

## **CITY COUNCIL REGULAR MEETING**

**OCTOBER 6, 2020**

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, October 6, 2020 at 6:00 p.m.

City Council Present: Mayor George Fuller, Mayor Pro Tem Rainey Rogers, and Council Members Charlie Philips, Scott Elliott, Frederick Frazier, Rick Franklin, and La'Shadion Shemwell.

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Kimberly Flom, Assistant City Manager Berry Shelton, Assistant City Manager Steve Tilton, Strategic Services Manager Trevor Minyard, City Attorney Mark Houser, City Attorney Allen Lathrom, City Secretary Empress Drane, Interim Deputy City Secretary Joshua Stevenson, Administrative Assistant to the City Secretary Blenda Sims, Records Specialist Juametta Terrell, Police Officer Shannan Seabrook, Police Officer Derrick Byrd, Police Sergeant Damian Guerrero, Fire Chief Danny Kistner, Fire Marshal Mike Smith, Fire Public Information & Education Coordinator Merit Ossian, Graduate Fire Protection Engineer Chad Nester, Director of Finance Trudy Mathis, Investment & Treasury Manager Kelvin Bryant, Historic Preservation Officer Guy Giersch, Construction Projects Manager Patricia Jackson, Director of Libraries Spencer Smith, Information Technology Manager Nicholas Martin, Director of Planning Jennifer Arnold, Assistant Director of Planning Mark Doty, Planning Manager Aaron Bloxham, Arborist Adam Engelskirchen, GIS Manager Haripriya Madabushi, ADA & Franchise Utilities Coordinator Samantha Frison, President of McKinney Community Development Corporation Cindy Schneible, Civil Engineer Robyn Root, Director of McKinney Performing Arts Center & Main Street Programs Amy Rosenthal, Purchasing Manager Lisa Littrell, Director of Engineering Gary Graham, Capital Improvement Projects Manager Nicholas Ataie.

There were approximately sixty (60) members of the public present in the audience.

Mayor Fuller called the meeting to order at 6:06 p.m. upon determining a quorum of the Council was Present.

Mayor Fuller addressed the citizens that were present in regards of the Executive Order No. GA-29 by Texas Governor Greg Abbott as many of the citizens were not wearing masks in the Council Chambers. Mayor Fuller believed it to be disrespectful to others, especially those who are vulnerable, to go against the Executive Order and not wear a mask.

Mayor Fuller called for the Invocation, given by Pastor Kevin Tarver of New Resurrection House of Faith Christian Ministries. Mayor Fuller led the Pledge of Allegiance.

Mayor Fuller called for the Information Sharing items:

- 20-0844** Proclamation for 17th Annual Arbor Day, October 24, 2020
- 20-0845** Proclamation for National Community Planning Month
- 20-0846** Proclamation for Fire Prevention Month
- 20-0847** Proclamation for Breast Cancer Awareness Month

Mayor Fuller called for Public Comments regarding Agenda items.

Beth Bentley, spoke regarding the Procurement Policy and Impact Fees.

Mayor Fuller called for the Consent Agenda. Mayor Fuller requested for agenda items # 20-0851, 19-0010M8, 19-0010M9, 19-0010M10, 19-0010M11 and Council Member Shemwell requested for agenda item # 20-0854 to be considered individually.

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

- 20-0848** Minutes of the City Council Work Session of September 15, 2020
- 20-0849** Minutes of the City Council Regular Meeting of September 15, 2020
- 20-0641** Minutes of the Historic Preservation Advisory Board Regular Meeting of June 4, 2020
- 20-0807** Minutes of the Library Advisory Board Meeting of August 20, 2020
- 20-0767** Minutes of the McKinney Capital Improvements Advisory Committee Meeting of July 28, 2020
- 20-0826** Minutes of the McKinney Community Development Corporation Project Grant Subcommittee Meeting of August 24, 2020
- 20-0825** Minutes of the McKinney Community Development Corporation Meeting of

August 27, 2020

- 20-0827** Minutes of the McKinney Community Development Corporation Project Grant Subcommittee Meeting of September 10, 2020
- 20-0816** Minutes of the McKinney Economic Development Corporation Work Session of August 7, 2020
- 20-0817** Minutes of the McKinney Economic Development Corporation Meeting of August 18, 2020
- 20-0766** Minutes of the Planning and Zoning Commission Regular Meeting of August 25, 2020
- 20-0815** Minutes of the Planning and Zoning Commission Regular Meeting of September 8, 2020
- 20-0835** Minutes of the Tax Increment Reinvestment Zone (TIRZ1) Board Meeting of September 1, 2020
- 20-0747** Minutes of the Throckmorton Statue Ad Hoc Advisory Board Meeting of August 19, 2020
- 20-0811** Minutes of the Throckmorton Statue Ad Hoc Advisory Board Meeting of September 2, 2020
- 20-0840** Minutes of the Visit McKinney Board Meeting of August 25, 2020
- 20-0850** Consider/Discuss/Act on an Ordinance 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 2020 Rate Review Mechanism Riling; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent With the Negotiated Settlement; Finding Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attached Exhibit Establishing a Benchmark for Pensions and Retiree Medical Benefits; Approving an Attached Exhibit Regarding Amortization of Regulatory Liability; 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. Ordinance caption reads as follows:

**ORDINANCE NO. 2020-10-069**

**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 2020 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 ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; 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**

**20-0852** Consider/Discuss/Act on a Resolution Approving the Recommendations of the Arts Commission for Fiscal Year 2020-2021 Season Grants and Annual Funding of the Arts in the City of McKinney. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-134 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE FOLLOWING FUNDING ALLOCATIONS FOR THE SUPPORT OF THE ARTS IN MCKINNEY IN AN AMOUNT NOT TO EXCEED \$200,000.00; AND PROVIDING FOR AN EFFECTIVE DATE**

**20-0853** Consider/Discuss/Act on a Resolution Awarding a Contract to Sonic - Richardson F, LLC DBA North Central Ford for Ford OEM Parts and Service. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-145 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO SONIC - RICHARDSON F, LLC DBA NORTH CENTRAL FORD OF RICHARDSON, TX FOR FORD OEM PARTS AND SERVICE**

- 20-0855** Consider/Discuss/Act on a Resolution Adopting the Debt Management Policy for Fiscal Year 2020-2021. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-135 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ADOPTING THE DEBT MANAGEMENT POLICIES**

- 20-0856** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into a Professional Services Contract Related to a School Resource Officer Program with McKinney Independent School District. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-136 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE MCKINNEY INDEPENDENT SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICERS**

- 20-0857** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with North Rock Construction, LLC of Denton, Texas, for the Construction of a 10 Acre Neighborhood Park Located within the Prestwyck Subdivision. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-137 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH NORTH ROCK CONSTRUCTION, LLC OF DENTON, TEXAS FOR THE CONSTRUCTION OF THE PRESTWYCK NEIGHBORHOOD PARK PROJECT**

- 20-0858** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Terracon for Construction Materials Testing Related to the Construction of the Prestwyck Neighborhood Park, Located within the Prestwyck Subdivision. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-138 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH TERRACON CONSULTANTS INC, OF DALLAS, TEXAS, FOR CONSTRUCTION MATERIALS TESTING SERVICES FOR THE PRESTWYCK NEIGHBORHOOD PARK PROJECT**

- 20-0859** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with DCBA Landscape

Architecture of Plano, Texas for Landscape Architectural and Engineering Services Related to the Renovation of 4 Fields and Various Park Improvements at the McKinney Soccer Complex at Craig Ranch. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-139 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH DCBA LANDSCAPE ARCHITECTURE OF PLANO, TEXAS FOR LANDSCAPE ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE RENOVATION OF 4 FIELDS AND VARIOUS PARK IMPROVEMENTS AT MCKINNEY SOCCER COMPLEX AT CRAIG RANCH**

**20-0860** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with North Rock Construction, LLC of Denton, Texas, for the Construction of the McKinney Soccer Complex at Craig Ranch Connector Road Project. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-140 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH NORTH ROCK CONSTRUCTION, LLC OF DENTON, TEXAS FOR THE CONSTRUCTION OF THE MCKINNEY SOCCER COMPLEX AT CRAIG RANCH CONNECTOR ROAD PROJECT**

**20-0861** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Agreement with the Texas Department of Transportation (TxDOT) to Install Traffic Signal Detection Equipment for Twenty Intersections on University Drive (US 380) from N. Stonebridge Drive to Airport Drive, funded through the Highway Safety Improvement Program (HSIP). Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-141 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) TO INSTALL TRAFFIC SIGNAL DETECTION EQUIPMENT FOR TWENTY INTERSECTIONS ON UNIVERSITY DRIVE (US 380) FROM N. STONEBRIDGE DR. TO AIRPORT DR., FUNDED THROUGH THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP), FOR AN ESTIMATED AMOUNT OF \$53,724.00**

**20-0862** Consider/Discuss/Act on a Resolution Authorizing the City Manager to

Execute a Contract with Alliance Geotechnical Group, Inc. for Materials Testing Services on the Stacy Road Lanes 5 and 6 (Custer Road to Ridge Road) Project. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-142 (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 \$72,238.00 WITH ALLIANCE GEOTECHNICAL GROUP, INC. FOR MATERIAL TESTING SERVICES FOR THE CONSTRUCTION OF STACY ROAD LANES 5 AND 6 (CUSTER ROAD TO RIDGE ROAD) (ST3212) AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$85,000**

**20-0863** Consider/Discuss/Act on a Resolution Approving a Settlement Agreement and Any Related Agreements, Including a First Amendment to the Regional Water Supply Facilities Amendatory Contract by and Between the City of McKinney, Texas, the North Texas Municipal Water District, and All Member Cities in Said District in Full Settlement of All Pending Petitions Filed at the Public Utility Commission of Texas, PUCT Docket Nos. 46662, 47863 and 49043; and Providing an Effective Date. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-143 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING A SETTLEMENT AGREEMENT AND ANY RELATED AGREEMENTS, INCLUDING A FIRST AMENDMENT TO THE REGIONAL WATER SUPPLY FACILITIES AMENDATORY CONTRACT BY AND BETWEEN THE CITY OF MCKINNEY, TEXAS, THE NORTH TEXAS MUNICIPAL WATER DISTRICT, AND ALL MEMBER CITIES IN SAID DISTRICT IN FULL SETTLEMENT OF ALL PENDING PETITIONS FILED AT THE PUBLIC UTILITY COMMISSION OF TEXAS, PUCT DOCKET NOS. 46662, 47863 AND 49043; AND PROVIDING AN EFFECTIVE DATE**

Mayor Fuller called for agenda items # 19-0010M8, 19-0010M9, 19-0010M10, 19-0010M11, 20-0854, 20-0851.

**19-0010M8** Consider/Discuss/Act on a Resolution Setting a Public Hearing Date for November 17, 2020 to Consider an Amendment of the Capital Improvements Plan for Roadway Impact Fees as Part of the Impact Fee Update Process, and Accompanying Resolution

Mayor Fuller requested that the Resolution be changed to set the Public Hearing Date for December 1, 2020.

Council unanimously approved the motion by Mayor Fuller, seconded by Council Member Philips, to approve a Resolution Setting a Public Hearing Date for December 1, 2020 to Consider an Amendment of the Updated Capital Improvements Plans for Utility Impact Fees as Part of the Impact Fee Update Process, and Accompanying Resolution.

Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-148 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, SETTING A PUBLIC HEARING DATE FOR DECEMBER 1, 2020 TO CONSIDER/DISCUSS/ACT ON THE AMENDMENT OF THE CAPITAL IMPROVEMENTS PLAN FOR ROADWAY IMPACT FEES AS PART OF THE 2019 IMPACT FEE UPDATE**

**19-0010M9** Consider/Discuss/Act on a Resolution Setting a Public Hearing Date for November 17, 2020 to Consider an Amendment of the Updated Capital Improvements Plans for Utility Impact Fees as Part of the Impact Fee Update Process, and Accompanying Resolution

Mayor Fuller requested that the Resolution be changed to set the Public Hearing Date for December 1, 2020.

Council unanimously approved the motion by Mayor Fuller, seconded by Council Member Philips, to approve a Resolution Setting a Public Hearing Date for December 1, 2020 to Consider an Amendment of the Updated Capital Improvements Plans for Utility Impact Fees as Part of the Impact Fee Update Process, and Accompanying Resolution.

Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-149 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, SETTING A PUBLIC HEARING DATE FOR DECEMBER 1, 2020 TO CONSIDER/DISCUSS/ACT ON THE AMENDMENT OF THE CAPITAL IMPROVEMENTS PLANS FOR UTILITY IMPACT FEES AS PART OF THE 2019 IMPACT FEE UPDATE**

**19-0010M10** Consider/Discuss/Act on a Resolution Setting a Public Hearing Date for November 17, 2020 to Consider an Amendment of the Roadway Impact Fee Ordinance and Associated Fee Amendments as Part of the Impact Fee Update Process, and Accompanying Resolution



Mayor Fuller requested that the Resolution be changed to set the Public Hearing Date for December 1, 2020.

Council unanimously approved the motion by Mayor Fuller, seconded by Council Member Philips, to approve a Resolution Setting a Public Hearing Date for December 1, 2020 to Consider an Amendment of the Roadway Impact Fee Ordinance and Associated Fee Amendments as Part of the Impact Fee Update Process, and Accompanying Resolution.

Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-150 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, SETTING A PUBLIC HEARING DATE FOR DECEMBER 1, 2020 TO CONSIDER/DISCUSS/ACT ON THE AMENDMENT OF THE ORDINANCE FOR ROADWAY IMPACT FEES AS PART OF THE 2019 IMPACT FEE UPDATE**

**19-0010M11** Consider/Discuss/Act on a Resolution Setting a Public Hearing Date for November 17, 2020 to Consider an Amendment of the Utility Impact Fee Ordinance as Part of the Impact Fee Update Process, and Accompanying Resolution

Mayor Fuller requested that the Resolution be changed to set the Public Hearing Date for December 1, 2020.

Council unanimously approved the motion by Mayor Fuller, seconded by Council Member Philips, to approve a Resolution Setting a Public Hearing Date for December 1, 2020 to Consider an Amendment of the Utility Impact Fee Ordinance as Part of the Impact Fee Update Process, and Accompanying Resolution.

Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-151 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, SETTING A PUBLIC HEARING DATE FOR DECEMBER 1, 2020 TO CONSIDER/DISCUSS/ACT ON THE AMENDMENT OF THE ORDINANCE FOR UTILITY IMPACT FEES AS PART OF THE 2019 IMPACT FEE UPDATE.**

**20-0854** Consider/Discuss/Act on a Resolution Adopting the Procurement Policy and Procedures Manual.

Council unanimously approved the motion by Mayor Pro Tem Rogers,

seconded by Council Member Philips, to approve a Resolution Adopting the Procurement Policy and Procedures Manual. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-146 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, ADOPTING THE PROCUREMENT POLICY AND  
PROCEDURES MANUAL**

**20-0851** Consider/Discuss/Act on a Resolution Authorizing a Partnership and Accompanying Agreement with KHYI 95.3 Radio for Advertising Purposes, including the Production of the 2021 Texas Music Revolution Festival; and Providing for an Effective Date. Resolution caption reads as follows:

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Philips, to approve a Resolution Authorizing a Partnership and Accompanying Agreement with KHYI 95.3 Radio for Advertising Purposes, including the Production of the 2021 Texas Music Revolution Festival; and Providing for an Effective Date.

Director of McKinney Performing Arts Center & Main Street Programs Amy Rosenthal received a John Fleming Award for her years of commitment to the Arts Community.

**RESOLUTION NO. 2020-10-133 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, AUTHORIZING A PARTNERSHIP AND  
ACCOMPANYING AGREEMENT WITH KHYI 95.3 RADIO FOR  
ADVERTISING PURPOSES, INCLUDING THE PRODUCTION OF THE  
2021 TEXAS MUSIC REVOLUTION FESTIVAL; AND PROVIDING  
FOR AN EFFECTIVE DATE**

Mayor Fuller called for the following Plat items.

**20-0125CVP** Consider/Discuss/Act on a Conveyance Plat for Lots 1, 2, and 3, Block A of the MC22DE Addition, Located at the Southwest Corner of Van Tuyl Parkway and Meyer Road

Council unanimously approved the motion by Council Member Elliott, seconded by Council Member Philips, to approve the staff recommendation to approve with conditions a Conveyance Plat for Lots 1, 2, and 3, Block A of the MC22DE Addition, Located at the Southwest Corner of Van Tuyl Parkway and Meyer Road.

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

- 20-0864** 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 the Stacy Road Lanes 5 & 6 (Custer Road to Ridge Road) Project. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-144 (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 \$6,110,714.09 WITH PAVECON PUBLIC WORKS, L.P., FOR THE CONSTRUCTION OF THE STACY ROAD LANES 5 & 6 (CUSTER ROAD TO RIDGE ROAD) PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$6,700,000**

Council unanimously approved the motion by Council Member Franklin, seconded by Council Member Frazier, to approve 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 the Stacy Road Lanes 5 & 6 (Custer Road to Ridge Road) Project.

- 20-0865** Consider/Discuss/Act on a Resolution Supporting a US 380 Freeway Alignment Generally Between Future Ridge Road and Community Avenue Related to the Texas Department of Transportation US 380 Collin County Feasibility Study. Resolution caption reads as follows:

**RESOLUTION NO. 2020-10-147 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, PROVIDING SUPPORT OF A US 380 FREEWAY ALIGNMENT GENERALLY BETWEEN FUTURE RIDGE ROAD AND COMMUNITY AVENUE RELATED TO THE TEXAS DEPARTMENT OF TRANSPORTATION US 380 COLLIN COUNTY FEASIBILITY STUDY**

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Elliott, to approve a Resolution Supporting a US 380 Freeway Alignment Generally Between Future Ridge Road and Community Avenue Related to the Texas Department of Transportation US 380 Collin County Feasibility Study.

Mayor Fuller called for Public Comments regarding issues not on the agenda.

Jim Garrison, spoke in opposition to the mask mandate.

Joshua Murray, spoke regarding the recall petition and the election on November 3, 2020.

Jimmy Stewart, spoke regarding the professionalism of the Staff of the City of McKinney and thanked the Mayor and Police Chief.

Veronica Santacruz, did not show.

Tammy Warren, spoke in opposition to the mask mandate.

Erin Petska, spoke in opposition to the mask mandate.

James P. Westerheid, spoke in opposition to the mask mandate.

Ada Simmons, spoke regarding her sub-division of Trinity Heights.

Serena Ashcroft, spoke in opposition to the mask mandate.

Marisa Williams, spoke in opposition to the mask mandate.

Jake James Williams, spoke in favor of home-schooling as an education method.

Tamara Johnson, spoke in favor of following the law.

Elizabeth Michel, spoke in favor of voting protections, safety of voters, and the removal of the Throckmorton Statue.

Camela Merecier, did not wish to speak.

Mayor Fuller called for Council and Manager Comments.

Mayor Fuller addressed the citizens present regarding the comments that were made. He stated that it is within the rights of citizens to protest laws they believe to be wrong, however the Mayor disagreed with how it was being done. The Mayor stated that the City Council signed the ordinance that mandates the City of McKinney will follow the direction of the Governor of Texas, which requires masks to be worn. The Mayor told the citizens that they cannot pick and choose what laws and ordinances that they want to follow.

Council Member Shemwell agreed with Mayor Fuller that we cannot pick and choose what laws that we want to follow. The Council Member stated that if citizens did not agree with the Governor of Texas, then they should go to Austin, Texas, and protest there. Council Member Shemwell went on to state that citizens should be focusing on other issues that are of greater importance.

Council Member Franklin stated that he has never seen so much decisiveness in the City of McKinney. Council Member Franklin continued that we are all on the same team and that we are going through new challenges during this time.

Council Member Frazier reiterated that it is Breast Cancer Awareness Month and that we need to support those who are affected by it. Council Member Frazier stated that he wears, and other first responders wear the masks to protect themselves and others.

Council Member Philips updated the Council that R. J. Carver, a McKinney High School Running Back, was named the Defensive Player of the Week by the Dallas Morning News. Council Member Philips continued that Matthew Jeter, who plays for the 3<sup>rd</sup> grade Cowboys, had a pickoff return for a touchdown, which was his first. Council Member Philips also thanked the Public Works and Parks & Recreation Departments for their help in the McKinney Kiwanis Triathlon, which was a tremendous success.

Council Member Elliott also reiterated that it is Breast Cancer Awareness Month and that everyone is affected by it in one way or another. He continued that his mother-in-law was diagnosed with breast cancer and he appreciates the proclamation for Breast Cancer Awareness Month. Council Member Elliott went on to list the things that we have lost in the year 2020. Lastly, Council Member Elliott spoke about how the community came together during a McKinney Community Development Corporation Board on July 23, 2020.

Mayor Pro Tem Rogers spoke about the local Non-profit Hugs. They operate a café Downtown McKinney that employs people with special needs. Hugs applied for a grant with the McKinney Community Development Corporation Board and they used the grant to build a Nursery on the North side of McKinney. The Mayor Pro Tem tasked citizens to check Hugs out. Mayor Pro Tem Rogers expanded on a Resolution that was approved, stating that the efforts of Mayor Fuller and City Manager Grimes will save the citizens of McKinney tens of millions of dollars over the coming years.

City Manager Grimes gave the following announcements:

- The City, and neighboring Cities, approved the settlement with the North Texas Municipal Water District which changed the payment structure. This change will help with the growth that the area will see in the future.

- For Arbor Day the City is giving away Chinkapin Oak Trees on October 24, 2020 to citizens who register online.
- 2020 Census deadline has been extended to October 31, 2020. It is important that everyone in McKinney be counted.
- The City of McKinney currently is housing evacuees from Hurricane Laura in the Sheraton Hotel in the City. While at the Hotel, two evacuees got married.

Council unanimously approved the motion by Mayor Fuller, seconded by Mayor Pro Tem Rogers, to adjourn the meeting at 8:16 p.m.

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GEORGE C. FULLER  
Mayor

ATTEST:

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EMPRESS DRANE  
City Secretary  
JOSHUA STEVENSON  
Deputy City Secretary

City of McKinney, Texas