



**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, SEPTEMBER 17, 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 – 5:14 P.M.

1. ROLL CALL

Mayor	Jeff Cheney	Present
Mayor Pro-Tem	John Keating	Present
Deputy Mayor Pro-Tem	Bill Woodard	Present
Council Member	Shona Huffman	Present
Council Member	Will Sowell	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; Julie Davidson, Assistant 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 5:16 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. Receive legal advice regarding the request to repeal Ordinance No. 15-08-57 consisting of 49.9± acres on the northwest corner of Dallas Parkway and John Hickman Parkway ("Property"), to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended) and to rezone the Property from Planned Development-248-Office-2/Retail/Residential to Planned Development-248-Office-2/Retail/Residential, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-248-Office-2/Retail/Residential. Neighborhood #31. Zoning Case No. Z19-0006.
 - B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
 - i. South of US380, north of Panther Creek Parkway, west of Preston Road, and east of FM423.
 - ii. South of Warren Parkway, north of SH 121, east of Legacy Drive, and west of Preston 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. **RECONVENED AT 7:16 P.M. / NO ACTION TAKEN**

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

4. Constitution Week
5. Pain Awareness Month

MAYOR CHENEY THEN MOVED TO CITIZEN INPUT.

REPORTS

6. Fire Department Monthly Report on incident response and educational activities for August 2019.
7. Police Department's crime statistics and response times for the month of August 2019.
8. Development Services Activity Monthly Update Report for the month of August 2019.
9. Financial Services Monthly Budget Status Report for August 2019.
10. Visit Frisco August sales and marketing reports, and July metrics report.
11. 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.)

AFTER CITIZEN INPUT, MAYOR CHENEY CONTINUED WITH AGENDA ITEM #6.

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 #12 – 29 / 6 – 0

12. Consider and act upon the approval of Minutes. (CSO/KM)
 - A. Consider and act upon the approval of the September 3, 2019 City Council Work Session Meeting Minutes. (CSO/KM)

- B. Consider and act upon the approval of the September 3, 2019 Regular City Council Meeting Minutes. (CSO/KM)
13. Consider and act upon approval of the attached reimbursement requests presented to the Mayor and Council Members. (CMO/HM)
 14. Consider and act upon authorizing the City Manager to execute a Release of Property from Agreement by and between the City of Frisco and Patriot Real Estate Holding MMPC, LLC and CADG Warren Parkway, LLC. (CMO/JC)
 15. Consider and act upon approval of an Ordinance for the Rate Review Mechanism (RRM) as a substitution for the annual interim rate adjustment process defined by section 104.301 of the Texas Utilities code and as negotiated between Atmos Energy Corp., Mid-Tex Division and the steering committee of cities served by Atmos. (CMO/JC) **ORDINANCE 19-09-72**
 16. Consider and act upon adoption of a Resolution approving a Local Project Advanced Funding Agreement by and between the City of Frisco and the Texas Department of Transportation to procure and install traffic detection equipment. (Engineering/CJ) **RESOLUTION 19-09-34R**
 17. 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 FNH Construction, LLC for construction services for the SH 289 (Preston Road) Intersection Improvements and SH 121 Turn Lane at Ohio Drive project. (Engineering/TN)
 18. Consider and act upon authorizing the City Manager to execute Amendment Number Two 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)
 19. Consider and act upon authorizing the City Manager to execute Amendment Number Two 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)
 20. Consider and act upon authorizing the City Manager to execute Amendment Number Two 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)
 21. Consider and act upon Reuse Water System Contract Renewal with FISD: Bledsoe Elementary and authorize the City Manager or designee to approve the contract. (Financial Services/BP)

22. Consider and act upon award of bid #1907-123 Roadway Lighting to Dealers Electrical Supply. (Administrative Services/DF)
23. Consider and act upon approval authorizing the City Manager to execute professional service agreements with Kimley-Horn to provide civil engineering services at the Frisco Public Safety Training Center. (CMO/DF)
24. Consider and act upon award of Request for Qualifications #1904-076 Cost Allocation Study to NewGen Strategies and Solutions and approval authorizing the City Manager to execute an agreement for these services. (Finance/DF)
25. Consider and act upon approval of a purchase order to Life Fitness for the purchase and installation of replacement cardio equipment for the Frisco Athletic Center. (Parks & Recreation/DF)
26. Consider and act upon approval authorizing the City Manager to execute a proposal with Armstrong Forensics for professional services related to controlled substance identification and blood alcohol concentration analysis. (Police/DF)
27. Consider and act upon award of RFQ #1905-085 Public Works Expansion to Randall Scott Architects, Inc. and approval authorizing the City Manager to execute an agreement for these services. (Public Works/DF)
28. Consider and act upon award of Request for Proposals #1906-108 Stream Gauge Data and Acquisition Project to High Sierra Electronics and approval authorizing the City Manager to execute an agreement for these services. (Public Works/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 – #32 / 6 – 0

30. Consider and act upon an adoption of Ordinances to repeal Ordinance No. 15-07-43 and amend Zoning Ordinance, Ordinance No. 11-04-09, as amended, to retain Specific Use Permit (S-256) for a Private Street development, Ordinance No. 16-06-47, and to repeal all other ordinances governing the zoning of that certain property described in Ordinance No. 15-07-43, generally located on the

east side of Coit Road, 1,910.0± feet south of Eldorado Parkway, and to rezone 55.3± acres of said property from Planned Development-6-Commercial-1/Retail/Multifamily-19/Single Family-8.5/Single Family-7 to Planned Development-6-Commercial-1/Retail, and to rezone the remainder of said property, consisting of 206.8± acres, to the corresponding Single Family-7 or Single Family-8.5 zoning district, respectively. Zoned Planned Development-6-Commercial-1/Retail/Multifamily-19/Single Family-8.5/Single Family-7 with a Specific Use Permit (S-45) for a Private Street Development. Neighborhood #14. Zoning Case No. Z18-0022. (Development Services/AM)

ORDINANCE 19-09-73 / 19-09-74

31. Consider and act upon an adoption of an Ordinance renaming Burnham Street to Oglethorpe Street. Case No. STRE19-0005. (Development Services/JH)
ORDINANCE 19-09-75
32. Consider and act upon an adoption of an Ordinance for an amendment to the Comprehensive Plan to update and include the Hike and Bike Master Plan within the City's Comprehensive Plan. Comprehensive Plan Amendment. CA19-0001. (Development Services/AS) **ORDINANCE 19-09-76**

REGULAR AGENDA

33. Public Hearing: A request to rezone 1.1± acres on the west side of Carroll Circle, 315± feet south of Main Street ("Property"), and to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended) and to rezone the Property from Single Family-7 and Multifamily-15 to Planned Development-Townhome. Zoned Single Family-7 and Multifamily-15 and to consider to direct Staff to prepare an Ordinance of the same. Zoning Case No. Z19-0003. (Development Services/MS)
APPROVED 6 – 0
34. Public Hearing: A request to repeal Ordinance No. 15-08-57 consisting of 49.9± acres on the northwest corner of Dallas Parkway and John Hickman Parkway ("Property"), to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended) and to rezone the Property from Planned Development-248-Office-2/Retail/Residential to Planned Development-248-Office-2/Retail/Residential, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-248-Office-2/Retail/Residential. Neighborhood #31. Zoning Case No. Z19-0006. (Development Services/JH) **APPROVED 6 – 0**
35. Public Hearing: A request to amend Ordinance No. 04-03-18 consisting of 4.1± acres on the east side of Dallas North Tollway, 350± feet north of Technology Drive ("Property"), to amend the Zoning Ordinance (Ordinance No.11-04-09, as amended) and to rezone the property from Commercial-1 to Office-2 and to consider to direct Staff to prepare an Ordinance of the same. Zoned Commercial-1. Neighborhood #46. Zoning Case No. Z19-0008. Tabled 8/6/19. (Development

Services/AL). **TABLED ITEM #35 UNTIL OCTOBER 15, 2019 CITY COUNCIL MEETING / 6 – 0**

36. An appeal of the Planning & Zoning Commission's denial of the applicant's request to install artificial turf in multiple areas on one lot on 4.6± acres on the northeast corner of Library Street and Page Street. Zoned Planned Development-153-Mixed. Neighborhood #21. AL. Substantially Conforming Site Plan Case No. SCSP18-0065. Tabled 3/19/19. (Development Services/AL) **TABLED ITEM #36 UNTIL JANUARY 7, 2020 CITY COUNCIL MEETING / 6 – 0**
37. Consider and act upon adoption of an Ordinance approving the Revised Budget figures for Fiscal Year 2018-2019 and adopting a budget and appropriating resources for the Frisco Community Development Corporation (FCDC) Budget year beginning October 1, 2019. (Financial Services/JH) **APPROVED 6 – 0 / ORDINANCE 19-09-77**
38. Consider and act upon adoption of an Ordinance approving the Revised Budget figures for Fiscal Year 2018-2019 and adopting a budget and appropriating resources for the Frisco Economic Development Corporation (FEDC) Budget Year Beginning October 1, 2019. (Financial Services/JH) **APPROVED 6 – 0 / ORDINANCE 19-09-78**
39. Consider and act upon adoption of an Ordinance approving the Revised Budget figures for Fiscal Year 2018-2019 and adopting a budget and appropriating resources for the City of Frisco Budget Year Beginning October 1, 2019. (Financial Services/JH) **APPROVED 6 – 0 / ORDINANCE 19-09-79**
40. Consider and act upon a Resolution of the City Council of the City of Frisco, Texas, ratifying the property tax revenue in the 2019-2020 Budget as a result of the City receiving more revenues from property taxes in the 2019-2020 Budget than in the previous Fiscal Year. (Financial Services/JH) **APPROVED 6 – 0 / RESOLUTION 19-09-35R**
41. Consider and act upon adoption of an Ordinance levying the Tax Rate for the City of Frisco, Texas for the Tax Year 2019 and Fiscal Year 2020. (Financial Services/JH) **APPROVED 6 – 0 / ORDINANCE 19-09-80**
42. Consider and act upon an Amendment to the Master Fee Ordinance setting new rates for Water and Sanitary Sewer Service Fees and Solid Waste Collection Fees. (Financial Services/JH) **APPROVED 6 – 0 / 19-09-81**
43. Consider and act upon the appointment of four (4) members (Places 1, 3, 4 - FISC Representative, and 6) to the Frisco Economic Development Corporation Board of Directors for the following terms: Place 1 and Place 3 for a term of three (3) years beginning October 1, 2019 and ending September 30, 2022. Place 4-

FISD Representative and Place 6 for a term of 2 years beginning October 1, 2019 and ending on September 30, 2021. (CSO/KM) **APPROVED 6 – 0**

PLACE 1: GARY CARLEY
PLACE 3: RICK FLETCHER
PLACE 4: JOHN CLASSE
PLACE 6: SHANNA KEAVENY

44. Consider and act upon the appointment of five (5) regular members (Places 1, 3, 5, 6, and 7) to the Frisco Community Development Corporation Board of Directors for the following terms: Place 1 for a term of one (1) year beginning October 1, 2019 and ending September 30, 2020. Place 3 for a term of two (2) years beginning October 1, 2019 and ending September 30, 2021. Place 5, 6, and 7 for a term of three (3) years beginning on October 1, 2019 and ending September 30, 2022. (CSO/KM) **APPROVED 6 – 0**

PLACE 1: KHUSHBOO RAWLLEY
PLACE 3: KAREN CUNNINGHAM
PLACE 5: ED SZCZEBAK
PLACE 6: CHAD BRUBAKER
PLACE 7: ED MAHONEY

45. Consider and act upon the appointment of two (2) members (Places 6 and 7) to the Planning and Zoning Commission for a term of three (3) years each beginning on October 1, 2019 and ending on September 30, 2022. (CSO/KM) **APPROVED 6 – 0**

PLACE 6: DAVID BOX
PLACE 7: JON KENDALL

46. Consider and act upon the appointment of four (4) members (Places 1, 3, 5, and 7) to the Parks and Recreation Board for a term of two (2) years each beginning October 1, 2019 and ending September 30, 2021. (CSO/KM) **APPROVED 6 – 0**

PLACE 1: SHANE GILMORE
PLACE 3: DUSTIN PASCHAL
PLACE 5: CHRISTOPHER FIELDS
PLACE 7: DONNA-MARIE SCHMITTLER

47. Consider and act upon the appointment of three (3) regular members (Places 1, 3, and 5) and one (1) Alternate member (Place 7 - Alternate #2) to the Board of Adjustment/Construction Board of Appeals for a term of two (2) years each beginning on October 1, 2019 and ending on September 30, 2021. (CSO/KM) **APPROVED 6 – 0**

PLACE 1: BREA GATES

PLACE 3: LOREN HUMPHREY
PLACE 5: CARL KIST
PLACE 7- ALTERNATE #2: WARREN RUIZ

48. Consider and act upon the appointment of six (6) members to the Convention and Visitors Bureau – Visit Frisco board, representing the following sectors: Place 1 - Hotel 1; Place 3 - At Large; Place 5 – Retail; Place 7 – Frisco Square; Place 9 – Chamber Representative; and Place 11 - Ex Officio; for a term of two (2) years each beginning on October 1, 2019 and ending on September 30, 2021. (CSO/KM) **APPROVED 6 – 0**

PLACE 1: JEFF SMITH
PLACE 3: JASON YOUNG
PLACE 5: JENNIFER GUSTAFSON
PLACE 7: ROD SCHAEFER
PLACE 9: CHRISTAL HOWARD
PLACE 11: THOR ANDERSON

49. Consider and act upon the appointment of four (4) members to the Downtown Advisory Board representing: Place 1 - Business/Property; Place 3 – Business/Property; Place 5 – At Large; and Place 7 - At Large for a term of two (2) years beginning on October 1, 2019 and ending on September 30, 2021. (CSO/KM) **APPROVED 6 – 0**

PLACE 1: MATTHEW CALLOWAY
PLACE 3: RICHARD GALVAN
PLACE 5: RANDY ARCHAMBAULT
PLACE 7: BRAD SHARP

50. Mayor's appointment of three (3) members (Places 1, 3 and 5) to the Frisco Housing Authority Board for a term of two (2) years each beginning October 1, 2019 and ending on September 30, 2021. (CSO/KM)

PLACE 1: FRED LUSK
PLACE 3: LEE MYRBEN
PLACE 5: DENNIE FRANKLIN

51. Consider and act upon the appointment of four (4) members (Places 1, 3, 5, and 7) to the Frisco Public Art Board for a term of two (2) years each beginning on October 1, 2019 and ending on September 30, 2021. (CSO/KM)
APPROVED 6 – 0

PLACE 1: AMY HARDIN
PLACE 3: LAVERNE FORWARK
PLACE 5: ROBERT MOROCH
PLACE 7: CAROLE GILMORE

52. Consider and act upon the appointment of four (4) members (Places 1, 3, 5, and 7) to the Frisco Social Services and Housing Board for a term of two (2) years each beginning on October 1, 2019 and ending on September 30, 2021. (CSO/KM) **APPROVED 6 – 0**

**PLACE 1: BRIAN THOMSON
PLACE 3: SADAF HAQ
PLACE 5: SHAWNNA DANCER
PLACE 7: CHRIS KING**

53. Consider and act upon the appointment of four (4) members (Places 1, 3, 5, and 7) to the Urban Forestry Board for a term of two (2) years each beginning on October 1, 2019 and ending on September 30, 2021. (CSO/KM) **APPROVED 6 – 0**

**PLACE 1: AJAY VONKAREY
PLACE 3: HAL DEATHERAGE
PLACE 5: RICK TRAVIS
PLACE 7: STEPHANIE CLEVELAND**

54. Consider and act upon a Resolution nominating a member or members to be placed on the ballot to serve on the Collin Central Appraisal District Board beginning January 1, 2020 for a term of two (2) years. (CSO/KM) **APPROVED 6 – 0 / RESOLUTION 19-09-36R**

RON CARLISLE WAS NOMINATED

55. Consider and act upon a Resolution nominating a member or members to be placed on the ballot to serve on the Denton Central Appraisal District Board beginning January 1, 2020 for a term of two (2) years. (CSO/KM) **APPROVED 6 – 0 / RESOLUTION 19-09-37R**

DAVID TERRE WAS NOMINATED

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

BOA APPOINTMENTS TO PLACE 6-ALTERNATE 1 AND PLACE 8-ALTERNATE 3 WILL TAKE PLACE AT THE OCTOBER 1, 2019 CITY COUNCIL MEETING.

ITEM #35 WAS TABLED UNTIL OCTOBER 15, 2019 CITY COUNCIL MEETING.

ITEM #36 WAS TABLED UNTIL JANUARY 7, 2020 CITY COUNCIL MEETING.

DISCUSSIONS WITH STAFF REGARDING PETLAND STRATEGY.

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

ADJOURN – 8:53 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/>.