

## **CITY COUNCIL REGULAR MEETING**

**AUGUST 16, 2022**

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, August 16, 2022 at 6:00 p.m.

Council Present: Mayor George Fuller, Mayor Pro Tem Rainey Rogers, and Council Members Charlie Philips, Geré Feltus, Patrick Cloutier, Rick Franklin, and Justin Beller.

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Assistant City Attorney Alan Lathrom, Director of Strategic Services Trevor Minyard, City Secretary Empress Drane, Deputy City Secretary Joshua Stevenson, City Secretary Administrative Assistant Blenda Sims, City Secretary Records Specialist Juametta Terrell, City Secretary Accreditation & Reporting Specialist Edith Ruiz, Chief of Police Greg Conley, Assistant Chief of Police Joe Ellenburg, Police Financial Analyst Cammie Martin, Chief Financial Officer Mark Holloway, Chief Information Officer Sid Hudson, Director of Parks & Recreation Michael Kowski, Facilities Construction Manager Trish Jackson, Director of Planning Jennifer Arnold, Director of Engineering Gary Graham, and I.T. Service Desk Technician II Asif Ali.

There was approximately fifteen (15) Members of the public present in the audience.

Mayor Fuller called the meeting to order at 6:09 p.m. upon determining a quorum of the Council was present.

Mayor Fuller called for the Invocation and Pledge of Allegiance. The Invocation given by Pastor Louis Rosenthal of McKinney First Baptist Church. The Pledge of Allegiance led by Mayor Fuller.

Mayor Fuller called for Public Comments on Non-Public Hearing Agenda items.

David Riche, 3612 Matilda Dr., McKinney, TX 75071, spoke regarding Agenda item #22-0576.

Beth Bentley, P.O. Box 2931, McKinney, TX 75070, spoke regarding Agenda item #22-0576.

Mayor Fuller called for the Consent Agenda.

Mayor Fuller requested that Agenda item #22-0762 be considered separately.

Council unanimously approved the motion by Council Member Cloutier, seconded by Council Member Franklin, to approve the following Consent items:

- 22-0751** Minutes of the City Council Work Session of August 2, 2022
- 22-0752** Minutes of the City Council Regular Meeting of August 2, 2022
- 22-0592** Minutes of the Historic Preservation Advisory Board Regular Meeting of May 5, 2022
- 22-0716** Minutes of the Historic Preservation Advisory Board Work Session of July 7, 2022
- 22-0717** Minutes of the Historic Preservation Advisory Board Regular Meeting of July 7, 2022
- 22-0718** Minutes of the Historic Preservation Advisory Board Special Meeting of July 18, 2022
- 22-0667** Minutes of the McKinney Community Development Corporation Meeting of June 23, 2022
- 22-0668** Minutes of the McKinney Community Development Corporation Potential Projects Subcommittee Meeting of July 11, 2022
- 22-0669** Minutes of the McKinney Community Development Corporation TUPPS Subcommittee Meeting of July 12, 2022
- 22-0670** Minutes of the McKinney Community Development Corporation Finance Committee Meeting of July 14, 2022
- 22-0488** Minutes of the McKinney Armed Services Memorial Board Meeting of May 11, 2022
- 22-0601** Minutes of the McKinney Main Street Board Meeting of June 9, 2022
- 22-0609** Minutes of the Parks, Recreation, and Open Space Advisory Board Meeting of June 9, 2022
- 22-0731** Minutes of the Planning and Zoning Commission Regular Meeting of July

26, 2022

- 22-0753** Consider/Discuss/Act on an Ordinance Repealing Chapter 6 (Air Pollution Control), Sections 6-1 Through 6-26 of the Code of Ordinances. Ordinance caption reads as follows:

**ORDINANCE NO. 2022-08-087**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, REPEALING CHAPTER 6, SECTIONS 6-1 THROUGH 6-26 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, ENTITLED "AIR POLLUTION CONTROL", ESTABLISHING PRESUMPTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

- 22-0754** Consider/Discuss/Act on an Ordinance Amending Chapter 70 - Offenses and Miscellaneous Provisions, Article VII (Smoking) of the Code of Ordinances. Ordinance caption reads as follows:

**ORDINANCE NO. 2022-08-088**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS, BY AMENDING CHAPTER 70, "OFFENSES AND MISCELLANEOUS PROVISIONS," BY AMENDING ARTICLE VII, "SMOKING"; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE**

- 22-0755** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter Into an Interlocal Agreement and Memorandum of Understanding Between the City of Plano, the City of McKinney, the City of Frisco, and Collin County, Texas, for the Application and Administration of the Department of Justice 2022 Byrne Justice Assistance Grant, and Designating the City Manager, or Designee, as Official Representative of the City in Matters Relating to the Program. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-118 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER ENTER INTO AN INTERLOCAL AGREEMENT AND MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PLANO, THE CITY OF MCKINNEY, THE CITY OF FRISCO, AND COLLIN COUNTY FOR THE APPLICATION AND ADMINISTRATION OF THE DEPARTMENT OF JUSTICE 2022 BYRNE JUSTICE ASSISTANCE GRANT, AND**

**DESIGNATING THE CITY MANAGER, OR HIS DESIGNEE, AS THE OFFICIAL REPRESENTATIVE OF THE CITY OF MCKINNEY IN MATTERS RELATING TO THE PROGRAM**

- 22-0756** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with RJN Group, Inc. for Professional Engineering Design Services for the Aerial Wastewater Crossing Improvements (US 380 and Throckmorton Street) Project and Authorizing Any Necessary Supplemental Agreements. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-119 (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 \$196,630.00 WITH RJN GROUP, INC. FOR ENGINEERING DESIGN SERVICES FOR THE AERIAL WASTEWATER CROSSING IMPROVEMENTS (US 380 AND THROCKMORTON STREET) PROJECT (CIP PROJECT WW4348), AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$226,000.00.**

- 22-0757** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Facilities Agreement for Gonzalez-Carreon Addition, Lots 1-3, Block A, Located in the ETJ of McKinney on the Northeast corner of Farm-to-Market Road 1827 and Surrey Estates Road. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-120 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A FACILITIES AGREEMENT FOR GONZALEZ-CARREON ADDITION, LOTS 1-3, BLOCK A, LOCATED IN THE ETJ OF MCKINNEY ON THE NORTHEAST CORNER OF FARM-TO-MARKET ROAD 1827 AND SURREY ESTATES ROAD**

- 22-0758** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with MVBA, LLC of Round Rock, Texas to Provide the Collection of Delinquent Fines, Court Costs and Fees. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-121 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MVBA, LLC FOR COLLECTIONS OF DELINQUENT FINES, COURT COSTS AND FEES.**

- 22-0759** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Amendment to the Construction Manager at Risk (CMAR) Contract with Crossland Construction Company, Inc. (Crossland) for an Additional Scope of Work Related to the Construction Remodel of the McKinney Municipal Service Center - North Campus Project (FC2058) Located at 3501 North Central Expressway, McKinney. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-122 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH CROSSLAND CONSTRUCTION COMPANY, INC. (CROSSLAND) WHOSE LOCAL OFFICE IS IN PROSPER, TEXAS RELATED TO THE MCKINNEY MUNICIPAL SERVICE CENTER – NORTH CAMPUS PROJECT (FC2058)**

- 22-0760** Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas Authorizing the City Manager to Negotiate an Agreement with SiFi Networks McKinney, LLC for the Development of an Open Access FTTP Broadband Network in McKinney, With Connection to Current and Future Public Facilities, the Development of a Connected Economic Development Corridor Along Collin McKinney Parkway, and an Increased Adoption Strategy for McKinney Residents. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-123 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH SIFI NETWORKS MCKINNEY, LLC FOR THE DEVELOPMENT OF AN OPEN ACCESS FTTP BROADBAND NETWORK IN MCKINNEY WITH CONNECTION TO CURRENT AND FUTURE PUBLIC FACILITIES, THE DEVELOPMENT OF A CONNECTED ECONOMIC DEVELOPMENT CORRIDOR ALONG COLLIN MCKINNEY PARKWAY, AND AN INCREASED ADOPTION STRATEGY FOR MCKINNEY RESIDENTS**

- 22-0761** Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2022 Rate Review Mechanism Filing;

Declaring Existing Rates to be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With the Negotiated Settlement; Finding the Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Determining That This Resolution was Passed in Accordance With the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of This Resolution to the Company and the ACSC's Legal Counsel. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-124 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL**

Mayor Fuller called for the Consent item to be considered separately.

- 22-0762** Consider/Discuss/Act on a Resolution Terminating the Agreement by and between the City of McKinney, Texas and McRight-Smith Construction, LLC, for Construction Manager at Risk Services Related to the Design and Construction of the TKI Executive Terminal at the McKinney Airport, and Authorizing the City Manager to Execute Such Documents as may be Necessary to Terminate the Agreement; and Providing an Effective Date

Council unanimously approved the motion by Council Member Feltus, seconded by Council Member Cloutier, to approve a Resolution Terminating the Agreement by and

between the City of McKinney, Texas and McRight-Smith Construction, LLC, for Construction Manager at Risk Services Related to the Design and Construction of the TKI Executive Terminal at the McKinney Airport, and Authorizing the City Manager to Execute Such Documents as may be Necessary to Terminate the Agreement; and Providing an Effective Date. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-125 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, TERMINATING THE AGREEMENT BY AND BETWEEN THE CITY OF MCKINNEY, TEXAS AND MCRIGHT-SMITH CONSTRUCTION, LLC, FOR CONSTRUCTION MANAGER AT RISK SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE TKI EXECUTIVE TERMINAL AT THE MCKINNEY AIRPORT; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Fuller called for the Plat Agenda.

**22-0140PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lots 1-9, Block A, of the 1544 County Road 362 Development, Located in the McKinney Extraterritorial Jurisdiction (ETJ), on the Southeast Corner of Miller Road (County Road 339) and County Road 362

Council unanimously approved the motion by Council Member Franklin, seconded by Mayor Pro Tem Rogers, to approve Staff's recommendation of Disapproval on a Preliminary-Final Plat for Lots 1-9, Block A, of the 1544 County Road 362 Development, Located in the McKinney Extraterritorial Jurisdiction (ETJ), on the Southeast Corner of Miller Road (County Road 339) and County Road 362.

Mayor Fuller called for the Regular Agenda and Public Hearing items.

**22-0763** Citizen Input on the FY 2022-23 Budget

The presentation for this item will be included in the Appendix of these minutes as "Appendix A - #22-0763 Presentation"

Daniel Porzio, 5500 McKinney Place Dr., McKinney, TX 75070, spoke regarding this item.

John Helmer, 708 Pearson, McKinney, TX 75069, spoke regarding this item.

**22-0764** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2021-2022 Annual Budget and Amending the 2022-2026 Capital Improvements Program to Provide Funds for the ERP Implementation Project (IT1007)

The presentation for this item will be included in the Appendix of these minutes as "Appendix B - #22-0746 & #22-0765 Presentation".

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Franklin, to approve an Ordinance Amending the Fiscal Year 2021-2022 Annual Budget and Amending the 2022-2026 Capital Improvements Program to Provide Funds for the ERP Implementation Project (IT1007). Ordinance caption reads as follows:

**ORDINANCE NO. 2021-08-089**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2021-2022 BUDGET AND THE 2022-2026 CAPITAL IMPROVEMENTS PROGRAM FOR THE ERP IMPLEMENTATION PROJECT (PROJ # IT1007); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**22-0765** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Change Order with Sierra-Cedar, LLC Dedicating Additional Time and Resources to the Enterprise Resource Planning Project

The presentation for this item will be included in the Appendix of these minutes as "Appendix B - #22-0746 & #22-0765 Presentation".

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Cloutier, to approve a Resolution Authorizing the City Manager to Execute a Change Order with Sierra-Cedar, LLC Dedicating Additional Time and Resources to the Enterprise Resource Planning Project. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-126 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH SIERRA-CEDAR, LLC., DEDICATING ADDITIONAL TIME AND RESOURCES TO THE ENTERPRISE RESOURCE PLANNING PROJECT (IT1007) AND AUTHORIZES AN ADDITIONAL \$100,000 IN CONTINGENCY FOR ANY SUPPLEMENTAL CHANGES**

**22-0576** Consider/Discuss/Act on an Ordinance Approving the Redistricting of the City's Single-Member Council Districts and Establishing New District Boundary Lines for McKinney City Council Elections Based on the 2020 Census Data; and Providing for an Effective Date



The motion by Council Member Feltus, seconded by Council Member Beller, to approve Plan D failed with a vote of 3-4, Mayor Fuller, Mayor Pro Tem Rogers, and Council Members Franklin and Philips voting against.

Mayor Pro Tem Rogers motioned to approve Plan A.

Mayor Fuller asked the City Attorney for advice regarding the motion.

City Attorney Houser requested time to contact the Consultant regarding this item.

Mayor Fuller agreed and decided to move to the next item.

**21-0072Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow for Single Family Residential and Commercial Uses, Located on the Northwest Corner of McKinney Ranch Parkway and Silverado Trail, and Accompanying Ordinance

The updated McKinney Ranch Conceptual Site Plan will be included in the appendix of these minutes as "Appendix C - #21-0072Z2 Updated Conceptual Site Plan".

David Kalhoefer (Applicant), 11000 Frisco Street, Frisco, TX 75033, spoke regarding this item.

Logan Hurst, 6400 McKinney Ranch Pkwy., McKinney, TX 75070, spoke regarding this item.

Sydney Vernder, 1905 Victoria Cir., McKinney, TX 75072, yielded his time.

J. Martin Sanchez, 2602 Saratoga, McKinney, TX 75070, spoke regarding this item.

Council unanimously approved the motion by Council Member Cloutier, seconded by Council Member Franklin, to continue the Public Hearing and table this item.

This item will be on the City Council Regular Agenda on September 6, 2022.

**22-0040Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to

Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow for Multi-Family Residential and Commercial Uses, Located on the Southwest Corner of Collin McKinney Parkway and Alma Drive, and Accompanying Ordinance

Bob Roeder (Applicant), 1700 Redbud Blvd., McKinney, TX 75069, spoke regarding this item.

Council unanimously approved the motion by Council Member Cloutier, seconded by Council Member Franklin, to close the public hearing.

Council approved the motion by Council Member Franklin, seconded by Council Member Cloutier, to approve a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow for Multi-Family Residential and Commercial Uses, Located on the Southwest Corner of Collin McKinney Parkway and Alma Drive, and Accompanying Ordinance with a vote of 5 - 2, Mayor Pro Tem Rogers and Council Member Philips voting no. Ordinance caption reads as follows:

**ORDINANCE NO. 2022-08-092**

**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 12.9 ACRE PROPERTY, LOCATED ON THE SOUTHWEST CORNER OF COLLIN MCKINNEY PARKWAY AND ALMA DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, TO ALLOW MULTI-FAMILY AND COMMERCIAL USES AND TO MODIFY THE DEVELOPMENT STANDARDS; 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**

**22-0766** Conduct a Public Hearing to Consider/Discuss/Act on a Request from Denton County Electric Cooperative, Inc., d/b/a Coserve Electric for an Electric Easement upon, over, under and across City-owned land that is designated as a Park on the Parks Master Plan for the purpose of

providing electric utility service to the Indoor Tennis Facility located within Gabe Nesbitt Community Park. The Indoor Tennis Facility is Located on Lot 1R, Block A, of the McKinney Community Park in an area that is east of Alma Drive and south of Eldorado Parkway in McKinney, Collin County, Texas and Accompanying Ordinance and Electric Line Easement

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Feltus, to close the public hearing and approve a Request from Denton County Electric Cooperative, Inc., d/b/a Coserve Electric for an Electric Easement upon, over, under and across City-owned land that is designated as a Park on the Parks Master Plan for the purpose of providing electric utility service to the Indoor Tennis Facility located within Gabe Nesbitt Community Park. The Indoor Tennis Facility is Located on Lot 1R, Block A, of the McKinney Community Park in an area that is east of Alma Drive and south of Eldorado Parkway in McKinney, Collin County, Texas and Accompanying Ordinance and Electric Line Easement. Ordinance caption reads as follows:

**ORDINANCE NO. 2022-08-093**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, MAKING FINDINGS REQUIRED BY CHAPTER 26 OF THE TEXAS PARKS AND WILDLIFE CODE REGARDING THE REQUEST OF DENTON COUNTY ELECTRIC COOPERATIVE, INC., d/b/a COSERV ELECTRIC (“CO-SERV”) FOR AN EASEMENT UPON, OVER, UNDER, AND ACROSS CITY-OWNED LAND WHICH IS DESIGNATED AS PARK ON THE PARK MASTER PLAN FOR THE PURPOSE OF PROVIDING ELECTRIC UTILITY SERVICE TO THE INDOOR TENNIS FACILITY LOCATED ON LOT 1R, BLOCK A, OF THE MCKINNEY COMMUNITY PARK IN AN AREA THAT IS EAST OF ALMA DRIVE AND SOUTH OF ELDORADO PARKWAY; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE ON BEHALF OF THE CITY OF MCKINNEY, TEXAS ALL NECESSARY DOCUMENTS FOR THE CONVEYANCE OF SAID EASEMENT FROM THE CITY OF MCKINNEY TO CO-SERV; PROVIDING FOR SEVERABILITY; PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**22-0767** Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for Sanitary Sewer and Temporary Construction Easements associated with the Honey Creek Sanitary Sewer Trunk Main Project (WW1638) which Property is Located Near the Northwest Corner of State

Highway 5 and FM 543 and Authorizing the City Manager to Establish Procedures for Acquiring the Easements on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions

Council Member Philips made the following motion, seconded by Council Member Franklin:

*"I move that the City of McKinney, Texas, City Council approve this item as written and adopt the Resolution described in this agenda item and authorize the use of the power of eminent domain to acquire for public use all necessary property interests from Jamal Talukder and Nazneen Talukder, identified as owner of record by the Collin County Appraisal District, and any other persons or entities claiming an interest to the property depicted on and described by metes and bounds attached to said Resolution, said depictions and descriptions being incorporated in their entirety into this motion for all purposes including the construction, access and maintenance of infrastructure improvements near the northwest corner of State Highway 5 and FM 543 associated with the Honey Creek Sanitary Sewer Trunk Main Project (WW1638)."*

This item requires a roll call vote and the results are as follow:

Mayor Fuller – Yes

Mayor Pro Tem – Yes

Council Member Philips – Yes

Council Member Feltus – Yes

Council Member Cloutier – Yes

Council Member Franklin – Yes

Council Member Beller – Yes

Council unanimously approved the motion by Council Member Philips, seconded by Council Member Franklin, to approve a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for Sanitary Sewer and Temporary Construction Easements associated with the Honey Creek Sanitary Sewer Trunk Main Project (WW1638) which Property is Located Near the Northwest Corner of State Highway 5 and FM 543 and Authorizing the City Manager to Establish Procedures for Acquiring the Easements on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions. Resolution caption reads as follows:

**RESOLUTION NO. 2022-08-127 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE PROPERTY EASEMENT RIGHTS FOR PUBLIC USE BY EMINENT DOMAIN FOR SANITARY SEWER AND TEMPORARY CONSTRUCTION EASEMENTS ASSOCIATED WITH THE HONEY**

**CREEK SANITARY SEWER TRUNK MAIN PROJECT (WW1638); AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING SAID EASEMENTS, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS**

**22-0005M2** Conduct a Public Hearing to Consider/Discuss/Act on an Ordinance Amending Sections 146-130 (Vehicle Parking) and Section 146-134 (Performance Standards) of the Code of Ordinances, and Accompanying Ordinance

Council unanimously approved the motion by Council Member Feltus, seconded by Council Member Cloutier, to close the public hearing and approve an Ordinance Amending Sections 146-130 (Vehicle Parking) and Section 146-134 (Performance Standards) of the Code of Ordinances, and Accompanying Ordinance. Ordinance caption reads as follows:

**ORDINANCE NO. 2022-08-094**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING SECTION 146-134 (PERFORMANCE STANDARDS) AND SECTION 146-130 (VEHICLE PARKING) OF CHAPTER 146 (ZONING REGULATIONS) OF THE CODE OF ORDINANCES; ESTABLISHING PRESUMPTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**22-0006M** Consider/Discuss/Act on an Ordinance Amending Chapter 70 (Offenses and Miscellaneous Provisions), Chapter 122 (Construction Regulations), and Chapter 62 (Motor Vehicles and Traffic) of the Code of Ordinances, and Accompanying Ordinance

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Franklin, to approve an Ordinance Amending Chapter 70 (Offenses and Miscellaneous Provisions), Chapter 122 (Construction Regulations), and Chapter 62 (Motor Vehicles and Traffic) of the Code of Ordinances, and Accompanying Ordinance. Ordinance caption reads as follows:

**ORDINANCE NO. 2022-08-095**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 70, ARTICLE III (CLEANLINESS OF PREMISES); CHAPTER 70, ARTICLE V (NOISE); CHAPTER 70, ARTICLE X (PARKING PROHIBITIONS); CHAPTER 62, ARTICLE VI (PARKING); AND CHAPTER 122 (CONSTRUCTION**

**REGULATIONS), ARTICLE I (IN GENERAL) OF THE CODE OF ORDINANCES; ESTABLISHING PRESUMPTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

Mayor Fuller called for item #22-0576 to be considered again.

**22-0576** Consider/Discuss/Act on an Ordinance Approving the Redistricting of the City's Single-Member Council Districts and Establishing New District Boundary Lines for McKinney City Council Elections Based on the 2020 Census Data; and Providing for an Effective Date

Mayor Pro Tem Rogers modified his motion to approve Plan A to include addition land on the North-side of McKinney to be moved from District 1 to District 4.

Mayor Pro Tem Rogers withdrew his motion to approve Plan A.

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Cloutier, to continue the item of an Ordinance Approving the Redistricting of the City's Single-Member Council Districts and Establishing New District Boundary Lines for McKinney City Council Elections Based on the 2020 Census Data; and Providing for an Effective Date.

This item will be on the City Council Regular Meeting Agenda on September 20, 2022.

Mayor Fuller called for Citizen Comments on matters not on the Agenda.

Daniel Porzio, 5500 McKinney Place Dr., McKinney, TX 75070, spoke regarding educating the next generation.

Lucia Rottenberg, 3021 Blue Sage Dr., McKinney, TX 75071, spoke regarding water conservation and artificial turf.

Mayor Fuller called for Council and Manager Comments.

Council Member Philips spoke regarding McKinney Highschool Football season starting.

Council Member Feltus spoke regarding Leadership McKinney and the Silo Project Tailgate event.

Mayor Pro Tem Rogers spoke regarding a funeral he attended and gave his condolences to the Morris Family.

Council Member Beller spoke regarding Lucia Rottenberg's comments.

Council Member Cloutier spoke regarding a fire downtown McKinney. Cloutier thanked the McKinney Fire Department for their swift response.

Mayor Fuller spoke regarding the Silo Project Tailgate and thanked Council Member Beller for his work on it.

Council unanimously approved the motion by Council Member Feltus, seconded by Council Member Franklin, to adjourn the meeting at 8:41 p.m.

The video recording of this meeting is available online through the City of McKinney video archives.

These minutes were approved by the City Council on September 6, 2022.

SIGNED:

\_\_\_\_\_  
GEORGE C. FULLER, Mayor

ATTEST:

\_\_\_\_\_  
EMPRESS DRANE, City Secretary  
JOSHUA STEVENSON, Deputy City Secretary

City of McKinney, Texas

## Citizen Input on FY 2023 Budget

City of McKinney  
Budget Department



### FY 2022-23 Budget Highlights

- **Decrease property tax rate by 4 cents to \$0.457485**
- Sales Tax remains strong
- Provide market adjustments for all employees
  - Step increases for FY23
  - Allowance for Market Study
  - Planned step increases for sworn personnel
- Increased funding for Street Maintenance
- Staffing
  - Public Safety/Police & Fire
  - Development Services
  - Parks and Recreation
  - Public Works
  - Water/Wastewater



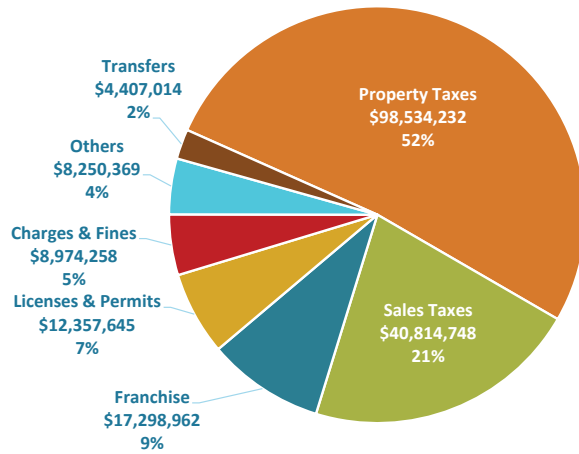
## General Fund





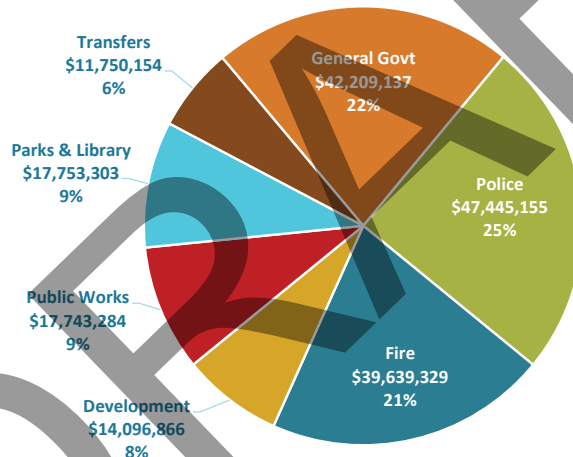
## General Fund Revenues - \$190,637,228

FY 22-23 Proposed Budget



## General Fund Expenditures - \$ 190,637,228

FY 22-23 Proposed Budget



## General Fund Staffing Additions

- **General Government (4)**
  - HR Analyst
  - Community Services Coordinator
  - 2 IT Application Support Specialist
- **Public Safety**
  - Police Department (16)
    - 8 Police Officers
    - 3 Detectives
    - 2 Communication Specialists
    - Mental Health Coordinator
    - Public Service Officer
    - Open Records Specialist
  - Fire Department (11)
    - 9 Firefighter/Paramedics
    - Fire Systems review Specialist
    - 2 College Interns
- **Development Services (4.5)**
  - Asst Engineering Director
  - Dev Services Neighborhood Planner
  - Civil Engineer II
  - Admin Assistant
  - Engineering Intern
- **Public Works (7)**
  - 2 Right of Way (ROW) Positions
  - 2 Concrete Crew
  - 3 Crack Seal Crew
- **Parks & Libraries (8)**
  - 2 Parks Maintenance Staff
  - Parks Dev. Planner II
  - 4 Recreation Coordinators & Aides
  - 2 PT Bus Drivers



# Water/Wastewater Fund



## Water and Wastewater Highlights

- Continue water line replacement program
- Anticipate a debt sale for capital projects in FY23
- Supplementals proposed include:
  - 2 Water Utilities Supervisor
  - 3 Water Utilities Technicians
  - Manhole Inspections
  - Auto Flushers
  - Hydro Excavator



## Water and Wastewater Rates

- Rates and NTMWD
  - NTMWD FY23
    - 13.4% Increase on Water
      - Originally no increase was expected from NTMWD on Water
    - 8.4% Increase on Wastewater
    - Increased rates due to inflation and market conditions, commodity prices, capital improvements district wide, & increased regulatory requirements
  - City of McKinney proposes
    - 9% increase on Water
    - 8% increase on Wastewater
    - Allows for Water/Wastewater fund to remain self-sufficient



## Upcoming Events

### Sept. 6

- Budget – Public Hearing
- Ratification of Property Tax Revenue Increase
- Tax Rate – Public Hearing
- Adopt Budget, Tax Rate, and Fee/Rate Ordinance



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# Oracle Conversion Update

City Council Work Session – August 2022

Steve Tilton, Assistant City Manager  
Sid Hudson, Chief Information Officer



## Implementation Challenges

- Staff Resignations and Turnover
  - City and Sierra Cedar impacted
- Data Conversion
  - Age of our current ERP system (Navaline)
  - Oracle conversion template requirements
  - Offshore resource communication/time challenges
- Staff Workload
  - Balance day to day activities vs. Conversion activities
  - Temporary staff has been utilized where appropriate
- Payroll specific problems
  - Started extremely late due to Sierra Cedar Resource issues
  - Configuration not completed until 9/1/22
  - First payroll run to balance against Navaline 9/26 – 10-3
  - Two Payroll Parallel runs should complete by mid November



## Proposed Budget – August 2022

BUDGET	
Original Budget	\$ 11,650,000
Technology Fund Balance Reserved for ERP	\$ 900,000
Proposed FY22 Budget Amendment	\$ 3,100,000
<b>TOTAL PROPOSED BUDGET</b>	<b>\$ 15,650,000</b>
CONTRACT NTE AMOUNTS	
<b>Jan 9, 2021 - NTE Approved Amounts</b>	
Project Management Consultants	1,616,577
ERP Finance/HCM System	4,825,820
Work Order Management System	371,690
Utility Billing System	2,761,026
Interim Staffing Solutions	560,201
<b>Nov 2, 2021 - ERP Finance/HCM Change Order #2</b>	<b>\$ 1,488,700</b>
<b>Aug 16, 2022 - ERP Finance/HCM Change Order #5</b>	<b>\$ 1,767,844</b>
<b>TOTAL CONTRACT NTE AMOUNTS</b>	<b>\$ 13,391,858</b>

\* Anticipated December 2022 CO#9 – Approximate amount 2.2M



# QUESTIONS



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