



**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, MAY 21, 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 – 5:13 P.M.**

**1. ROLL CALL**

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

Representing Staff: George Purefoy, City Manager; Henry Hill, Deputy City Manager; Nell Lange, Assistant City Manager; Ben Brezina, Assistant City Manager; Jason Cooley, Assistant to the 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 5:15 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 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.
    - ii. Consider and Act upon Authorizing the City Manager to Execute an Agreement with the City and the Frisco Association for the Arts.
  - B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
    - i. South of Main Street, north of Stonebrook Parkway, west of Preston Road, and east of Legacy Drive.
    - ii. South of Warren Parkway, north of SH 121, east of Legacy Drive, and west of Preston Road.
    - iii. South of US 380, east of FM 423, north of Panther Creek Parkway, and west of DNT.
  - 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. Discussion regarding the evaluation of City Manager George Purefoy.
  - 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. **RECONVENED AT 6:44 P.M. / NO ACTION TAKEN**

## INDIVIDUAL ITEMS

4. Issuance of the Statement of Elected Officer, Oath of Office, and Certificate of Election to Shona Huffman, City Council Place 2 and Bill Woodard, City Council Place 4. (CSO/KM)

**MAYOR JEFF CHENEY MOVED ON TO PRESENT PROCLAMATIONS.**

**AFTER PROCLAMATIONS WERE PRESENTED MAYOR CHENEY CONTINUED TO AGENDA ITEM #5.**

5. Consider and act upon the nomination and election of Mayor Pro-Tem. (CSO/KM)  
**COUNCIL MEMBER JOHN KEATING NOMINATED AS MAYOR PRO-TEM / APPROVED 6 – 0**
6. Consider and act upon the nomination and election of Deputy Mayor Pro-Tem. (CSO/KM)  
**COUNCIL MEMBER BILL WOODARD NOMINATED AS DEPUTY MAYOR PRO-TEM / APPROVED 6 – 0**

**CITY COUNCIL RECESSED FOR A SHORT CELEBRATION FOR THE NEWLY APPOINTED CITY COUNCIL MEMBERS AT 7:03 P.M.**

**CITY COUNCIL RECONVENED FROM THE CELEBRATION AT 7:24 P.M.**

**AFTER COUNCIL RECONVENED THEY CONTINUED TO THE REPORTS SECTION, AGENDA ITEM #10.**

### **INVOCATION**

### **PLEDGE OF ALLEGIANCE**

### **PROCLAMATIONS**

7. Denton County Master Gardener Association 30th Anniversary
8. Frisco High School Theatre Department State Recognition
9. Ramadan

### **REPORTS**

10. Visit Frisco April sales and marketing reports.
11. Police Department's crime statistics and response times for the month of April 2019.

12. Development Services Activity Monthly Update Report for the month of April 2019.
13. Fire Department Annual Report 2018 and Fire Department Monthly Report on Incident Response and Educational Activities, April 2019.
14. 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 #15 – 35 / 6 – 0**

15. Consider and act upon the approval of minutes. (CSO/KM)
  - A. Consider and act upon the approval of the May 7, 2019 Regular City Council Meeting Minutes. (CSO/KM)
  - B. Consider and act upon the approval of the May 14, 2019 Special Called City Council Meeting Minutes. (CSO/KM)
16. City Council consider and act upon approval of a Resolution to authorize the City to join with the Steering Committee of Cities Served by Oncor (“OCSC”) to evaluate the April 8, 2019 Oncor Electric Delivery Company filing to amend its Distribution Cost Recover Factor (“DCRF”) and determine whether the filing complies with law, and if lawful, determine what further strategy, including settlement, to pursue. (CMO/JC) **RESOLUTION 19-05-20R**
17. Consider and Act Upon Approval of a Resolution authorizing the City Manager to execute the First Amendment to the Tower Site Lease Agreement between the City of Frisco and Clear Wireless LLC., at 13770 Teel Parkway. (CMO/WH) **RESOLUTION 19-05-21R**
18. Consider and act upon authorizing the City Manager to execute a Master Agreement by and between the City of Frisco and Alan Plummer and Associates, Inc. for On-Call Professional Engineering Services, Contract Number 2019-017. (Engineering/MD)

