Committee, Frisco Veterans Advisory Committee, Frisco Public Relations and Messaging Committee, North Texas Commission and Regional Transportation Council.

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.)

APPROVED ITEMS #14 and #16 – 29 / 5 – 0

PULLED ITEM #15 / 5 – 0

TABLED ITEM #15 TO APRIL 2, 2019/ 5 – 0

14. Consider and act upon the approval of minutes. (CSO/KM)
 - A. Consider and act upon the approval of the January 26, 2019 City Council Winter Work Session Minutes. (CSO/KM)
 - B. Consider and act upon the approval of the February 19, 2019 City Council Work Session Minutes. (CSO/KM)
 - C. Consider and act upon the approval of the February 19, 2019 Regular City Council Meeting Minutes. (CSO/KM)
 - D. Consider and act upon the approval of the March 5, 2019 City Council Work Session Minutes. (CSO/KM)
 - E. Consider and act upon the approval of the March 5, 2019 Regular City Council Meeting Minutes. (CSO/KM)
15. Consider and act upon authorizing the City Manager to execute a Development Agreement between 505 Riverfront, Ltd. and the City of Frisco for the conveyance of certain property for parkland, the construction of certain park improvements and the payment of park fees related to the development of a 45.148± acre tract of land in the William G. Garvin Survey, Abstract No. 453, City of Frisco, Denton County, Texas, generally located east of Spring Creek Parkway, north of State Highway 121 and south of Town and Country Boulevard (CMO) **TABLED ITEM #15 UNTIL 4/2/2019 CITY COUNCIL MEETING / 5 – 0**
16. Consider and act upon authorizing the City Manager to execute Amendment Number One to an Interlocal Cooperation Agreement between the North Central Texas Council Of Governments and the City of Frisco for Implementation of 511DFW/Waze Data Sharing Program (Engineering/BM)
17. Consider and act upon authorizing the City Manager to execute Amendment Number One to an Interlocal Cooperation Agreement between the North Central Texas Council Of Governments and the City of Frisco for Implementation of Traffic Signal Data Sharing Program (Engineering/BM)

18. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement between the City of Frisco and Kimley-Horn & Associates, Inc. for design and preparation of construction documents for Panther Creek Parkway (DNT to Preston Road). (Engineering/MM)
19. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Halff Associates, Inc. to perform design services for the Stewart Creek North Interceptor - Phase 4 (Conceptual) & 5 (Design) (Engineering/AH).
20. Consider and act upon authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Raba Kistner, Inc., for the intersection improvements on SH 289 from FM 3537 to Warren Parkway and SH 121 on Southbound Frontage Road at Ohio Drive project. (Engineering/TN)
21. Consider and act upon a Resolution authorizing the City Manager or Director of Financial Services to amend the authorized representatives for the City's TexPool Investment Accounts. (Financial Services/AC) **RESOLUTION 19-03-15R**
22. Consider and act upon a Resolution Authorizing the City Manager or Director of Financial Services to execute an Agreement for Arbitrage Rebate Compliance Services with Hilltop Securities Asset Management. (Financial Services/AC) **RESOLUTION 19-03-16R**
23. City Council consider and approve Ordinance to include new Safety Program policy, revised Tuition Assistance policy, and revised Employee Code of Conduct policy. (HR/LS) **ORDINANCE 19-03-15**
24. Consider and act upon approval of purchase orders with Bean Electrical for traffic signal and miscellaneous traffic construction services during FY 2019. (Engineering/DF)
25. Consider and act upon approval of a purchase order to Silsbee Ford for the purchase of one (1) pickup. (Administrative Services/DF)
26. Consider and act upon approval of purchase orders to Interspec, LLC, for the purchase of computerized irrigation control equipment. (Parks & Recreation/DF)
27. **Consider and act upon award of Competitive Sealed Bid #1901-032 Community Garden at Frisco Commons to Tierra Verde Turf and approval authorizing the City Manager to execute an agreement for these services. (Parks & Recreation/DF)**

28. Consider and act upon award of best value bid #1910-014 Community Parks Restroom Cleaning to Maxpro Enterprise and approval authorizing the City Manager to execute an agreement for these services. (Parks & Recreation/DF)
29. 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 & 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.)

