



# CITY OF MCKINNEY, TEXAS

## Agenda

### City Council Regular Meeting

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Tuesday, January 3, 2017

6:00 PM

Council Chambers  
222 N. Tennessee Street  
McKinney, Texas 75069

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#### CALL TO ORDER

#### INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Pastor Bill Rosnett, Northwest Christian Church

#### INFORMATION SHARING

17-001      [National CALEA Accreditation Proclamation](#)

**Attachments:**    [Proclamation](#)

17-002      [U Matter Presentation](#)

**Attachments:**    [Presentation](#)

#### CITIZEN COMMENTS

#### CONSENT AGENDA

*These items consist of non-controversial or housekeeping items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.*

#### MINUTES

17-003      [Minutes of the City Council Work Session of December 5, 2016](#)

**Attachments:**    [Minutes](#)

17-004      [Minutes of the City Council Regular Meeting of December 6, 2016](#)

**Attachments:**    [Minutes](#)

- 16-1167      [Minutes of the Community Grants Advisory Commission Meeting of November 9, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1168      [Minutes of the Community Grants Advisory Commission Meeting of November 10, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1174      [Minutes of the Historic Preservation Advisory Board Regular Meeting of October 6, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1216      [Minutes of the Library Advisory Board Meeting of November 17, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1218      [Minutes of the McKinney Community Development Corporation Meeting of November 17, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1176      [Minutes of the McKinney Convention & Visitors Bureau Board Meeting of October 25, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1099      [Minutes of the McKinney Convention & Visitors Bureau Finance Committee Meeting of September 23, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1177      [Minutes of the McKinney Convention & Visitors Bureau HR Committee Meeting of November 16, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1178      [Minutes of the McKinney Convention & Visitors Bureau Marketing & Development Committee of November 11, 2016](#)  
**Attachments:**    [Minutes](#)

- 17-005**      [Minutes of the McKinney Housing Authority Meeting of October 25, 2016](#)  
**Attachments:**   [Minutes](#)
- 16-1183**      [Minutes of the McKinney Main Street Board Meeting of November 11, 2016](#)  
**Attachments:**   [Minutes](#)
- 16-1213**      [Minutes of the Planning and Zoning Commission Regular Meeting of November 8, 2016](#)  
**Attachments:**   [Minutes](#)

**ORDINANCES**

- 17-006**      [Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2016 - 2017 Annual Budget and Amending the 2017 - 2021 Capital Improvements Program to Transfer Funds to Virginia Parkway Lanes 5 & 6 from Ridge Road to US 75 \(ST1219/ST1231/WA9145\)](#)  
**Attachments:**   [Ordinance](#)  
                         [Location Map](#)

**RESOLUTIONS**

- 17-007**      [Consider/Discuss/Act on a Resolution Directing the City's Finance Director to Increase the Sinking Fund for Flood Retarding Structures \("FRS Sinking Fund"\) Established by Ordinance NO. 2006-06-082 and Amended by Ordinance NO. 2014-10-081 \("ORDINANCES"\) by an Amount Equal to Two Percent \(2%\) of the Estimated Operation and Maintenance Costs of the Flood Retarding Structure for NRCS Lake 4 Through the Program Life of Said Flood Retarding Structure as Required by Contract and Thereafter Modifying the Amount of the FRS Sinking Fund in Accordance with the Ordinances](#)  
**Attachments:**   [Resolution](#)  
                         [Location Map](#)

- 17-008**      [Consider/Discuss/Act on a Resolution Authorizing an Operations and Maintenance Agreement with the USDA-NRCS and the Collin County Soil and Water Conservation Service for East Fork Above Lavon Floodwater Retarding Structure Site 4](#)
- Attachments:**    [Resolution](#)  
                          [Location Map](#)  
                          [O&M Agreement](#)
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- 17-009**      [Consider/Discuss/Act on a Resolution of the City of McKinney, Texas, Authorizing the City Manager to Enter into a Project Agreement with the Texas State Soil and Water Conservation Board \(TSSWCB\) for a Construction Project to Rehabilitate the Dam at United States Department of Agriculture \(USDA\) Natural Resources Conservation Service \(NRCS\) East Fork Above Lavon \(EFAL\) Floodwater Retarding Structure \(FRS\) Site 4, also known as Brinkmann Ranch Lake, with Funds Provided by the NRCS](#)
- Attachments:**    [Resolution](#)  
                          [Location Map](#)  
                          [Agreement](#)  
                          [Agreement ADS78](#)  
                          [Agreement Attachment C](#)  
                          [Agreement Attachment D](#)  
                          [Agreement Attachment E](#)
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- 17-010**      [Consider/Discuss/Act on a Resolution of the City of McKinney, Texas, Authorizing the City Manager to Enter into a Project Agreement with the Texas State Soil and Water Conservation Board \(TSSWCB\) for a Construction Project to Rehabilitate the Dam at United States Department of Agriculture \(USDA\) Natural Resources Conservation Service \(NRCS\) East Fork Above Lavon \(EFAL\) Floodwater Retarding Structure \(FRS\) Site 4, also known as Brinkmann Ranch Lake](#)
- Attachments:**    [Resolution](#)  
                          [Location Map](#)  
                          [Agreement](#)

- 17-011**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Terracon Consultants, Inc. for Materials Testing on the Virginia Parkway Lanes 5 & 6 Project from Ridge Road to US 75](#)
- Attachments:**    [Resolution](#)  
                          [Location Map](#)
- 17-012**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Contract with Half Associates, Inc., for Bridge Inspection Services for the Virginia Parkway Bridge and Overlook Structure over Wilson Creek](#)
- Attachments:**    [Resolution](#)  
                          [Location Map](#)
- 17-013**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Burns & McDonnell Engineering Company, Inc. for Professional Engineering Design Services for the Bloomdale Road Extension Project from Hardin Boulevard to Community Avenue and Any Necessary Supplemental Agreements](#)
- Attachments:**    [Resolution](#)  
                          [Location Map](#)
- 17-014**      [Consider/Discuss/Act on a Resolution Authorizing a Contract for the Construction Materials Testing Services Related to the Construction of the McKinney Public Safety Support Building Located at 2750 Community Avenue, McKinney, Texas](#)
- Attachments:**    [Resolution](#)  
                          [Proposal](#)
- 17-015**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Renewal with Fidelity Insurance through Arbor Benefits for Specific and Aggregate Stop Loss Insurance Protection on the Medical Plan](#)

**Attachments:** [Resolution](#)  
[Application](#)  
[Disclosure](#)  
[Proposal](#)  
[LCR - FSL](#)

**16-357M2** [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](#)

**Attachments:** [Resolution](#)  
[Exhibit A \(Semiannual Report\)](#)  
[Semiannual Report Appendix](#)

**17-016** [Consider/Discuss/Act on a Facilities Agreement with Frank L. Williams, II for Lots 2R1 and 2R2, Block A of the F.L. Williams Addition](#)

**END OF CONSENT**

**REGULAR AGENDA AND PUBLIC HEARINGS**

*This portion of the agenda consists of items requiring individual consideration by the Council.*

**16-306Z3** [Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "O" - Office District to "SF5" - Single Family Residential District, Located Approximately 785 Feet North of White Avenue and on the East Side of Community Avenue, and Accompanying Ordinance](#)

**Attachments:** [Draft PZ Minutes 12.13.16](#)  
[PZ Minutes 11.08.16](#)  
[PZ Report](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Comprehensive Plan Maps](#)  
[Fiscal Analysis](#)  
[Land Use and Tax Base Summary Map](#)  
[Ex. PD Ord. No. 2011-12-080](#)  
[Land Use Comparison Table](#)  
[Proposed Ordinance](#)  
[Proposed Exhibits A and B](#)  
[PowerPoint Presentation](#)

**16-310Z2**

[Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS 60" - Single Family Residence District to "C3" - Regional Commercial District, Located at 1605 South McDonald Street, and Accompanying Ordinance](#)

**Attachments:** [DRAFT PZ Minutes 12.13.16](#)  
[PZ Report](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Letter of Opposition](#)  
[Comprehensive Plan Maps](#)  
[Fiscal Impact Analysis](#)  
[Land Use and Tax Base Summary Map](#)  
[Land Use Comparison Table](#)  
[Proposed Ordinance](#)  
[Proposed Exhibits A-C](#)  
[PowerPoint Presentation](#)

**16-329Z2**

[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 "C1" - Neighborhood](#)

Commercial District, Located on the Northeast Corner of Collin McKinney Parkway and Westport Drive, and Accompanying Ordinance

**Attachments:** [DRAFT PZ Minutes 12.13.16](#)  
[PZ Report](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Comprehensive Plan Maps](#)  
[Land Use and Tax Base Summary Map](#)  
[Ex. PD Ord. No. 2002-05-038](#)  
[Land Use Comparison Table](#)  
[Proposed Ordinance](#)  
[Proposed Exhibits A-C](#)  
[PowerPoint Presentation](#)

**16-325AA**

Conduct a Public Hearing to Consider/Discuss/Act on a Right-of-Way Abandonment of a Portion of Byrne Street, Located Between Josephine Street and Erwin Street, and Accompanying Ordinance

**Attachments:** [Proposed Ordinance](#)  
[Exhibit A - Location Map](#)  
[Exhibit B - Right-of-Way Map](#)  
[Exhibit C - Metes and Bounds](#)  
[Letter of Intent](#)  
[Petition](#)

**17-017**

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Pavecon Public Works, L.P., for the Construction of Virginia Parkway Lanes 5 & 6 from Ridge Road to US 75

**Attachments:** [Resolution](#)  
[Location Map](#)  
[Virginia Parkway Bid Tab](#)  
[Virginia Parkway Recommendation Presentation](#)



- 16-1197**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute the Required Agreements with Active Network, LLC for the Hosted Registration Software and Supporting Hardware for the McKinney Apex Centre](#)

#### **CITIZEN COMMENTS**

#### **COUNCIL AND MANAGER COMMENTS**

Council and Manager Comments relating to items of public interest: Announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, informational update on City projects, awards, acknowledgement of meeting attendees, birthdays, requests of the City Manager for items to be placed on upcoming agendas, and condolences.

#### **EXECUTIVE SESSION**

In Accordance with the Texas Government Code:

- A. 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) and legal consultation on the following item(s), if any:
- B. Section 551.071 (A) Pending or contemplated litigation
- Arch Resorts, LLC v. the City of McKinney, Texas, and Rick Herzberger, Chief Building Official of the City of McKinney, Texas, v. Collin County, Texas, No. 219-01855-2015, 219th District Court of Collin County, Texas
  - The City of McKinney, Texas, v. Custer Storage Center, LLC v. Collin County, Texas, No. 401-03649-2015, 401st District Court of Collin County, Texas
  - Petition of the Cities of Garland, Mesquite, Plano, and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District, PUC Docket No. 46662, Public Utility Commission of Texas
- C. Section 551.072. Deliberations about Real Property
- Municipal Facilities
- D. Section 551.087 – Discuss Economic Development Matters
- Chapter 380 Economic Development Program and Agreement for Cross F Ranch by and between McKinney Ranch Ltd., Honey Creek Investments, LLC and Barcelona 93, Ltd. and the City of McKinney

#### **ACTION ON EXECUTIVE SESSION ITEMS**

#### **ADJOURN**

Posted in accordance with the Texas Government Code, Chapter 551, on the 30th day of December, 2016 at or before 5:00 p.m.

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Sandy Hart, TRMC, MMC  
City Secretary

Accommodations and modifications for people with disabilities are available upon request. Requests should be made as far in advance as possible, but no less than 48 hours prior to the meeting. Call 972-547-2694 or email [contact-adacompliance@mckinneytexas.org](mailto:contact-adacompliance@mckinneytexas.org) with questions or for accommodations.