19. Consider and act upon award of bid to Roadway Solutions, Inc., authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Installation of a Traffic Signal on FM 423 at Rockhill Parkway (Bid No. 1904-072). (Engineering/RC)
20. Consider and act upon award of bid to J.B. & Co. LLC., and authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for 2019 Sidewalk Improvements (Various Locations) (Bid No. 1903-057), and authorizing construction phase contingencies. (Engineering/MM)
21. Consider and act upon approval for the City Manager to execute Change Order Number 7 to the Standard Construction Contract by and between the City of Frisco and Flow-Line Construction, Inc. for Lebanon Road Improvements and Force Main. (Engineering/AH)
22. Consider and act upon approval for the City Manager to submit an application for the Texas State Library and Archives Commission (TSLAC) 2019 Interlibrary Loan (ILL) Reimbursement Grant. (Library/MD)
23. Consider and act upon approving the partnership with The Command Post non-profit organization for purposes of their organization applying for a grant through the U.S. Department of Justice to partner with the Frisco Police Department to develop an Officer wellness and resiliency program. (Police/DS)
24. Consider and act upon a Resolution approving the terms and conditions of a grant application to the North Central Texas Council of Governments and Homeland Security Urban Areas Security Initiative (UASI) for funding the purchase of police protective equipment and authorizing the submission of the grant application by the City Manager or his designee. **RESOLUTION 19-05-22R**
25. Consider and act upon award of Request for Proposal #1910-018 Procurement Card Program and E-Payment Solution to JPMorgan Chase Bank and approval authorizing the City Manager to execute an agreement for these services. (Administrative Services/DF)
26. Consider and act upon approval of purchase orders to Larson Associates USA, Inc., for Communication Tower Inspection, Maintenance and Repair during FY 2019. (Engineering/DF)
27. Consider and act upon approval of purchase orders to Johnston Technical Services for traffic signal communications equipment during FY 2019. (Engineering/DF)
28. Consider and act upon approval of purchase orders to Paradigm Traffic Systems for traffic signal equipment during FY 2019. (Engineering/DF)

29. Consider and act upon approval of purchase orders to Preferred Technology Solutions for traffic signal video equipment during FY 2019. (Engineering/DF)
30. Consider and act upon award of Request for Proposal #1901-034 Employee Benefits Concierge and Transparency Services to Alight Solutions, LLC., and approval authorizing the City Manager to execute an agreement for these services. (Human Resources/DF)
31. Consider and act upon award of competitive sealed bid #1904-070 Tactical Body Armor to Galls, LLC. (Police/DF)
32. Consider and act upon approval of a purchase order to Trinity Innovative Solutions for in-car video systems and body worn cameras. (Police/DF)
33. Consider and act upon approval authorizing the City Manager to execute a professional service agreement with RJN Group, Inc., to provide sanitary sewer system evaluation services. (Public Works/DF)
34. Consider and act upon approval authorizing the City Manager to execute a professional service agreement with Freese and Nichols, Inc., to perform an American Water Infrastructure Act Risk and Resiliency Assessment. (Public Works/DF)
35. 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 #36 - #37 / 6 – 0**

36. Consider and act upon adoption of an Ordinance amending Frisco's Code of Ordinance, Ordinance No. 06-03-31, as amended, Chapter 94 (Utilities), to add article IX (Water Wells); Regulating the construction and operation of water wells within the City of Frisco and in the Extraterritorial Jurisdiction (ETJ) of One Thousand Feet (1,000) of City Limits. (PW/LJ) **ORDINANCE 19-05-39**
37. Consider and act upon adoption of an Ordinance to amend Section 3.02 (Use Chart), 3.02.01 (Conditional Development Standards) and Section 7 (Definitions) of the Zoning Ordinance to allow Donation Boxes as a land use, to provide conditional development standards for Donation Boxes and to create the

Donation Box definition. Zoning Case No. ZA18-0003. (Development Services/MS) **ORDINANCE 19-05-40**

### **REGULAR AGENDA**

38. Public Hearing: A request for a Specific Use Permit for a Licensed Child-Care Center on one lot on 1.9± acres on the south side of Hickory Street, 500± feet east of Preston Road and to consider to direct Staff to prepare an Ordinance of the same. Zoned Commercial-1. Neighborhood #19. Specific Use Permit Case No. SUP18-0014. (Development Services/AL) **APPROVED 6 – 0**
  
39. Public Hearing: A request to rescind Specific Use Permit (S-45) for the operation of a Day Care Facility on two lots on 3.7± acres, on the west side of Coit Road, 530± feet south of Jereme Trail and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-19-Single Family-8.5/Single Family-7/Townhome/Office-1/Commercial-1 with Specific Use Permit for a Day Care Facility (S-45), and a Church (S-46). Neighborhood #25. Specific Use Permit Case No. SUP19-0001. (Development Services/AL) **APPROVED 6 – 0**
  
40. Public Hearing: A request to rescind Specific Use Permit (S-46) for the operation of a Church on three lots on 10.0± acres, on the southwest corner of Coit Road and Jereme Trail and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-19-Single Family-8.5/Single Family-7/Townhome/Office-1/Commercial-1 with a Specific Use Permit for a Day Care Facility (S-45), a Church (S-46), and a Church and Day Care Center (S-163). Neighborhood #25. Specific Use Permit Case No. SUP19-0006. (Development Services/AL) **APPROVED 6 – 0**
  
41. Public Hearing: A request to rezone 2.5± acres on the north side of Punjab Way, 540± feet west of Legacy Drive from Agricultural to Office-1 and to consider to direct Staff to prepare an Ordinance of the same. Zone Agricultural. Zoning Case No. Z19-0004. (Development Services/MS) **APPROVED 6 – 0**
  
42. Public Hearing: A request to update the Hike and Bike Master Plan and incorporate into the City's Comprehensive Plan, and to consider to direct Staff to prepare an Ordinance of the same. Comprehensive Plan Amendment No. CA19-0001. (Development Services/AS) **TABLED 5 – 1 / TABLED UNTIL AUGUST 6, 2019 REGULAR CITY COUNCIL MEETING**
  
43. Consider and Act upon Authorizing the City Manager to Execute an Agreement with the City and the Frisco Association for the Arts. (CMO) **APPROVED 6 – 0**
  
44. Consider and act upon authorizing the City Manager to execute a Chapter 380 Agreement by and between the City of Frisco and Living Spaces Furniture, LLC. (CMO/BB) **APPROVED 5 – 1**

45. Consider and act upon authorizing the City Manager to execute a Termination of Retail Development Agreement and Mutual Release by and between the City of Frisco and SEC 423/380 Ltd. (CMO/BB) **APPROVED 6 – 0**
46. Consider and act upon authorizing the City Manager to execute a Retail Development Agreement by and between the City of Frisco and SEC 423/380 Ltd. (CMO/BB) **APPROVED 6 – 0**
47. Consider and act upon appointments to Council Committees and Boards. (CSO/KM)

**THE FOLLOWING NOMINATIONS WERE MADE:**

**FRISCO SQUARE MANAGEMENT DISTRICT BOARD – JEFF CHENEY, SHONA HUFFMAN, AND JOHN KEATING**

**BUDGET AND AUDIT COMMITTEE – BRIAN LIVINGSTON, WILL SOWELL, AND BILL WOODARD**

**LEGISLATIVE COMMITTEE – SHONA HUFFMAN, BRIAN LIVINGSTON, AND WILL SOWELL**

**GOVERNANCE COMMITTEE – SHONA HUFFMAN, TIM NELSON, AND WILL SOWELL**

**AD HOC COMMITTEE FOR ARTS – SHONA HUFFMAN AND BILL WOODARD**

**FRISCO VETERANS ADVISORY COMMITTEE – JOHN KEATING, TIM NELSON, AND BILL WOODARD**

**DALLAS REGIONAL MOBILITY COALITION – JOHN KEATING**

**NORTH CENTRAL TEXAS EMERGENCY PREPAREDNESS COMMITTEE – TIM NELSON AND WILL SOWELL AS ALTERNATE**

**NORTH TEXAS COMMISSION – SHONA HUFFMAN**

**REGIONAL TRANSPORTATION COUNCIL – WILL SOWELL**

**SPORTS AND ENTERTAINMENT COMMITTEE / COMMUNICATIONS COMMITTEE – NO APPOINTMENTS MADE**

**APPROVED 6 – 0**

48. Consider and act on setting the Summer Work Session dates. (CMO) **APPROVED 6 – 0**



**CITY COUNCIL SUMMER WORK SESSION DATES:  
THURSDAY JUNE 27, 2019 AND SATURDAY JUNE 29, 2019.**

**CITY COUNCIL RECESSED INTO EXECUTIVE SESSION AT 9:22 P.M.**

**CITY COUNCIL RECONVENED FROM EXECUTIVE SESSION AT 9:57 P.M.  
NO ACTION WAS TAKEN AS A RESULT OF THE EXECUTIVE SESSION.**

49. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.  
**ITEM #42 WAS TABLED UNTIL REGULAR CITY COUNCIL MEETING  
AUGUST 6, 2019.**

**CITY COUNCIL WORK SESSION DATES CHANGED FROM JUNE 28<sup>TH</sup> AND  
JUNE 29<sup>TH</sup> TO JUNE 27<sup>TH</sup> AND JUNE 29<sup>TH</sup>.**

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

**ADJOURN – 9:58 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/>.*