

CITY COUNCIL REGULAR MEETING

MAY 17, 2022

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, located at 222 N. Tennessee Street, McKinney, Texas, on Tuesday, May 17, 2022, at 6:00 p.m.

Mayor George Fuller called the meeting at 6:12 p.m., upon determining a quorum consisting of himself and the following Members were present: Mayor Pro Tem Rainey Rogers, and Council Members Justin Beller, Geré Feltus, Rick Franklin, Charlie Philips, and Patrick Cloutier.

These City of McKinney Staff were present: City Manager Paul Grimes, Assistant City Manager Barry Shelton, Assistant City Manager Kim Flom, Assistant City Manager Steve Tilton, City Attorney Mark Houser, City Secretary Empress Drane, Director of Strategic Services Trevor Minyard, Information Technology Support Technician Suzanne Bolick, Director of Code Services Kerry Simpson, Code Enforcement Manager John Christophe, Director of Planning Jennifer Arnold, Director of Housing & Community Development Janay Tieken, Affordable Housing Coordinator Cristel Todd, and Facilities Construction Manager Patricia Jackson.

There were approximately fifteen (15) Members of the public present, including McKinney Community Development Corporation Alternate Member David Riche, Historic Preservation Advisory Board (HPAB) President Betty Petkovsek, and HPAB Members Johanna Friedel, Nina Dowell Ringley, and Tom Pence.

Senior Pastor Bruce Miller of Christ Fellowship Church delivered the invocation and led the group recital of the Pledge of Allegiance, as called for by Mayor Fuller.

Mayor Fuller called for Public Comments regarding non-public hearing matters, at which time the following individuals spoke in support of preserving the historic icehouse building located on the site of the future municipal complex to be:

Johanna Friedel, 1103 Hyde Park Dr, McKinney TX 75069

Tom Pence, 506 Hunt Street, McKinney TX 75069

Betty Petkovsek, 1101 W. Louisiana Street, McKinney TX 75069

Nina Dowell-Ringley, 313 N. Bengé Street, McKinney TX 75069

Rose Ripperger, 211 B North Bradley Street, McKinney TX 75069

Mayor Fuller called for the Consent Agenda.

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

- 22-0435** Minutes of the City Council Work Session of April 19, 2022
- 22-0436** Minutes of the City Council Regular Meeting of April 19, 2022
- 22-0437** Minutes of the City Council Work Session of May 3, 2022
- 22-0438** Minutes of the City Council Regular Meeting of May 3, 2022
- 22-0415** Minutes of the Capital Improvements Advisory Committee Regular Meeting of December 14, 2021
- 22-0388** Minutes of the Historic Preservation Advisory Board Regular Meeting of April 7, 2022
- 22-0363** Minutes of the Library Advisory Board Meeting of March 17, 2022
- 22-0320** Minutes of the McKinney Armed Services Memorial Board of Meeting of March 09, 2022
- 22-0371** Minutes of the McKinney Community Development Corporation Meeting of March 24, 2022
- 22-0372** Minutes of the McKinney Community Development Corporation TUPPS Subcommittee Meeting of April 12, 2022
- 22-0333** Minutes of the Parks, Recreation, and Open Space Advisory Board Meeting of February 10, 2022
- 22-0318** Minutes of the Planning and Zoning Commission Regular Meeting of March 22, 2022
- 22-0416** Minutes of the Planning and Zoning Commission Regular Meeting of April 26, 2022
- 22-0395** Minutes of the Tax Increment Reinvestment Zone Number One (TIRZ1) Board Meeting of February 15, 2022
- 22-0393** Minutes of the Tax Increment Reinvestment Zone Number Two (TIRZ2) Board Meeting of January 4, 2022
- 22-0367** Minutes of the Visit McKinney Regular Meeting of March 29, 2022
- 22-0439** Consider/Discuss/Act on an Ordinance Amending Article XI, "Junked

Vehicles," of Chapter 62, "Motor Vehicles and Traffic," by amending Section 62-620, "Definitions," by amending the definition of "Junked Vehicle" to Reflect the State of Texas' Change to a Single-Sticker System. Ordinance caption reads as follows:

ORDINANCE NO. 2022-05-056

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY AMENDING THE CODE OF ORDINANCES OF THE CITY THROUGH THE AMENDMENT OF ARTICLE XI, "JUNKED VEHICLES," OF CHAPTER 62, "MOTOR VEHICLES AND TRAFFIC," BY AMENDING SECTION 62-620, "DEFINITIONS," BY AMENDING THE DEFINITION OF "JUNKED VEHICLE" TO REFLECT THE STATE OF TEXAS' CHANGE TO A SINGLE-STICKER SYSTEM; 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

22-0440 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Construction Contract with Crossland Construction Company, Inc. (Crossland) for Pre-Construction Services Related to the Design and Construction of the McKinney National Airport Airfield Maintenance and Storage Building (AI4315). Resolution caption reads as follows:

RESOLUTION NO. 2022-05-065 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION SERVICES CONTRACT WITH CROSSLAND CONSTRUCTION COMPANY, INC. (CROSSLAND) WHOSE LOCAL OFFICE IS IN PROSPER, TEXAS FOR CONSTRUCTION MANAGER AT RISK (CMAR) PRECONSTRUCTION SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE MCKINNEY NATIONAL AIRPORT AIRFIELD MAINTENANCE AND STORAGE BUILDING (AI4315)

22-0441 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Amendment to the Guaranteed Maximum Price (GMP) for the Construction Manager at Risk (CMAR) Contract with Crossland Construction Company, Inc. (Crossland) 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. 2022-05-066 (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 ADDITIONAL SCOPE OF WORK FOR CONSTRUCTION OF THE MCKINNEY MUNICIPAL SERVICE CENTER – NORTH CAMPUS PROJECT (FC2058)

- 22-0442** Consider/Discuss/Act on a Resolution Establishing the Summer School Zone Times for Each School Holding Summer School in 2022. Resolution caption reads as follows:

RESOLUTION NO. 2022-05-067 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING THE SUMMER SCHOOL ZONE TIMES FOR EACH SCHOOL HOLDING SUMMER SCHOOL IN 2022

- 22-0443** Consider/Discuss/Act on the Purchase and Sale Agreement of 3.198 Acres of Land, Located South of Bloomdale Road and West of Community Avenue

Mayor Fuller called for Plat Consideration under Texas Local Government Code Chapter 212.

- 22-0057PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1, Block 1, New Hope Switchyard Addition, Located in the ETJ of McKinney, on the North and East Sides of County Road 336, Approximately 3000 Feet East of FM 2933

Council unanimously approved the motion by Council Member Patrick Cloutier, seconded by Council Member Geré Feltus, to Approved 22-0057PF Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1, Block 1, New Hope Switchyard Addition, Located in the ETJ of McKinney, on the North and East Sides of County Road 336, Approximately 3000 Feet East of FM 2933

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

- 22-0444** Conduct a Public Hearing to Receive Public Comment to the Proposed Illustrative Plans, Including the City Council's Preferred Plan and Filed Alternate Plans, for Redistricting the Single-Member City Council Districts, Pursuant to Resolution No. 2021-11-159.

Gunnar Seaquist of the consulting firm Bickerstaff Heath Degaldo Acosta, LLP., presented information regarding the redistricting process. The presentation not included on the agenda is included in these minutes as *Appendix A – Redistricting Presentation*.

Julie Luton, 1516 Timber Edge, McKinney, TX 75072, expressed appreciation for the Council's kindness in the wake of her husband's passing, and encouraged the Council to approve a fair redistricting plan.

Council unanimously approved the motion by Council Member Patrick Cloutier, seconded by Council Member Geré Feltus, to Closing the Public Hearing.

- 22-** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use
0004SUP2 Permit Request for a Private Street Subdivision (Aster Park), Located on the North Side of FM 1461 and Approximately One Mile East of FM 2478, and Accompanying Ordinance

Council Member Rick Franklin recused himself from discussion and action pertaining to the item.

Greer McDowell (Applicant), 2700 Commerce Street, Dallas TX 75214, spoke in support of the request.

The motion by Council Member Geré Feltus, seconded by Council Member Charlie Philips, to Close the Public Hearing and Approve the request carried with a vote of 6-0, none voting against. Ordinance caption reads as follows:

ORDINANCE NO. 2022-05-057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A PRIVATE STREET SUBDIVISION (ASTER PARK), LOCATED ON THE NORTH SIDE OF FM 1461 AND APPROXIMATELY ONE MILE EAST OF FM 2478; PROVIDING REGULATIONS; 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

- 22-0445** Consider/Discuss/Act on a Request for Qualifications for Future Affordable Housing Development Utilizing Public Private Partnership with the McKinney Housing Finance Corporation

Council unanimously approved the motion by Council Member Charlie Philips, seconded by Council Member Rick Franklin, to the request.

Mayor Fuller called for Council and Manager Comments.

Council Member Rick Franklin made positive remarks about the recent AT&T Byron Nelson golf event held in McKinney, commended the small business Wild Birds Nature Shop on accomplishing its five-year anniversary and the services the store provides related to nature and animal conservation, and he encouraged everyone to support small businesses and shop locally.

Council Member Patrick Cloutier commended the McKinney Fire Department for the services provided during the AT&T Byron Nelson golf event, and he reflected on the treed landscapes and black land prairies that can both be found in the city.

Council Member Charlie Philips commended the high school teams and performances of those participating at the recent State Track & Field meet:

McKinney North High School (MNHS) Boys finished fourth in the Class 5A team standings.

Kody Blackwood (MNHS) first place 300 Hurdles, second place 110 Hurdles
MNHS Boys, second place 4x400 Relay, eighth place 4x200 Relay

McKinney North High School (MNHS) Girls finished eighth in the Class 5A team standings.

Alexandra Harber (MNHS) first place Pole Vault, third place 100 Hurdles
MNHS Girls, fourth place 4x100 Relay

McKinney Boyd High School Boys (MBHS) sixth place 4x400 relay

Council Member Geré Feltus acknowledged the end of the 2021-22 school year and thanked the McKinney Independent School District teachers and board of trustees for their work, acknowledged the success of the Empty Bowls charity event and AT&T Byron Nelson golf tournament, and thanked the McKinney Fire and Police departments for serving attendees of the golf event.

Mayor Pro Tem Rainey Rogers commended David Craig for his vision and efforts to bring the AT&T Byron Nelson golf event to the city, as well as the supporting efforts of Mayor Fuller, thanked the Fire Department and Paramedics for treating golf attendees exposed to outdoor heat, and commended the City of McKinney and Finance Department for earning Moody's AAA bond rating.

Council Member Justin Beller extended congratulations and encouragement to the graduating Class of 2022.

City Manager Paul Grimes thanked the many contributors who made the AT&T Byron Nelson golf event possible, announced activities at the Roy & Helen Hall Memorial Library in honor of Asian American & Pacific Islander Heritage Month (Saturday, May 21 at 2:00 p.m.), and the McKinney Armed Services Memorial Board will host its annual Memorial Day Ceremony at McKinney Veterans Memorial Park (Saturday, May 28 at 10:00 a.m.). There are four hundred thirty-one (431) names on the Memorial Wall.

Mayor George Fuller recently attended the Sankora Walk, in support of an organization that provides free eyes surgery to those in need at eleven (11) hospitals around the world, announced early voting is underway encouraging everyone to vote, acknowledged the Dallas Mavericks recently advanced to the NBA Western Conference Finals, McKinney resident and golfer Cooper Dossey made it through the qualifying round of the U.S. Open, friend and golfer Micah Young of Ireland barely missed qualifying by one stroke, the Empty Bowls and AT&T Byron Nelson golf event and everyone involved with both were all fantastic, and encouraged everyone to respect and the follow guidance of the police whether you agree with them or not.

Council unanimously approved the motion by Council Mayor Pro Tem Rainey Rogers, seconded by Council Member Patrick Cloutier, to adjourn at 7:23 p.m.

Video recording of this meeting is available through the City of McKinney meeting archives. These minutes approved by the City Council on may 17, 2022.

GEORGE C. FULLER
Mayor of McKinney, Texas

ATTEST:

EMPRESS DRANE
McKinney City Secretary

Appendix A – Redistricting Presentation
(next page)

McKinney, Texas 2021 Redistricting

Public Hearing

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Redistricting One Person - One Vote

- U.S. Constitution – single-member districts must have *approximately equal populations*
- Rule of thumb: **total deviation < 10%**
 - Compare most populous and least populous districts to “ideal”-sized district
 - Add both departures from ideal together



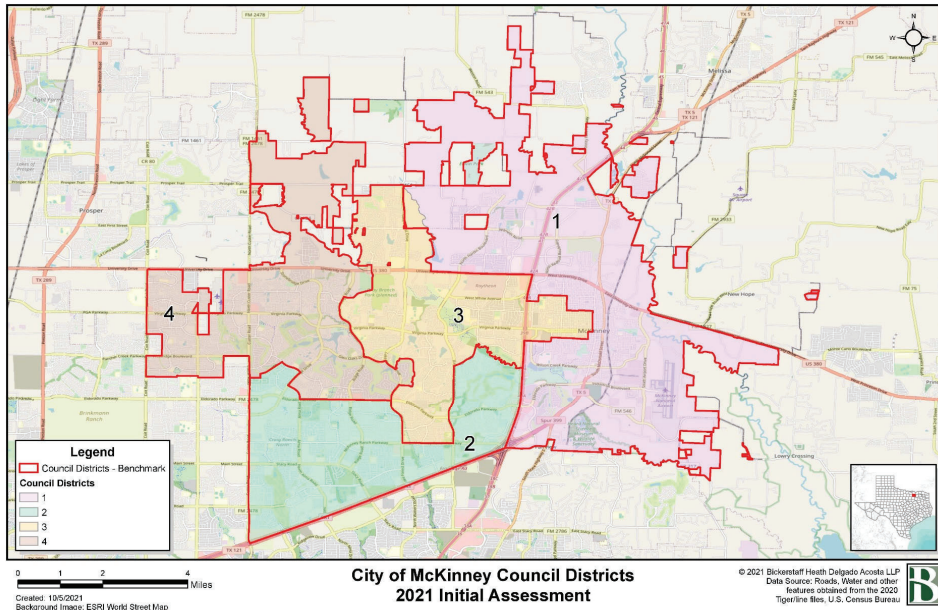
<u>District</u>	<u>Ideal district</u>	<u>District total pop.</u>	<u>Difference</u>	<u>Deviation</u>
A	10,000	11,000	1000	+ 10.0 percent
B	10,000	10,750	750	+ 7.5 percent
C	10,000	10,250	250	+ 2.5 percent
D	10,000	8,000	- 2000	- 20.0 percent
<hr/>				
Totals:	40,000	40,000	net= 0	net= 0 percent

Total maximum deviation = difference between most populous and least populous districts = 10 percent + 20 percent = 30 percent.

Example Deviation Calculation



Current Districts



What Population Do You Use?

Total Population

- To determine one person - one vote

VAP

(Voting Age Population)

- To measure voting rights issues

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City of McKinney Overall Deviation For Current Districts Using 2020 Census Data

Plan Name: City of McKinney Council Districts - 2021 Initial Assessment



Demographics Report - Summary 2020 Census Total Population

Plan Last Edited on: 10/8/2021 7:48:27 AM

District	Persons	Ideal Size	Deviation	Hispanic % of Total Population	Non-Hispanic White % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	36,485	48,791	-25.22%	36.40%	37.95%	17.05%	3.79%	4.82%
2	58,535	48,791	19.97%	11.88%	50.24%	13.79%	18.33%	5.77%
3	43,460	48,791	-10.93%	15.63%	60.16%	11.13%	7.25%	5.83%
4	56,684	48,791	16.18%	11.20%	58.39%	9.89%	15.18%	5.36%
TOTAL:	195,164			17.10%	52.52%	12.67%	12.23%	5.49%

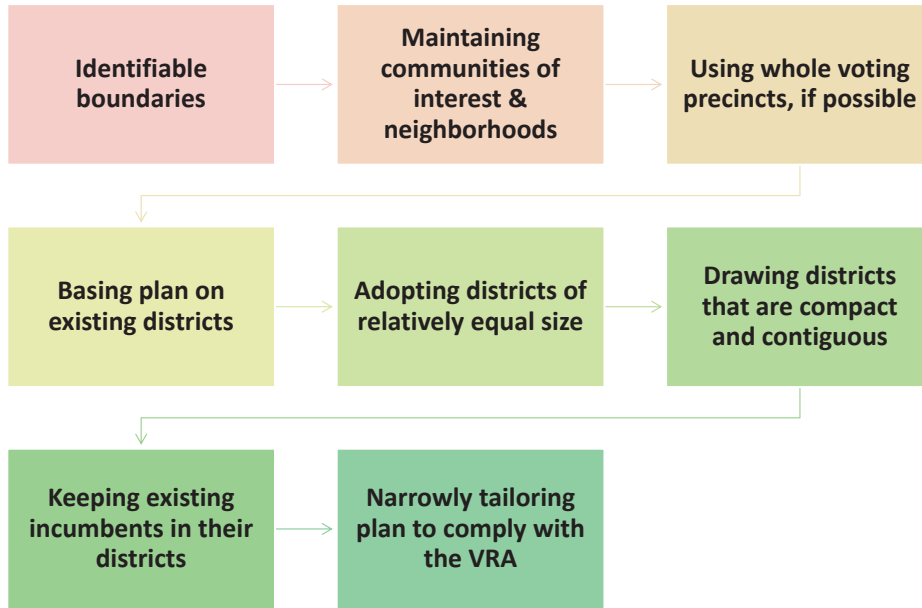
Ideal Size: 195164 / 4 = 48791

Total Population: 195,164

Overall Deviation: 45.19%

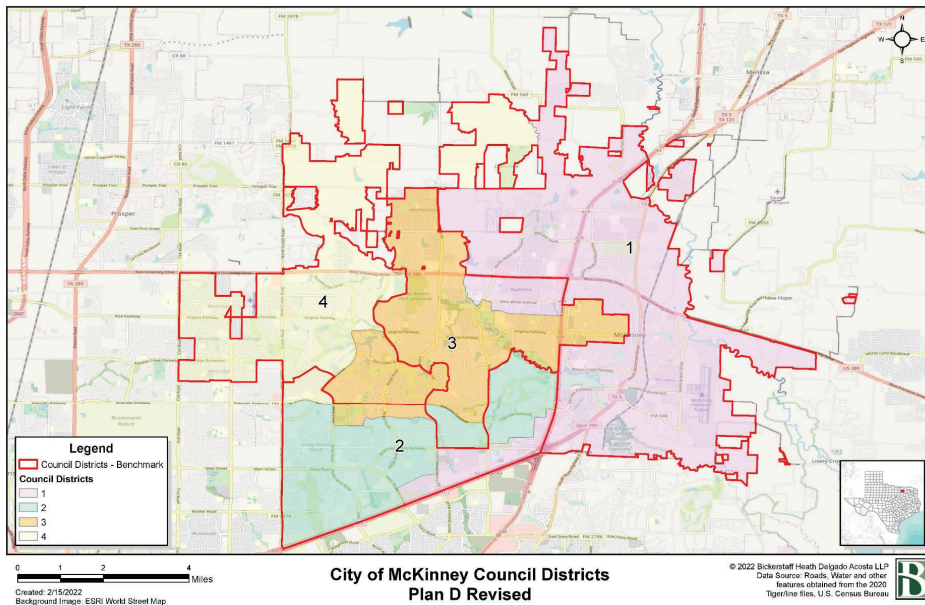
Some percentages may be subject to rounding errors.

Adopt Criteria



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Plan D Revised



City of McKinney Overall Deviation For Districts Plan D Revised

City of McKinney Council Districts - Plan D Revised



Demographics Report - Summary 2020 Census Total Population

Plan Last Edited on: 2/15/2022 4:44:39 PM

District	Persons	Ideal Size	Deviation	Hispanic % of Total Population	Non-Hispanic White % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	46,808	48,791	-4.06%	31.99%	39.37%	18.28%	5.57%	4.79%
2	50,462	48,791	3.42%	11.96%	50.98%	12.59%	18.60%	5.88%
3	48,571	48,791	-0.45%	13.58%	64.61%	9.20%	6.93%	5.68%
4	49,323	48,791	1.09%	11.70%	54.66%	10.86%	17.23%	5.56%
TOTAL:	195,164			17.10%	52.52%	12.67%	12.23%	5.49%

Ideal Size: 195164 / 4 = 48791

Total Population: 195,164

Overall Deviation: 7.49%

Some percentages may be subject to rounding errors.

Plan Development Elements



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Initial Assessment

Adopt plan criteria, guidelines

Develop illustrative plan(s)

Public comment / hearing

Analyze comments

Adopt final plan

Implementation

McKinney, Texas 2021 Redistricting

Public Hearing

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(End of Appendix A - Redistricting Presentation)