



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 3, 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 – 5:15 P.M.**

1. ROLL CALL

Mayor	Jeff Cheney	Present
Mayor Pro-Tem	John Keating	Absent
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; 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 5:18 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 Zoning Ordinance application to façade of retail store located at 7744 State Highway 121, Frisco, TX 75034.
    - ii. Receive legal advice regarding platting and zoning issues concerning all or a portion of the real property consisting of 734.8± acres located on the north and south sides of Main Street between Independence Parkway and Custer Road, interpretation of a development agreement dated May 10, 2002 concerning the property and application of parkland dedication ordinance to all or a portion of the property.
    - 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 a request to rezone 16.3± acres from Agricultural to Retail and 641.0± acres from Agricultural, Single Family-10, and Single Family-8.5 to Office-2 on the east side of Teel Parkway, 1,370± feet south of US 380. Zoned Agricultural, Single Family-10, and Single Family-8.5 and to consider to direct Staff to prepare an Ordinance of the same. Zoning Case No. Z19-0014.
  - 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 6:55 P.M. / NO ACTION TAKEN**

### **INVOCATION**

### **PLEDGE OF ALLEGIANCE**

### **PROCLAMATIONS**

4. Boys Statesman Day
5. Trey Stout - Recognition for 20 Years of Service
6. Brian Jetton - Recognition for 20 Years of Service
7. Jim Moore - Recognition for 20 Years of Service

### **REPORTS**

#### **MAYOR JEFF CHENEY BEGAN THE MEETING WITH ITEM #9**

8. Public Works and Engineering report on activities related to roadways, traffic control and transportation, stormwater drainage, water and wastewater, and solid waste collection.

#### **MAYOR CHENEY THEN PROCEEDED TO CITIZEN INPUT.**

9. Library Monthly Report regarding Library statistics and activities.

#### **MAYOR JEFF CHENEY THEN RETURNED TO ITEM #8.**

10. Parks and Recreation Monthly Report regarding park and trail development, facilities, special events, and youth development.
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 RETURNED TO AGENDA ITEM #10.**

## 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 – 30 / 5 – 0**

12. Consider and act upon the approval of Minutes. (CSO/KM)
  - A. Consider and act upon the approval of the August 20, 2019 City Council Work Session Meeting Minutes. (CSO/KM)
  - B. Consider and act upon the approval of the August 20, 2019 Regular City Council Meeting Minutes. (CSO/KM)
  - C. Consider and act upon the approval of the August 27, 2019 Special Called City Council Meeting Minutes. (CSO/KM)
13. Consider and act upon authorizing the City Manager to execute a license agreement by and between the City of Frisco and the North Texas Tollway Authority for the Six Cities Hike and Bike Trail. (Engineering/PK)
14. Consider and act upon adoption of a Resolution and execution of an Interlocal Cooperation Agreement by and between Denton County and the City of Frisco to provide construction funding for Legacy Drive from Rockhill Parkway to US 380. (Engineering/JB) **RESOLUTION 19-09-31R**
15. 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 conceptual design documents for Downtown Street Improvements and Plaza – Phase 1. (Engineering/MM)
16. Consider and act upon approval for the City Manager to execute Change Order Number 2 to the Standard Construction Contract by and between the City of Frisco and Roadway Solutions, Inc. for construction services for traffic signal installation at FM 423 and Rockhill Parkway. (Engineering/RC)
17. Consider and act upon award of bid to Tiseo Paving Company and authorizing the City Manager to execute a Standard Construction Contract for North Teel Parkway from Rockhill Parkway to US 380 and Rockhill Parkway from Dakotah Road to North Teel Parkway (Bid No. 1905-095) and authorizing construction phase contingencies. (Engineering/TN)
18. Consider and act upon authorizing the City Manager to execute four Mitigation Credit Sales Agreements for Individual Permit (SWF-2019-00111) and (SWF-2019-00206) mitigation by and between the City of Frisco and the Bunker Sands, Bill Moore, and Mill Branch Mitigation Banks for construction of the Rockhill

Parkway, from Mahard Parkway to North Teel Parkway, and Legacy Drive, from Rockhill Parkway to US 380, projects. (Engineering/TN)

19. 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 Cobb, Fendley & Associates, Inc. to perform design and bid package preparation for Legacy Drive from Rockhill Parkway to US 380. (Engineering/TN)
20. Consider and act upon a Resolution approving the Fiscal Year 2020 City of Frisco General Fund, Social Services Grant Allocations. (Financial Services/JH)  
**RESOLUTION 19-09-32R**
21. Consider and act upon a Resolution to accept a Texas State Library and Archives Commission Special Projects Continuation Grant of up to \$75,000 for the purchase of a customized Community Engagement Van allowing the library to further expand services into the community. (Library/MD)  
**RESOLUTION 19-09-33R**
22. Consider and act upon authorization for the City Manager and Chief of Police to execute a Memorandum of Understanding and Interlocal Agreement between Collin County Sheriff's Office, City of Plano, City of McKinney, and City of Frisco regarding the BJA FY 2020 Byrne Justice Assistance Grant (JAG) program and formula award. (Police/GW)
23. Consider and act upon approval of a purchase order to Carrier Corporation for the purchase and installation of HVAC equipment at City Hall. (Administrative Services/DF)
24. Consider and act upon approval of a purchase order to Siddons-Martin Emergency Group for the purchase of one (1) Pierce Custom Velocity Pumper. (Fire/DF)
25. Consider and act upon ratification of purchase orders to The Harbeck Company, Inc. for employee assessment programs during FY 2019. (HR/DF)
26. Consider and act upon approval of a purchase order to Netsync Network Solutions for redundant network management appliances related to disaster recovery. (IT/DF)
27. Consider and act upon approval of a purchase order to Axon Enterprise for the purchase of conductive electrical weapons. (Police/DF)
28. Consider and act upon award of Competitive Sealed Bid #1906-104 Remote-Controlled Low-Profile Loader to Hard-Line USA. (Public Works/DF)

29. Consider and act upon approval of a purchase order to Marathon Fitness for the purchase and installation of cardio and strength equipment for The Grove at Frisco Commons. (Parks and Recreation/DF)
30. 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 ITEM #31 / 5 – 0**

31. Consider and act upon adoption of an Ordinance for a Specific Use Permit for a Church on one lot on 14.2± acres on the northwest corner of Briar Ridge Road and Eldorado Parkway. Zoned Agricultural. Neighborhood #22. (Development Services/AM) **ORDINANCE 19-09-71**

### **REGULAR AGENDA**

32. Public Hearing: Second Public Hearing on the City of Frisco Fiscal Year 2020 Annual Budget, including the Frisco Economic Development Corporation Fiscal Year 2020 Budget and the Frisco Community Development Corporation Fiscal Year 2020 Budget. (Financial Services/JH) **PUBLIC HEARING HELD**
33. Public Hearing: Second Public Hearing on the City of Frisco Proposed FY20 Tax Rate. (Financial Services/JH) **PUBLIC HEARING HELD**
34. Public Hearing: A request to rezone 16.3± acres from Agricultural to Retail and 641.0± acres from Agricultural, Single Family-10, and Single Family-8.5 to Office-2 on the east side of Teel Parkway, 1,370± feet south of US 380. Zoned Agricultural, Single Family-10, and Single Family-8.5 and to consider to direct Staff to prepare an Ordinance of the same. Zoning Case No. Z19-0014. (Development Services/MS) **MAYOR JEFF CHENEY RECUSED HIMSELF FROM THIS ITEM / TABLED ITEM #34 UNTIL OCTOBER 15, 2019 CITY COUNCIL MEETING / 4 – 0**
35. Public Hearing: A request to amend the Zoning Ordinance Section 7.01, Definitions; 3.02.01, Conditional Development Standards; 4.07.04, Special Height Regulations; 4.07.07, Radio, Television and Microwave Towers; 6.15.01, Specific Use Permit Regulations and Procedures; 6.19.02, Appeal of a Denial of an Unlisted Commercial Stealth Antenna; and other Zoning Ordinance

amendments applicable to cell towers and to consider to direct Staff to prepare an Ordinance of the same. Zoning Case No. ZA19-0002. (Development Services/MS) **APPROVED 5 – 0**

36. Public Hearing: A request to amend the Zoning Ordinance Section 4.06.03, Garage Apartment or Guest House and Section 7, Definitions and to consider to direct Staff to prepare an Ordinance of the same. Zoning Case No. ZA19-0003. (Development Services/MS) **APPROVED 5 – 0**
37. Public Hearing: A request to rescind Specific Use Permit (S-54) for a Mini-Warehouse on one lot on 4.3± acres on the west side of Taft Powell Road, 750± feet south of Main Street and to consider to direct Staff to prepare an Ordinance of the same. Zoned Commercial-1 with a Specific Use Permit (S-54) for a Mini-Warehouse. Neighborhood #18. Specific Use Permit Case No. SUP19-0020. (Development Services/AL) **APPROVED 5 – 0**
38. Public Hearing: A request to repeal Ordinance No. 97-05-16 consisting of 7.7± acres on the northeast corner of Old Lebanon Road and Lebanon Road ("Property"), to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended) and to rezone the Property from Planned Development-69-Commercial-1 to Retail and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-69-Commercial-1. Neighborhood #23. Zoning Case No. Z19-0011. (Development Services/AL) **APPROVED 5 – 0**

**CITY COUNCIL RECESSED INTO CLOSED SESSION AT 8:30 P.M., IN COMPLIANCE WITH SECTION 551.071 ET. SEQ. TEXAS GOVERNMENT CODE, TO WIT.**

**CITY COUNCIL RECONVENED INTO REGULAR SESSION AT 8:41 P.M. / NO ACTION WAS TAKEN.**

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

**ITEM #34 WAS TABLED UNTIL OCTOBER 15, 2019 CITY COUNCIL MEETING.**

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

**ADJOURN – 8:49 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/>.*