

CITY COUNCIL SPECIAL MEETING

OCTOBER 18, 2011

The City Council of the City of McKinney, Texas met in special session at the Collin College Higher Education Center, 3452 Spur 399, McKinney, Texas on October 18, 2011 at 3:30 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro-Tem Travis Ussery, Council members: David Brooks, GERALYN KEVER, Don Day, and Roger Harris. Council member Ray Ricchi arrived at 3:45 p.m.

Staff Present: City Manager Jason Gray; Deputy City Manager Joe Williams; Deputy City Manager Rick Chaffin; City Secretary Sandy Hart; City Attorney Mark Houser; Assistant to the City Manager Aretha Harvey; Fire Chief Danny Kistner; Facilities Construction Manager Trish Jackson; Communications and Marketing - Anna Clark, Laura Smetak, Karl Suchman, and Joey Barr; and Finance Director Rodney Rhoades.

There were approximately 50 guests present.

Mayor Loughmiller called the meeting to order at 3:31 p.m. after determining a quorum present.

Mayor Loughmiller recessed the meeting into executive session at 3:32 p.m. per Texas Government Code Section 551.071 (2). Consultation with City Attorney on any Work Session, Special or Regular Session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed), Section 551.071 (1) (A). Litigation / Anticipated Litigation, and Section 551.087 Discuss Economic Development Matter as listed on the posted agenda. Mayor Loughmiller recessed to the open session at 3:45 p.m.

Mayor Loughmiller called for Action on Executive Session

Council unanimously approved the motion by Council member Brooks, seconded by Mayor Pro-Tem Ussery, to approve a Chapter 380 Incentive Agreement with Emerson and to authorize the City Manager to execute same consistent with the terms discussed during the closed session.

Mayor Loughmiller recessed the meeting at 3:45 p.m. for a press conference. Mayor Loughmiller reconvened the special meeting at 4:20 p.m.

Mayor Loughmiller recessed back into executive session at 4:20 p.m. per Texas Government Code Section 551.071 (2). Consultation with City Attorney on any Work Session, Special or Regular Session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed), Section 551.071 (1) (A). Litigation / Anticipated Litigation, and Section 551.087 Discuss Economic Development Matter as listed on the posted agenda. Mayor Loughmiller recessed to the open session at 5:05 p.m.

Mayor Loughmiller called for Action on Executive Session Items

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Day, to approve a settlement agreement with City of McKinney, Texas v. Hunter 38042, L.P. - Cause No. 006-1651-2009.

Council unanimously approved the motion by Council member Kever, seconded by Council member Brooks, to approve a settlement agreement with City of McKinney, Texas, v. Crow-Billingsley McKinney 380, Ltd. - Cause No. 006-1654-2009.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Day, to approve a settlement agreement with City of McKinney, Texas v. Texas Medical Data Systems, Inc., National Reimbursement Services, Inc., and Robert Sarlay; Cause No. 429-01966-2010; 429th District Court of Collin County, Texas.

Council unanimously approved the motion by Council member Kever, seconded by Council member Brooks, to approve a settlement agreement with Newland Communities - Ridge Road Bridge.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Day, to adjourn. Mayor Loughmiller adjourned the meeting at 5:05 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary