

## CITY COUNCIL REGULAR MEETING

**JANUARY 16, 2018**

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on January 16, 2018 at 6:00 p.m.

Council Present: Mayor George C. Fuller, Mayor Pro Tem Rainey Rogers, Council members: Chuck Branch, Scott Elliott, Charlie Philips, Tracy Rath, and La'Shadion Shemwell.

Staff Present: City Manager Paul Grimes; Deputy City Manager Jose Madrigal; Assistant City Manager Barry Shelton; Assistant City Manager Steve Tilton; City Attorney Mark Houser; City Secretary Sandy Hart; Assistant to the City Manager Trevor Minyard; Executive Director of Development Services Michael Quint; Planning Manager Jennifer Arnold; Planning Manager Samantha Pickett; Director of Parks and Recreation Michael Kowski; Assistant Director of Parks and Recreation Ryan Mullins; Director of Engineering Gary Graham; Engineering - Nicholas Ataie, Matt Tilke, and Paul Tucker; IT Desktop Technician Trent South; Chief Information Officer Sid Hudson; Housing and Community Services Manager Janay Tieken; Transit Administrator Tony Cao; Police Officer Tyler Lewis; Chief Financial Officer Mark Holloway; Human Resources Director Ike Obi; and Intern Grayson Roberts.

There were twenty guests present.

Mayor Fuller called the meeting to order at 6:03 p.m. after determining a quorum was present. Invocation was given by Minister David Jordan, Crosspoint Church. Mayor Fuller led the Pledge of Allegiance.

Mayor Fuller called for Citizen Comments.

Ms. Ada Simmons, 512 Cypress Hill, McKinney spoke about the wonderful Martin Luther King event that was held over the last weekend.

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Elliott, to approve the following consent items:

- 18-034** Minutes of the City Council Regular Meeting of January 2, 2018
- 18-012** Minutes of the Historic Preservation Advisory Board Regular Meeting of December 7, 2017

**17-1073** Minutes of the McKinney Housing Finance Corporation Meeting of September 29, 2017

**18-019** Minutes of the Planning and Zoning Commission Regular Meeting of December 12, 2017

**18-035** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2017-2018 Annual Budget and Amending the 2018-2022 Capital Improvements Program; and Allowing a \$23,000 Donation from the McKinney Armed Services Memorial Board to be Added to the Gold Star Memorial Project (PK1644). Caption reads as follows:

ORDINANCE NO. 2018-01-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2017-2018 BUDGET AND THE 2018 – 2022 CAPITAL IMPROVEMENTS PROGRAM TO APPROPRIATE FUNDS FROM THE MCKINNEY ARMED SERVICES MEMORIAL BOARD FOR THE GOLD STAR MEMORIAL PROJECT (PK1644); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

**17-0001M** Consider/Discuss/Act on a Resolution to Accept and File the Semiannual Impact Fee Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees. Caption reads as follows:

RESOLUTION NO. 2018-01-003 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ACCEPTING AND FILING THE SEMIANNUAL REPORT WITH RESPECT TO THE PROGRESS OF THE CAPITAL IMPROVEMENTS PLAN FOR ROADWAY AND UTILITY IMPACT FEES

**18-036** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Birkhoff, Hendricks, & Carter, LLP to Provide Consulting Engineering Services for the WA1625 - University Pump Station - 920 PP Pump Project and Authorizing Any Supplemental Agreements. Caption reads as follows:

RESOLUTION NO. 2018-01-004 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$108,715 WITH

BIRKHOFF, HENDRICKS & CARTER, L.L.P. FOR CONSULTING ENGINEERING SERVICES FOR THE UNIVERSITY PUMP STATION – 920 PP PUMP PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$120,000

END OF CONSENT

- 18-037** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Approving Qualified Firms to Provide Professional Engineering Services for Traffic Engineering. Council member Shemwell inquired about the process of scoring the submittals. Transportation Engineering Manager Matt Tilke explained the scoring process for the selection of the vendor. The score sheet is set up when the RFQ is built. The resulting score is the aggregate of the individuals rating the vendors. Council unanimously approved the motion by Council member Branch, seconded by Council member Elliott, to approve a Resolution approving qualified firms to provide professional engineering services for Traffic Engineering. Caption reads as follows:

