



**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, JULY 7, 2020**

**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. More descriptive and complete minutes will be posted as soon as they are available. Please remember that this Action Summary is **ONLY** a draft. The final minutes are typically scheduled to be approved at the next regularly scheduled City Council Meeting.*

**CALL TO ORDER – 5:03 P.M.**

1. ROLL CALL

Mayor	Jeff Cheney	Present
Mayor Pro-Tem	Will Sowell	Present
Deputy Mayor Pro-Tem	Shona Huffman	Present
Council Member	John Keating	Absent
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 5:06 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 Modani Frisco LLC v. City of Frisco, Texas, Cause No. 429-0552-2019 pending in the 429th District Court of Collin County, Texas.
- ii. Receive legal advice regarding emergency management.
- iii. Receive legal advice concerning agreement with National Development Council for Third Party Administrator services and the small business grants program under the CARES Act for funds provided by Collin County, Texas.
- iv. Receive legal advice in re Exide Holdings, Inc. et. al, Case No. 20-11157 (CSS), pending in the U.S. Bankruptcy Court, District of Delaware.
- v. 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.
- vi. Receive legal advice regarding authorizing the City Manager to execute an agreement between the City and the Frisco Association of the Arts for FY20 Funding.
- vii. Receive legal advice regarding the approval of a purchase order to Galls, LLC for the purchase of event/crowd management gear.
- viii. Receive legal advice regarding the adoption of an Ordinance for a Specific Use Permit for a Church on 1.9± acres on the southeast corner of North County Road and Cottonwood Street. Zoned Residential Estate. Neighborhood #11. Specific Use Permit Case No. SUP19-0021.

B. Section 551.072. To deliberate the purchase, exchange, lease, or value of real property located:

- i. South of Warren Parkway, north of SH 121, east of Legacy Drive, and west of Preston Road.
- ii. South of US 380, east of FM 423, west of Coit Road, and north of Panther Creek Parkway.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session. **RECONVENED AT 6:38 P.M. / NO ACTION TAKEN**

### **INVOCATION**

### **PLEDGE OF ALLEGIANCE**

### **PROCLAMATIONS**

4. Parks & Rec Month
5. Everyone Eat Day

### **REPORTS**

6. Parks & Recreation report on activities related to arts, culture, events, park development and operations, natural resources, and recreation services.
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. Library July 2020 Monthly Report of library statistics and activities.
9. Council Subcommittee reports for current activities of the Legislative Committee, Governance Committee, Budget and Audit Committee, Frisco Square Management District, Dallas Regional Mobility Commission, North Central Texas Emergency Preparedness Committee, Frisco Veterans Advisory 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.)

**PULLED ITEMS #11 AND #16 / 5 – 0**

**APPROVED ITEM #10, ITEMS #12 – #15 AND ITEMS #17 – #30 / 5 – 0**

**APPROVED ITEM #11 / 5 – 0**

**APPROVED ITEM #16 / 4 – 1**

10. Consider and act upon the approval of Minutes. (CSO/KM)
  - A. Consider and act upon the approval of the June 16, 2020 Regular City Council Meeting Minutes. (CSO/KM)

11. Consider and act upon authorizing the City Manager to execute a Development Agreement by and between the City of Frisco and The Church in McKinney on 1.9± acres on the southeast corner of North County Road and Cottonwood Street. (Development Services/AL)
12. Consider and act upon a request for an Alternative Compliance Standard for an addition of a hospital, medical office building, and a parking garage on one lot on 10.0± acres on the southeast corner of Dallas Parkway and Main Street. Zoned Planned Development-153-Mixed. Neighborhood #21. Open Space & Preliminary Site Plan No. OS20-0022 & PSP20-0011. (Development Services/DS)
13. Consider and act upon ratification of the City Manager to execute an agreement by and between the City of Frisco and ALCC, LLC Perfect Finih Landscaping for the landscape and irrigation construction services of “Pearson Acres Park”. (Parks-Engineering/DW)
14. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and HDR Engineering, Inc. to perform Conceptual Design and Traffic Engineering Studies for DNT Fields Parkway Ramping Evaluation. (Engineering/MP)
15. Consider and act upon a Resolution calling for a Public Hearing on the Draft of the City of Frisco Five-Year Consolidated Plan for Program Years 2020 through 2024, Annual Action Plan Program beginning October 1, 2020 through September 30, 2021, and Citizen Participation Plan (2020-24). (Financial Services/JH) **RESOLUTION 2020-07-41R**
16. Consider and act upon authorizing the City Manager to execute an agreement between the City and the Frisco Association of the Arts for FY20 Funding. (Financial Services/AC)
17. Consider and act upon a Resolution authorizing the City Manager's office to submit an application to the Texas Parks and Wildlife Department for a Local Park Grant Program for matching funds in the amount of \$250,000 for the First Street Park reinvestment program. (Parks/RW) **RESOLUTION 2020-07-42R**
18. Consider and act upon a Professional Contract between City of Frisco and Frisco Independent School District for services related to the School Resource Officer Program for the 20-21 school year. (Police/MH)
19. Consider and act upon approval authorizing the City Manager to execute an agreement by and between the City of Frisco and Michael Clapper for the design and creation of Public Art for the Municipal Court Adaptive Reuse Project. (Parks and Recreation/SR)

20. Consider and act upon award of an agreement to TEAM Consultants, Inc. and authorizing the City Manager to execute a Standard Form Construction Agreement for Professional Services for Custer Farms Pavement Improvements. (Public Works/ DLC)
21. Consider and act upon the approval of a Resolution authorizing the City Manager or his designee to accept the FY2020-2021 Solid Waste Grant Award from the North Central Texas Council of Governments. (Public Works/JS)  
**RESOLUTION 2020-07-43R**
22. Consider and act upon approval of a Resolution adopting the Texas Coalition for Affordable Power Professional Service Agreement and Gexa Energy's Commercial Electric Service Agreement for Power and approval authorizing the City Manager to execute these agreements. (Administrative Services/DF)  
**RESOLUTION 2020-07-44R**
23. Consider and act upon award of RFQ #2006-064 Third Party Administrator Services for the small business grant program for businesses located in the Collin County portion of Frisco to National Development Council and ratification of the City Manager's execution of this agreement. (EDC/DF)
24. Consider and act upon award of Competitive Sealed Bid #2005-057 Mold Remediation, Foundation Repair, and Rehabilitation of a Residence to JMR Construction. (Financial Services/DF)
25. Consider and act upon award of Competitive Sealed Proposal #2005-056 Municipal Court Adaptive Reuse to Crossland Construction Company, Inc. and approval authorizing the City Manager to execute an agreement for these Services. (CMO/DF)
26. Consider and act upon approval of a purchase order to Soil Express, Ltd. for the purchase and installation of engineered wood fiber for park playgrounds. (Parks & Recreation/DF)
27. Consider and act upon approval of a purchase order to Galls, LLC for the purchase of event/crowd management gear. (Police/DF)
28. Consider and act upon approval of a purchase order increase to A&M Maintenance Services, Inc. to furnish and install pavement marking material during FY 2020. (Public Works/DF)
29. Consider and act upon approval of a purchase order increase to Prime Controls, LP for water and wastewater SCADA system maintenance during FY 2020. (Public Works/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.)

**PULLED ITEMS #32 AND #33 / 5 – 0**

**APPROVED ITEMS #31 AND #34**

**APPROVED ITEM #32 / 5 – 0**

**APPROVED ITEM #33 / 5 – 0**

31. Consider and act upon adoption of an Ordinance to amend Zoning Ordinance, Subsection 6.19.13, Appeal of a Planning & Zoning Commission Decision to Deny a Zoning Amendment Zoning Case No. ZA20-0002. (Development Services/JH) **ORDINANCE 2020-07-35**
32. Consider and act upon an adoption of an Ordinance for a Specific Use Permit for a Church on 1.9± acres on the southeast corner of North County Road and Cottonwood Street. Zoned Residential Estate. Neighborhood #11. Specific Use Permit Case No. SUP19-0021. (Development Services/AL) **ORDINANCE 2020-07-36**
33. Consider and act upon an Amendment to Ordinance 19-07-53 to establish new and modified Reduced Speed School Zones on identified streets within the City of Frisco. (Engineering/JF) **ORDINANCE 2020-07-37**
34. Consider and act upon an Amendment to Ordinance 10-05-23 establishing maximum speed limits on SH 121 southbound frontage road within the City of Frisco. (Engineering/RC) **ORDINANCE 2020-07-38**

### **REGULAR AGENDA**

35. Public Hearing: A request for a variance to City Ordinances prohibiting the sales of alcoholic beverages within 300 feet of Hunt Middle School by the owner of a proposed gas station located at 5032 Preston Road, Frisco, Texas 75034, pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code and to consider action on the request for variance. (CSO/KM) **APPROVED 5 – 0**
36. Public Hearing: A request for a Specific Use Permit for a Licensed Child-Care Center on a portion of one lot on 1.3± acres on the east side of Holland Drive, 230± feet south of Rolater Road, and to consider to direct Staff to prepare an

Ordinance of the same. Zoned Retail. Neighborhood #27. Zoning Case No. SUP20-0004. (Development Services/BS) **APPROVED 5 – 0**

37. Public Hearing: A request to amend the Zoning Ordinance regarding the Planning & Zoning Commissioners' term length and term limits, and to consider to direct Staff to prepare an Ordinance of the same. Zoning Case No. ZA20-0003. (Development Services/JH) **APPROVED 5 – 0**
38. Consider and act upon a Resolution directing publication of Notice of Intention to issue Certificates of Obligation. (Financial Services/AC)  
**APPROVED 5 – 0 / RESOLUTION 2020-07- 45R**
39. Consider and act upon an Ordinance amendment approving the amendment of the City of Frisco Ordinance No. 06-03-31. This amendment would clarify language found specifically in Chapter 90 (Traffic and Vehicles), Article IV (Stopping, Standing and Parking) by amending Division 2 (Trucks, Trailers, Buses, and Semi-trailers), Section 90-113 (Commercial Vehicle Parking Prohibited). (JJ/PD) **APPROVED 5 – 0 / ORDINANCE 2020-07-39**
40. Consider and act upon the adoption of an Ordinance amending Ordinance Number 2020-06-34, which continued, renewed, and extended the Amended Declaration of Local Disaster for Public Health Emergency issued by the Mayor on March 19, 2020, and prescribed orders to help abate the COVID-19 public health emergency, and any other declarations or amendments thereto.  
**APPROVED 5 – 0 / ORDINANCE 2020-07-40**
41. Consider and act upon accepting the resignation of Jason Young, Place 3 on the Visit Frisco Board. (CSO/KM)  
**APPROVED 5 – 0**
42. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

**SCHOOL ZONES  
BOARDS AND COMMISSIONS**

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

**ADJOURN – 8:34 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/>.*