



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, AUGUST 6, 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 – 5:01 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; 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 5:03 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 update on development-related legislation adopted during the 86th Texas Legislative Session.
 - ii. 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.
 - iii. 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.
 - B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
 - i. South of Eldorado Parkway, 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 US380, north of Panther Creek Parkway, west of Preston Road, east of FM423.
 - 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 7:13 P.M. / NO ACTION TAKEN**

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

MAYOR CHENEY STARTED WITH AGENDA ITEM #5 AND THEN CONTINUED TO AGENDA ITEM #4.

4. Jason Jenkins - Recognition for 20 Years of Service
5. National Korean War Veterans Armistice Day

REPORTS

6. Beth Ann Unger - recipient of the Rick Moore Award.

MAYOR JEFF CHENEY THEN PROCEEDED TO CITIZEN INPUT.

7. Financial Services Budget Status Report for June 2019, and GFOA Professional Association Award Recognition for the FY19 Annual Budget Document.
8. Parks and Recreation Monthly Report regarding park and trail development, facilities, special events, and youth development.
9. Public Works and Engineering report on activities related to roadways, traffic control and transportation, stormwater drainage, water and wastewater, and solid waste collection.
10. Library Monthly Report regarding Library statistics and activities.
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 #7.

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 – 31 / 6 – 0

12. Consider and act upon the approval of Minutes. (CSO/KM)

- A. Consider and act upon the approval of the June 27, 2019 City Council Summer Work Session Meeting Minutes. (CSO/KM)
- B. Consider and act upon the approval of the July 2, 2019 Regular City Council Meeting Minutes. (CSO/KM)
- 13. Consider and act upon the approval of the attached reimbursement request presented to the Mayor and Council Members. (CMO/HM)
- 14. Consider and act upon the release of property from agreement for Victory Shops at Hillcrest, LLC. (CMO/JC)
- 15. Consider and act upon First Amendment to that certain Master Development Agreement by and between the City of Frisco, Texas, Frisco Economic Development Corporation, Frisco Community Development Corporation, and the University of North Texas dated May 1, 2018. (CMO/RP)
- 16. A request to call a public hearing to consider possible amendments to the Zoning Ordinance, and the Subdivision Ordinance to establish and modify certain development review processes and timelines, and to make further necessary revisions in response to new legislation passed by the Texas Legislature during the most recent legislative session, including House Bill 3167. Zoning Case No. ZA19-0004 and SA19-0001. (Development Services/MS)
- 17. Consider and act upon award of bid to Stoic Civil Construction and authorizing the City Manager to execute a Standard Form Agreement for Construction Services of the Powder Horn Lane Retaining Wall Repair (Bid No. 1904-077) and authorizing construction phase contingencies. (Engineering/WJ)
- 18. Consider and act upon award of bid to Excel Trenching and authorizing the City Manager to execute a Standard Construction Contract for Upper Reuse 24-Inch Pipeline, Phase 1 (Bid No. 1905-079) and authorizing construction phase contingencies. (Engineering/SH)
- 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 CP&Y, Inc., for the design and preparation of construction documents for Coit Road Widening (Main Street to SH 121). (Engineering/MM)
- 20. Consider and act upon authorizing the City Manager to execute a Mitigation Credit Sales Agreement for Individual Permit (SWF-2018-00499) mitigation by and between the City of Frisco and the Bunker Sands Mitigation Bank for the construction of the Legacy Lift Station. (Eng/SH)
- 21. Review and acceptance of the Quarterly Investment Report for the period of April 1, 2019 - June 30, 2019. (Financial Services/BP)

22. Consider and act upon a Resolution approving the City of Frisco Community Development Block Grant Annual Action Plan 2019, a grant application to the U.S. Department of Housing and Urban Development, authorizing the submission of the grant application by the City Manager or his designee. (Financial Services/JH) **RESOLUTION 19-08-25R**
23. Consider and act upon approving a mutual aid agreement for law enforcement purposes along areas of FM 423. (Police/DS)
24. Consider and act upon authorizing the City Manager to execute a Standard Form Agreement for Construction Services for Preston Manor Addition PH 1 Wastewater Improvements, Cottonwood Creek Wastewater Crossing, and Wastewater MH Rehabilitation from Presidio Drive to Meadow Hill Road (Bid No. 1905-090). (Public Works/DLC)
25. Consider and act upon approval of a purchase order increase to Consolidated Traffic Controls, Inc., for the purchase of traffic signal equipment during FY 2019. (Administrative Services/DF)
26. Consider and act upon approval of purchase orders to AJR Media Group for the purchase of advertising for the Convention and Visitors Bureau during FY 2019. (CVB/DF)
27. Consider and act upon approval of a purchase order to Motorola Solutions, Inc., for the purchase of radio communication and console equipment for the Fire Department. (Fire/DF)
28. Consider and act upon award of best value bid #1905-082 Cooperative Bid for Fire Department Uniforms to Galls, LLC, and GT Distributors. (Fire/DF)
29. Consider and act upon ratification of purchase orders to Network Cabling Service, Netsync Network Solutions, and Dell for the purchase of equipment, labor, and materials to complete data network, and cabling at The Grove at Frisco Commons. (IT/DF)
30. Consider and act upon approval authorizing the City Manager to execute an agreement with The Broussard Group, Inc., for professional design services related to a Park located in Frisco Square. (Parks & Recreation/DF)
31. 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 #32 – 39 / 6 – 0

32. Consider and act upon adoption of an Ordinance to amend Ordinance No. 01-01-05 consisting of 10.8± acres on the south side of King Road, 1,800± feet west of Witt Road ("Property"), and to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended), and to rezone the property from Single Family-10 to Planned Development-Patio Home. Zoned Single Family-10. Neighborhood #43. Zoning Case No. Z19-0002. (Development Services/JH) **ORDINANCE 19-08-60**
33. Consider and act upon adoption of an Ordinance for a Specific Use Permit for a Private School on two lots on 31.8± acres on the south side of Stonebrook Parkway, 1,100± feet east of Legacy Drive. Zoned Planned Development-96-Patio Home, Patio Home, and Agricultural with a Specific Use Permit (S-121) for a Private School. Neighborhood #22. Zoning Case No. SUP19-0007. (Development Services/AM) **ORDINANCE 19-08-61**
34. Consider and act upon an adoption of an Ordinance rescinding a Specific Use Permit for a Major Nursery on one lot on 5.5± acres on the east side of Preston Road, 1,400± feet south of Lebanon Road. Zoned Commercial-1 with a Specific Use Permit (S-178) for a Major Nursery. Neighborhood #29. Specific Use Permit Case No. SUP19-0003. (Development Services/AL) **ORDINANCE 19-08-62**
35. Consider and act upon an adoption of an Ordinance rescinding a Specific Use Permit for the operation of Private Athletic Fields on 27.0± acres, on the north side of Gaylord Parkway, 445± feet east of Ohio Drive. Zoned Planned Development-238-Patio Home/Multifamily with a Specific Use Permit (S-145) for the operation of Private Athletic Fields. Neighborhood #29. Specific Use Permit Case No. SUP19-0004. (Development Services/AL) **ORDINANCE 19-08-63**
36. Consider and act upon an adoption of an Ordinance rescinding a Specific Use Permit for a Commercial Antenna on one lot on 1.7± acres, 1,400± feet east of Teel Parkway, 1,000± feet north of Panther Creek Parkway, Zoned Single Family-7 with a Specific Use Permit (S-181) for a Commercial Antenna. Neighborhood #52. Specific Use Permit Case No. SUP19-0011. (Development Services/AL) **ORDINANCE 19-08-64**
37. Consider and act upon an adoption of an Ordinance rescinding a Specific Use Permit for a Licensed Massage Establishment on a portion of one lot on 0.1± acre, 390± feet east of Preston Road, 650± feet south of Lebanon Road. Zoned Commercial-1 with a Specific Use Permit for a Licensed Massage Establishment

(S-82). Neighborhood #29. Specific Use Permit Case No. SUP19-0015. (Development Services/AL) **ORDINANCE 19-08-65**

38. Consider and act upon an adoption of an Ordinance rescinding a Specific Use Permit for a Church on three lots on 15.5± acres on the west side of Coit Road, 260± feet north of Lebanon Road. Zoned Planned Development-19-Commercial-1 with a Specific Use Permit for a Church (S-69). Neighborhood #25. Specific Use Permit Case No. SUP19-0016. (Development Services/AL)
ORDINANCE 19-08-66

39. Consider and act upon an adoption of an Ordinance rescinding a Specific Use Permit for a Parking Structure (greater than 48-feet in height) on a portion of one lot on 5.5± acres on the northeast corner of Church Street, and Page Street. Zoned Planned Development-153-Mixed Use with a Specific Use Permit for a Parking Structure (S-188). Neighborhood #21. Specific Use Permit Case No. SUP19-0018. (Development Services/AL) **ORDINANCE 19-08-67**

REGULAR AGENDA

40. Public Hearing: A request 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, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Agricultural. Neighborhood #48. Zoning Case No. SUP18-0016. (Development Services/AM) **APPROVED 6 – 0**

41. 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. (Development Services/AL)
TABLED UNTIL SEPTEMBER 17, 2019 CITY COUNCIL MEETING / 6 – 0

CITY COUNCIL RECESSED INTO CLOSED SESSION AT 8:10 P.M., IN COMPLIANCE WITH SECTION 551.071 ET. SEQ. TEXAS GOVERNMENT CODE, TO WIT.

CITY COUNCIL RECONVENED INTO REGULAR SESSION AT 8:13 P.M. / NO ACTION WAS TAKEN.

42. Consider and act upon the approval of the update to 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. Tabled 5/21/2019. (Development Services/AS) **APPROVED 6 – 0**

43. Consider and act upon acceptance of the Certification of Anticipated Collection Rate and Excess Collections. (Financial Services/JH) **APPROVED 6 – 0**
44. Consider and act upon Resolution adopting the Fiscal Year 2020 Certified Appraisal Roll for Tax Year 2019. (Financial Services/JH) **APPROVED 6 – 0 / RESOLUTION 19-08-26R**
45. Consider and approve the Effective Tax Rate Calculation for the Fiscal Year 2020 - Tax Year 2019. (Financial Services/JH) **APPROVED 6 – 0**
46. Consider and act upon a Resolution calling for a Public Hearing on the City of Frisco FY2020 Budget, Frisco Economic Development Corporation FY2020 Budget, and Frisco Community Development Corporation FY2020 Budget. (Financial Services/JH) **APPROVED 6 – 0 / RESOLUTION 19-08-27R**

CITY COUNCIL RECESSED INTO CLOSED SESSION AT 8:39 P.M., IN COMPLIANCE WITH SECTION 551.071 ET. SEQ. TEXAS GOVERNMENT CODE, TO WIT.

CITY COUNCIL RECONVENED INTO REGULAR SESSION AT 9:27 P.M. / NO ACTION WAS TAKEN.

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

ITEM #41 WAS TABLED UNTIL SEPTEMBER 17, 2019 CITY COUNCIL MEETING

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

ADJOURN – 9:28 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/>.