

RESOLUTION NO. _____ (R)

A RESOLUTION OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF MCKINNEY, TEXAS AND MCKINNEY MUNICIPAL UTILITY DISTRICT NO. 1 OF COLLIN COUNTY, TEXAS, (“MCKINNEY MUD #1”), MCKINNEY MUNICIPAL UTILITY DISTRICT NO. 2 OF COLLIN COUNTY, TEXAS (“MCKINNEY MUD #2”) (COLLECTIVELY, “THE DISTRICTS”) FOR PARK MAINTENANCE RELATING TO THE PROVISION OF GOVERNMENTAL FUNCTIONS AND SERVICES; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City and the Districts are authorized to enter into an Interlocal Cooperation Agreement under Chapter 791 of the Texas Government Code for the provision of governmental functions and services; and

WHEREAS, the City and the Districts have determined it is in the best interest of the citizens of McKinney for local governments to cooperate, where possible, in the provision of government functions and services that will result in a more efficient, higher quality and cost-effective functions and services by implementing an Interlocal Agreement (the “Agreement”); and

WHEREAS, the governing bodies of the City and the Districts find that the Agreement is necessary for the benefit of the public and each party has the legal authority to provide the governmental function or service; and

WHEREAS, the governing bodies of the City and the Districts find the Agreement is in the common interest of both parties; and

WHEREAS, the City and the Districts, agrees to make payments only from current revenues legally available to such party for performing governmental functions; and

WHEREAS, the City and the Districts find the residents of the Districts would benefit from the Districts performing ongoing maintenance and executing capital expenditures for those parks located within the Districts, including City-owned neighborhood parks and BB Owen park; and

WHEREAS, the City and the Districts, agree to enter into an agreement so that the City can reimburse maintenance and capital expenditures for parks from the park fees collected under the Trinity Falls Amended and Restated Development Agreement; and

WHEREAS, the City Council desires to approve the terms and conditions of the Agreement, and to authorize the City Manager to execute the Agreement on behalf of the City of McKinney; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, RESOLVES THAT:

Section I. All of the above premises to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

Section II. The City Council, after review of the terms and conditions of the Agreement, hereby approves the attached Interlocal Agreement between the City of McKinney and McKinney Municipal Utility District No. 1 of Collin County, McKinney Municipal Utility District No. 2 of Collin County, for the maintenance of parks in Trinity Falls.

Section III. The City Council hereby authorizes the City Manager to execute, on behalf of the City of McKinney, the Agreement and all other documents in connection therewith.

Section IV. This Resolution shall become effective from and after its passage.

PASSED AND APPROVED this the 1st day of March 2022.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary
JOSHUA STEVENSON
Deputy City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney