



**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, DECEMBER 7, 2021

ACTION SUMMARY

*The Action Summary is intended to inform the public of City Council actions taken and/or voting results on agenda 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 Draft 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 – 5:00 P.M.

1. ROLL CALL

Mayor	Jeff Cheney	Present
Mayor Pro-Tem	Bill Woodard	Present
Deputy Mayor Pro-Tem	Brian Livingston	Present
Council Member	John Keating	Present
Council Member	Shona Huffman	Present
Council Member	Angelia Pelham	Present
Council Member	Dan Stricklin	Present

Representing Staff: George Purefoy, City Manager; Henry Hill, Deputy City Manager; Ron Patterson, Deputy City Manager; Ben Brezina, Assistant City Manager; Kristi Morrow, City Secretary; Julie Davidson, Deputy City Secretary; Richard Abernathy, City Attorney; Ryan Pittman, City Attorney; City 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 5:02 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 TDHCA Housing Tax Credits, the Tax Credit process, and the application process.
 - ii. Receive legal advice regarding enforcement and possible amendments to ordinances regulating fireworks.
 - iii. Receive legal advice regarding an amendment to the Second Development Agreement between FHQ Holdings LP and the City of Frisco, Texas.
 - iv. Receive legal advice regarding City of Frisco Ordinance No. 09-07-37.
 - v. Receive legal advice regarding possible amendment to Contract of Sale between the City of Frisco, Texas, the Frisco Community Development Corporation, and Alterra Capital Management, LLC.
 - vi. Receive legal advice regarding Article XI, Section 11 and Article 16, Section 65 of the Texas Constitution and possible special election to fill vacancy in the office of City Council, Place No. 5.
 - vii. Receive legal advice regarding assignment of lease between JDHQ Hotels LLC and the City of Frisco, Texas.
 - viii. Receive legal advice regarding the selection of a professional search firm and related contract issues.
 - B. Section 551.072. To deliberate the purchase, exchange, lease, or value of real property located:
 - i. North of Main Street, west of Preston Road, east of Legacy Parkway, and south of Eldorado Parkway.
 - C. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect or to deliberate the offer of a financial or other incentive to a business prospect.
3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session. **RECONVENED AT 7:42 P.M. / NO ACTION TAKEN**

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

4. Recognition for Maxwell Moland - Eagle Scout
5. Recognition of Kwanzaa
6. Darell Bagley - Recognition for 20 Years of Service

REPORTS

7. Recognition for the Planning Department - 2021 Planning Excellence Award from the American Planning Association, Texas Chapter.
8. Library Report on monthly statistics and activities.
9. Parks & Recreation report on activities related to arts, culture, events, park development and operations, natural resources, and recreation services.
10. Public Works and Engineering report on activities related to roadways, traffic control and transportation, stormwater drainage, water and wastewater, and solid waste collection.
11. 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.)

APPROVED ITEMS #12 – #35 / 6 – 0

12. Consider and act upon the approval of Minutes. (CSO/KM)
 - A. Consider and act upon the approval of the November 10, 2021 Special Called Joint City Council and Visit Frisco Board Meeting Minutes. (CSO/KM)
 - B. Consider and act upon the approval of the November 15, 2021 Special Called Joint Work Session of the City Council and the Planning and Zoning Commission Meeting Minutes. (CSO/KM)

- C. Consider and act upon the approval of the November 16, 2021 Regular City Council Meeting Minutes. (CSO/KM)
- D. Consider and act upon the approval of the November 16, 2021 Tax Increment Reinvestment Zone (TIRZ) #1 Board Meeting Minutes. (CSO/KM)
- 13. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Burgess & Niple, Inc. for design and preparation of construction documents for 36-inch & 30-inch water valve installations. (Public Works/DLC)
- 14. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Pacheco Koch Consulting Engineers, Inc. to perform design and bid package preparation for Panther Creek interceptor replacement. (Engineering/SH)
- 15. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Kimley-Horn and Associates, Inc. to perform updates to the Engineering Standards. (Engineering/JG)
- 16. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Jones and Carter, Inc. to perform design and bid package preparation for Research Road water line upsize. (Engineering/JX)
- 17. Consider and act upon authorizing the City Manager to execute a change order to a Standard Form Agreement for Construction Services for Custer Creek Farms pavement improvements. (Public Works/DC)
- 18. Consider and act upon authorizing the City Manager to execute a Tower Site Lease Agreement with Dish Wireless, LLC for a tower site lease at 6500 Hillcrest Road. (Administrative Services/DF)
- 19. Consider and act upon authorizing the City Manager to execute agreements with Copynet Digital Imaging Solutions for the lease and maintenance of multifunction printers. (Administrative Services/DF)
- 20. Consider and act upon authorizing the City Manager to execute an agreement with SafetyCom, Inc. for the purchase and installation of outdoor warning system equipment. (Fire/DF)
- 21. Consider and act upon authorizing the City Manager to execute a Polling Place License Agreement with the Denton County Democratic Party for use of Frisco

Fire Station Number 4 as a polling location in the March 1, 2022, General Primary Election pursuant to Section 43.031 of the Texas Election Code. (CSO/KM)

22. Consider and act upon authorizing the City Manager to execute a Polling Place License Agreement with the Denton County Republican Party for use of Frisco Fire Station Number 7 as a polling location in the March 1, 2022, General Primary Election pursuant to Section 43.031 of the Texas Election Code. (CSO/KM)
23. Consider and act upon adoption of a Resolution approving the City of Frisco Community Development Block Grant Program Year 2020 Consolidated Annual Performance Evaluation Report (CAPER) and authorizing the City Manager or his designee to submit the report to the U.S. Department of Housing and Urban Development for approval. (Budget Services/RB) **RESOLUTION 2021-12-63R**
24. Consider and act upon adoption of a Resolution authorizing the City Manager to submit a grant application for a Federal Emergency Management Agency (FEMA) FY21 Assistance to Firefighters Grant (AFG) - Supplemental Mental Health Support. (Fire/MP) **RESOLUTION 2021-12-64R**
25. Consider and act upon adoption of a Resolution authorizing the City Manager to submit a grant application for a Federal Emergency Management Agency (FEMA) FY21 Assistance to Firefighters Grant (AFG) - Automated Chest Decompression Devices. (Fire/MP) **RESOLUTION 2021-12-65R**
26. Consider and act upon approval of a purchase order to Brodart Co. for the purchase of opening day collection materials for the Frisco Public Library. (Library/DF)
27. Consider and act upon approval of a purchase order to Vertosoft, LLC for report writing software for Financial Services and Budget Services. (Administrative Services/DF)
28. Consider and act upon approval of a purchase order to Siddons-Martin Emergency Group for the purchase of six (6) ambulances and associated equipment. (Fire/DF)
29. Consider and act upon approval of a purchase order to Bean Electrical for traffic signal construction services during FY 2022. (Engineering/DF)
30. Consider and act upon award of bid to Mario Sinacola & Sons Excavating, Inc. and authorizing the City Manager to execute a Standard Construction Contract for Coit Road widening (Main Street to Buckeye Drive) (Bid No. 2108-100) and authorizing construction phase contingencies. (Engineering/TN)
31. Consider and act upon award of bid to Blastco Texas, Inc. and authorizing the City Manager to execute a Standard Construction Contract for Frisco #2 Ground

Storage Tank Conversion (Bid No. 2109-115) and authorizing construction phase contingencies. (Engineering/SH)

32. Consider and act upon award of Competitive Sealed Proposal #2108-104 Frisco Public Library Village Interactive Play Exhibit to Taylor Studios, Inc. and authorizing the City Manager to execute an agreement for these services. (Library/DF)
33. Consider and act upon award of Request for Proposal #2109-120 Construction Manager at Risk for Frisco Police Department renovation and expansion to Thos. S. Byrne, Inc., d/b/a Byrne Construction Services, and authorizing the City Manager to execute an agreement for these services. (Police/DF)
34. Consider and act upon rejection of all proposals for Request for Qualifications #2109-118 Comprehensive Plan Update. (Development Services/DF)
35. 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 and 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 #36 AND #37 / 6 – 0

36. Consider and act upon adoption of an Ordinance to consider possible amendments to Zoning Ordinance Subsection 3.02.01, Conditional Development Standards to adopt standards for the allowance of restaurants with drive-through. Zoning Case No. ZA21-0008. Applicant: City of Frisco. (Development Services/JH) **ORDINANCE 2021-12-67**
37. Consider and act upon adoption of an Ordinance to repeal Ordinance No. 16-04-31 and rezone 104.4± acres on the southwest corner of FM 423 and US 380 “University Drive” (“Property”), from Planned Development-254-Office-2/Retail/Residential and Agricultural to Planned Development-254-Office-2/Retail/Residential, and to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended). Zoned Planned Development-254-Office-2/Retail/Residential and Agricultural. Neighborhood #50. Zoning Case No. Z21-0010. Applicant: Spiars Engineering. (Development Services/JH) **ORDINANCE 2021-12-68**

REGULAR AGENDA

38. Public Hearing: A request to consider possible amendments to Zoning Ordinance Section 2, Zoning Districts, Section 3, Land Uses, and Section 7, Definitions regarding the addition of the US 380 Overlay Design District, and to consider to direct Staff to prepare an Ordinance of the same. Zoning Case No. ZA21-0007. Applicant: City of Frisco. (Development Services/JH) **APPROVED 6 – 0**
39. Public Hearing: A request to consider possible amendments to certain tracts within the City of Frisco boundary to allow for the addition of the US 380 Overlay District consisting of 211.5± acres generally located on the south side of US 380 between Doe Creek Road and Championship Drive and consisting of 875.1± acres generally located on the south side of US 380 between Legacy Drive and Coit Road, and to consider to direct Staff to prepare an Ordinance of the same. Zoning Case No. Z21-0019. Applicant: City of Frisco. (Development Services/JH) **APPROVED 6 – 0**
40. Consider and act upon a request to proposed modifications to Table 4-1 as permitted by Planned Development-280. Zoned Planned Development-280. Neighborhood #3. Applicant: Kimley-Horn and Associates. (Development Services/JH) **APPROVED 6 – 0**
41. Consider and act upon approval of the First Amendment to Second Development Agreement by and between FHQ Development Partners LP, f/k/a FHQ Holdings LP, a Delaware limited liability company, and the City of Frisco. (CMO/RP) **APPROVED 6 – 0**
42. Consider and act upon adoption of an Ordinance of the City Council of the City of Frisco approving a Project Plan and Financing Plan for Tax Increment Reinvestment Zone (TIRZ) Number Seven. (CMO/RP) **APPROVED 6 – 0 / ORDINANCE 2021-12-69**
43. Consider and act upon adoption of an amendment to Ordinance No. 2021-09-56 adopting the City of Frisco Fiscal Year 2022 Budget. (Budget Services/JH) **APPROVED 6 – 0 / ORDINANCE 2021-12-70**
44. Consider and act upon adoption of an amendment to Ordinance No. 2021-09-57 adopting the City of Frisco Community Development Corporation (FCDC) Fiscal Year 2022 Budget. (Budget Services/JH) **APPROVED 6 – 0 / ORDINANCE 2021-12-71**
45. Consider and act upon adoption of an Ordinance authorizing the issuance of General Obligation Bonds in multiple series; delegating the authority to certain city officials to execute certain documents relating to the sale of the bonds; approving and authorizing an official statement and instruments and procedures relating to said bonds; and enacting other provisions relating to the subject. (Business Services/AC) **APPROVED 6 – 0 / ORDINANCE 2021-12-72**

46. Consider and act upon adoption of an Ordinance authorizing the issuance of Certificates of Obligation in multiple series; delegating the authority to certain city officials to execute certain documents relating to the sale of the certificates; approving and authorizing an official statement and instruments and procedures relating to said certificates; and enacting other provisions relating to the subject. (Business Services/AC) **APPROVED 6 – 0 / ORDINANCE 2021-12-73**
47. Consider and act upon adoption of a Resolution authorizing the issuance of Frisco Community Development Corporation Sales Tax Revenue Refunding Bonds; establishing procedures and delegating authority for the sale and delivery of the bonds; providing for the security for and payment of said bonds; providing an effective date; and enacting other provisions relating to the subject. (Business Services/AC) **APPROVED 6 – 0 / RESOLUTION 2021-12-66R**
48. Consider and act upon adoption of a Resolution authorizing the issuance of Frisco Economic Development Corporation Sales Tax Revenue Refunding Bonds; establishing procedures and delegating authority for the sale and delivery of the bonds; providing for the security for and payment of said bonds; providing an effective date; and enacting other provisions relating to the subject. (Business Services/AC) **APPROVED 6 – 0 / RESOLUTION 2021-12-67R**
49. Consider and act upon award of Request for Proposal #1901-031 Onsite or Near-Site Health Clinic to Premise Health and authorizing the City Manager to execute an agreement for these services. Tabled 11/16/2021. (Human Resources/DF) **APPROVED 4 – 3**
50. Consider and act upon authorizing the City Manager to execute a Commercial Lease Agreement with Preston MOB Partners for the lease of medical office space for the employee health clinic. Tabled 11/16/2021. (Human Resources/DF) **APPROVED 6 – 0**
51. Consider and act upon adoption of an Ordinance designating six (6) election precincts for the Saturday, January 29, 2022 Special Election to be held in the City of Frisco, Collin and Denton Counties, Texas; as ordered by the City Council; authorizing all necessary actions relating thereto; and providing a savings/repealing clause, severability clause, and an effective date. (CSO/KM) **APPROVED 5 – 1 / ORDINANCE 2021-12-74**
52. Consider and act upon adoption of an Ordinance ordering a Special Election to be administered by the Collin County Election Administrator and the Denton County Election Administrator on Saturday, January 29, 2022 for the purpose of filling a vacancy in the office of City Council, Place No. 5, resulting from the resignation of the current holder of Place No. 5; designating Early Voting polling places and hours; designating Election Day polling places and hours; designating filing deadlines; ordering notices of election to be given as prescribed by law in connection with such election; providing for the appointment of Election Judges;

authorizing the Mayor and City Secretary to take all actions necessary to comply with applicable election laws; and providing a savings/repealing clause, severability clause, and an effective date. (CSO/KM)

APPROVED 5 – 1 / ORDINANCE 2021-12-75

53. Consider and act upon adoption of a Resolution designating an Official Newspaper for the publication of ordinances, notices, and other matters in compliance with the City of Frisco Home Rule Charter. (CSO/JD)

APPROVED 6 – 0 / RESOLUTION 2021-12-68R

54. Consider and act upon adoption of a Resolution to cast a ballot electing a member to the Collin Central Appraisal District Board of Directors for a term of two (2) years beginning January 1, 2022. (CSO/KM)

APPROVED 6 – 0 / RESOLUTION 2021-12-69R

COUNCIL VOTED FOR RON CARLISLE

55. Consider and act upon adoption of a Resolution to cast a ballot electing a member to the Denton Central Appraisal District Board of Directors for a term of two (2) years beginning January 1, 2022. (CSO/KM)

APPROVED 6 – 0 / RESOLUTION 2021-12-70R

COUNCIL VOTED FOR: DAVID JOHNSON 41 VOTES

ANN POMYKA 39 VOTES

ALEX BUCK 39 VOTES

119 VOTES

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

NO ACTION NEEDED

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

ADJOURN – 10:18 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/>.