



**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, APRIL 2, 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 – 5:02 P.M.**

**1. ROLL CALL**

|                      |                  |                              |
|----------------------|------------------|------------------------------|
| Mayor                | Jeff Cheney      | Present                      |
| Mayor Pro-Tem        | Shona Huffman    | Present                      |
| Deputy Mayor Pro-Tem | John Keating     | Present- Arrived @ 5:05 P.M. |
| Council Member       | Will Sowell      | Present                      |
| Council Member       | Bill Woodard     | Present                      |
| Council Member       | Tim Nelson       | Present- Arrived @ 5:18 P.M. |
| 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; 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 5:04 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 from the City Attorney regarding the APAC asphalt plant, permit renewal, and related issues.
    - iii. Receive legal advice from the City Attorney regarding citizen input during City Council meetings.
    - iv. Receive legal advice from the City Attorney regarding City Council governance issues.
    - 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.
    - vi. Receive legal advice regarding an appeal of the Planning & Zoning Commission's denial of the applicant's facade plan on one lot on 0.7± acre on the north side of State Highway 121, 800± feet west of Parkwood Boulevard. Zoned Planned Development-25-Business Center. Neighborhood #35. Miscellaneous Development Case No. MD18-0032.
  - B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
    - i. 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 6:39 P.M. / NO ACTION TAKEN**

### **INVOCATION**

### **PLEDGE OF ALLEGIANCE**

### **PROCLAMATIONS**

4. Sexual Assault Awareness Month
5. Sarcoidosis Awareness Month
6. Vietnam Veterans Day

### **REPORTS**

7. Public Works and Engineering report on activities related to roadways, traffic control and transportation, stormwater drainage, water and wastewater, and solid waste collection.
8. Parks and Recreation Monthly Report regarding Park and Trail Development, Facilities, Special Events and Youth Development.
9. Library Statistical and Activities Monthly Report.
10. 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 #11 AND #13 – 17 / 6 – 0**

**PULLED ITEM #12 / 6 – 0**

**TABLED ITEM #12 TO APRIL 16, 2019 / 6 – 0**

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

- A. Consider and act upon the approval of the January 14, 2019 Special Called Planning & Zoning and City Council Meeting Minutes. (CSO/KM)
  - B. Consider and act upon the approval of the January 29, 2019 Special Called City Council Meeting Minutes. (CSO/KM)
  - C. Consider and act upon the approval of the March 19, 2019 City Council Work Session Minutes. (CSO/KM)
  - D. Consider and act upon the approval of the March 19, 2019 Regular City Council Meeting Minutes. (CSO/KM)
12. 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 March 19, 2019. **TABLED ITEM #12 UNTIL APRIL 16, 2019 CITY COUNCIL MEETING / 6 – 0**
  13. Consider and act upon adoption of a Resolution authorizing the City Manager to submit an application for a United States Department of Homeland Security (DHS) Grant Program, Urban Area Security Initiative (UASI). (FIRE/MP)  
**RESOLUTION 19-04-17R**
  14. Consider and act upon award of RFQ #1911-024 Traffic Engineering Services to Aecom, Binkley & Barfield, Dunaway, Garver, HDR, Kimley-Horn, Lee Engineering, Lockwood Andrews Newnam, Maldonado-Burkett, Stantec, Teal and WSP USA, and approval authorizing the City Manager to execute agreements for these services. (Engineering/DF)
  15. Consider and act upon authorizing the City Manager to execute a Development Agreement between GRBK EDGEWOOD, LLC, and the City of Frisco. (Parks & Recreation/RW)
  16. Consider and act upon award of bid to Durable Specialties, Inc., authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Installation of a Traffic Signal on Parkwood Dr at Wade Blvd and Rectangular Rapid Flashing Beacons on Lebanon Rd at Colby Dr and Coit Rd at Hay River Trail (Bid No. 1910-011). (Engineering/BM)
  17. 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 #18 - #21 / 6 – 0**

18. Consider and act upon an adoption of an Ordinance to rezone 8.6± acres on the west side of Frisco Street, 1,400± feet south of Eldorado Parkway from Agricultural to Commercial-1. Zoned Agricultural. Neighborhood #46. Zoning Case No. Z18-0024. (Development Services/JH) **ORDINANCE 19-04-19**
19. Consider and act upon an adoption of an Ordinance to repeal Ordinance No. 08-10-97 consisting of 88.2± acres on the northeast corner of Dallas Parkway and Ikea Drive ("Property"), to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended) and to rezone the Property as Planned Development-Office-2/Retail/Residential. Zoned Planned Development-169-Mixed Use. Neighborhood #35. Zoning Case No. Z18-0023. (Development Services/JH) **ORDINANCE 19-04-20**
20. 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. Tabled 2/19/2019 and 3/19/2019. (Development Services/JH) **ORDINANCE 19-04-21 / ORDINANCE 19-04-22 / ORDINANCE 19-04-23**
21. Consider and act upon an adoption of an Ordinance to amend the Zoning Ordinance, Section 4.02 Landscape Requirements regarding water resource zone standards. Zoning Case No. ZA18-0005. (Development Services/EB) **ORDINANCE 19-04-24**

## **REGULAR AGENDA**

22. Appointment of a City Representative to the North Texas Municipal Water District Board. (CMO) **APPROVED 6 – 0 / APPOINTED LYNN SHUYLER**
23. 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 and consider to direct Staff to prepare an Ordinance of the same. Neighborhood #53. Annexation Case No. A19-0001. (Development Services/JH) **MAYOR JEFF CHENEY RECUSED HIMSELF FROM THIS ITEM / APPROVED 5 – 0**

24. An appeal of the Planning & Zoning Commission's denial of the applicant's façade plan on one lot on 0.7± acre on the north side of State Highway 121, 800± feet west of Parkwood Boulevard. Zoned Planned Development-25-Business Center. Neighborhood #35. Miscellaneous Development Case No. MD18-0032. (Development Services/CM)

**CITY COUNCIL RECESSED INTO EXECUTIVE SESSION UNDER SECTION 551.071 OF THE TEXAS GOVERNMENT CODE AT 7:53 P.M.**

**CITY COUNCIL RECONVENED FROM EXECUTIVE SESSION AT 8:02 P.M. NO ACTION WAS TAKEN AS A RESULT OF THE EXECUTIVE SESSION.**

**UPHOLD DENIAL 6 – 0**

25. Consider and act upon an Ordinance amending Frisco's Code of Ordinances, No. 06-03-31, as amended, Chapter 90 (Traffic and Vehicles), Article IV (Stopping, Standing and Parking) by amending Division 2 (Trucks, Trailers, Buses and Semi-trailers) to modify regulations on the leaving, parking or standing of commercial vehicles on public streets, highways, alleys, parkways, boulevards, right-of-ways and other property owned or controlled by any unit of government and vacant lots in the City of Frisco; defining the term commercial vehicle; providing for certain exceptions and for temporary suspensions of such regulations; providing a penalty clause, saving/repealing clause, severability clause and an effective date. (DS/PD) **APPROVED 5 – 1 / ORDINANCE 19-04-25**
26. Consider and Act Upon Approval of Amendment to Ordinance No. 18-09-50 Adopting the City of Frisco Fiscal Year 2019 Budget. (Financial Services/JH) **APPROVED 6 – 0 / ORDINANCE 19-04-26**

27. Consider and Act Upon Approval of Amendment to Ordinance No. 18-09-53 Adopting the City of Frisco Economic Development Corporation Fiscal Year 2019 Budget. (Financial Services/JH) **APPROVED 6 – 0 / ORDINANCE 19-04-27**
28. Consider and Act Upon Approval of Amendment to Ordinance No. 18-09-52 Adopting the City of Frisco Community Development Corporation Fiscal Year 2019 Budget. (Financial Services/JH) **APPROVED 6 – 0 / ORDINANCE 19-04-28**
29. Consider and act upon adoption of the amended Impact Fee Ordinance to collect fees from new development to offset the cost of new infrastructure to serve new development in accordance to Chapter 395 of the Texas Local Government Code. **APPROVED 6 – 0 / ORDINANCE 19-04-29**
30. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.  
**ITEM #12 WAS TABLED UNTIL APRIL 16, 2019**  
**MAYOR JEFF CHENEY RECUSED HIMSELF FROM ITEM #23**
31. Discussion on Governance Monitoring of present City Council Meeting.

**ADJOURN – 8:36 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/>.*