APPROVED ITEMS #30 and #32 / 5 – 0

PULLED ITEM #31 / 5 – 0

TABLED ITEM #31 / 5 – 0

30. Consider and act upon an adoption of an Ordinance renaming Hollytree Lane to Roman Lane. Case No. STRE19-0001. (Development Services/JH)
ORDINANCE 19-03-16
31. Consider and act upon an adoption of Ordinances to repeal Ordinance Nos. 93-10-03 and 01-04-35 consisting of 215.1± acres on the southwest corner of Dallas Parkway and Warren Parkway ("Property"), to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended) and to rezone the Property from Planned Development-59-Business Center/Single Family to Planned Development, Planned Development-Office-2/Retail, and Single Family-12.5. Zoned Planned Development-59-Business Center/Single Family. Neighborhood #34. Zoning Case No. Z18-0018 (Development Services/JH) **TABLED UNTIL A FUTURE CITY COUNCIL MEETING 5 - 0**
32. Consider and act upon adoption of an Ordinance amending Code of Ordinance, Chapter 94 (Utilities), Article VI (Backflow Prevention), Division 2 (Backflow Prevention Assembly Requirements), Section 94-264 (Registration of Certified Backflow Prevention Assembly Testers). PW/LJ **ORDINANCE 19-03-17**

REGULAR AGENDA

33. Consider and Act Upon an Amendment to the Comprehensive Fee Ordinance Setting New Water Reuse Fees (Financial Services/JH) **APPROVED 5 – 0 / ORDINANCE 19-03-18**

34. Public Hearing: A request to repeal Ordinance No. 15-09-65 consisting of 308.0± acres on the east and west sides of Hollyhock Road, 800± feet south of US 380 ("Property"), to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended) and to rezone the Property from Planned Development-233-Single Family-8.5/Single Family-7/Patio Home to Planned Development-233-Single Family-8.5/Single Family-7/Patio Home and Single Family-8.5, and to consider to direct Staff to prepare Ordinances of the same. Zoned Planned Development-233-Single Family-8.5/Single Family-7/Patio Home. Neighborhoods #51 & 52. Zoning Case No. Z18-0020. (Development Services/JH) **APPROVED 5 – 0**
35. Public Hearing: A request to repeal Ordinance No. 17-06-48 consisting of 100.3± acres on the northwest corner of Dallas Parkway and Warren Parkway ("Property"), to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended) and to rezone the property from Planned Development-29-Office-2/Retail/Residential to Planned Development-29-Office-2/Retail/Residential to amend the Comprehensive Signage Package, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-29-Office-2/Retail/Residential. Neighborhood #31. Zoning Case No. Z18-0025 (Development Services/JH) **APPROVED 5 – 0**
36. Public Hearing: A request for a voluntary annexation consisting of Tract 1, consisting of 288.8114± acres, situated in the Collin County School Land Survey, Abstract No. 147, the Collin County School Land Survey, Abstract No. 148, and the John R. Hague Survey, Abstract No. 406, Collin County, Texas, and in the John R. Hague Survey, Abstract No. 1714, and the Edgar B. Hawkins Survey, Abstract No. 581, Denton County, Texas, Tract 2, consisting of 5.6281± acres, situated in the Collin County School Land Survey, Abstract No. 147, the Collin County School Land Survey, Abstract No. 148, the John R. Hague Survey, Abstract No. 406, Collin County, Texas, and Tract 3, consisting of 0.0586± acres situated in the Collin County School Land Survey, Abstract No. 148, Collin County, Texas at the intersection of the terminus of Mahard Parkway and Rockhill Road. Neighborhood #53. Annexation Case No. A19-0001. (Development Services/JH) **MAYOR JEFF CHENEY RECUSED HIMSELF FROM THIS ITEM. COUNCIL OPENED AND CLOSED PUBLIC HEARING. NO ACTION TAKEN.**
37. Public Hearing: A request for a Specific Use Permit for a Church on one lot on 15.6± acres on the southeast corner of Carroll Circle and Main Street and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-197-Original Town Commercial, and Single Family-7 with a Specific Use Permit (S-143) for a Church. Neighborhood #20. Specific Use Permit Case No. SUP18-0012. (Development Services/CM). **APPROVED 5 – 0**
38. An appeal of the Planning and Zoning Commission's denial of the applicant's request to install artificial turf in multiple areas of the development on 286 multifamily units on one lot on 4.6± acres on the northeast corner of Library Street and Page Street. Zoned Planned Development-153-Mixed. Neighborhood #21.

Substantially Conforming Site Plan Case No. SCSP18-0065. (Development Services/AL). **OPENED AND CLOSED PUBLIC HEARING AND TABLED UNTIL 9/17/2019 CITY COUNCIL MEETING. 5 - 0**

39. Public Hearing: To consider and approve the land use assumptions, capital improvements projects and the impact fee calculations and to consider to direct Staff to prepare Ordinance of the same. (Continued from March 5, 2019) **OPENED AND CLOSED PUBLIC HEARING. NO ACTION TAKEN.**
40. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.
ITEMS #15, #31, and #38 WERE TABLED
MAYOR JEFF CHENEY RECUSED HIMSELF FROM ITEM #36
41. Discussion on Governance Monitoring of present City Council Meeting.

ADJOURN – 9:08 P.M.

Please note these are preliminary results and are not official until approved at the next scheduled meeting. Approved/signed minutes are available at <https://agenda.friscotexas.gov/OnBaseAgendaOnline/>.