

## CITY COUNCIL REGULAR MEETING

DECEMBER 19, 2017

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on December 19, 2017 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; Planning Director Brian Lockley; Assistant Director of Public Works Paul Sparkman; Director of Parks and Recreation Michael Kowski; Assistant Director of Parks and Recreation Ryan Mullins; IT Desktop Technician Trent South; Engineering - Nick Ataie and Paul Tucker; Community Services Administrator Shirletta Best; Chief Financial Officer Mark Holloway; Airport Director Ken Wiegand; Human Resources Director Ike Obi; and Police Sergeant Sherwood Holmes.

There were fifteen guests present.

Mayor Fuller called the meeting to order at 6:02 p.m. after determining a quorum was present. Invocation was given by Senior Pastor Charles Wattley, Jr., St. Mark Missionary Baptist Church. Mayor Fuller led the Pledge of Allegiance.

Mayor Fuller called for Citizen Comments.

Ms. Antoinette Burks, 3409 Truman Street, McKinney spoke regarding the Costco wall issues.

The following individuals did not wish to speak but wanted their opposition to the Costco wall entered into the record:

Ms. Sandra Rios, 3601 Truman Street, McKinney

Mr. Ray Foster, 3613 Truman Street, McKinney

Ms. Irma Hill, 3613 Truman Street, McKinney

Mayor Fuller recessed the meeting into executive session at 6:07 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 (A). Litigation / Anticipated Litigation, Section 551.072 Discuss Real Property, Section 551.074 Discuss Personnel Matters, and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Fuller recessed back into open session at 6:23 p.m.

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

- 17-1247** Minutes of the City Council Work Session of December 4, 2017
- 17-1159** Minutes of the Historic Preservation Advisory Board Regular Meeting of November 2, 2017
- 17-1209** Minutes of the McKinney Armed Services Memorial Board Meeting of November 8, 2017
- 17-1122** Minutes of the McKinney Community Development Corporation Meeting of October 19, 2017
- 17-1212** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of November 9, 2017
- 17-1200** Minutes of the Planning and Zoning Commission Regular Meeting of November 28, 2017
- 17-1164** Minutes of the Tax Increment Reinvestment Zone Number Two Meeting of January 23, 2017
- 17-1176** Minutes of the Tax Increment Reinvestment Zone Number One Meeting of July 18, 2017
- 17-1248** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Real Estate Donation Contract for a Portion of Lot 1, Block A of the Park Central Addition, Approximately 4 Acres. Caption reads as follows:

RESOLUTION NO. 2017-12-219 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A REAL ESTATE DONATION CONTRACT BETWEEN THE CITY OF MCKINNEY, A TEXAS HOME-RULE

CORPORATION, AND GEORGE COMEGYS, JOHN COMEGYS  
AND THE ESTATE OF JEWELL COMEGYS, DECEASED

- 17-1251** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Run Out Services Agreement With Allegiance Benefit Plan Management, Inc., Authorizing Allegiance to Process Run Out Claims for the Self-Funded Health Benefit Plans. Caption reads as follows:

RESOLUTION NO. 2017-12-222 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A RUN OUT SERVICES AGREEMENT WITH ALLEGIANCE BENEFIT PLAN MANAGEMENT, INC. AUTHORIZING ALLEGIANCE TO PROCESS RUN OUT CLAIMS FOR SELF-FUNDED HEALTH BENEFIT PLANS

- 17-1252** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Settlement Agreement by and Between the City of McKinney, Texas and Collin County, Texas to Facilitate the Finalization of Cause No. 219-01855-2015 in the 219th Judicial District Court of Collin County, Texas. Caption reads as follows:

RESOLUTION NO. 2017-12-223 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING A SETTLEMENT AGREEMENT BETWEEN THE CITY OF MCKINNEY, TEXAS, AND COLLIN COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE

- 17-1253** Consider/Discuss/Act on Authorizing the City Manager to Execute an Agreement Transferring Obligation to Construct Certain Street Parking Spaces Between Developers and Amendment to a Master Development Agreement by and between the City of McKinney, Texas, Columbus Realty Partners, Ltd., and Playful Building One, LLC

END OF CONSENT

- 17-1249** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Amend the Memorandum of

Understanding and Collaborative Agreement with the Cities of Frisco, Plano, Denton, Dallas, Greenville, The County of Dallas, Dallas Housing Authority, Denton Housing Authority, Frisco Housing Authority, Plano Housing Authority, McKinney Housing Authority, Grandview Housing Authority, Waxahachie Housing Authority, Cleburne Housing Authority, Ferris Housing Authority, Ennis Housing Authority and Royse City Housing Authority for Regional Fair Housing Assessments and Regional Collaboration to Affirmatively Further Fair Housing. Community Services Administrator Shirletta Best stated that after assessing old data against new data for discrepancies, it was concluded new data was significant; to move forward with old data would risk the report being rejected by HUD and provide inaccurate information for local community development planning. All assessments, stand-alone or under the Housing assessment partnership, are required to use the new datasets. The report the City receives in July 2018 will be a more accurate reflection of the program and its costs. The City made provisions where we could visit with the consulting team and with HUD and made it clear that this would be the final opportunity for any cost provisions. We felt it was a greater risk not to participate in the program as that would impact other grants as well. Council unanimously approved the motion by Council member Elliott, seconded by Mayor Fuller, to approve a Resolution authorizing the City Manager to amend the Memorandum of Understanding and Collaborative Agreement with the Cities of Frisco, Plano, Denton, Dallas, Greenville, The County of Dallas, Dallas Housing Authority, Denton Housing Authority, Frisco Housing Authority, Plano Housing Authority, McKinney Housing Authority, Grandview Housing Authority, Waxahachie Housing Authority, Cleburne Housing Authority, Ferris Housing Authority, Ennis Housing Authority and Royse City Housing Authority for Regional Fair Housing Assessments and Regional Collaboration to affirmatively further fair housing. Caption reads as

follows:

RESOLUTION NO. 2017-12-220 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO AMEND THE MEMORANDUM OF UNDERSTANDING AND COLLABORATIVE AGREEMENT WITH THE CITIES OF FRISCO, PLANO, DENTON, DALLAS, GREENVILLE, THE COUNTY OF DALLAS, DALLAS HOUSING AUTHORITY, DENTON HOUSING AUTHORITY, FRISCO HOUSING AUTHORITY, PLANO HOUSING AUTHORITY, MCKINNEY HOUSING AUTHORITY, GRANDVIEW HOUSING AUTHORITY, WAXAHACHIE HOUSING AUTHORITY, CLEBURNE HOUSING AUTHORITY, FERRIS HOUSING AUTHORITY, ENNIS HOUSING AUTHORITY, AND ROYSE CITY HOUSING AUTHORITY FOR REGIONAL FAIR HOUSING ASSESSMENTS AND REGIONAL COLLABORATION TO AFFIRMATIVELY FURTHER FAIR HOUSING

- 17-1250** Mayor Fuller called for Consideration/Discuss/Action on a Resolution Authorizing an Adjustment to the Solid Waste Contract with Waste Connections Inc. Chief Financial Officer Mark Holloway stated staff will research the roll-off containers and the requirement to use our contracted provider. City Manager Paul Grimes stated that the City is under contract with the current provider until 2024. They provide all waste service for residential customers in McKinney and in exchange they have exclusivity. We will check the contract to make sure that is correct. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Shemwell, to approve a Resolution authorizing an adjustment to the Solid Waste Contract with Waste Connections Inc. Caption reads as follows:

RESOLUTION NO. 2017-12-221 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING AN ADJUSTMENT TO THE SOLID WASTE CONTRACT WITH WASTE CONNECTIONS INC.

- 17-1254** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on the CDBG Consolidated Annual Performance Evaluation Report (CAPER). Community Services Administrator Shirletta Best stated this report is a required report for the City's Community Development Block Grant

program which is funded by HUD. The CAPER is a year-end report detailing performance and activities under the CDBG Annual Action plan during the period of October 1 - September 30. The City provides the annual action plan at the start of the program year and the CAPER concludes program activity. The Action Plan is shared with the public prior to the start of each year and the CAPER is shared at the end of the year. Funds and activities as required, were predominately used to meet the CDBG National Objectives of benefiting low-to-moderate income persons, areas and households. The public had opportunity to participate in the process through the application process, public hearings, focus groups and community forums, including a public comment period. The report provides a snapshot of how the funds have been used. Mayor Fuller called for public comments and there were none. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Elliott, to close the public hearing.

**17-287PF** Mayor Fuller called for Consideration/Discuss/Action on a Preliminary-Final Plat for Lots 1-3, Block A of the Yakman Prather Odle Addition, Located Approximately 4,900 Feet South of FM 546 and on the West Side of County Road 318. Director of Planning Brian Lockley stated the applicant has requested the item be tabled to the January 2, 2018 City Council Meeting. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Elliott, to table this item to the January 2, 2018 meeting.

**17-1255** Mayor Fuller called for Consideration/Discuss/Action on a Facilities Agreement for Lots 1-3, Block A of the Yakman Prather Odle Addition, Located Approximately 4,900 Feet South of FM 546 and on the West Side of County Road 318. Director of Planning Brian Lockley stated the applicant has requested the item be tabled and continued to the January 2, 2018 City Council Meeting. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Elliott, to table

this item to the January 2, 2018 meeting.

**17-1256** Mayor Fuller called for Consideration/Discussion/Action on the Design of the Downtown Parking Garage, Generally Located on the Northeast Corner of Chestnut Street and Virginia Street. Assistant City Manager Barry Shelton stated staff, at the direction of Council, has researched infrastructure costs and utility relocation costs associated with the parking garage. Staff recommends moving forward with the design of the garage according to the original plan that was adopted in March 2017, option C, which does not close Herndon Street. Staff requests Council's direction to move forward with the original plan and leave Herndon Street open. We will continue to work with Thomason Tire to make adjustments in order for the large trucks to have easier access to their facility. Herndon Street will close down during construction but once construction is complete, it will be opened back up. Council approved the motion by Council member Shemwell, seconded by Council member Elliott, to approve the design of the Downtown Parking Garage, generally located on the northeast corner of Chestnut Street and Virginia Street with a vote of 5-1-0, Mayor Pro Tem Rogers voting against.

**17-1257** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Amending the 2018 - 2022 Capital Improvements Program to Provide Funds for the WA1805 - Virginia Elevated Storage Tank Maintenance Project. CIP Manager Nick Ataie stated that staff has identified a need for maintenance to the elevated storage tank located at Virginia and Custer. The maintenance includes sand blasting and painting the inside and outside as well as repair of any structures that failed during inspection. If we do not use all the funds for this project, they will be returned to the fund balance for use on another project. Mayor Pro Tem Rogers stated that we need to find a more efficient way to maintain these funds for use on future projects. Mr. Ataie stated there is a maintenance schedule for all the water tanks. The study may show that we do not

need the extensive refurbishment that we have estimated. We are federally regulated to maintain these tanks. Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to approve a Resolution amending the 2018 - 2022 Capital Improvements Program to provide funds for the WA1805 - Virginia Elevated Storage Tank Maintenance Project. Caption reads as follows:

RESOLUTION NO. 2017-12-224 (R)

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

**17-1258** Mayor Fuller called for Consideration/Discuss/Action on a Resolution Authorizing the City Manager to Execute a Contract and Authorize Any Supplemental Agreements with Birkhoff, Hendricks, & Carter, LLP for Consulting Engineering Services for the WA1805 - Virginia Elevated Storage Tank Maintenance Project. CIP Manager Nick Ataie stated this is a request to approve the study for the elevated water storage tank at Virginia and Custer. The contract will include an on-site assessment, topographic survey of the tank site, summary of maintenance options, preparation of plans and specifications, as well as bid and services once this goes to construction. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Elliott, to approve a Resolution authorizing the City Manager to execute a contract and authorize any supplemental agreements with Birkhoff, Hendricks, & Carter, LLP for Consulting Engineering Services for the WA1805 - Virginia Elevated Storage Tank Maintenance Project. Caption reads as follows:

RESOLUTION NO. 2017-12-225 (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 \$66,285 WITH BIRKHOFF, HENDRICKS & CARTER, LLP FOR CONSULTING ENGINEERING SERVICES FOR THE VIRGINIA ELEVATED STORAGE TANK MAINTENANCE PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT

AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$73,000

**17-1259** Mayor Fuller called for Consideration/Discuss/Action on a Resolution Authorizing the Execution of Documents for the Acquisition of Easements and the Consideration of the Use of Eminent Domain to Condemn Property for the Construction of Utility Lines for the Redbud Pump Station Transmission Lines Project Commencing in the Vicinity of the Future Redbud Pump Station Generally Located to the South of Bloomdale Road in the Vicinity of Redbud Boulevard and Continuing East to Approximately McDonald Street (SH 5). Assistant Director of Engineering Michael Hebert stated this item provides authority to the City Manager to proceed with the use of eminent domain for the acquisition of easements for major water lines for the proposed Redbud Pump Station. Staff has successfully negotiated easements with all parties except two. Staff will continue to negotiate, however if negotiations fail, we will proceed with the use of eminent domain. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Councilwoman Rath, that the City of McKinney approve this item as written and authorize the use of the power of eminent domain to acquire all necessary easements from property owners, generally indicated on the attached property locator map, for the construction of utility lines generally known as the Redbud Pump Station Transmission Lines Project, by the following roll call vote:

Mayor Fuller – Yes

Mayor Pro Tem Rogers – Yes

Council member Philips – Yes

Council member Elliott – Yes

Council member Shemwell – Yes

Councilwoman Rath – Yes

Caption reads as follows:

RESOLUTION NO. 2017-12-226 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE EXECUTION OF DOCUMENTS FOR THE ACQUISITION OF PROPERTY RIGHTS NECESSARY FOR THE CONSTRUCTION OF UTILITY LINES COMMENCING IN THE VICINITY OF THE FUTURE REDBUD PUMP STATION GENERALLY LOCATED TO THE SOUTH OF BLOOMDALE ROAD AND ADJACENT TO REDBUD BOULEVARD AND CONTINUING TO THE NORTH AND EAST TO APPROXIMATELY MCDONALD STREET (SH 5); AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS FOR THE ACQUISITION OF EASEMENTS; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER OF THE CITY OF MCKINNEY, TEXAS, TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AND AUTHORIZING THE CITY MANAGER THE USE OF EMINENT DOMAIN TO CONDEMN PROPERTY AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS

- 17-1260** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Enter into an Interlocal Agreement with Collin County Community College District for the Construction and Reimbursement of Costs Related to Construction Activities of the Water Line Installation along the Public Safety Training Facility Site, Generally Located on the East Side of Redbud Boulevard and Approximately 800 Feet South of Bloomdale Road. CIP Manager Nick Ataie stated this item is in reference to an Interlocal Agreement with Collin College for reimbursement of construction activities related to the City's 54" water transmission main currently under construction. This agreement allows our water line to be constructed across two of Collin College's proposed driveways and a parking lot area. As part of the agreement, the City will reimburse the college an amount equal to \$24,000. Council unanimously approved the motion by Council member Elliott, seconded by Mayor Pro Tem Rogers, to approve a Resolution authorizing the City Manager to enter into an Interlocal Agreement with Collin County Community College District for the construction and reimbursement of costs related to construction activities of the water line installation along the Public Safety Training Facility Site, generally located on the east side of Redbud Boulevard and approximately 800 feet south of Bloomdale Road.

Caption reads as follows:

RESOLUTION NO. 2017-12-227 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY COMMUNITY COLLEGE DISTRICT FOR THE CONSTRUCTION AND REIMBURSEMENT OF COSTS IN THE AMOUNT OF \$24,000.00 RELATED TO CONSTRUCTION ACTIVITIES OF THE WATER LINE INSTALLATION ALONG THE PUBLIC SAFETY TRAINING FACILITY SITE

**17-1261** Mayor Fuller called for Consideration/Discussion/Action on an Ordinance Amending the Fiscal Year 2017-2018 Annual Budget and Amending the 2018-2022 Capital Improvements Program, to Provide Funds for the Gabe Nesbitt Tennis Complex Expansion Project. Director of Parks and Recreation Michael Kowski stated this item is the next phase of updates for the Gabe Nesbitt Tennis Complex. This project will provide twelve new tennis courts outdoors, expand the clubhouse, a new parks facility maintenance building as well as some office space with restrooms, a skate park, open space for an adult soccer field and a youth soccer field, 200 additional parking spaces, a playground, and shade structures to every court. Council member Elliott thanked staff for the work on this project and thanked Matt Hanlin and his group for how well they run the complex. Mr. Kowski noted that Mr. Hanlin won the Community Service Award for the State of Texas, which is a huge honor. Councilwoman Rath thanked Mr. Kowski and the modifications to the presentation. Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to approve an Ordinance amending the Fiscal Year 2017-2018 Annual Budget and amending the 2018-2022 Capital Improvements Program, to provide funds for the Gabe Nesbitt Tennis Complex Expansion Project. Caption reads as follows:

ORDINANCE NO. 2017-12-116

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE FISCAL YEAR 2017-2018 ANNUAL BUDGET AND 2018 – 2022 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDS FOR GABE NESBITT TENNIS CENTER EXPANSION PROJECT

**17-1263** Mayor Fuller called for Consideration/Discuss/Action on a Resolution Authorizing the City Manager to Execute a Contract with Alliance Geotechnical Group for Construction Materials Testing Related to the Construction of the Gabe Nesbitt Tennis Center Expansion, Located at 3253 Alma Road. Councilwoman Rath requested that the motion include the change from Gabe Nesbitt Texas Center Expansion to Gabe Nesbitt Tennis Center Expansion. Council unanimously approved the motion by Council member Elliott, seconded by Councilwoman Rath, to approve a Resolution authorizing the City Manager to execute a contract with Alliance Geotechnical Group for Construction Materials Testing related to the construction of the Gabe Nesbitt Tennis Center Expansion, located at 3253 Alma Road. Caption reads as follows:

RESOLUTION NO. 2017-12-229 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ALLIANCE GEOTECHNICAL GROUP OF FRISCO, TEXAS, FOR CONSTRUCTION MATERIALS TESTING SERVICES FOR THE GABE NESBITT TENNIS CENTER EXPANSION

**17-1262** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract with Cooper General Contractors of Plano, Texas, for the Construction of the Gabe Nesbitt Tennis Center Expansion Project Located at 3253 Alma Road. Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to approve a Resolution authorizing the City Manager to execute a contract with Cooper General Contractors of Plano, Texas, for the construction of the Gabe Nesbitt Tennis Center Expansion Project located at 3253 Alma Road. Caption reads as follows:

RESOLUTION NO. 2017-12-228 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH COOPER GENERAL CONTRACTORS OF PLANO, TEXAS, FOR THE CONSTRUCTION OF THE GABE NESBITT TENNIS CENTER EXPANSION PROJECT

- 17-1264** Mayor Fuller called for Consideration/Discussion/Action on an Ordinance Amending the Fiscal Year 2017-2018 Annual Budget and Amending the 2018-2022 Capital Improvements Program, to Provide Funds for Construction Materials Testing for Bonnie Wenk Phase 2. Director of Parks and Recreation Michael Kowski stated this item is to approve funds associated with the sky bridge project at Bonnie Wenk Park. Council unanimously approved the motion by Council member Elliott, seconded by Council member Shemwell, to approve an Ordinance amending the Fiscal Year 2017-2018 Annual Budget and amending the 2018-2022 Capital Improvements Program, to provide funds for construction materials testing for Bonnie Wenk Phase 2. Caption reads as follows:

ORDINANCE NO. 2017-12-117

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS AMENDING THE FISCAL YEAR 2017-2018  
ANNUAL BUDGET AND 2018 – 2022 CAPITAL IMPROVEMENT  
PROGRAM TO PROVIDE FUNDS FOR BONNIE WENK PHASE  
2

- 17-1265** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Increase the Not to Exceed Amount for the Construction Materials Testing Services Contract with Terracon Consultants, Inc. Related to the Construction of Bonnie Wenk Phase 2. Director of Parks and Recreation Michael Kowski stated this is a companion item to the previous item. Council unanimously approved the motion by Council member Shemwell, seconded by Mayor Pro Tem Rogers, to approve a Resolution authorizing the City Manager to increase the not to exceed amount for the Construction Materials Testing Services Contract with Terracon Consultants, Inc. related to the construction of Bonnie Wenk Phase 2. Caption reads as follows:

RESOLUTION NO. 2017-12-230 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO  
INCREASE THE CONTRACT AMOUNT WITH TERRACON  
CONSULTANTS, INC., OF DALLAS, TEXAS, FOR  
CONSTRUCTION MATERIALS TESTING SERVICES FOR  
BONNIE WENK PHASE 2

**17-1266** Mayor Fuller called for Consideration/Discuss/Action on Designating Chairman of the Reinvestment Zone Number One. City Secretary Sandy Hart stated the next two items are to select the Chairman for the TIRZ 1 and TIRZ 2. The Bylaws of each of these corporations require that the City Council appoint the Chairman to serve for one year beginning January 1<sup>st</sup> of each year. Council unanimously approved the motion by Council member Shemwell, seconded by Mayor Pro Tem Rogers, to designate Tracy Rath as Chairman of the Reinvestment Zone Number One.

**17-1267** Mayor Fuller called for Consideration/Discussion/Action on Designating Chairman of the Reinvestment Zone Number Two. Council unanimously approved the motion by Council member Shemwell, seconded by Council member Elliott, to designate Chuck Branch as Chairman of the Reinvestment Zone Number Two.

Mayor Fuller called for Citizen Comments.

Ms. Maylee Thomas Fuller wished everyone a Merry Christmas.

Mayor Fuller called for Council and Manager Comments.

Council member Philips congratulated McKinney Christian Academy for making it to the State championship round. They are coached by Rodney Doyle They represented McKinney very well. Also from McKinney Christian Academy, Ms. Julie James, a graduate, is now playing soccer at Baylor University and was named an Academic All-American. Congratulations to Julie.

Council member Elliott thanked the McKinney Armed Services Memorial Board for bringing the Gold Star Memorial at Veterans Park to fruition. Mr. Woody Williams is the only living Marine recipient of the Medal of Honor from WWII and was our guest of honor. Councilwoman Rath's presentation at the event was outstanding. Also thanks to Colin Kimball of the Armed Services Memorial Board who has done a wonderful job at the Memorial. Thanks to Parks and Recreation Director Michael Kowski and Assistant Director Ryan Mullins for their work on the Memorial as well. Council member Mr. Elliott

stated he attended the McKinney EDC meeting and there is a lot going on in McKinney. I appreciate President Darrell Auterson and his staff for their hard work at the EDC.

Mayor Pro Tem Rogers wished everyone a Merry Christmas and Happy New Year.

Council member Shemwell thanked Ms. Flo Henry for all her work on the Wreaths across America event. This is an event is where they lay wreaths across all the veterans' graves. We were at Ross Cemetery and Pecan Grove Cemetery laying wreaths on the graves of all those who fought and served. Thank you to all the military members and their families for your service to this country. I attended the Love Life Foundation event put on by the Fullers this weekend. I would like to highlight Councilwoman Rath's work that she does in the community that people may not be aware. She is in attendance at several events throughout the community assisting in any way she can. I appreciate her hard work and dedication.

Councilwoman Rath stated that the Gold Star Memorial event was one of the best attended events I have seen at Veterans Park. Many Gold Star families were in attendance and we appreciate them for their sacrifice. Main Street has over 30,000 followers on their social media accounts and have created a new downtown marketing campaign slogan called "Historic Good Times". The McKinney DASH that was funded by McKinney CDC won the Spirit of Downtown award at the Texas Downtown Association Conference recently. Patina Green, a local retailer/restaurant on the Square, was a finalist for the Best Downtown Business at the Conference. Main Street's Home for the Holidays was one of the most successful events they have had with an estimated 35,000 attendees. Ms. Rath wished everyone a Merry Christmas and Happy New Year. I hope everyone spends time with friends and family and takes the time to appreciate what the season is all about.

Mayor Fuller bid farewell to Airport Director Ken Wiegand. He has been such a steward of the Airport and such a valuable asset to the City of McKinney and one of the most responsible people for the success we have had at the Airport. You have done a fantastic job and it is sad to see you go. You have done a great service to McKinney and we all appreciate you very much. I had the opportunity to go to Austin twice last week. I want to brag on our staff. Mr. Jose Madrigal, Trevor Minyard and I went to

meet with the Economic Development Department to discuss funding for some of our Airport expansion projects. Mr. Madrigal was great and represented the City well. It was a pleasure working with you on that. I also went to Austin to testify in front of the PUC with our City Manager, who is the best City Manager in this country and Council member Philips. I want to thank you publicly for the word you gave me as it was very much appreciated at a time of quite awkward silence. Happy holiday and Merry Christmas to everybody.

City Manager Paul Grimes noted that there are still some activities in downtown McKinney. Visit the website for additional holiday events going on not just for Christmas but also for the New Year's in the downtown area. Thanks to residents and businesses who contributed to Santa's Toy Drive. We collected more than 3,200 toys and 84 bikes for the children in Collin County. I was there with Council member Philips and it was an impressive sight. McKinney got some great publicity. Thank you to everyone who contributed. On behalf of City staff, we wish all of you and your family a Merry Christmas, Happy Holidays, and prosperous New Year. Mayor Fuller thanked Sergeant Holmes for always being here and making us feel safe. Tonight was not one we were concerned about but there have been plenty of others. It is fantastic to see you here. Thank you for all you do.

Mayor Fuller called for Action on Executive Session Items.

Council approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to authorize the City Manager to execute a purchase and sales agreement with VTCR LP, Prairie Flight LP, and MADMT LP collectively, for approximately 190 acres conditioned on certain modifications discussed in Executive Session, with a vote of 5-1-0, with Council member Philips voting against.

Council unanimously approved the motion by Council member Elliott, seconded by Council member Charlie Philips, to adjourn. Mayor Fuller adjourned the meeting at 7:28 p.m.

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GEORGE C. FULLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary