



**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, FEBRUARY 7, 2023

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	John Keating	Present
Deputy Mayor Pro-Tem	Angelia Pelham	Present
Council Member	Tammy Meinershagen	Present
Council Member	Bill Woodard	Present
Council Member	Laura Rummel	Present
Council Member	Brian Livingston	Present

Representing Staff: Wes Pierson, City Manager; Henry Hill, 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; 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 property in Frisco's extraterritorial jurisdiction.
- ii. Receive legal advice regarding Specific Use Permit Case No. SUP23-0001 and proposed Development Agreement among the City of Frisco, Frisco Community Development Corporation, Frisco Economic Development Corporation, and FTNV Corp. regarding economic incentives and other related matters concerning an outdoor commercial amusement venue.
- iii. Receive legal advice regarding possible amendment to Contract of Sale between the City of Frisco, Texas, the Frisco CDC, and Alterra Capital Management, LLC.

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

- i. North of Stonebrook Parkway, west of Preston Road, east of Legacy Drive, 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 5:39 P.M. / NO ACTION TAKEN**

Recess into the Special Called Joint City Council and Planning and Zoning Commission Meeting. **RECESSED AT 5:40 P.M.**

Reconvene from the Special Called Joint City Council and Planning and Zoning Commission Meeting. **RECONVENED AT 7:31 P.M. / NO ACTION TAKEN**

INVOCATION

PLEDGE OF ALLEGIANCE

REPORTS

4. Salvation Army "Red Kettle Mayoral Challenge" Presentation to City Council
5. Library Report on monthly statistics and activities.
6. Parks and Recreation report on activities related to arts, culture, events, park development and operations, natural resources, and recreation services.
7. Engineering Services Monthly Report on planning, design, and construction of roadways, traffic control, water utilities, parks, and trails.
8. Public Works Monthly Report on water production, service requests, and storm water updates.
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.)

APPROVED ITEMS #10 – #19 / 6 – 0

10. Consider and act upon the approval of Minutes. (CSO/KM)
 - A. Consider and act upon the approval of the January 17, 2023, Regular City Council Meeting Minutes. (CSO/KM)
11. Consider and act upon acceptance of Quarterly Investment Report for the quarter ending December 31, 2022. (Budget/BP)
12. Consider and act upon authorizing the City Manager to execute a Pipeline License by and between the City of Frisco and BNSF Railway Company for the construction of the Fields Trunk Sewer. (Engineering/JG)
13. Consider and act upon authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Lamb-Star Engineering, LLC for Hillcrest Schematic from SH 121 to Main Street. (Engineering/JX)

14. 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. for Downtown Street Improvement and Plaza (Phase 2). (Engineering/JX)
15. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Advance Funding Agreement with the Texas Department of Transportation to purchase a Crash Attenuator Truck. (Fire/LG)
RESOLUTION 2023-02-03R
16. Consider and act upon award of Best Value Bid #2311-020 County Road 68 Reconstruction to Anderson Asphalt & Concrete Paving, LLC and authorizing the City Manager to execute an agreement for these services. (Public Works /DF)
17. Consider and act upon ratification of a purchase order with Legends Hospitality, LLC for catering services during the 2023 NCAA FCS National Championship football game at Toyota Stadium. (Administrative Services/DF)
18. Consider and act upon approval of a purchase order to Usrey & Associates, Inc. for human resources consulting services. (Human Resources/DF)
19. 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.)

PULLED ITEM #21 / 6 – 0

APPROVED ITEMS #20 AND #22 / 6 – 0

APPROVED ITEM #21 / 6 – 0

20. Consider and act upon adoption of an Ordinance to rescind a Specific Use Permit (S-266) for a Licensed Child Care Center on 5.6± acres on the southwest corner of Legacy Drive and Stonebrook Parkway. Zoned Office-1 with a Specific Use Permit for a Licensed Child-Care Center. Neighborhood #39. Zoning Case No. SUP22-0007. Applicant: City of Frisco. (Development Services/JH)
ORDINANCE 2023-02-02
21. Consider and act upon adoption of an Ordinance for a Specific Use Permit (SUP) and an Alternative Compliance Standard for number of building stories, for a mini warehouse/self-storage facility on one lot on 8.0± acres on the northwest corner

of Frisco Street and Research Road. Zoned Commercial-1. Neighborhood #46. Specific Use Permit Case No. SUP22-0006. Applicant: Fred Gans. (Development Services/JH) **ORDINANCE 2023-02-03**

22. Consider and act upon adoption of an Ordinance to rezone 16.3± acres on the southeast corner of Ohio Drive and Warren Parkway ("Property"), from Commercial-1 to Planned Development-Townhome, and to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended). Zoned Commercial-1. Neighborhood #29. Zoning Case No. Z22-0011. Applicant: Kimley-Horn. (Development Services/JH) **ORDINANCE 2023-02-04**

REGULAR AGENDA

23. Public Hearing: A request to repeal Ordinance No. 09-04-17 consisting of 36.2± acres on the southeast corner of Dallas Parkway and Warren Parkway ("Property"), to amend the Zoning Ordinance (Ordinance No. 11-04-09, as amended), to rezone the Property as Planned Development-Office-2/Retail/Residential, and to consider to direct Staff to prepare an Ordinance of the same. Zoned Planned Development-196-Mixed Use. Neighborhood #35. Zoning Case No. Z22-0017. Applicant: City of Frisco. Tabled 01/03/2023. (Development Services/JH) **TABLED ITEM #23 UNTIL THE MARCH 7, 2023, REGULAR CITY COUNCIL MEETING / 6 – 0**
24. Second Public Hearing: A request for the continuation of Article V (Juvenile Curfew) of Chapter 54 of the Code of Ordinances of the City of Frisco, Texas, relating to the juvenile curfew. Under Texas law, the Juvenile Curfew Ordinance must be reviewed, and public hearings held on the need to continue the Ordinance every three (3) years. (Police/DS) **SECOND PUBLIC HEARING WAS HELD.**
25. Consider and act upon adoption of an Ordinance continuing Article V (Juvenile Curfew) of Chapter 54 of the Code of Ordinances of the City of Frisco, Texas, in accordance with Section 370.002 of the Texas Local Government Code, and making findings related thereto. (Police/DS) **APPROVED 6 – 0 / ORDINANCE 2023-02-05**
26. Consider and act upon adoption of an Ordinance designating eight (8) election precincts for the Saturday, May 6, 2023, General Election, and each subsequent municipal 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 6 – 0 / ORDINANCE 2023-02-06**
27. Consider and act upon adoption of an Ordinance of the City Council of the City of Frisco, Texas, calling a bond election for propositions: providing for the conduct of the election; and enacting other provisions relating to the subject. (Budget/JH)

APPROVED 6 – 0 / ORDINANCE 2023-02-07

Recess into Closed Session in compliance with Section 551.071 et. seq. Texas Government Code. **RECESSED AT 9:07 P.M.**

Reconvene into Regular Session and take any action necessary as a result of the Closed Session. **RECONVENED AT 10:06 P.M. / NO ACTION TAKEN**

28. Consider and act upon adoption of an Ordinance of the City Council of the City of Frisco, Collin and Denton Counties, Texas, ordering a General Election to be administered by the Collin County Elections Administrator and the Denton County Elections Administrator on May 6, 2023, for the purpose of electing a Mayor and two members of the Frisco City Council (Place Nos. 5 and 6) to fill expiring terms; 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. (CSO/KM)

APPROVED 6 – 0 / ORDINANCE 2023-02-08

Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code. **RECESSED AT 11:35 P.M.**

Reconvene into Regular Session and take any action necessary as a result of the Closed Session. **RECONVENED AT 12:57 A.M. / NO ACTION TAKEN**

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

COUNCIL REQUESTED STAFF FOLLOW-UP REGARDING OPTIONS FOR AN ANIMAL SHELTER TO BE PRESENTED AT A FUTURE CITY COUNCIL WORK SESSION MEETING.

ITEM #23 WAS TABLED UNTIL THE MARCH 7, 2023, REGULAR CITY COUNCIL MEETING.

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

ADJOURN – 12:58 A.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/>.*