RESOLUTION NO. 2018-01-005 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING QUALIFIED FIRMS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR TRAFFIC ENGINEERING

- 17-0008Z** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C1" - Neighborhood Commercial District, Located on the Northeast Corner of Alma Road and Eldorado Parkway, and Accompanying Ordinance. Planning Manager Samantha Pickett stated the applicant is requesting to rezone the property to enable neighborhood commercial uses. Ms. Pickett stated the C-1 zoning is the lowest intensity of our commercial districts which will add much needed retail in this area and as such Staff recommends approval. Applicant, Mr. Tom Dudney, 7300 Eldorado Parkway, McKinney stated they are

currently marketing this parcel for sale for future development and the interest from the market has been for low-intensity retail users. Mayor Fuller called for public comments and there were none. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Councilwoman Rath, to close the public hearing and approve an Ordinance rezoning the subject property from "PD" - Planned Development District to "C1" - Neighborhood Commercial District, located on the northeast corner of Alma Road and Eldorado Parkway. Caption reads as follows:

ORDINANCE NO. 2018-01-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 2.42 ACRE PROPERTY, LOCATED ON THE NORTHEAST CORNER OF ALMA ROAD AND ELDORADO PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "C1" – NEIGHBORHOOD COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 18-038** Mayor Fuller called for Presentations on Requests for Resolutions of Support for 2018 9% Low Income Housing Tax Credits (LIHTC) from Affordable Housing Developers. Housing and Community Development Manager Janay Tieken presented information on the 9% tax credit application process. The Low Income Housing Tax Credit Program (LIHTC) provides investors in affordable housing with a tax credit that is used to offset a portion of their federal tax liability in exchange for the production of affordable, rental housing. LIHTC developments are overseen by the investors for the duration of the tax credits, a period of 10 years. The program is administered by the Texas Department of Housing and Community Affairs. The funding is very competitive. Developments receive an additional 17 points for a Resolution of Support, 14 points for a Resolution of No Objection, and 0 points for a

Resolution of Opposition. There are 2,128 units for low-income housing in McKinney, which equals 1.26% of population. The Sphinx development did receive funding which would give McKinney 2,343 units for low-income housing once this development is completed. Approximately one-third of the low-income units in McKinney are occupied by seniors or the disabled. There are three applications requesting Resolutions of Support for your consideration.

**18-039** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Regarding the Application of Maddox Square LLC (Saigebrook Development) to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the Construction of Maddox Square. Housing and Community Development Manager Janay Tieken introduced Megan Lasch with Saigebrook Development. Ms Lasch stated that the site is located just off of Virginia Parkway and south of Ridge right behind the Trinity Presbyterian Church. This will be a mixed income community. Our property is zoned for its intended use and we are working within the planned development that is in place. We have met with the members of the church and members of the community and have revised the site plan to meet what the neighbors would like to see as far as access and to meet the letter of the code as the PD is currently approved. After meeting with the church, we modified our site plan to include garages and two parking spaces per unit. We are also working to add additional garages to meet the PD. The amenities include a clubhouse, 24-hour fitness center, multi-purpose room and swimming pool. It will be a gated community as per the PD and will have full perimeter fencing and controlled access. Our particular site would not get funding and would essentially go away if we were not able to receive the 9% credits. Council member Philips wanted to make sure Council was aware of the concerns that Trinity Presbyterian Church had and he expressed to Ms.

Lasch in response to an email that she sent that he cannot support this multi-family project. We are understanding that the Church would have to agree to give the development secondary access and the letter submitted by the Church indicated that is a work in progress. Ms. Lasch stated that title work and survey show that there is one access through the Church property and there is a secondary access through the adjacent senior housing. In our discussion with the Church, we have agreed to make the Church secondary and use the other access as primary. At this point, we have the right to go through their parking lot because the easements are in place. Mayor Fuller called for public comments.

Mr. Patrick McCoy, 306 West Park Drive North, McKinney, Pastor and President of Trinity Presbyterian Church stated that he is neither in support or opposition to this project. We have a scout troop, a youth group, and various activities day and night and the idea of that being an area of constant traffic frightened us.

Mr. Jerry Green, 1117 Constitution, McKinney spoke in support.

Mr. Pablo Ruiz, 1204 Rumford Court, McKinney, stated he would like to see a development that does not adversely affect the future growth of the Church.

Council unanimously approved the motion by Council member Branch, seconded by Council member Shemwell, to close the public hearing.

Planning Manager Samantha Pickett stated there would be no parking where the easement exists. CIP Manager Nick Ataie stated the easement is a fire lane mutual access easement and also a water and sanitary sewer easement. Council member Elliot stated that after hearing from the Pastor who is neither for, nor against, and having looked at how Ms. Lasch and her firm is approaching things, my inclination is to approve the tax credit knowing that does not mean approval of the project. Mayor Pro Tem Rogers stated that is a problem

having an access through a parking lot. I think that is just an accident waiting to happen. This is a good product but I don't know that this is the right place. Mayor Fuller stated the right to the easement has already been agreed to, those things are already in place and in no way, shape, or form would be at our discretion to take away. We are focusing on the effect of multi-family when multi-family already has entitlement to exist there. Variances or anything that they might need to do to get approval for a site plan for this development is something aside and will come before us in a different venue or at a different time. Council member Philips stated the applicant said if they didn't have the letter of support, they would not go forward with this project. And that assures me that there will not be 100 new residents who are the neighbors of this property cutting through the parking lot and will also assure me that there is room for future growth of the Church. Council approved the motion by Council member Philips, seconded by Council member Branch, to approve a Resolution of Opposition of the City Council of the City of McKinney, Texas, regarding the application of Maddox Square LLC (Saigebrook Development) to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the construction of Maddox Square with a vote of 4-3, Mayor Fuller and Council members Elliott and Shemwell voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-006 (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN OPPOSITION TO THE APPLICATION BY MADDOX SQUARE LLC TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR MADDOX SQUARE, LOCATED AT THE SE CORNER OF RIDGE ROAD AND VIRGINIA PARKWAY; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

- 18-040** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Regarding the Application of the Groundfloor Holdings LLC to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the

Construction of Circle F Ranch Lofts. Applicant, Mr. Martin Sanchez, 200 North McDonald Street, McKinney, stated he is a big supporter of dignified housing and not just affordable housing. The Cross F Planned Development District established back in the 1980s is a zoning PD that allows for the development of around 12,000 residential units, everything from large estate development, to more moderately-sized homes and yes, even to apartments. The agreement with Groundfloor Development entertains two proposed communities that are low density relative to the amount of zoning that we have entitled to us. Some of the 180 units will be market-rate and some will be rent-controlled based on the annual household income. At this point, we do not have a site plan or a plat. We are asking for the resolution in order to be able to move forward to those details. Mr. Sanchez stated according to the PD they have the right to basically establish 7,000 multi-family units across all of Cross F broken down into three various zones. The zoning in place today gives me the right to put on the ground about 3,500 units. What we have laid out is two 180-unit communities, another single-family community behind it of approximately 150 units, associated parks, et cetera. If we get the Resolution of Support, we will move forward with details of the site-planning, platting, working with the planning staff to make sure that the parks are there and all the items that go around it are there. We would have to build Hardin Road adjacent to the two developments and a portion of Community Avenue. Mayor Fuller called for public comments and there were none. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Branch, to close the public hearing. Council member Philips stated he had high hopes that Cross F Ranch would put McKinney on the map and I do not want to announce to the world that Cross F Ranch is an apartment community. Council approved the motion by Mayor Pro Tem Rogers, seconded by Council member Shemwell, to approve a Resolution of Support of the



City Council of the City of McKinney, Texas, regarding the application of the Groundfloor Holdings LLC to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the construction of Circle F Ranch Lofts with a vote of 5-2-0, Council members Philips and Branch voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-007 (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN SUPPORT OF THE APPLICATION BY GROUND FLOOR HOLDINGS LLC, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR THE CIRCLE F RANCH LOFTS, LOCATED AT THE NE CORNER OF FUTURE HARDIN BLVD AND COMMUNITY AVE; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

**18-041** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Regarding the Application of GroundFloor Holdings LLC to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the Construction of Circle F Ranch Seniors. Mayor Fuller stated that this is a companion item to the previous item. Mayor Fuller called for public comments and there were none. Council approved the motion by Council member Shemwell, seconded by Council member Elliott, to close the Public Hearing and approve a Resolution of Support of the City Council of the City of McKinney, Texas, regarding the application of GroundFloor Holdings LLC to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the construction of Circle F Ranch Seniors with a vote of 5-2-0, Council members Philips and Branch voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-008 (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN SUPPORT OF THE APPLICATION BY GROUND FLOOR HOLDINGS LLC, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR THE CIRCLE F RANCH SENIORS, LOCATED AT THE NE CORNER OF FUTURE HARDIN BLVD AND COMMUNITY AVE; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

**18-042** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Ratifying the First Amendment to the Interlocal Agreement with the Denton County Transportation Authority ("DCTA") to Provide Transit Services to the McKinney Urban Transit District Service Area on Saturdays, and Approving the Second Amendment to said Interlocal Agreement to: (a) Add Contract Provisions Now Required for Compliance with Federal Contracting Guidelines; and, (b) Outline Changes in DCTA's Scope of Services Regarding the Use of Two (2) 2014 Glaval Titan LF Buses. Transit Administrator Tony Cao stated this item seeks Council's approval to make two amendments to the Interlocal Agreement with DCTA. The first amendment would ratify the expansion of transit services to include Saturdays from 8:00 a.m. to 6:00 p.m. The second amendment includes federal clauses and are required to utilize federal grant funds and to modify the scope of changes to include bus management and bus operations for two buses that were previously acquired from TAPPS. Mr. Cao stated DCTA will be responsible for maintenance of the buses. Currently the two buses are sitting with DCTA and things need to be done with maintenance and rebranding to get the buses in service. We are planning on using federal funds and in order to do that we have to have federal clauses in the ILA to do so. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Shemwell, to approve a Resolution ratifying the First Amendment to the Interlocal Agreement with the Denton County Transportation Authority ("DCTA") to provide transit services to the McKinney Urban Transit District Service Area on Saturdays and approving the Second Amendment to said Interlocal Agreement to: (a) add contract provisions now required for compliance with Federal Contracting Guidelines; and, (b) outline changes in DCTA's scope of services regarding the use of two (2) 2014 Glaval Titan LF Buses. Caption reads as follows:

RESOLUTION NO. 2018-01-009 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY OF MCKINNEY, AS THE DESIGNATED RECIPIENT FOR THE MCKINNEY URBANIZED AREA TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE DENTON COUNTY TRANSPORTATION AUTHORITY FOR THE PROVISION OF TRANSIT SERVICE WITHIN THE MCKINNEY URBAN TRANSIT DISTRICT AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION

- 18-043** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Revising the Lease Agreement for the Downtown Parking Garage, Generally Located on the Northeast Corner of Chestnut Street and Virginia Street. Assistant City Manager Barry Shelton stated this item is to revise the lease approved on April 4, 2017. It is generally the same program we have under the existing lease. After five years of rent we will own the parking structure. It does allow us to have a pre-payment at any time during the lease period to pay the remaining balance and take ownership at that time. The revision extends the completion date to December 1, 2018. The City will waive its development fees associated with this project and anticipate these will be in the range of \$42,000 worth of fees. It also indicates the City will pay for the relocation of the Oncor power pole located on the south side of Herndon. It offers up to \$35,000 in related utility, paving and landscape construction in-kind services towards the project. The total project cost is just under \$7.6 million. Council approved the motion by Council member Shemwell, seconded by Council member Elliott, to approve a Resolution revising the lease agreement for the downtown parking garage, generally located on the northeast corner of Chestnut Street and Virginia Street with a vote of 6-1-0, Council member Branch voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-010 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED LEASE AGREEMENT WITH VIRGINIA@5, LLC AND SP2 301 E VIRGINIA, LLC FOR A DOWNTOWN PARKING GARAGE

**18-044** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Amending the 2018 - 2022 Capital Improvements Program, to Create a New CIP Project and Provide Funds for Gabe Nesbitt Park Improvements. Director of Parks and Recreation Michael Kowski stated this item focuses on the John and Judy Gay Library and the connection to the existing developed area of Gabe Nesbitt Park and provides a second means of ingress and egress to the library site. They are going through a massive expansion of the library that will double the size of the library. Per the Fire Marshal we must have a second means of ingress/egress for vehicles. There is another area near the baseball fields where I am proposing additional parking. This is a partnership between the library and Parks and Recreation to use that money, pool our resources, to actually achieve those results. Council approved the motion by Councilwoman Rath, seconded by Council member Branch, to approve a Resolution amending the 2018 - 2022 Capital Improvements Program, to create a new CIP Project and provide funds for Gabe Nesbitt Park Improvements with a vote of 6-1-0, Council member Shemwell voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-011 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2017-18 BUDGET AND THE 2018 – 2022 CAPITAL IMPROVEMENTS PROGRAM

**18-045** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract with Birkhoff, Hendricks, & Carter, LLP to Provide Consulting Engineering Services for the Update of the WA4202 - Water Master Plan, WW4209 - Wastewater Master Plan and Utility Impact Fee Project and Authorizing Any Supplemental Agreements. CIP Manager Nick Ataie stated this item is in reference to the updates to the water and wastewater master plan as required. It's also to update the utility impact fee analysis. The current

water/wastewater master plans were last updated in 2013. This update will take into account the changes for future land use planning and also look at associated water and wastewater capital infrastructure. The contract includes a new water and wastewater impact fee report which was last completed in 2013 and is required to be updated every five years per requirements of the Local Government Code. The study will look at three scenarios - the baseline, a ten-year plan, and then build-out. Executive Director of Development Services Michael Quint noted that state law mandates that we re-evaluate our impact fees every five years. We need to do that this year. We may have to make our future land use plan based on assumptions and feed that into the plan update. Then we can come back and modify the comprehensive plan once TXDOT makes up their mind on the 380 bypass. Council unanimously approved the motion by Council member Elliott, seconded by Council member Branch, to approve a Resolution authorizing the City Manager to execute a contract with Birkhoff, Hendricks, & Carter, LLP to Provide Consulting Engineering Services for the update of the WA4202 - Water Master Plan, WW4209 - Wastewater Master Plan and Utility Impact Fee Project and authorizing any supplemental agreements. Caption reads as follows:

RESOLUTION NO. 2018-01-012 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$474,470 WITH BIRKHOFF, HENDRICKS & CARTER, L.L.P. FOR CONSULTING ENGINEERING SERVICES FOR THE UPDATE OF THE WATER MASTER PLAN, THE WASTEWATER MASTER PLAN AND THE UTILITY IMPACT FEE PROJECT AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$522,000

**18-046** Mayor Fuller called for Consideration/Discuss the Recent Implementation of EnerGov, McKinney's New Land Management Software System Developed by Tyler Technologies, Inc. Executive Director of Development Services Michael Quint presented a brief update on the implementation of EnerGov, specifically our new land management

software. On October 16, 2017, a series of software packages went into service. The CSS, or citizen self-service and customer-facing side of EnerGov, is where folks submit plans and submit and request permits. There is also the e-Review digital permit or digital plan review portal, where plans will be submitted for plan review, whether it be through building inspections, engineering or planning. There is the IG Enforce, IG Inspect iPad apps that are loaded onto iPads for our field staff so they can do quick and essential building inspections, construction inspections or CO inspections. The EnerGov back office is the portion of the software that internal staff will use to manipulate data, review plans to process permits, charge fees, assess fees, etc. We have our IVR automated phone line, where you can call in a building inspection or things of that nature from any cell phone and from anywhere. All you need is your permit code and you'd be able to get in and access inspections for your permit. There have been many challenges with the software working as it should. It has been very time consuming for staff as well as customers. The solution going forward is to continue to evaluate how to make the software fixes and what the best way to do that is. Since October we have been identifying what issues can be fixed in-house with our team and what issues do we have to go back to Tyler and ask for help on. We just don't know which of these issues are best suited to be resolved by Tyler, how long it's going to take them to fix, how much it's going to cost them to fix, and what assurances do we have that the fixes won't break other things. Mayor Fuller stated Council understands this is a complex, convoluted issue and the solution that you have today might open up a can of worms that requires a new solution tomorrow. Chief Information Officer Sid Hudson stated that we have identified 182 items that need reconfiguration. We showed those to Tyler so they can evaluate them and make sure they understand what we're asking for. I had a conversation with Tyler about putting forth a good-faith effort to

bring staff in here at their own cost and help us resolve those issues. Mr. Quint stated that as of January 11, 2018, we had 237 single-family residential permits pending. As of today, we have 129. We'll get there but we have to be methodical and intentional about it. We appreciate the support of the Council and appreciate the support of the City Manager's office for being committed to righting the ship. We will continue to work with our IT department and Tyler and will come back to Council in the near future. Council member Elliot expressed concerns that if there are bugs in the software that Tyler delivered, we should not have to pay for them to fix those. Mr. Hudson stated that the software is customized out of the box. Any bugs or fixes are getting rolled into the new versions as they go but the modifications, or the customization, does not go into their application. Council member Elliot stated that, as we contemplate spending more money, I would like to know from the vendor's side if they have given us the tools to make sure that things don't get to production and break other things. City Manager Paul Grimes stated we are not where we want to be and we're not happy with the product. I don't mean Tyler's product, but our product together and what we provide to our customers. We know Tyler Technologies is a leader in the field. Mr. Grimes stated that we will not advance any financial system ERP until he is confident, working with our team, that we have a better systematic approach to doing that. At the next meeting, we're bringing forward a consulting agreement to start designing specifications before going out to the marketplace for an ERP.

**18-047** Mayor Fuller called for Consideration/Discussion/Action on Filling the Vacant Position on the McKinney Armed Services Memorial Board. Mayor Pro Tem Rogers stated that he and Council member Branch conducted the interviews for this Board and have agreed that we would like to put the name of Ken Davis forward to be added to the Board. Council unanimously approved the motion by Mayor Pro Tem Rogers,

seconded by Council member Branch, to appoint Ken Davis to fill the vacant position on the McKinney Armed Services Memorial Board.

Mayor Fuller called for Citizen Comments and there were none.

Mayor Fuller called for Council and Manager Comments.

Council member Philips recognized McKinney Economic Development Corporation Board member and member of Leadership McKinney Michael Jones. Mr. Philips thanked Mayor Pro Tem Rogers who did an outstanding job on behalf of the entire City Council speaking at Memorial services for Leonard Evans. He did a wonderful job and I was truly proud. Mr. Philips recognized Lance Olinski who is a citizen of McKinney and formed Streetside Showers after he was in a bathroom and saw a homeless person trying to clean himself in the sink. He was so moved by it, that he invested in some trailers to drive around the Metroplex and give showers to the homeless. Today he received word that Streetside Showers was approved as a 501(c)(3) corporation by the IRS. It's an amazing ministry and started in McKinney. Mr. Philips thanked City Manager Grimes for being available whenever Council has something that they need. He always provides the information that we need. This weekend a church had a gas leak and needed a City inspector to inspect the line so that the gas could be turned on. He was able to get someone out to inspect to enable the Church to hold Sunday services. It was greatly appreciated.

Council member Elliot stated that it is Paul Grimes kudos night. Councilwoman Rath, Mr. Grimes and I had a chance to go to Ada Simmons' Martin Luther King power leadership breakfast on Saturday at Collin College. With Tracy's excellent coaching City Manager Grimes filled in for Mayor Fuller and he did an excellent job. Mr. Elliott announced that Darrell Auterson has resigned his position as President of the McKinney Economic Development Corporation. He is dealing with tough family health issues. Mr. Elliott expressed his thanks to Darrell for his service and God speed with the issues that you have to deal with.

Mayor Pro Tem Rogers thanked Mr. Philips for his kind words. It was an honor for me to represent the City and the Mayor at the funeral of a good man that I considered a friend. He was one of the great citizens of McKinney. If you look back at his life, Coach Evans was a wonderful human being and a man that was needed at the



time that he was here. He also taught me how to drive. Seventeen years ago this last November, some friends of ours that we went to church with were in a wreck. The parents were killed and their five kids survived. About five months ago, the youngest, who went through some fairly traumatic brain injury, desired to seek out and search for the nurse that saved his life. So there is a great little video if you haven't seen it, it's called "help me find the nurse who saved my life." The family actually came in on Sunday and I had a handful of them stay at our house for the last two days. They met with the nursing staff that helped the kids 17 years ago and most of them are still at the McKinney hospital. It just reminds us the quality of people that we have in our City. I'm proud to live in this City. I just wanted to acknowledge the first-responders and people who work here in McKinney.

Council member Shemwell stated that when he woke today it was 19 degrees. It was even colder during the night and the Vintage Church has been opening their doors as a homeless shelter. Hope Fellowship Church on University Drive has also opened their doors this winter during these cold nights. So if you see anyone that needs shelter, you can point them that way. I appreciate that the churches are taking a stance to help those in need. That is what they are called to do and what God has called us to do. I also attended Coach Evans' funeral. I had a really good relationship with Coach Evans. As one of the last things he was able to do on this Earth was endorse me in my candidacy to represent this District. Mr. Shemwell stated that he attended the first-ever Collin County Martin Luther King Appreciation Day in Allen where I saw the Mayor and Mr. Grimes. There was standing room only and if you didn't get to make it, I think next year will be even better. One of the Dr. King quotes that stood out to me was "We stop living the moment we stop caring about things that matter." As we celebrate his life, it's important to put into context that we celebrate his life now and it's a holiday. Coach Evans was probably the greatest man I ever met and in terms of seeing his life, being the son of a slave, living in McKinney for 93 years, integrating schools, being the first black to work in a white school, and all of the people that he touched here. He left a great example for me to follow.

Council member Branch noted that the appointment tonight to McKinney Armed Services Memorial Board was due to George Lodge's resignation due to his health. He

is a great man and served veterans and the military here in Collin County. He was very instrumental in helping bring the Veterans Memorial Park and a big part of that was getting the Gold Star Memorial here in McKinney. We certainly appreciate him and love him and hope he recovers soon.

Councilwoman Rath stated that she attended a half-day Main Street retreat today facilitated by our own Assistant City Manager Barry Shelton. A lot of good discussion from the Board and I think staff is going to go back and wordsmith some things and Main Street Board will be taking a look at that again in February before it comes to Council sometime in early spring. Ms. Rath stated that she had spoken to the City Manager about bringing the Comprehensive Plan back to Council since it had been stalled largely in part because of the mobility portion with TXDOT. Ms. Rath was favorable with Mr. Grimes working with staff to see if there are some elements of the plan that we can start moving forward with. Ms. Rath expressed her excitement at the new development at Cross F Ranch. I take every project on its merits and I'm looking forward to some affordable housing in the Northwest sector. I look forward to the roads being built that the City is not going to have to do and certainly we'll partner and do our part as we always do. That location will be providing workforce housing that will be needed.

City Manager Grimes stated he had mentioned briefly the water service line and the question about our water loss. We're continuing work on our water service line replacement and we are seeing results. Water loss is an important issue. You will never get it down to 0 and typically try to get it between 8-10% ideally. Staff is currently working in the Pine Ridge Estates 2 and the Legends of McKinney Phases 1, 2, and 3. With the temperatures below freezing, things will slow down a little bit, but the crews really do have it down to a science and how quickly they can make work of a subdivision in terms of replacing water service lines. Mr. Grimes reminded everyone that on February 2nd, the City Council will hold a Strategic Planning Workshop in the Council Chambers with Mr. Patrick Ibarra facilitating the meeting. Mr. Ibarra will be holding pre-conversations prior to February 2nd. I failed to announce this at the last meeting, we are very excited to announce the hiring of our new Airport Director - Ken Carley. He is coming to McKinney from the quad cities area that includes Rock Island,

Moline, Illinois, and Bettendorf and Davenport, Iowa. We are excited to have him on-board and he has a full schedule already.

Mayor Fuller stated that Mr. Auterson has done a great job for the City and wish him the best of luck. Ada Simmons did a good job on the Martin Luther King Jr. event and I was sorry that I was not able to attend. I did attend the Martin Luther King Jr. event in Collin County. My two favorite quotes from Mr. Martin Luther King, Jr. – “if you can't fly, run. If you can't run, walk. If you can't walk, crawl.” Whatever you do, just move forward. Another quote was “if I can't do great things I will do small things in a great way.” I think that is something for all of us to hold on to.

Mayor Fuller recessed the meeting into executive session at 8:50 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 551.072 Discuss Real Property, and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Fuller recessed back into open session at 9:04 p.m.

Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to adjourn. Mayor Fuller adjourned the meeting at 9:05 p.m.

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GEORGE C. FULLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary