



CITY OF MCKINNEY, TEXAS

Agenda City Council Regular Meeting

Monday, July 31, 2017

6:00 PM

Jack Hatchell Collin County
Administration Building
4th Floor – Commissioners Court
2300 Bloomdale - McKinney, TX

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Dr. Tommy Brumett, Senior Pastor, First United Methodist Church

INFORMATION SHARING

17-769 [Presentation of GFOA Distinguished Budget Award for FY2017 Budget](#)

Attachments: [Budget Award FY17](#)

17-770 [National Night Out Proclamation](#)

Attachments: [Proclamation](#)

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

17-771 [Minutes of the City Council Special Meeting of July 17, 2017](#)

Attachments: [Minutes](#)

17-772 [Minutes of the City Council Regular Meeting of July 18, 2017](#)

Attachments: [Minutes](#)

- 17-773 [Minutes of the City Council Work Session of July 24, 2017](#)
Attachments: [Minutes](#)
- 17-673 [Minutes of the Main Street Board Meeting of June 8, 2017](#)
Attachments: [Minutes](#)
- 17-774 [Minutes of the McKinney Housing Authority Meeting of June 27, 2017](#)
Attachments: [Minutes](#)
- 17-767 [Minutes of the Planning and Zoning Commission Work Session of July 11, 2017](#)
Attachments: [Minutes](#)
- 17-768 [Minutes of the Planning and Zoning Commission Regular Meeting of July 11, 2017](#)
Attachments: [Minutes](#)
- 17-679 [Minutes of the Reinvestment Zone Number One Meeting of April 3, 2017](#)
Attachments: [Minutes](#)

RESOLUTIONS

- 17-775 [Consider/Discuss/Act on a Resolution Authorizing the Purchase of Body Worn Cameras for the McKinney Police Department from Watch Guard of Allen, Texas, Additional Storage from EST Group, of Arlington, Texas and Workstations from Dell, of Round Rock, Texas Utilizing the Texas Department of Information Resources' Contracts](#)
Attachments: [Resolution](#)
 [Watch Guard Quote](#)
 [EST Group Quote](#)
 [Dell Quote](#)
- 17-776 [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Kimley-Horn and](#)

[Associates, Inc. for Professional Engineering Design Services to Update the Intelligent Transportation System \(ITS\) Master Plan of the City of McKinney](#)

Attachments: [Resolution](#)

17-777

[Consider/Discuss/Act on a Resolution Approving the Seventh Amended and Restated Bylaws of McKinney Economic Development Corporation](#)

Attachments: [Resolution](#)
[Seventh Amended Bylaws - Redline](#)
[Seventh Amended Bylaws](#)

END OF CONSENT

REGULAR AGENDA AND PUBLIC HEARINGS

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

17-778

[Consider/Discuss/Act on Fiscal Year 2017-18 Proposed Tax Rate, Take Record Vote and Set Public Hearing and Adoption Dates](#)

Attachments: [Presentation](#)
[Motion](#)

14-297Z5

[Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District, "PD" - Planned Development District, and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District, "SO" - Suburban Office District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Meadow Ranch Road and U.S. Highway 380 \(University Drive\)](#)

Attachments: [CC Minutes 02.07.17](#)
[PZ Minutes 01.24.17](#)
[PZ Minutes 01.10.17](#)
[PZ Minutes 12.9.14](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Letter of Support](#)
[Letters of Opposition](#)
[Written Protest Map](#)
[Zoning Change Written Protest](#)
[Comprehensive Plan Maps](#)
[Land Use and Tax Base Summary Map](#)
[Land Use Comparison Table](#)
[Ex. PD Ord. No. 98-11-63](#)
[Proposed Ordinance](#)
[Proposed Exhibits A-C](#)
[PowerPoint Presentation](#)

17-779 [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter Into an Interlocal Agreement with Collin County for Funding the Extension of Bloomdale Road from Community Avenue to CR 164](#)

Attachments: [Resolution](#)
[Location Map](#)

17-780 [Consider/Discuss the Growth and Annexation Program in McKinney](#)

Attachments: [Presentation](#)
[1999 McKinney Annexation Plan](#)
[2017 Municipal Annexation Policy](#)

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
- C. Section 551.072. Deliberations about Real Property
 - Municipal Facilities
- D. Section 551.087 – Discuss Economic Development Matters
 - Project A146 – Project Frost

ACTION ON EXECUTIVE SESSION ITEMS**ADJOURN**

Posted in accordance with the Texas Government Code, Chapter 551, on the 28th day of July, 2017 at or before 5:00 p.m.

Sandy Hart, TRMC, MMC
City Secretary

In accordance with the Americans with Disabilities Act, it is the policy of the City of McKinney to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at least 48 hours in advance of the event. Phone 972-547-2694 or email contact-adacompliance@mckinneytexas.org. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. ADA grievances may also be directed to the ADA Coordinator or filed online at <http://www.mckinneytexas.org/ada>.



17-769

TITLE: Presentation of GFOA Distinguished Budget Award for FY2017 Budget

COUNCIL GOAL: Financially Sound Government

MEETING DATE: July 31, 2017

DEPARTMENT: Budget

CONTACT: Mark Holloway, Chief Financial Officer

RECOMMENDED CITY COUNCIL ACTION:

- Acceptance of the Award

ITEM SUMMARY:

- The Government Finance Officers Association of the United States and Canada (GFOA) presented an award for Distinguished Budget Presentation to the City of McKinney for its annual budget for the fiscal year beginning October 1, 2016 (FY2017).
- This award is the highest form of recognition in governmental budgeting and represents a significant achievement by the City of McKinney.
- In order to receive this award, a government unit must publish a budget document that meets program criteria as:
 - a policy document
 - a financial plan
 - an operations guide
 - a communications device
- This is the **33rd** consecutive year the City has received this award.

BACKGROUND INFORMATION:

- Since the inception of the GFOA's Distinguished Budget Presentation Awards Program in 1984, approximately 1,600 entities have received the Award.
- The GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.

SPECIAL CONSIDERATIONS: None

FINANCIAL SUMMARY: None

SUPPORTING MATERIALS:

[Budget Award FY17](#)



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

FOR IMMEDIATE RELEASE

June 20, 2017

For more information, contact:

Technical Services Center
Phone: (312) 977-9700
Fax: (312) 977-4806
E-mail: budgetawards@gfoa.org

(Chicago, Illinois)--Government Finance Officers Association is pleased to announce that **City of McKinney, Texas**, has received GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and in the fourteen mandatory criteria within those categories, to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for having achieved the award. This has been presented to **Budget Department**.

There are over 1,600 participants in the Budget Awards Program. The most recent Budget Award recipients, along with their corresponding budget documents, are posted quarterly on GFOA's website. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

Government Finance Officers Association is a major professional association servicing the needs of more than 19,000 appointed and elected local, state, and provincial-level government officials and other finance practitioners. It provides top quality publications, training programs, services, and products designed to enhance the skills and performance of those responsible for government finance policy and management. The association is headquartered in Chicago, Illinois, with offices in Washington D.C.

Washington, DC Office

Federal Liaison Center, 660 North Capitol Street, NW, Suite 410 • Washington, DC 20001 • 202.393.8020 fax: 202.393.0780

www.gfoa.org



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished
Budget Presentation
Award*

PRESENTED TO

**City of McKinney
Texas**

For the Fiscal Year Beginning

October 1, 2016



Executive Director



17-770

TITLE: National Night Out Proclamation

SUPPORTING MATERIALS:

[Proclamation](#)



City of McKinney Proclamation

- WHEREAS,** the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug, and violence prevention program on August 1, 2017 entitled "National Night Out"; and
- WHEREAS,** the 34th Annual National Night Out" provides a unique opportunity for McKinney, Texas to join forces with thousands of other communities across the country in promoting cooperative, police/fire-community crime prevention efforts; and
- WHEREAS,** the City of McKinney plays a vital role in assisting the McKinney Police and Fire Departments through cooperative crime, drug, and violence prevention efforts in McKinney, Texas and is supporting "National Night Out 2017" locally; and
- WHEREAS,** it is essential that all citizens of McKinney, Texas be aware of the importance of crime and fire prevention programs and the impact their participation can have on reducing crime, drug, and violence in McKinney, Texas; and
- WHEREAS,** police/fire-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program,

NOW, THEREFORE I, GEORGE FULLER, BY THE POWER VESTED IN ME AS MAYOR OF THE CITY OF MCKINNEY, TEXAS, DO HEREBY PROCLAIM TUESDAY, AUGUST 1, 2017 AS

NATIONAL NIGHT OUT

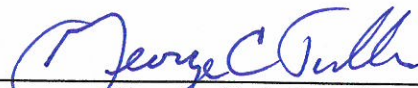
IN MCKINNEY, TEXAS AND CALL UPON ALL CITIZENS OF MCKINNEY, TEXAS TO JOIN THE POLICE AND FIRE DEPARTMENTS AND THE NATIONAL ASSOCIATION OF TOWN WATCH IN SUPPORTING THE 34TH ANNUAL NATIONAL NIGHT OUT ON AUGUST 1, 2017.

WITNESS MY HAND AND SEAL THIS THE 1ST DAY OF AUGUST, 2017.

ATTEST:


Sandy Hart, City Secretary




George C. Fuller, Mayor



17-771

TITLE: Minutes of the City Council Special Meeting of July 17, 2017

SUPPORTING MATERIALS:

[Minutes](#)

CITY COUNCIL SPECIAL MEETING

JULY 17, 2017

The City Council of the City of McKinney, Texas met in special session in the Council Chambers of the Municipal Building on July 17, 2017 at 5:30 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'Shadian Shemwell.

Staff Present: City Manager Paul Grimes; Deputy City Manager Jose Madrigal; Assistant City Manager Barry Shelton; Assistant City Manager Steve Tilton; Assistant to the City Manager Trevor Minyard; City Attorney Mark Houser; City Secretary Sandy Hart; Executive Director of Development Services Michael Quint; Planning Director Brian Lockley; Director of Parks and Recreation Michael Kowski; Fire Chief Danny Kistner; Fire Marshal Mike Smith; McKinney Economic Development Corporation President Darrell Auterson; Airport Executive Director Ken Wiegand; Interim Director of Engineering Gary Graham; Facilities Construction Manager Patricia Jackson; Chief Financial Officer Mark Holloway; Director of Finance Trudy Mathis; Airport - Eric Pratt; Chief Building Official Rick Herzberger; Assistant Fire Chief Tim Mock; Assistant Fire Chief Chris Lowry; Chief of Police Greg Conley; Public Works Director David Brown; Director of Organizational Development & Performance Management Joe Mazzola; and Purchasing Manager Lisa Littrell.

There were eight guests present.

Mayor Fuller called the meeting to order at 5:30 p.m. after determining a quorum present.

17-681 Mayor Fuller called for Consideration/Discussion/Action on Designating Chairman of the Reinvestment Zone Number One. Council unanimously approved the motion by Council member Branch, seconded by Mayor Pro Tem Rogers, to appoint Tracy Rath as Chairman of the Reinvestment Zone Number One.

17-682 Mayor Fuller called for Consideration/Discussion/Action on Designating Chairman of the Reinvestment Zone Number Two. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council

member Philips, to appoint Chuck Branch as Chairman of the Reinvestment Zone Number Two.

Mayor Fuller called for Discussion on Regular Meeting Agenda Items.

Mayor Fuller called for discussion on the following work session items with no action taken:

- 17-683** General Overview of the Capital Improvement Program (CIP)
- 17-684** Update on the 2015 Model Code Adoption Process
- 17-685** Consider/Discuss/Provide Direction Regarding the City's Regulations and Policies Pertaining to Platting and Permitting in the Extraterritorial Jurisdiction (ETJ)
- 17-686** Discuss Ethics Reform Process

Mayor Fuller called for Council Liaison Updates.

Mayor Fuller recessed the meeting into executive session at 7:21 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, and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Pro Tem Rogers recessed back into open session at 9:05 p.m.

Mayor Fuller left the meeting at 8:45 p.m.

Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Elliott, to adjourn. Mayor Pro Tem Rogers adjourned the meeting at 9:06 p.m.

GEORGE C. FULLER
Mayor

RAINEY ROGERS
Mayor Pro Tem

ATTEST:

SANDY HART, TRMC, MMC
City Secretary

17-772



TITLE: Minutes of the City Council Regular Meeting of July 18, 2017

SUPPORTING MATERIALS:

[Minutes](#)

CITY COUNCIL REGULAR MEETING

JULY 18, 2017

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on July 18, 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'Shadian Shemwell.

Staff Present: City Manager Paul Grimes; Deputy City Manager Jose Madrigal; Assistant City Manager Barry Shelton; Assistant City Manager Steve Tilton; Assistant to the City Manager Trevor Minyard; City Attorney Mark Houser; City Secretary Sandy Hart; Executive Director of Development Services Michael Quint; Planning Director Brian Lockley; Director of Public Works David Brown; Planning Manager Matt Robinson; Director of Parks and Recreation Michael Kowski; Assistant Director of Parks and Recreation Ryan Mullins; Fire Chief Danny Kistner; Chief of Police Greg Conley; McKinney Economic Development Corporation President Darrell Auterson; Airport Executive Director Ken Wiegand; Interim Director of Engineering Gary Graham; Facilities Construction Manager Patricia Jackson; IT Desktop Support Technician Asif Ali; Assistant Fire Chief Tim Mock; Assistant Fire Chief Chris Lowry; Battalion Chief David Herron; Chief Financial Officer Mark Holloway; Director of Finance Trudy Mathis; Airport - Eric Pratt; Police Officer Derrick Byrd; Library Director Spencer Smith; Assistant Director of Engineering Michael Hebert; Investment and Treasury Manager Kelvin Bryant; Housing and Community Development Manager Janay Tieken; Purchasing Manager Lisa Littrell; Sergeant Sherwood Holmes; Fire - Eric Daniels, Travis Irick, Dennis Guinn, Brian Judd, and Brandon Prill.

There were approximately 85 guests present.

Mayor Fuller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Dr. Bruce Austin, Pastor, Community North Baptist Church. Boy Scout Brock from Troop 23 led the Pledge of Allegiance.

17-687 Parents Day Proclamation. Mayor Fuller presented the Parents Day Proclamation to Council member Charlie Philips.

17-688 Honor Guards Day Proclamation. Mayor Fuller presented the Honor

Guards Day Proclamation to the Honor Guard members from the Police Department and Fire Department.

- 17-689** Presentation of an American Public Works Association Texas Chapter Project of the Year Award. Mr. Spencer Maxwell, Awards Committee Chair, Texas Chapter of the American Public Works Association, presented the award.

Mayor Fuller called for Citizen Comments.

The following individuals spoke against a U.S. 380 Bypass:

Ms. Shannon Raines, Walnut Grove, McKinney

Ms. Tracy Thomas, 5124 Grovewood Drive, McKinney

Ms. Janet Anders, 8168 C.R. 859, McKinney

Ms. Stephanie Weyenberg, 5861 Baxter Well Road, McKinney

The following individuals did not wish to speak but wanted their opposition to a U.S. 380 Bypass entered into the record:

Ms. Linda Soltysik, 8537 C.R. 858, McKinney

Mr. Robert Soltysik, 8537 C.R. 858, McKinney

Ms. Lynette Terrell, 8564 CR 858, McKinney

Ms. Jan Clare, 8469 CR 858, McKinney

Mr. Gary Pierce, 2214 CR 858, McKinney

Mr. Charles & Joan Pyne, 2737 CR 856, McKinney

Mr. Maria Mercer, 8137 CR 859, McKinney

Mr. Nolen Barber, 2121 Parkhaven Dr. Plano

Mr. Nickey Leech, 1200 N. Tennessee Street, McKinney, spoke in favor of the McKinney Housing Authority

Ms. Juanita Horne, 2580 Collin McKinney Parkway, McKinney, spoke about the furniture in the lobby of City Hall and the upcoming Larry Gatlin performance at the McKinney Performing Arts Center.

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

- 17-690** Minutes of the City Council Special Meeting of June 19, 2017

- 17-691** Minutes of the City Council Regular Meeting of June 20, 2017
- 17-692** Minutes of the City Council Special Meeting of June 26, 2017
- 17-667** Minutes of the Building and Standards Commission Meeting of February 13, 2017
- 17-520** Minutes of the Community Grants Advisory Commission Meeting of April 10, 2017
- 17-521** Minutes of the Community Grants Advisory Commission Meeting of May 10, 2017
- 17-522** Minutes of the Community Grants Advisory Commission Meeting of May 11, 2017
- 17-665** Minutes of the Historic Preservation Advisory Board Regular Meeting of June 1, 2017
- 17-602** Minutes of the Library Advisory Board Meeting of May 18, 2017
- 17-605** Minutes of the McKinney Armed Services Memorial Board Meeting of May 10, 2017
- 17-650** Minutes of the McKinney Community Development Corporation Meeting of May 25, 2017
- 17-693** Minutes of the McKinney Housing Authority Meeting of May 23, 2017
- 17-648** Minutes of the Planning and Zoning Commission Work Session of June 13, 2017
- 17-649** Minutes of the Planning and Zoning Commission Regular Meeting of June 13, 2017
- 17-670** Minutes of the Planning and Zoning Commission Regular Meeting of June 27, 2017
- 17-694** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Accept, if Awarded, a Grant from the Firehouse Subs Public Safety Foundation. Caption reads as follows:

RESOLUTION NO. 2017-07-131 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO
ACCEPT, IF AWARDED, A GRANT FROM THE FIREHOUSE
SUBS PUBLIC SAFETY FOUNDATION

- 17-695** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Apply for and Accept, If Awarded, Federal Airport Improvement Grant Funding for Various Airport Projects. Caption reads as follows:

RESOLUTION NO. 2017-07-132 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR AND RECEIVE, IF AWARDED, FEDERAL AVIATION FUNDS FOR PROJECTS AT MCKINNEY NATIONAL AIRPORT

- 17-696** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Apply for and Accept, If Awarded, State Aviation Grant Funding for Various Airport Projects. Caption reads as follows:

RESOLUTION NO. 2017-07-133 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR AND RECEIVE, IF AWARDED, STATE AVIATION FUNDS FOR PROJECTS AT MCKINNEY NATIONAL AIRPORT

- 17-697** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Civil Consulting Group, PLLC for Professional Engineering Design Services for the Accessibility Improvements within the Downtown Area Project (ST1649) and Any Necessary Supplemental Agreements. Caption reads as follows:

RESOLUTION NO. 2017-07-134 (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 \$173,738.20 WITH CIVIL CONSULTING GROUP, PLLC FOR ENGINEERING DESIGN SERVICES FOR THE ACCESSIBILITY IMPROVEMENTS WITHIN THE DOWNTOWN AREA PROJECT (ST1649) AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$195,000

- 17-698** 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 Hike and Bike Trail Handrails. Caption reads as follows:

RESOLUTION NO. 2017-07-135 (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. FOR THE CONSTRUCTION SERVICES OF HIKE AND BIKE TRAIL HANDRAILS

- 17-699** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with PST Services LLC, a McKesson Company of Alpharetta, Georgia for EMS Billing and Collection Services and Texas Ambulance Supplemental Payment Program (TASPP). Caption reads as follows:

RESOLUTION NO. 2017-07-136 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PST SERVICES LLC, A MCKESSON COMPANY FOR EMS BILLING AND COLLECTION SERVICES AND TEXAS AMBULANCE SUPPLEMENTAL PAYMENT PROGRAM (TASPP)

- 17-700** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Pogue Construction Company, LP of McKinney, Texas for Construction Manager at Risk (CMAR) Preconstruction Services Associated with the Expansion and Renovation of the John and Judy Gay Library (JJGLE&R) Located at 6861 W. Eldorado Parkway. Caption reads as follows:

RESOLUTION NO. 2017-07-137 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PRECONSTRUCTION SERVICES ONLY WITH POGUE CONSTRUCTION COMPANY, LP OF MCKINNEY, TEXAS FOR CONSTRUCTION MANAGER AT RISK SERVICES ASSOCIATED WITH THE EXPANSION AND RENOVATION OF THE JOHN AND JUDY GAY LIBRARY (JJGLE&R) LOCATED AT 6861 W. ELDORADO PARKWAY

- 17-701** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Memorandum of Agreement on Behalf of the City Between the Dallas-Fort Worth Metropolitan Planning Organization and the Texas Department of Transportation and Other Public Transportation Operators. Caption reads as follows:

RESOLUTION NO. 2017-07-138 (R)

A RESOLUTION OF THE CITY OF MCKINNEY, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT ON BEHALF OF THE CITY BETWEEN THE DALLAS-FORT WORTH METROPOLITAN PLANNING ORGANIZATION AND THE TEXAS DEPARTMENT OF TRANSPORTATION AND OTHER PUBLIC TRANSPORTATION OPERATORS

- 17-702** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 426B, McKinney Outlots Addition, aka 416 W. Standifer Street, City of McKinney, Collin County, Texas. Caption reads as follows:

RESOLUTION NO. 2017-07-139 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY BEING LOT 426B OF THE MCKINNEY OUTLOTS ADDITION, AKA 416 W. STANDIFER STREET, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT AND THE MCKINNEY ISD

- 17-703** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 13B, Block 2, Russell #4 Addition, AKA 926 E. Gerrish Street, City of McKinney, Collin County, Texas. Caption reads as follows:

RESOLUTION NO. 2017-07-140 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY BEING LOT 13B, BLOCK 2, RUSSELL #4 ADDITION, AKA 926 E. GERRISH STREET, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT AND THE MCKINNEY ISD

- 17-704** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property being Lot 16C, Block 4, Russell's Third Addition, AKA 1211 Gough Street, City of McKinney, Collin County, Texas. Caption reads as follows:

RESOLUTION NO. 2017-07-141 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

McKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY BEING LOT 16C, BLOCK 4, RUSSELL'S THIRD ADDITION, AKA 1211 GOUGH STREET, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT AND THE MCKINNEY ISD

- 17-705** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property 2054 CR 326, City of McKinney, Collin County, Texas. Caption reads as follows:

RESOLUTION NO. 2017-07-142 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY BEING 2054 CR 326, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT AND THE MCKINNEY ISD

- 17-706** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 35 of The Windmill Estates Addition, City of McKinney, Collin County, Texas. Caption reads as follows:

RESOLUTION NO. 2017-07-143 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY BEING LOT 35 WINDMILL ESTATES ADDITION, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT AND THE MCKINNEY ISD

- 17-707** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lots 782C & 783C of The McKinney Outlots Addition, aka 402 N. McDonald Street, City of McKinney, Collin County, Texas. Caption reads as follows:

RESOLUTION NO. 2017-07-144 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY BEING LOTS 782C & 783C OF THE McKINNEY

OUTLOTS ADDITION, AKA 402 N. MCDONALD STREET, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT AND THE MCKINNEY ISD

- 17-708** Consider/Discuss/Act on a Resolution of the City of McKinney, Texas Finding that Oncor Electric Delivery Company LLC's ("Oncor" or "Company") Application to Change Rates Within the City Should be Denied; Finding that the City's Reasonable Rate Case Expenses Shall be Reimbursed by the Company; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel. Caption reads as follows:

RESOLUTION NO. 2017-07-145 (R)

A RESOLUTION OF THE CITY OF MCKINNEY, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

- 17-064SP** Consider/Discuss/Act on a Site Plan for Maverick Builders, Located at 3651 Eldorado Parkway

END OF CONSENT

- 17-709** Mayor Fuller called for Consideration/Discussion/Action on an Ordinance Authorizing the Issuance of "City of McKinney, Texas, General Obligation Refunding Bonds, Series 2017", and Delegating Matters Relating to the Sale to an Authorized City Official(s). City Manager Paul Grimes stated that this item is General Obligation refunding bonds where we can refinance debt at lower interest rates and achieve savings. When we issue debt it is rated by Standard & Poor's and Moody's credit rating agencies. Both agencies now rate the City at AAA credit rating, making us one of the few municipalities in the state of Texas with the highest

credit rating. Chief Financial Officer Mark Holloway stated tonight we are requesting approval on two Resolutions that set parameters in order for the City to sell debt. The first is the refunding of the 2008 General Obligation bonds in the amount of \$14.5 million and Certificates of Obligation of \$7.5 million. We anticipate saving about \$3.46 million in interest on these bonds. The second approval we are requesting is in two parts on the revenue side for the Waterworks and Sewer System Revenue Refunding and Improvement Bonds. The first part is refunding our 2008 and 2009 revenue bonds. The net savings would be \$1.3 million over the remaining life of those bonds. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Shemwell, to approve an Ordinance Authorizing the Issuance of "City of McKinney, Texas, General Obligation Refunding Bonds, Series 2017", and delegating matters relating to the sale to an authorized City Official(s). Caption reads as follows:

ORDINANCE NO. 2017-07-076

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF MCKINNEY, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED CITY OFFICIAL; ENACTING PROVISIONS INCIDENT AND RELATED TO THE PURPOSES AND SUBJECT OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

- 17-710** Mayor Fuller called for Consideration/Discussion/Action on an Ordinance Authorizing the Issuance of "City of McKinney, Texas, Waterworks and Sewer System Revenue Refunding and Improvements Bonds, Series 2017", and Delegating Matters Relating to the Sale and Issuance of Said Bonds to an Authorized City Official(s). Chief Financial Officer Mark Holloway stated that this is the second part of the item previously

presented. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to approve an Ordinance authorizing the Issuance of "City of McKinney, Texas, Waterworks and Sewer System Revenue Refunding and Improvements Bonds, Series 2017", and delegating matters relating to the sale and issuance of said bonds to an authorized City Official(s). Caption reads as follows:

ORDINANCE NO. 2017-07-077

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF MCKINNEY, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 2017," MAKING PROVISIONS FOR THE PAYMENT AND SECURITY OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS, ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED CITY OFFICIAL; ENACTING PROVISIONS INCIDENT AND RELATED TO THE PURPOSES AND SUBJECT OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

Council member Shemwell stepped down from the dais for the following agenda item.

17-039Z

Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RG 18" - General Residence District to "PD" - Planned Development District, for Multi-Family Residential Uses and Generally to Modify the Development Standards, Located at 1200 N. Tennessee Street, and Accompanying Ordinance. Planning Manager Matt Robinson stated the applicant is requesting to rezone the property from General Residence to Planned Development District for multi-family general uses and to modify the development standards. The applicant intends to redevelop the existing Merritt Homes community. The applicant is requesting to follow the multi-family, residential low-density district with special ordinance provisions which includes a maximum dwelling count of 140 units, maximum building height of three stories, and modified building setbacks and

parking requirements. To offset the special ordinance provisions, the applicant is proposing to provide special amenities including a centralized open space. Staff is of the opinion that the zoning is appropriate for the property and recommends approval. Applicant, Mr. Martin Sanchez, 2000 N. McDonald, Suite 100, McKinney, stated this is an old site that was developed back in the 1940's and 1950's with federal money and is in dire need of redevelopment. The site will be demolished and will go from 80 units to 136 units. The new zoning is necessary in order to be eligible for the TDHCA credits. Residents will be moved to temporary housing for approximately 18 months. Mayor Fuller called for public comments.

Ms. Bethany Chavez, 1200 N. Tennessee Street, McKinney, wanted her support of this project read into the record.

Council approved the motion made by Council member Philips, seconded by Councilwoman Rath, to close the public hearing and approve an Ordinance rezoning the subject property from "RG 18" - General Residence District to "PD" - Planned Development District, for Multi-Family Residential Uses and generally to modify the development standards, located at 1200 N. Tennessee Street, with the following special ordinance provisions: the subject property shall be zoned "PD" - Planned Development District and shall be subject to the following special ordinance provision: the subject property shall be developed in accordance with the attached development standards with a vote of 6-0-1, Council member Shemwell abstaining. Caption reads as follows:

ORDINANCE NO. 2017-07-078

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 10.05 ACRE PROPERTY, LOCATED AT 1200 NORTH TENNESSEE STREET, IS REZONED FROM "RG 18" - GENERAL RESIDENCE DISTRICT TO "PD" - PLANNED DEVELOPMENT DISTRICT, FOR MULTI-FAMILY RESIDENTIAL USES AND GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; 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

Council member Shemwell returned to the dais.

17-148Z

Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "LI" - Light Industrial District, Located Approximately 955 Feet South of F.M. 546 and on the West Side of Country Lane; and Accompanying Ordinance. Planning Director Brian Lockley stated the applicant is requesting to rezone the property from Agricultural to Light Industrial District zoning. The applicant is in the process of negotiating a land swap with Waste Solutions. Waste Solutions will take the back part of the property and give Mr. McCracken the frontage part of the property. This rezoning will allow the land swap to take place. Mayor Fuller called for public comments. Mr. Henry Lu, 2138 Country Lane, McKinney, Waste Solutions, stated the McCracken property is zoned Agricultural but is completely surrounded by Light Industrial. The rezoning will allow the land swap to be possible so that Waste Solutions can expand in the future as their facility and service to McKinney grows. Mr. McCracken submitted a letter that he is in favor of the rezoning. Council unanimously approved the motion by Council member Elliott, seconded by Council member Branch, to close the public hearing and approve an Ordinance rezoning the subject property from "AG" - Agricultural District to "LI" - Light Industrial District, located approximately 955 feet south of F.M. 546 and on the West Side of Country Lane. Caption reads as follows:

ORDINANCE NO. 2017-07-079

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 6.09 ACRE PROPERTY, LOCATED APPROXIMATELY 955 FEET SOUTH OF F.M. 546 AND ON THE WEST SIDE OF COUNTRY LANE, IS REZONED FROM "AG" – AGRICULTURAL DISTRICT TO "LI" – LIGHT INDUSTRIAL DISTRICT; 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

17-133Z Mayor Fuller called for 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 "PD" - Planned Development District for Townhome Uses and to Generally Modify the Development Standards, Generally Located on the Southeast Corner of Avondale Drive and Uplands Drive, and Accompanying Ordinance. Planning Manager Matt Robinson stated this item is a request to rezone the subject property to Planned Development for Townhome Uses. The property was previously planned for Townhome Uses but rezoned to Single Family Residential in 2014. As part of the Planned Development the applicant has requested deviations to the density to allow for a maximum of nine units, reduce the side and front yard setback to 5' and reduce the minimum lot size to 2040 square feet. The applicant has provided several enhancements including 100% masonry for each building façade, three different types of masonry, detailed brick work, and the addition of eight canopy trees along the rear of the buildings and two canopy trees along the sides of the buildings. Staff is in support of this rezoning request as it will remain compatible with the adjacent single family residential uses and will provide a transition from the multi-family uses to the south. Applicant, Mr. Casey McBroom, 131 S. Tennessee Street, McKinney, stated this was intended to be a Townhome property originally. The developer built the streets and then folded. The property was rezoned single family, however, the developer realized they did not have a product to fit this particular lot, therefore we are requesting to rezone for townhomes. Mayor Fuller called for public comments and there was none. Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to close the public hearing and approve an Ordinance rezoning the subject property from "PD" - Planned Development District

and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District for Townhome Uses and to generally modify the development standards, generally located on the southeast corner of Avondale Drive and Uplands Drive, with the following special ordinance provisions: the subject property shall be zoned "PD" - Planned Development District and shall be subject to the following special ordinance provision: the subject property shall be developed in accordance with the attached development standards. Caption reads as follows:

ORDINANCE NO. 2017-07-080

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 0.487 ACRE PROPERTY, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF AVONDALE DRIVE AND UPLANDS DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, FOR TOWNHOME USES; 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

- 17-113Z** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "C3" - Regional Commercial District, "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, Located Approximately 1,875 Feet North of Wilmeth Road and on the East Side of U.S. Highway 75 (Central Expressway); and Accompanying Ordinance. Planning Director Brian Lockley stated this item is a request from Business Parks of America to rezone the property to Regional Commercial District, Light Industrial District, and Corridor Commercial Overlay District. The plan is to rezone the 1.9 acres in the front of the property to Regional Commercial and the 1.7 acres in the rear of the property to Light Industrial in order to allow for

commercial uses along the frontage road of US 75 and light industrial uses along McLarry in the rear of the property. Staff has reviewed the request and has no objections. Applicant, Mr. Dan Claassen, 15380 County Road 1100, Blue Ridge, stated that they are proposing a flex space office park. The dual zoning request is to allow for multi-uses typically found in this type of facility. Mayor Fuller called for public comments and there was none. Council unanimously approved the motion by Council member Branch, seconded by Council member Elliott, to close the public hearing and approve an Ordinance rezoning the subject property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "C3" - Regional Commercial District, "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, located approximately 1,875 feet north of Wilmeth Road and on the east side of U.S. Highway 75 (Central Expressway). Caption reads as follows:

ORDINANCE NO. 2017-07-081

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 3.89 ACRE PROPERTY, LOCATED APPROXIMATELY 1,875 FEET NORTH OF WILMETH ROAD AND ON THE EAST SIDE OF U.S. HIGHWAY 75 (CENTRAL EXPRESSWAY), IS REZONED FROM "C" – PLANNED CENTER DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "C3" – REGIONAL COMMERCIAL DISTRICT, "LI" – LIGHT INDUSTRIAL DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT; 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

- 17-711** Mayor Fuller called for Consideration/Discussion/Action on a Facilities Agreement for Lots 1 and 2, Block A, of the George Addition, Located Approximately 2,400 Feet West of County Road 409 and on the South Side of County Road 341. Planning Manager Matt Robinson stated this item is for two lots on the George Addition located in the City's Extra Territorial Jurisdiction (ETJ). The applicant has indicated not to construct or escrow the typical required improvements associated with the plat,

including construction of public streets, sidewalks, and lighting, construction of a 12" water line and an 8" sewer line, and construction of off-site water lines to provide fire supply to the properties. Staff recommends approval of the Facilities Agreement. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Shemwell, to approve a Facilities Agreement for Lots 1 and 2, Block A, of the George Addition, located approximately 2,400 feet west of County Road 409 and on the south side of County Road 341.

17-139PF Mayor Fuller called for Consideration/Discussion/Action on a Preliminary-Final Plat for Lots 1 and 2, Block A, of the George Addition, Located Approximately 2,400 Feet West of County Road 409 and on the South Side of County Road 341. Planning Manager Matt Robinson stated this item is the Preliminary Final Plat for the two lots of the George Addition and was brought to Council due to the six variances approved in the Facilities Agreement. Council unanimously approved the motion by Councilwoman Rath, seconded by Council Elliott, to approve a Preliminary-Final Plat for Lots 1 and 2, Block A, of the George Addition, located approximately 2,400 feet west of County Road 409 and on the south side of County Road 341, with the following conditions: the applicant receive approval of the associated facilities agreement; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct public streets, including the associated street lighting and sidewalks adjacent to the property; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct sanitary sewer and water lines to the subject property and extend them to the adjacent property upstream; the applicant receive variance to Section 142-105 (Improvements) of the Subdivision Ordinance allowing the use of individual septic systems; the applicant receive a variance to the Storm Water Management Ordinance waiving

the requirement to collect drainage in an underground storm water system; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance to allow lot to lot drainage; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance requiring water systems to be of a sufficient size to furnish fire protection to all lots; prior to the issuance of a building permit: the applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat Approval Checklist; and the associated facilities agreement be filed with the county prior to filing the plat, subject to review and approval of the City Attorney.

17-167PF

Mayor Fuller called for Consideration/Discussion/Action on a Preliminary-Final Plat for Lots 1 and 2, Block A, of the Shenandoah Ranch Addition, Located Approximately 4,200 Feet North of Laud Howell Parkway and on the East Side of Trinity Falls Parkway. Planning Manager Matt Robinson stated that this item is for approval of the Preliminary Final Plat for two lots located in the Shenandoah Ranch Addition. This item is brought to Council due to the seven variances being requested as part of the plat. The applicant has indicated the desire not to construct or escrow for the typical required improvements. The intended use of the lots is for two single-family detached homes, one of which is already existing. Staff has no objections to the variances and recommends approval of the plat. Applicant Mr. Arlen Samuelson, Westwood Services, 2740 Dallas Parkway, #280, Plano stated that the requested variances are from constructing the typical infrastructure associated with this type of plat. Council unanimously approved the motion by Council member Rogers, seconded by Council member Branch, to approve a Preliminary-Final Plat for Lots 1 and 2, Block A, of the Shenandoah Ranch Addition, located approximately 4,200 feet North of Laud Howell Parkway and on the East Side of Trinity Falls Parkway, with the following conditions: the applicant receive a variance to Section 142-105 (Improvements) of the

Subdivision Ordinance waiving the requirement to construct public streets, including the associated street lighting and sidewalks adjacent to the property; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct sanitary sewer and water lines to the subject property and extend them to the adjacent property upstream; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance allowing the use of individual septic systems; the applicant receive a variance to the Storm Water Management Ordinance waiving the requirement to collect drainage in an underground storm water system; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance to allow lot to lot drainage; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance requiring water systems to be of a sufficient size to furnish fire protection to all lots; the applicant receive a waiver to Section 142-105 (Improvements) of the Subdivision Ordinance requiring median landscape fees along the frontage of the property abutting the right-of-way of a divided thoroughfare; and prior to the issuance of a building permit: the applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat Approval Checklist.

- 17-712** Mayor Fuller called for Consideration/Discussion/Action on an Ordinance Creating Section 122-178(d) of the Code of Ordinances Establishing a Special Exception for Increased Fence Heights in the Historic Overlay District. Executive Director of Development Services Michael Quint stated this proposal will amend the Code of Ordinances to allow for a special exception for increased fence heights in the Downtown Historic Overlay District. Staff recommends approval. The special exception would allow an applicant to go before the Board of Adjustment and request an exception to go from 6'8", which is the current maximum height, up to 8'6", which would be the new maximum height. Council

unanimously approved the motion by Council member Shemwell, seconded by Councilwoman Rath, to approve an Ordinance creating Section 122-178(d) of the Code of Ordinances establishing a special exception for increased fence heights in the Historic Overlay District.

Caption reads as follows:

ORDINANCE NO. 2017-07-082

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CREATING SECTION 122-178(d) OF THE CODE OF ORDINANCES ESTABLISHING A SPECIAL EXCEPTION FOR INCREASED FENCE HEIGHTS IN THE HISTORIC OVERLAY DISTRICT; ESTABLISHING PRESUMPTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

17-717 Mayor Fuller called for Consideration/Discussion/Action on the Memorandum of Understanding on the Gateway Project. Council member Philips stated that based on the conversation from last night he is requesting that no action be taken. There was no action taken on this item. No action taken.

Mayor Fuller called for Citizen Comments and there were none.

Mayor Fuller called for Council and Manager Comments.

Council member Philips stated he attended the Main Street Board meeting last week. He commended our downtown merchants for being actively involved in the Board. It was very well attended and I am very pleased with the status of that Board and the work that they are doing. Mr. Philips also thanked Dana Riley for her work with Volunteer McKinney.

Council member Elliott stated he attended the MEDC meeting this morning with a large number of projects that are in process. I commend President Darrell Auterson, the Board, and staff for what they are doing to help McKinney.

Mayor Pro Tem Rogers did not have any comments.

Councilwoman Rath wished her husband Curtis a Happy Birthday. He is here tonight waiting for me so that we can have dinner together.

Council member Branch encouraged residents to attend the Global Leadership Summit, which is August 10 and 11 at over 600 locations. This is hosted by Bill Hybels of Willow Creek Community Church and is a great opportunity to improve your leadership skills.

Council member Shemwell announced a 3-on-3 tournament at Old Settlers Park. This is a fundraiser for CASA. District 1 is putting together a back-to-school drive. We are asking for participation for this as well.

City Manager Grimes congratulated Fire Chief McKinney who retired today after many years of service. A reminder that starting July 24th we are starting renovations in the Council Chambers to update our technology. You will be able to view live meetings on tablets and mobile devices as well as online and through your cable provider. As renovations take place, City meetings will move to alternative locations. The City Council and Planning and Zoning Commission meetings will be held in the Commissioners Court at the Jack Hatchell Collin County Administration Building. The McKinney Economic Development Corporation and McKinney Community Development Corporation meetings will be held at the John and Judy Gay Library. All meetings will still be aired live on Spectrum Cable channel 16 and AT&T Uverse channel 99. The meetings will also be rebroadcast throughout the week on air and online. Also, due to progress of the construction on the nine-acre site adjacent to Chestnut Square, the McKinney Farmers Market is relocating to Hunt and Tennessee Street.

Mayor stepped down from the dais at 7:15 p.m.

Mayor Pro Tem Rogers recessed the meeting into executive session at 7:15 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, and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Pro Tem Rogers recessed back into open session at 7:20 p.m.

Mayor Pro Tem Rogers called for Action on Executive Session Items.

Council approved the motion made by Council member Branch, seconded by Council member Elliott, to approve the incentive agreement for Project Llama as discussed in Executive Session, with a vote of 6-0, Mayor Fuller had left the meeting.

Council unanimously approved the motion by Council member Philips, seconded by Council member Branch, to adjourn. Mayor Pro Tem Rogers adjourned the meeting at 7:22 p.m.

GEORGE C. FULLER
Mayor

RAINEY ROGERS
Mayor Pro Tem

ATTEST:

SANDY HART, TRMC, MMC
City Secretary

17-773



TITLE: Minutes of the City Council Work Session of July 24, 2017

SUPPORTING MATERIALS:

[Minutes](#)

CITY COUNCIL WORK SESSION

JULY 24, 2017

The City Council of the City of McKinney, Texas met in work session in the Jack Hatchell Collin County Administration Building at 2300 Bloomdale Road, McKinney, Texas on July 24, 2017 at 5:30 p.m.

Council Present: Mayor George C. Fuller, Mayor Pro Tem Rainey Rogers, Council members: Chuck Branch, Scott Elliott, Charlie Philips, and Tracy Rath. Council member La'Shadi Shemwell arrived at 5:59 p.m.

Staff Present: City Manager Paul Grimes; Assistant City Manager Barry Shelton; Assistant City Manager Steve Tilton; Assistant to the City Manager Trevor Minyard; City Attorney Mark Houser; City Secretary Sandy Hart; Executive Director of Development Services Michael Quint; Director of Parks and Recreation Michael Kowski; McKinney Economic Development Corporation President Darrell Auterson; Police Officer Samantha Llamas; and Civil Engineer II Robyn Root.

There were seven guests present.

Mayor Fuller called the meeting to order at 5:30 p.m. after determining a quorum present.

Mayor Fuller called for discussion on the following work session items with no action taken:

- 17-765** North Texas Tollway Authority (NTTA) Presentation on Sam Rayburn Tollway (SRT) Fourth Lane Project
- 17-766** Discuss the Renaming of Industrial Boulevard to Wattley Boulevard

Mayor Fuller called for Council Liaison Updates.

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 551.072 Discuss Real Property, and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Fuller recessed back into open session at 6:42 p.m.

Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to adjourn. Mayor Fuller adjourned the meeting 6:42 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary

17-673



TITLE: Minutes of the Main Street Board Meeting of June 8, 2017

SUPPORTING MATERIALS:

[Minutes](#)

McKinney Main Street
aka McKinney Downtown Business Re-Development Board

JUNE 8, 2017

The McKinney Downtown Business Re-Development Board of the City of McKinney, Texas met in regular session at the McKinney Performing Arts Center, Encore Wire Room, 111 N. Tennessee Street, McKinney, Texas on June 8, 2017 at 8:30 a.m.

Chairwoman Jan Elwell called to order the meeting of the McKinney Downtown Business Re-Development Board at 8:31 a.m. after determining a quorum present. Board members present: Jan Elwell, Kaci Lyford, Alex Lanio, Jolie Williams, Edna Brown, Amber Gutschlag, Robert Hamilton, and Courtney Ward.

Absent: Ric Anderson

Main Street staff present: McKinney Main Street Director Amy Rosenthal, McKinney Main Street Program Coordinator Aaron Werner, MPAC Marketing Coordinator Jakia Dudley-Faine, City of McKinney Special Events Coordinator Geoff Fairchild and MPAC/Main Street Executive Assistant Belinda Kennedy.

Guests: City of McKinney Councilman Travis Ussery.

17-562 City Liaison Reports

Councilman Ussery updated the Board on the progress with the 9-acre site. Construction is ongoing. He invited Board members to please join us for Serve McKinney tonight at Collin College and thanked the Board for their service.

17-563 Director's Report

Ms. Rosenthal thanked the Board for voting in the main street contest. We made it to the top 10 but we did not win. Ms. Rosenthal invited the Board to attend the Serve McKinney event, and reminded everyone that Boards and Commissions appointments are coming up and each person must reapply. Interviews will be in July and August. If you have a scheduling conflict with the interview process, please let the City Secretary know so that an alternate date can be considered. Ms.

Rosenthal updated the Board members on the Dash shuttle. It is up and running and NBC 5 news is doing a feature about the shuttle. Ridership is increasing every day. We expect daytime ridership to increase in the summer months and with the heat, riders are positive, everyone loves it. Explorer Club is coming up. Passport books will be distributed at Chick-fil-a's in McKinney. Explorer Club runs July 4 - August 14 and includes activities for kids to do at participating downtown businesses. Ms. Rosenthal thanked Jan Elwell for her work on the DowntownTX.org website. This website will be a great resource for properties available in the downtown district. Ms. Rosenthal updated the Board on the Santa House. We have sent a counter proposal to Volunteer McKinney and will update the Board when they respond. Ms. Rosenthal spoke about a visioning meeting that the Main Street and MPAC attended. One of the main topics was who our customer is and we need to focus on our primary customer which is any visitor to Downtown McKinney. Ms. Rosenthal wrapped up by thanking Councilman Ussery for his service and presented him with an engraved brick.

17-564 Minutes of the Main Street Board Meeting of May 11, 2017. Board members unanimously approved the motion by Board member Kacy Lyford, seconded by Board member Courtney Ward, to approve the Minutes of the Main Street Board meeting of May 11, 2017.

17-565 Consider/Discuss/Act on Financial Reports. Board members unanimously approved the motion by Board member Robert Hamilton, seconded by Board member Edna Brown, to approve the financial reports.

17-566 Consider/Discuss/Act on Rainy Day Fund. Ms. Gutschlag updated the Board on the Rainy Day Fund and the Board discussed considerations to move a portion of the profit money from Arts in Bloom into the Rainy Day Fund. The Board discussed. Board members unanimously approved the

motion by Board member Kaci Lyford, seconded by Board member Robert Hamilton, to move \$2500 from the profit of Arts in Bloom to the Rainy Day Fund.

17-567 Discuss Subcommittee Assignments. Ms. Rosenthal discussed the need for sub-committees to assist planning for events. Manageable tasks should be assigned to the committee and each committee can have no more than four Board members. It was decided that an email would be sent out for Board Members to sign up and meetings will begin as soon as possible.

17-568 Discuss Grant Opportunities. Ms. Rosenthal informed the Board that Main Street had been identified as a possible recipient for a \$150,000 grant for specific downtown projects. Many ideas will be discussed with stakeholders and city officials. The deadline is July 7, 2017.

17-569 Discuss Past Events: Bike the Bricks. Ms. Rosenthal recapped Bike the Bricks 2017. We had a good turnout, approximately 11,000 to 12,000 people is the estimate. Going forward the payouts need to be reevaluated. We need to take a look at income potential with sponsorships, concessions etc.

17-570 Discuss Future Events: Hometown Parade.

Chairwoman Elwell adjourned the meeting at 10:31 a.m.

JAN ELWELL
Chair

17-774



TITLE: Minutes of the McKinney Housing Authority Meeting of June 27, 2017

SUPPORTING MATERIALS:

[Minutes](#)

**MINUTES OF THE
BOARD OF COMMISSIONERS MEETING
HOUSING AUTHORITY OF THE CITY OF MCKINNEY**

A regular meeting of the Housing Authority of the City of McKinney was held on June 27, 2017 at 5:30pm.

Chairman Justin Beller called the meeting to order at 5:53pm.

The following Commissioners were present.

Byndom
Beller
Roberts

The following staff was present.

Nacole Tate
Elinor Williams
Bethany Shaulis
Connie Crosby
Layne Killingsworth
Ed Kirkpatrick
Gary Kesler
Oscar Flores
Oscar Olvera
Laverne Gary

The following members of the public were present.

Nicki Leeks
Sherry Lyn
Margaret Coverson
Anthony Wilson
Shannetta Williams
Pamela Scott
Arnulfo Alvarado
Maria Alvarado
Melvin Crosby
Tameka Crosby
Tasha Crosby

Councilman Beller, Byndom and Melvin Crosby gave the invocation.

Comments from the public –

Consider/Discuss/Act on Old Business – MHA Violence Against Women Act Policy Amendments (04.25.17.12) – As the issuing of HUDs final rule regarding the Violence Against Women Act was issued May 19th, the item was brought back for review. Staff reviewed the item and determined no additional action was needed.

Consider/Discuss/Act on Minutes of the following meetings –

May 23, 2017 **(06.27.17.01)**

Commissioner Byndom motioned to approve all of the minutes as presented. Commissioner Roberts seconded the motion. A vote was taken with the following results.

Ayes: Beller
Roberts
Byndom
Nays: None

Consider/Discuss/Act on MHA Resident Council Minutes/Update – Vice President Connie Crosby provided the update.

Consider/Discuss/Act on Development – the staff provided the monthly progress report for the Newsome Homes and status of the proposed Merritt Homes development.

Consider/Discuss/Act on Financials –

Tenant Account Receivable Write-Offs (06.27.17.02) – Commissioner Byndom motioned to approve. Commissioner Roberts seconded the motion.

April Financials (06.27.17.03) – Commissioner Byndom motioned to approve. Commissioner Roberts seconded the motion.

May Financials (06.27.17.04) - Commissioner Byndom motioned to approve. Commissioner Roberts seconded the motion.
MHA FYE18 Budget (06.27.17.05) - Commissioner Roberts motioned to approve. Commissioner Byndom seconded the motion.
MHA Pledge Release (06.27.17.06) - Commissioner Byndom motioned to approve. Commissioner Roberts seconded the motion.
Monthly Bank Statements
Newsome Homes Audit (05.23.17.05) – Commissioner Byndom motioned to approve. Commissioner Carter seconded the motion.
Newsome Homes Financials (06.27.17.07) – Staff requested that the item be tabled to the next meeting as the vendor did not provide enough time for review. Commissioner Byndom motioned to table the item as requested. Commissioners Roberts motioned to second the motion.
A vote was taken for each motion with the following results.

Ayes: Byndom
Beller
Roberts
Nays: None

Consider/Discuss/Act on TML Medical/Liability Rerate (06.27.17.08) – Commissioner Byndom motioned to approve the item as presented. Commissioner Roberts seconded the motion. A vote was taken with the following results.

Ayes: Byndom
Beller
Roberts
Nays: None

Consider/Discuss/Act on Executive Director Agreement (06.27.17.09) – Commissioner Byndom motioned to approve the item as presented. Commissioner Roberts seconded the motion. A vote was taken with the following results.

Ayes: Byndom
Beller
Roberts
Nays: None

Consider/Discuss/Act on Overview of PHA Programs – Staff presented the monthly reports for operations.
Consider/Discuss/Act on MHA FYE Closeout Day (06.27.17.10) – Commissioner Byndom motioned to approve the item as presented. Commissioner Roberts seconded the motion. A vote was taken with the following results.

Ayes: Byndom
Beller
Roberts
Nays: None

Executive Director’s Report – Consider/Discuss/Act on Regional Affirmatively Furthering Fair Housing (AFFH) Update & Interlocal Agreement – a report of the progress to date was provided along with an interlocal agreement for PHA’s. Commissioner Byndom motioned to approve the item. Commissioner Roberts seconded. A vote was taken with the following results.

Ayes: Byndom
Beller
Roberts
Nays: None

Staff advised the board of the community reinvestment award received from Legacy Bank. And of the upcoming Collin County Public Transit meeting to be held July 10, 2017.

Chairman’s Report – each of the board members expressed their appreciation for the residents in attendance and the work of the staff.

The Chairman called for a motion to adjourn. Commissioner Byndom motioned. Commissioner Roberts seconded it. The meeting ended at 7:02pm.

_____	_____
Chairman	Date

Secretary	

17-767



TITLE: Minutes of the Planning and Zoning Commission Work Session of July 11, 2017

SUPPORTING MATERIALS:

[Minutes](#)

PLANNING AND ZONING COMMISSION WORK SESSION

JULY 11, 2017

The Planning and Zoning Commission of the City of McKinney, Texas met in work session in the Council Chambers of the Municipal Building on Tuesday, July 11, 2017 at 5:30 p.m.

City Council Member Present: Charlie Philips

Commission Members Present: Chairman Bill Cox, Vice-Chairman Eric Zepp, Janet Cobbel, Deanna Kuykendall, Cam McCall, Brian Mantzey, and Mark McReynolds – Alternate

Commission Member Absent: Pamela Smith

Staff Present: Director of Planning Brian Lockley; Interim Director of Engineering Gary Graham; Capital Improvements Program Engineer Nick Ataie; Planning Manager Samantha Pickett; Planners Aaron Bloxham, Danielle Quintanilla, and Melissa Spriegel; and Administrative Assistant Terri Ramey

There were fourteen guests present.

Chairman Cox called the meeting to order at 5:30 p.m. after determining a quorum was present.

Chairman Cox called for discussion on the following two work session items with no action taken.

17-181M Update on the ONE McKinney 2040 Comprehensive Plan Initiative

16-045M8 Planning and Zoning Commission Training Series

There being no further business, Chairman Cox declared the meeting adjourned at 6:06 p.m.

BILL COX
Chairman

17-768



TITLE: Minutes of the Planning and Zoning Commission Regular Meeting of July 11, 2017

SUPPORTING MATERIALS:

[Minutes](#)

PLANNING AND ZONING COMMISSION

JULY 11, 2017

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on Tuesday, July 11, 2017 at 6:15 p.m.

City Council Present: Charlie Philips

Commission Members Present: Chairman Bill Cox, Vice-Chairman Eric Zepp, Janet Cobbel, Deanna Kuykendall, Brian Mantzey, Cam McCall, and Mark McReynolds - Alternate

Commission Member Absent: Pamela Smith

Staff Present: Director of Planning Brian Lockley, Planning Manager Samantha Pickett, Planner II Aaron Bloxham, Planners Danielle Quintanilla and Melissa Spriegel, and Administrative Assistant Terri Ramey

There were approximately 15 guests present.

Chairman Cox called the meeting to order at 6:15 p.m. after determining a quorum was present.

Chairman Cox continued the meeting with the Consent Items.

Chairman Cox stated that often times we go through the Consent Agenda quickly. He stated that this Consent Agenda contains some significant commercial development. Chairman Cox stated that request number 17-158PF was for 166,000 square-foot manufacturing facility. He stated that was a big deal for McKinney. Chairman Cox stated that he appreciates the commitment that Dynacraft has made to McKinney. He stated that request number 16-259PF was smaller in scale; however, was equally important as the Dynacraft development. Chairman Cox stated that some citizens were putting their money on the line for this development. He stated that the City appreciates those that make these type of commitments and the Planning and Zoning Commission was glad to be a part of the approval process.

The Commission unanimously approved the motion by Commission Member Cobbel, seconded by Vice-Chairman Zepp, to approve the following three Consent items, with a vote of 7-0-0.

**17-670 Minutes of the Planning and Zoning Commission
Regular Meeting of June 27, 2017**

**16-259PF Consider/Discuss/Act on a Preliminary-Final Plat for
Lots 1 and 2, Block A, of the Tower Lane Manufacturing
Addition, Located Approximately 245 Feet East of
College Street and on the South Side of Tower Lane**

**17-158PF Consider/Discuss/Act on a Preliminary-Final Plat for
Lot 1, Block A, of Dynacraft Addition, Located
Approximately 1,000 Feet North of Wilmeth Road and
on the East Side of Redbud Boulevard**

END OF CONSENT

Chairman Cox continued the meeting with the Regular Agenda Items and Public Hearings on the agenda.

**17-154SP Conduct a Public Hearing to Consider/Discuss/Act on a
Site Plan for an Office and Industrial Building
(McKinney Industrial), Located on the Northeast Corner
of Industrial Boulevard and Millwood Road (REQUEST
TO BE TABLED)**

Ms. Danielle Quintanilla, Planner I for the City of McKinney, briefly explained the proposed site plan request and that Staff recommends that the public hearing be closed and the item tabled indefinitely per the applicant request. She stated that the applicant was proposing to construct two buildings for office and industrial uses. Ms. Quintanilla stated that the applicant had requested two variances. She stated that the first variance was to allow loading docks, located on the north side of the property and next to the residential properties to the north, to be located within approximately 34' from the property line which was less than the required 200' distance. Ms. Quintanilla stated that the second variance request was to reduce the landscape buffer to approximately 10' along the east side of the property. She stated that a 20' landscape buffer would be required along Industrial Boulevard, since it is over 60' in width. Ms. Quintanilla stated that the applicant would like to speak with the residents to the north of the subject property and to Staff about making some revisions to the site plan request and requested variances. She offered to answer questions.

Chairman Cox asked for clarification on the square footage of each proposed building on the subject property. Ms. Quintanilla stated that each proposed building was approximately 26,000 square feet.

Chairman Cox wanted to clarify that the applicant had requested that the site plan request be tabled to allow for possible changes to the site plan request. Ms. Quintanilla

stated that was a possibility and that the applicant wishes to speak with the nearby residents to the north about the proposed development.

The applicant was not present at the meeting to comment on the site plan request.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing and table the proposed site plan request indefinitely as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that property owners who live within 200' buffer of the subject property should be receiving a new meeting notice prior to the next public hearing regarding this site plan request.

Alternate Commission Member McReynolds stepped down on the following item # 17-098MRP due to a possible conflict of interest.

17-098MRP Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lots 25R and 26R, Block 3, of F.M. Hill Addition, Located on the Northwest Corner of Raines Street and Barnes Street

Ms. Melissa Spiegel, Planner I for the City of McKinney, explained the proposed minor replat to subdivide one lot into two lots. She stated that the applicant has indicated that the lots will continue to be used as the existing duplex residences. Ms. Spiegel stated that the plat has met all of the requirements of the subdivision ordinance. She stated that Staff recommended approval of the proposed minor replat and offered to answer questions. There were none.

Mr. Justin Nunn, 808 Barnes Street, McKinney, TX, explained the proposed minor replat request. He stated that there were two buildings currently on the one lot. Mr. Nunn explained that the lot was being proposed to be subdivided into two lots where each building would be on a separate lot. He stated that currently the two buildings would have to be sold as one property. Mr. Nunn stated that by separating the two buildings on different lots, it would allow them to sell them separately.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Commission Member McCall, the Commission voted to close the public hearing and approve the proposed

minor replat as recommended by Staff, with a vote of 6-0-1. Alternate Commission Member McReynolds abstained from the vote.

Chairman Cox stated that the Planning and Zoning Commission was the final approval authority for the proposed minor replat.

Alternate Commission Member McReynolds returned to the meeting.

17-087PFR Conduct a Public Hearing to Consider/Discuss/Act on a Preliminary-Final Replat for 116 Single Family Residential Lots and 5 Common Areas (Southern Hills at Craig Ranch Phase 3), Located Approximately 850 Feet East of Custer Road and Approximately 1,800 Feet South of Collin McKinney Parkway

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed preliminary-final replat. She stated that the applicant was requesting to subdivide approximately 23 acres of land into 116 single family residential lots and five common areas for single family residential uses as Phase III of the Southern Hills at Craig Ranch subdivision. Ms. Quintanilla stated that the preliminary-final replat met all of the requirements of the Subdivision Ordinance. She stated that Staff recommended approval of the proposed preliminary-final replat as conditioned in the Staff Report and offered to answer questions. There were none.

Mr. Joshua Luke, JBI Partners, 6505 Orchard Park Drive, McKinney, TX, explained the proposed preliminary-final replat and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing and approve the preliminary-final replat as conditioned in the Staff Report, with a vote of 7-0-0.

Chairman Cox stated that the Planning and Zoning Commission was the final approval authority for this preliminary-final replat.

END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Mr. Brian Lockley, Director of Planning for the City of McKinney, reminded the Commission that the Council Chamber was planned for renovations and the next Planning and Zoning Commission meeting would be held at the Jack Hatchell Administration Building, Commissioners Court Room on the 4th floor, 2300 Bloomdale Road, McKinney, TX.

Chairman Cox thanked Staff for their hard work.

There being no further business, Chairman Cox declared the meeting adjourned
at 6:30 p.m.

BILL COX
Chairman



17-679

TITLE: Minutes of the Reinvestment Zone Number One Meeting of April 3, 2017

SUPPORTING MATERIALS:

[Minutes](#)

REINVESTMENT ZONE NUMBER ONE

APRIL 3, 2017

The Reinvestment Zone Number One of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas on April 3, 2017 at 4:45 p.m.

TIRZ Number One Members Present: Chairman Don Day, Vice Chairman Rainey Rogers, Brian Loughmiller, Randy P. Pogue, Chuck Branch, Tracy Rath, and Bill Cox. Absent: Board members Chris Hill and Travis Ussery.

Staff Present: City Manager Paul Grimes; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Executive Director of Development Services Michael Quint; and Planning Manager Matt Robinson.

There was one guest present.

Chairman Day called the meeting to order at 4:45 p.m. after determining a quorum present.

Board members unanimously approved the motion by Board member Loughmiller, seconded by Board member Pogue, to approve the following consent item:

- 17-331** Minutes of the Reinvestment Zone Number One Meeting of February 6, 2017
- 17-332** Chairman Day called for Consideration/Discussion/Action on an Amendment to the Chapter 380 Economic Development and Project Plan Implementation Agreement with Alison Croft for the Façade Improvement Project at 106-110 Tennessee Street. Planning Manager Matt Robinson stated the applicant is requesting an extension to complete the work on the façade improvements at 106-110 Tennessee Street. The applicant was granted a 30 day extension in February, however, since that time has run into a variety of setbacks. The applicant is requesting an extension to complete the project by September 30, 2017. Staff has no objections and is requesting approval. Applicant Ms. Alison Croft, 8101 Burleigh Street, Frisco, stated the contractor is working on a punch list of items to be completed and has outsourced a new subcontractor to

complete the work. Ms. Croft stated staff has been excellent and very helpful throughout the process. Board members unanimously approved the motion by Board member Pogue, seconded by Board member Rath, to approve an Amendment to the Chapter 380 Economic Development and Project Plan Implementation Agreement with Alison Croft for the Façade Improvement Project at 106-110 Tennessee Street.

Board members unanimously approved the motion by Board member Pogue, seconded by Board member Branch, to adjourn. Chairman Day adjourned the meeting at 4:50 p.m.

DON DAY
Chairman

ATTEST:

Sandy Hart, TRMC, MMC
City Secretary



17-775

TITLE: Consider/Discuss/Act on a Resolution Authorizing the Purchase of Body Worn Cameras for the McKinney Police Department from Watch Guard of Allen, Texas, Additional Storage from EST Group, of Arlington, Texas and Workstations from Dell, of Round Rock, Texas Utilizing the Texas Department of Information Resources' Contracts

COUNCIL GOAL: Safe and Secure Community

MEETING DATE: July 31, 2017

DEPARTMENT: Police Department

CONTACT: Greg Conley, Chief of Police

RECOMMENDED CITY COUNCIL ACTION:

- Approval of Resolution executing the purchase agreements with Watch Guard, EST Group and Dell utilizing the Texas Department of Information Resources (DIR) Contracts.

ITEM SUMMARY:

- The Police Department seeks authorization to purchase additional Vista Body Worn Cameras along with associated hardware, software, and services from Watch Guard, Inc., Allen, Texas in the amount of \$340,204.08, utilizing DIR Contract TSO-TMP226 & DIR TSO-2556, the authorization to purchase additional hardware storage capacity along with associated software and services to support the deployment of the cameras in the amount of \$98,642.16 from EST Group, Arlington, Texas, utilizing DIR-SDD-1951, and two Precision Workstations in the amount of \$6,230.74 from Dell Inc. of Round Rock, Texas utilizing DIR-SDD-1951.

BACKGROUND INFORMATION:

- The Police Department seeks to provide all Primary First Responders with Body Worn Camera (BWC) equipment. The Department currently provides Watch Guard Vista BWC's to certain specialized units, e.g. School Resource Officers, Neighborhood Police Officers, Motorcycle Traffic Officers, and Mounted Patrol.

However, Patrol Officers do not currently have BWC's. The Chief of Police believes it is in the best interest of the community and the officers to provide BWC's to all Primary First Responders.

- The Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, authorizes local governments to contract directly with other governments to increase their efficiency and effectiveness. Texas Government Code, Section 791.025(c) states that a local government that purchases goods and any services reasonably required for the installation, operation or maintenance of those goods under the Interlocal Cooperation Act satisfies the requirement of the local government to seek competitive bids for the purchase of goods and their services.

FINANCIAL SUMMARY:

- The Council previously approved up to \$500,000 toward this purchase. The total proposed cost of the purchase of the BWC is \$445,076.98.

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Resolution](#)

[Watch Guard Quote](#)

[EST Group Quote](#)

[Dell Quote](#)

RESOLUTION NO. 2017-07-_____ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE PURCHASE OF BODY WORN CAMERAS FOR THE MCKINNEY POLICE DEPARTMENT FROM WATCH GUARD OF ALLEN, TEXAS, ADDITIONAL STORAGE FROM EST GROUP, OF ARLINGTON, TEXAS AND WORKSTATIONS FROM DELL, OF ROUND ROCK, TEXAS, UTILIZING THE TEXAS DEPARTMENT OF INFORMATION RESOURCES' CONTRACTS

WHEREAS, the City Council of the City of McKinney, Texas, has determined the need and budgeted for Vista Body Worn Cameras along with associated hardware, software, and services, additional hardware storage with associated software and services and two Precision Workstations; and

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, authorizes local governments to contract directly with other governments to increase their efficiency and effectiveness. Texas Government Code, Section 791.025(c) states that a local government that purchases goods and any services reasonably required for the installation, operation or maintenance of those goods under the Interlocal Cooperation Act satisfies the requirement of the local government to seek competitive bids for the purchase of goods and their services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. The City Council of the City of McKinney, Texas, approves the purchase of Vista Body Worn Cameras along with associated hardware, software, and services from Watch Guard, Inc., in the amount of \$340,204.08, additional hardware storage capacity along with associated software and services to support the deployment of the cameras, from EST Group, in the amount of \$98,642.16 and two Precision Workstations from Dell Inc. in the amount of \$6,230.74, utilizing the Texas Department of Information Resources Cooperative Purchasing Contacts for a total of \$445,076.98.

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 31st DAY OF JULY 2017.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney



4RE/VISTA Price Quote

CUSTOMER: McKinney Police Department

ISSUED: 7/17/2017 6:19 AM

DIR-TSO-TMP226 (VISTA & EL)
<http://watchguardvideo.com/files/pdf/DIR-Wearable-Price-List.pdf>
DIR-TSO-2556 (Redactive)
<http://dir.texas.gov/View-Search/Contracts-Detail.aspx?contractnumber=DIR-TSO-2556>

EXPIRATION: 10/2/2017 10:00 PM

TOTAL PROJECT ESTIMATED AT:
\$340,204.08

ATTENTION: Jody Morse

SALES CONTACT: Izzy Valdovino

PHONE: 972-547-2700

DIRECT:

E-MAIL:

E-MAIL: IzzyV@watchguardvideo.com

4RE and VISTA Proposal

VISTA HD Cameras and Options

Part Number	Detail	Qty	Direct	Discount	Total Price
HDW-ETH-SWT-005	VISTA HD, 4RE, Smart PoE Switch	90.00	\$195.00	\$19.50	\$15,795.00
VIS-CHG-BS2-KIT	VISTA Charging Base R2 Kit, incl. Power and USB Cables	175.00	\$95.00	\$19.00	\$13,300.00
VIS-VTS-DTC-001	VISTA Transfer Station Assy, for 8 Cameras, Ethernet	5.00	\$1,495.00	\$149.50	\$6,727.50
VIS-MNT-KIT-001	VISTA HD, Locking Magnetic Chest Mount, Assembly (3mm posts)	100.00	\$50.00	\$5.00	\$4,500.00
VIS-SHR-CLP-100	VISTA HD, Shirt Clip with Slider	100.00	\$30.00	\$3.00	\$2,700.00
VIS-BLT-CLP-002	VISTA HD, Duty Belt Clip (v2) with 3mm posts	100.00	\$20.00	\$2.00	\$1,800.00
VIS-EXT-WIF-001	VISTA HD WiFi Additional Camera Only	175.00	\$995.00	\$99.50	\$156,712.50
VIS-CHG-WIF-KIT	VISTA HD, WiFi Charging Radio Base Kit, incl. Power and Cables	90.00	\$200.00	\$20.00	\$16,200.00

VISTA HD Warranties

Part Number	Detail	Qty	Direct	Discount	Total Price
WAR-VIS-WIF-NOF	Warranty, VISTA WiFi, 3 Year No-Fault	175.00	\$450.00	\$45.00	\$70,875.00

Evidence Library 4 Web Software and Licensing

Part Number	Detail	Qty	Direct	Discount	Total Price
KEY-EL4-DEV-004	Evidence Library 4 Web VISTA Combo-Discount Device License Key	90.00	\$75.00	\$0.42	\$6,712.20
KEY-EL4-DEV-002	Evidence Library 4 Web VISTA Device License Key	85.00	\$150.00	\$0.85	\$12,677.75

Additional Software and Licensing

Part Number	Detail	Qty	Direct	Discount	Total Price
KEY-WGV-RED-001	Software, REDACTIVE(sm), Single Seat License Key	2.00	\$3,995.00	\$605.00	\$6,780.00
WAR-WGR-MNT-3YR	Software Maintenance, REDACTIVE(sm), 3-Year Bundle (Months 1-36)	2.00	\$2,250.00	\$2.00	\$4,496.00

415 Century Parkway • Allen, TX • 75013
Toll Free (800) 605-6734 • Main (972) 423-9777 • Fax (972) 423-9778
www.WatchGuardVideo.com



4RE/VISTA Price Quote

WatchGuard Video Technical Services

Part Number	Detail	Qty	Direct	Discount	Total Price
SVC-4RE-INS-100	4RE System Installation, In-Car (Per Unit Charge)	90.00	\$175.00	\$0.00	\$15,750.00
SVC-4RE-ONS-400	4RE System Setup, Configuration, Testing and Training (WG-TS)	1.00	\$2,500.00	\$46.87	\$2,453.13
BRK-DV1-MIC-100	No technology refresh	175.00	\$1,145.00	\$1,145.00	\$0.00

Shipping and Handling

Part Number	Detail	Qty	Direct	Discount	Total Price
Freight	Shipping/Handling and Processing Charges	1.00	\$2,725.00	\$0.00	\$2,725.00
					\$340,204.08

Total Estimated Tax, may vary from State to State \$0.00

Configuration Discounts	\$235,660.92
Additional Quote Discount	\$0.00
Total Amount	\$340,204.08

NOTE: This is only an estimate for 4RE & VISTA related hardware, software and WG Technical Services. Actual costs related to a turn-key operation requires more detailed discussion and analysis, which will define actual back-office costs and any costs associated with configuration, support and installation. Please contact your sales representative for more details.

To accept this quotation, sign, date and return with Purchase Order: _____ DATE: _____



EST Group
1907 Ascension Blvd.
Suite 100
Arlington, TX 76006
Phone: 817-366-1830
Fax: 817-210-4211

City of MCKINNEY

DIR - SDD - 1951



PartnerDirect
Premier

Quote Date: 3/22/2017
Quotation #: EST03068
Valid Until: 4/21/2017
Prepared By: Randy Buckner
SFDC Deal Id: 13948415
Type: Upgrade
For System: 52999 / 53000 - McKinney, TX

Bill To:
City of MCKINNEY
222 N Tennessee St
McKinney, TX 75069

Description	Model Number	Dell SKU	Quantity	Amount	Subtotal
Hardware & Drives					
4TB, SAS, 6Gb, 7K HDD	DS-SAS6-35-4000X7K-D		48		
Compellent SC200 Enclosure, 3.5" 12-Bay	EN-SC200-1235		4		
6Gb Mini-SAS to Mini-SAS Cable, 0.6M, Qty 2	PA-CBL-SAS-.6M-D		3		
6Gb Mini-SAS to Mini-SAS Cable, 2M, Qty 2	PA-CBL-SAS-2M-D		1		
C13-C14, PDU, 12AMP, 6.5 FT (2m), Power Cord, Qty2	PA-PC-2M-D		4		
Ready Rails II Static Rails for 4-post Racks	PA-RK-RR2-D		4		
Software					
SW, Storage Center OS Core, Expansion License	SW-CORE-EXP24		1		
SW, Storage Optimization	SW-PERF-EXP24		1		
Professional Services					
Certified Business Partner Installation	PS-1003-C		1		
Totals					
			Discount Comments		
Power (Watts): 1,800.00					Hardware Total \$69,977.33
Heat (BTUs): 6,144.00					VA Software Total \$6,853.33
Rack Units: 8					Support Total \$13,100.00
Weight (Lbs): 300					VA Software Support Total \$5,711.50
SSD (Raw TB): 0					Professional Services Total \$3,000.00
SAS (Raw TB): 192					Subtotal \$98,642.16
Total (Raw TB): 192					Freight \$0.00
					*Grand Total \$98,642.16

24x7 Support Center w/ Priority On-Site (4 hour)

*Plus applicable taxes

***Support Term: Co-terminus 04/30/2019 (25 months)

EST Group shall invoice upon order with all software and hardware purchases due Net 30 upon receipt of goods. Services due Net 30 upon completion.

All past due payments will incur a 2% per month late fee.

Orders can be emailed to orders@est-grp.com or faxed to (817) 210-4211 Attn: Patti Spires

EST Group offers Leasing through Dell Financial Services, please let us know if you would like to include this as an option to this quotation.



A quote for your consideration!

Based on your business needs, we put the following quote together to help with your purchase decision. Please review your quote details below, then contact your sales rep when you're ready to place your order.

Total: \$6,230.74

Quote number:
3000015623806.1

Quote date:
Jul. 17, 2017

Quote expiration:
Aug. 16, 2017

Deal ID:
12454888

Company name:
CITY OF MCKINNEY

Customer number:
103728310

Phone:
(214) 542-2675

Sales rep information:
Ray Kirkpatrick
Ray_Kirkpatrick@Dell.com
(800) 456-3355
Ext: 5130904

Bill to:
CITY OF MCKINNEY
ACCOUNT PAYABLE
PO BOX 517
MCKINNEY
TX 75070-8013
US
(214) 542-2675

Pricing Summary

Item	Qty	Unit price	Subtotal
Precisions Workstations T5810	2	\$3,115.37	\$6,230.74
Subtotal:			\$6,230.74
Shipping:			\$0.00
Environmental Fees:			\$0.00
Non-Taxable Amount:			\$6,230.74
Taxable Amount:			\$0.00
Estimated Tax:			\$0.00
Total:			\$6,230.74

Special lease pricing may be available for qualified customers. Please contact your DFS Sales Representative for details.

Dear Customer,

Your Quote is detailed below; please review the quote for product and information accuracy. If you find errors or desire certain changes please contact me as soon as possible.

Regards,

Ray Kirkpatrick

Order this quote easily online through your [Premier page](#),

or if you do not have Premier, using [Quote to Order](#)

SKU	Description	Qty	Unit Price	Subtotal
	Precisions Workstations T5810	2	\$3,115.37	\$6,230.74
	Estimated Delivery Date: Jul. 24 - Jul. 27, 2017			
	Contract Code: 42AFU			
	Customer Agreement No: DIR-SDD-1951			
210-ACQM	Dell Precision Tower 5810 XCTO Base	2	-	-
338-BJML	Intel Xeon Processor E5-2650 v4 (12C, 2.2GHz, 2.9GHz Turbo, 2400MHz, 30MB, 105W	2	-	-
412-AADM	Heatsink for single CPU T5810	2	-	-
619-AHKN	Win 10 Pro 64 English, French, Spanish	2	-	-
658-BCSB	Microsoft(R) Office 30 Days Trial	2	-	-
321-BCEM	Dell Precision Tower 5810 685W TPM Chassis, v2, BW	2	-	-
490-BCXB	Nvidia Quadro K420 2GB (DP, DL-DVI-I) (1 DP to SL-DVI adapter)	2	-	-
370-ACQK	16GB (4x4GB) 2400MHz DDR4 RDIMM ECC	2	-	-
631-AAID	No Out-of-Band Systems Management	2	-	-
400-AECQ	2.5" 512GB SATA Class 30 Solid State Drive	2	-	-
401-AAMX	Additional Drive: 3.5 inch 2TB SATA 7.2k RPM HDD	2	-	-
401-AADF	No Additional Hard Drive	2	-	-
401-AADF	No Additional Hard Drive	2	-	-
411-XXXY	Boot drive or boot volume is less than 2TB	2	-	-
403-BBGV	Integrated Intel AHCI chipset SATA controller (6 x 6.0Gb/s) - SW RAID 0/1/5/10	2	-	-
449-BBGE	C5 SATA/SSD 2.5 Inch BOOT, plus 1x 3.5 Inch Hard Drives	2	-	-
780-BBCJ	Non RAID	2	-	-
580-AADF	US English (QWERTY) Dell KB-522 Wired Business Multimedia USB Keyboard Black	2	-	-
570-AACV	Dell USB Laser 6-Button Mouse	2	-	-
386-BBBE	No Dell Tera2 Remote Access host card for the Wyse P25 Zero Client	2	-	-
555-BBJO	No Additional Network Card Selected (Integrated NIC included)	2	-	-
510-BBBW	Sound Card Not Included	2	-	-
817-BBBC	Not selected in this configuration	2	-	-

385-BBBL	No Media Card Reader	2	-	-
429-AAUN	8x Half-Height BD-RE (Blu-Ray Rewritable) Drive and 8x Slimline DVD+/-RW Drive	2	-	-
520-AADM	Internal Speaker	2	-	-
470-AAKG	US 125V Power Cord	2	-	-
340-AGIK	Safety/Environment and Regulatory Guide (English/French Multi-language)	2	-	-
340-AUKD	Placemat Documentation	2	-	-
430-XXYU	Resource DVD not Included	2	-	-
620-AALW	OS-Windows Media Not Included	2	-	-
387-BBBE	No Energy Star	2	-	-
658-BBTV	CMS Essentials DVD no Media	2	-	-
954-3465	No DDPE Encryption Software	2	-	-
634-BENZ	No DDP ESS Software	2	-	-
817-BBBB	No FGA	2	-	-
328-BBEO	Shipping Material for System	2	-	-
340-AEYP	SHIP,PWS,LNK,NO,NO,AMF	2	-	-
520-AABF	External Speaker Not Included	2	-	-
389-BFFO	MOD,LBL,REG,T5810,DAO	2	-	-
389-BFJR	Regulatory Label	2	-	-
389-BDCE	No UPC Label	2	-	-
340-AJFC	Kickstart Product Registration	2	-	-
422-0008	Dell Data Protection System Tools Digital Delivery/DT	2	-	-
525-BBCL	SupportAssist	2	-	-
640-BBES	Dell Precision Optimizer	2	-	-
640-BBLW	Dell(TM) Digital Delivery Cirrus Client	2	-	-
658-BBMQ	Enable Low Power Mode	2	-	-
658-BBMR	Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	2	-	-
658-BCUV	Dell Developed Recovery Environment	2	-	-
637-AAAM	No Dell Backup and Recovery software	2	-	-
389-BBRO	Intel Xeon Label	2	-	-
650-AAAJ	No Anti-Virus Software	2	-	-
461-AABV	No Accessories	2	-	-
575-BBCH	No Stand included	2	-	-
332-1286	US Order	2	-	-
461-AAAB	Chassis Intrusion Switch	2	-	-
329-BBJL	TPM Enabled	2	-	-
989-3449	Thank you choosing Dell ProSupport. For tech support, visit http://support.dell.com/ProSupport or call 1-866-516-3115	2	-	-
997-7163	Dell Limited Hardware Warranty Plus Service	2	-	-
997-7188	ProSupport: Next Business Day Onsite 3 Years	2	-	-
997-7208	ProSupport: 7x24 Technical Support, 3 Years	2	-	-

Subtotal:	\$6,230.74
Shipping:	\$0.00
Environmental Fees:	\$0.00
Estimated Tax:	\$0.00

Sales rep: Ray Kirkpatrick | Quote number: 3000015623806.1

Total: \$6,230.74

Important Notes

Terms of Sale

This quote is valid for 30 days unless otherwise stated. Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hard copy from Dell at your request:

If this purchase is for your internal use only: Dell's Commercial Terms of Sale (www.dell.com/CTS), which incorporate Dell's U.S Return Policy(www.dell.com/returnpolicy) and Warranty (www.dell.com/warrantyterms).

If this purchase is intended for resale: Dell's Reseller Terms of Sale (www.dell.com/resellerterms).

If this purchase includes services: in addition to the foregoing applicable terms, Dell's service contracts and related service terms (www.dell.com/servicecontracts/global).

If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - A Version. (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - S Version (www.dell.com/SEULA) (the "End User License Agreements").

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: **Dell Marketing L.P.** Note: All tax quoted above is an estimate; final taxes will be listed on the invoice. If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.

For certain products shipped to end-users in California, a [State Environmental Fee](#) will be applied to your invoice. Dell encourages customers to dispose of electronic equipment properly.

Dell Business Credit (DBC):

OFFER VARIES BY CREDITWORTHINESS AS DETERMINED BY LENDER. Offered by WebBank to Small and Medium Business customers with approved credit. Taxes, shipping and other charges are extra and vary. Minimum monthly payments are the greater of \$15 or 3% of account balance. Dell Business Credit is not offered to government or public entities, or business entities located and organized outside of the United States.

Dell Financial Services Lease:

1. This proposal is property of Dell Financial Services and contains confidential information. This proposal shall not be duplicated or disclosed in whole or part. Minimum transaction size \$500.

2. All terms are subject to credit approval, execution and return of mutually acceptable lease documentation.
3. Lease rates are based upon the final amount, configuration and specification of the supplied equipment. Interim rent may apply and be due in the first payment cycle.
4. The Lease Quote is exclusive of shipping costs, maintenance fees, filing fees, licensing fees, property or use taxes, insurance premiums and similar items, which shall be for Lessee's account.
5. This proposal is valid through the expiration date shown above, or, if none is specified, for 30 calendar days from date of presentation.

Important Notes

Terms of Sale

Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hardcopy from Dell at your request: Dell's Terms of Sale (www.dell.com/learn/us/en/uscorp1/terms-of-sale), which include a binding consumer arbitration provision and incorporate Dell's U.S. Return Policy (www.dell.com/returnpolicy) and Warranty (for [Consumer warranties](#); for [Commercial warranties](#)).

If this purchase includes services: in addition to the foregoing applicable terms, the terms of your service contract will apply ([Consumer](#); [Commercial](#)). If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - Type A (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - Type S (www.dell.com/SEULA).

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: **Dell Marketing L.P.**

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^Dell Business Credit (DBC):

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***Dell Financial Services Lease:**

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2. All terms are subject to credit approval, execution and return of mutually acceptable lease documentation.
3. Lease rates are based upon the final amount, configuration and specification of the supplied equipment. Interim rent may apply and be due in the first payment cycle.
4. The Lease Quote is exclusive of shipping costs, maintenance fees, filing fees, licensing fees, property or use taxes, insurance premiums and similar items, which shall be for Lessee's account.
5. This proposal is valid through the expiration date shown above, or, if none is specified, for 30 calendar days from date of presentation.



17-776

TITLE: Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Kimley-Horn and Associates, Inc. for Professional Engineering Design Services to Update the Intelligent Transportation System (ITS) Master Plan of the City of McKinney

COUNCIL GOAL: Operational Excellence

MEETING DATE: July 31, 2017

DEPARTMENT: Development Services / Engineering

CONTACT: Gary Graham, P.E., P.T.O.E., Director of Engineering
Robyn Root, P.E., P.T.O.E., Traffic Engineer

RECOMMENDED CITY COUNCIL ACTION:

- Approval of the Resolution

ITEM SUMMARY:

- This Resolution authorizes the City Manager to enter into a contract with Kimley-Horn and Associates, Inc. (KHA) for design services to update the Intelligent Transportation System (ITS) Master Plan and all related documents.

BACKGROUND INFORMATION:

- In 2007, the Intelligent Transportation System (ITS) Master Plan was initiated with a focus on developing recommendations for deployment of ITS strategies to improve traffic management.
- The ITS Master Plan encompassed deployment of communication devices, closed circuit television (CCTV) cameras, a new traffic signal central system software, interconnection to traffic signal controllers through fiber optic cable and wireless devices, and activation of the Traffic Management Center (TMC).
- As the City of McKinney has continued to grow, maintaining an acceptable level of service has been challenging to the City's existing technology. An update to the ITS Master Plan is necessary to insure the City of McKinney goals are continued to be met in the future.

- City Engineering Staff has coordinated with the City Information Technology (IT) Staff to include a City-wide Advance Transportation Management System (ATMS) Communications Master Plan with this update by reviewing the existing communications infrastructure and routing. This plan will evaluate available options which will identify the necessary next steps to improve and extend communication not only to the traffic signal network but to new City facilities as the City of McKinney grows.
- This ITS Master Plan will identify the ATMS that best meets or even exceeds the current and planned needs of the City of McKinney, and will develop a deployment plan of those devices. The ATMS will consist of updates to the traffic signal central system software, the traffic signal controller software and firmware, and any advanced communication devices used in the field for traffic management.
- Kimley-Horn and Associates, Inc. (KHA) has submitted a proposal to update the Intelligent Transportation System (ITS) Master Plan in the amount of \$262,930.
- KHA had submitted a response to the request for qualifications (RFQ 14-31) for Professional Engineering Services for Traffic Engineering. KHA was one of two firms selected by City Council on August 4, 2014 for Intelligent Transportation System Design.
- After the ITS Master Plan is developed, deployment will begin of some ITS devices used in the field for traffic management communications as budget allows.

FINANCIAL SUMMARY:

- This Resolution will authorize a design contract and any necessary supplemental agreements with KHA for an amount not to exceed \$300,000.
- Funding for this Project is available in Capital Improvements Project TR9127.
- With approval of this Resolution, \$158,573 will remain in Capital Improvements Project TR9127 for deployment.

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[Resolution](#)

RESOLUTION NO. 2017-07-____ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR PROFESSIONAL ENGINEERING DESIGN SERVICES TO UPDATE THE INTELLIGENT TRANSPORTATION SYSTEM (ITS) MASTER PLAN OF THE CITY OF MCKINNEY, TEXAS, AND ALL RELATED DOCUMENTS

WHEREAS, the City Council of the City of McKinney, Texas, recognizes the need to update the City of McKinney Intelligent Transportation System (ITS) Master Plan; and

WHEREAS, Kimley-Horn and Associates, Inc., has submitted a proposal to update the Intelligent Transportation System (ITS) Master Plan and all related documents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. The City Manager is hereby authorized to execute a contract with Kimley-Horn and Associates, Inc., to update to the Intelligent Transportation System (ITS) Master Plan of the City of McKinney and all related documents in an amount not to exceed \$300,000.

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 31st DAY OF JULY, 2017.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney



17-777

TITLE: Consider/Discuss/Act on a Resolution Approving the Seventh Amended and Restated Bylaws of McKinney Economic Development Corporation

COUNCIL GOAL: Operational Excellence

MEETING DATE: July 31, 2017

DEPARTMENT: McKinney Economic Development Corporation

CONTACT: Darrell Auterson, President
Jason Burrese, Chairman

RECOMMENDED CITY COUNCIL ACTION: Approve Resolution

ITEM SUMMARY:

- The major changes to the Bylaws incorporates the following:
 - Article IV, Section 1f:
“Directors seated as of the Effective Date shall attend a training course on economic development within one (1) year after the Effective Date or one (1) year after their appointment date, as the case dictates. The Board may grant a Director an extension under this subsection for good cause shown.”
 - Article V Section 1:
“*Roles and duties of the President:* The President shall be a compensated employee of the Board. The President shall be the chief executive officer of the Corporation responsible for all daily operations and the implementation of Board policies and resolutions. The President may sign upon the approval of the Board, in the name of the Corporation, and/or attest to the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation. The President shall attend all called Board meetings and perform those duties and functions as the Board shall

prescribe. Any supervision or direction by the City Manager under prior bylaws shall be hereby supplanted by Board direction or supervision, and the “duties and responsibilities” of the President shall be subject to the review, direction, and supervision of the Board. The President of the Corporation shall be hired by the Board only upon ratification by the City Council. Termination of the Executive Director shall require Board approval by a majority vote of the board in open session and shall only be effective upon ratification by majority vote of the City Council in open session. The Board shall conduct an annual review of the Executive Director and provide a copy of the annual review to the City Council upon its completion.

BACKGROUND INFORMATION:

- The City Council approved the Sixth Amended Bylaws on September 6, 2016.

FINANCIAL SUMMARY: N/A

BOARD OR COMMISSION RECOMMENDATION:

- The MEDC Board unanimously approved the Seventh Amended and Restated Bylaws at their meeting on July 18, 2017.

SUPPORTING MATERIALS:

[Resolution](#)

[Seventh Amended Bylaws - Redline](#)

[Seventh Amended Bylaws](#)

RESOLUTION NO. 2017-07-____ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE SEVENTH AMENDED AND RESTATED BYLAWS OF THE MCKINNEY ECONOMIC DEVELOPMENT CORPORATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council, by this Resolution, desires to approve the Seventh Amended and Restated Bylaws of MEDC.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. The City Council of the City of McKinney, Texas hereby approves of the Seventh Amended and Restated Bylaws of the McKinney Economic Development Corporation attached hereto as Exhibit A.

Section 2. This Resolution shall be in full force and effect from and after its passage and adoption.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 31st DAY OF JULY, 2017.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

EXHIBIT A

SEVENTH AMENDED BYLAWS OF

MCKINNEY ECONOMIC DEVELOPMENT CORPORATION

ARTICLE I

- Section 1. **Purpose:** The Corporation is incorporated for the purposes set forth in its Articles of Incorporation, the same to be accomplished on behalf of the City of McKinney, Texas, (the “City”) as its duly constituted authority and instrumentality in accordance with the Development Corporation Act of 1979, as amended; Tex. Loc. Gov’t. Code Ann. Chapter 501 (the “Act”), as amended, and other applicable laws.
- Section 2. **Powers:** In the fulfillment of its corporate purpose, the Corporation shall be governed by Tex. Loc. Gov’t. Code Ann. Chapter 501, and shall have all of the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed herein.

ARTICLE II

OFFICES

- Section 1. **Principal Office:** The principal office of the Corporation in the State of Texas shall be located in the City of McKinney, Collin County, Texas.
- Section 2. **Registered Office and Registered Agent:** The Corporation shall have and continuously maintain in the State of Texas a registered office and a registered agent, whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be identical with the principal office of the corporation in the State of Texas, and the address of the registered office may be changed from time to time by the Board.

ARTICLE III

- Section 1. **Members:** The Corporation shall have no members or stockholders.

ARTICLE IV

BOARD OF DIRECTORS

- Section 3. **Powers, Number and Term of Office.**
- a. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (the “Board”) and, subject to the restriction imposed by law, by the Articles of Incorporation, and by these Bylaws, the Board shall exercise all of the powers of the Corporation.
 - b. The Board shall consist of seven (7) directors, each of whom, as well as each replacement, shall be appointed by the City Council (the “Council”) of the City. The City Council shall consider an individual's experience, accomplishments and educational background in appointing members to the Board.

- c. The directors shall serve terms in accordance with City Council policy on Board and Commission Member Appointment and Eligibility.
- d. Any director may be removed from office by the Council at will.
- e. Unless otherwise provided, terms shall expire on September 30.
- f. Directors seated as of the Effective Date shall attend a training course on economic development within one (1) year after the Effective Date or one (1) year after their appointment date, as the case dictates. The Board may grant a Director an extension under this subsection for good cause shown.

Section 4. ***Meeting of Directors:*** The directors may hold their meetings at such place or places, but in any event within the City, as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the meetings shall be held at the principal office of the Corporation as specified in Article II of these Bylaws.

Section 5. ***Open Meetings Act:*** All meetings and deliberations of the Board shall be called, convened, held and conducted, and notice shall be given to the public, in accordance with the Texas Open Meetings Act, Tex. Gov't Code Ann. Section 551, as amended.

Section 6. ***Notice of Meetings:*** To the extent that the Open Meetings Act conflicts with the provisions of this section, the Open Meetings Act shall govern.

- a. Regular meetings of the Board shall be held without the necessity of written notice to the Directors at such times and places as shall be designated from time to time by the Board. Special Meetings of the Board shall be held whenever called by the Chairman, by a majority of the directors, by the Mayor of the City, or by the City Council.
- b. The secretary shall give notice to each director for any Emergency Meeting (as defined in the Texas Open Meetings Act) in person or telephone, at least two (2) hours before the meeting. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a Special Meeting. At any meeting at which every director shall be present, even though without any individual notice, any matter pertaining to the purpose of the Corporation may be considered and acted upon consistent with applicable law.
- c. Whenever any notice is required to be given to Board, said notice shall be deemed to be sufficient if given by depositing the same in a post office box in a sealed postage paid wrapper addressed to the person entitled thereto at his or her post office address as it appears on the books of the Corporation, and such notice shall be deemed to have been given on the day of such mailing. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objection to the transaction of any business on the grounds that the meeting is not lawfully called or convened. The business to be transacted and the purpose of any Regular or Special meeting of the Board need be specified in the notice or waiver of notice of such meeting. A waiver of notice in writing, signed by the person or persons

entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 7. ***Quorum and Voting:*** A majority of the directors shall constitute a quorum for conducting the official business of the Corporation. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board and of the Corporation unless the act of a greater number is required by law. However, in no event shall any project or expenditure be approved upon the affirmative vote of less than four (4) directors present at a meeting. A director may not vote by proxy. Directors must be present in order to vote at any meeting. Attendance at the Board meetings is required in accordance with City Council policy. on Board and Commission Member Appointment and Eligibility.

Section 8. ***Conduct of Business:***

- a. At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board or the law.
- b. At all meetings of the Board, the Chairman shall preside, and in the absence of the chairman, the Vice Chairman shall exercise the powers of the Chairman.
- c. The Secretary of the corporation shall act as secretary of all meetings of the Board, but in the absence of the Secretary, the presiding officer may appoint any person to act as Secretary of the meeting.

Section 9. ***Compensation of Directors:*** Directors shall not receive a salary or any other compensation for their service as directors. However, directors may be reimbursed for their actual and reasonable expenses incurred in the performance of their duties.

ARTICLE V

PRESIDENT

Section 1. ***Roles and duties of the President:*** The President shall be a compensated employee of the Board. The President shall be the chief executive officer of the Corporation responsible for all daily operations and the implementation of Board policies and resolutions. The President may sign upon the approval of the Board, in the name of the Corporation, and/or attest to the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation. The President shall attend all called Board meetings and perform those duties and functions as the Board shall prescribe. Any supervision or direction by the City Manager under prior bylaws shall be hereby supplanted by Board direction or supervision, and the “duties and responsibilities” of the President shall be subject to the review, direction, and supervision of the Board. The President of the Corporation shall be hired by the Board only upon ratification by the City Council. Termination of the Executive Director shall require Board approval by a majority vote of the board in open session and shall only be effective upon ratification by majority vote of the City Council in open session. The Board shall conduct an annual review of the Executive Director and provide a copy of the annual review to the City Council upon its completion.

ARTICLE VI

OFFICERS

Section 10. ***Titles, Duties, and Term of Office:***

- a. The officers of the Corporation shall be a Chairman, a Vice Chairman, a President, a Secretary and a Treasurer, and such other officers as the Board may from time to time elect or appoint. One person may hold more than one office, except that the Chairman shall not hold the office of Vice Chairman or Secretary. Terms of office shall be one (1) year, ending September 30, with the right of an officer to be re-elected.
- b. All officers shall be elected by and be subject to removal from office at any time, by a vote of a majority of the entire Board.
- c. A vacancy in the office of any officer shall be filled for the remaining term by a vote of a majority of the entire Board.

Section 11. ***Chairman:*** The Chairman shall be the presiding officer of the Board with the following authority:

- a. Shall preside over all meetings of the Board.
- b. Shall vote on all matters coming before the Board.
- c. Shall have the authority, upon notice to the members of the Board, to call a Special Meeting of the Board when in his or her judgment such a meeting is required.
- d. Shall have the authority to appoint, with Board approval, standing committees to aid and assist the Board in its business undertakings or other matters incidental to the operation and functions of the Board.
- e. Shall have the authority to appoint, with Board approval, ad hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.
- f. In addition to the above mentioned duties, the Chairman shall sign with the Secretary of the Board or other designated person any deed, mortgage, bonds, contracts, or other instruments which the Board has approved and unless the execution of said document has been expressly delegated to some other officer or agent of the Corporation by appropriate Board resolution, by a specific provision of these Bylaws, or by statute.
- g. In general, the Chairman shall perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board.

Section 12. ***Vice Chairman:*** The Vice Chairman shall have such powers and duties as may be prescribed by the Board and shall exercise the powers of the chairman during that officer's absence or inability to act. Any action taken by the Vice Chairman in the performance of the duties of the Chairman shall be

presumptive evidence of the Chairman's absence or inability to act at the time such action was taken.

- Section 13. ***Treasurer:*** The City's Finance Department shall have the responsibility for the disbursement, custody and security of all funds and securities of the Corporation in accordance with these Bylaws and statutes governing the Corporation formed under the Act. The Treasurer shall maintain the financial reports provided by the City's Finance Department.
- Section 14. ***Secretary:*** The Secretary may sign with the President upon the approval of the Board in the name of the Corporation, and/or attest to the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments, except the papers as the Board may direct, all of which shall at all reasonable time be open to public inspection upon application at the office of the Corporation during business hours, and shall in general perform all duties incident to the office of secretary subject to the control of the Board. The Secretary shall submit a copy of all corporation minutes and actions to the City Secretary within a reasonable time after a meeting.
- Section 15. ***Election of Officers:*** The Chairman, Vice Chairman, Secretary, and Treasurer shall be elected from among the members of the Board.
- Section 16. ***Compensation:*** Officers who are members of the Board shall not receive any salary or compensation for their services, except that they may be reimbursed for their actual and reasonable expenses incurred in the performance of their duties.
- Section 17. ***Personnel:*** The Corporation may establish full-time and/or part-time personnel positions. Personnel positions so established shall be reelected in the Annual Corporate Budget and approved accordingly, as referenced in Article VI, Section 2 of these Bylaws.
- Section 18. ***Contracts for Service:*** The Corporation may contract with any qualified and appropriate person, association, corporation or governmental entity to perform and discharge designated tasks which will aid or assist the Board in the performance of its duties. However, no such contract shall ever be approved or entered into which seeks or attempts to divest the Board of its discretion and policy-making functions in discharging the duties herein above set forth in this section.

ARTICLE VII

FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

- Section 19. ***Economic Development Plan:*** The Board shall research, develop, prepare, and submit to the Council for its approval, an economic development plan for the City, which shall include proposed methods and the expected costs of implementation. The plan shall include both short-term and long-term goals for the economic development of the City. Said plan should take into consideration general development plans and policies of the City Council.
- Section 20. ***Annual Corporate Budget:*** On or before July 25th of each year, the Board shall adopt a proposed budget of expected revenues and proposed expenditures of the next ensuing fiscal year. The budget shall not be effective nor shall expenditures occur until the same has been approved by the Council.

Section 21. ***Books, Records, Audits:***

- a. The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs. Notwithstanding Article V, Section 4, the Corporation may maintain any financial records solely at the City offices.
- b. The books, records, accounts, and financial statements of the Corporation shall be audited at least once each fiscal year by an outside, independent auditing and accounting firm approved by the Board. Such audit shall be at the expense of the Corporation.

Section 4. ***Deposit and Investment of Corporate Funds:***

- c. All proceeds from the issuance of bonds, notes, other debt instruments ("Debt Obligations") issued by the Corporation shall be deposited and invested as provided in the resolutions, orders, indentures, or other documents authorizing or relating to the issuance.
- d. All other monies of the Corporation shall be deposited, secured, and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City. The Board shall designate authorized signatures on all payment authorization and/or check requests of Ten Thousand (\$10,000.00) or more. Any check request or other financial instrument for a proposed expenditure totaling less than Ten Thousand (\$10,000.00) Dollars shall require only one signature of either the Treasurer or President of the Corporation. The accounts reconciliation and investment of such funds and accounts may be reviewed by the Finance Department of the City, at the City's expense.

Section 5. ***Expenditures of Corporate Money:*** The monies of the Corporation, including sales and use taxes collected pursuant to Tex. Loc. Gov't Code Ann. Chapter 504, monies derived from the repayment of loans, rents received from the lease or use of property, the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, and the proceeds derived from the sale of Obligations, may be expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitation:

- a. Expenditures for the proceeds of Obligations shall be identified and described in the orders, resolutions, indentures or other agreements submitted to and approved by the City Council prior to the sale and delivery of the Obligations to the purchasers thereof required by Section 6 of this Article.
- b. All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 2 of this Article.

Section 6. ***Issuance of Obligations:*** No Obligations, including refunding Obligations, shall be sold and delivered by the Corporation unless the City Council shall approve such Obligations by action taken no more than sixty (60) days prior to the date of sale of the Obligations.

- Section 7. ***Conflicts of Interest:*** A Board member, officer of the Corporation, or member of the City Council may not lend money to or borrow money from the Corporation or otherwise transact business with the Corporation.
- Section 8. ***Gifts:*** The Board may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purposes of the Corporation.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

- Section 22. ***Fiscal Year:*** The fiscal year of the Corporation shall be the same as the fiscal year of the City.
- Section 23. ***Seal:*** The seal of the Corporation shall be determined by the Board.
- Section 24. ***Resignation:*** Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein; or, if no time is specified, at the time of its receipt by the chairman or secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.
- Section 25. ***Approval or Advice and Consent by the Council:*** To the extent that these Bylaws refer to any approval by the City or the Council or refer to advice and consent by the Council, such approval, or advice and consent shall be evidenced by a certified copy of a resolution, order, or motion duly adopted by the Council.
- Section 26. ***Services of City Staff and Officers:*** The Corporation shall have the right to utilize the services of City personnel for usual and routine matters, provided that the performance of such service does not materially interfere with the other duties of such personnel of the City. Subject to the approval of the City Manager or the City Council, the Corporation may utilize the services of City personnel for unusual and non-routine matters. The Corporation shall pay reasonable compensation to the City for such services or use of any City personnel.
- Section 27. ***Indemnification of Directors, Officers and Employees:***
- a. As provided in the Act, the Corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.
 - b. The Corporation shall indemnify a person who was, is or has been threatened to be made a named defendant or respondent in a proceeding because the person is or was a Board member, officer, employee, or agent, but only if the determination to indemnify is made in accordance with the provision of Tex. Bus. Org. Code Ann. Chapter 8, as amended.
 - c. The Corporation shall indemnify each and every member of the Board, its officers, its employees, its agents, and each member of the City Council and each employee of the City, to the fullest extent permitted by law and not otherwise covered by insurance, against any and all actions or omissions that may arise out of the functions and activities of the Corporation.

- d. The Corporation may purchase and maintain insurance on behalf of any Board member, officer, employee or agent of the Corporation, or on behalf of any person serving at the request of the Corporation as a Board member, officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise, against any liability asserted against that person and incurred by that person in any such capacity or arising out of any such status with regard to the Corporation, whether or not the Corporation has the power to indemnify that person against liability for any of those acts.
- e. Any indemnification or liability insurance provided under this Section may be obtained through the City's general insurance coverage.

ARTICLE IX

EFFECTIVE DATE, AMENDMENTS

Section 28. **Effective Date:** These Bylaws shall become effective upon the occurrence of the following events:

- a. the adoption of these Bylaws by the Board; and
- b. The approval of these Bylaws by the City Council.

Section 29. **Amendments to Articles of Incorporation and Bylaws:** The Articles of Incorporation and the Bylaws may be amended or repealed and amended articles of incorporation and bylaws may be adopted by an affirmative vote of at least four (4) Board members present at any regular meeting or at any special meeting, if at least five (5) days written notice is given of an intention to amend or repeal the articles of incorporation and bylaws or to adopt new articles of incorporation and bylaws at such meeting. Any amendment of the articles of incorporation and bylaws will be effective upon approval by the City Council.

Adopted this the 18th day of July, 2017.

Chairman of the Board of Directors

Attest:

Corporate Secretary

~~SIXTH~~ **SEVENTH** AMENDED BYLAWS OF

MCKINNEY ECONOMIC DEVELOPMENT CORPORATION

ARTICLE I

Section 1.

Section 1. Purpose: The Corporation is incorporated for the purposes set forth in its Articles of Incorporation, the same to be accomplished on behalf of the City of McKinney, Texas, (the "~~City~~") as its duly constituted authority and instrumentality in accordance with the Development Corporation Act of 1979, as amended; Tex. Loc. ~~Gov't~~Gov't. Code Ann., Chapter 501 (the "~~Act~~"), as amended, and other applicable laws.

Section 2.

Section 2. Powers: In the fulfillment of its corporate purpose, the Corporation shall be governed by Tex. Loc. ~~Gov't~~Gov't. Code Ann. Chapter 501, and shall have all of the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed herein.

ARTICLE II

OFFICES

Section 1.

Section 1. Principal Office: The principal office of the Corporation in the State of Texas shall be located in the City of McKinney, Collin County, Texas.

Section 2.

Section 2. Registered Office and Registered Agent: The Corporation shall have and continuously maintain in the State of Texas a registered office and a registered agent, whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be identical with the principal office of the corporation in the State of Texas, and the address of the registered office may be changed from time to time by the Board.

ARTICLE III

Section 1.

Members: The Corporation shall have no members or stockholders.

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ARTICLE IV

BOARD OF DIRECTORS

Section 1.

Section 1. Powers, Number and Term of Office.

- a. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (the "~~Board~~") and, subject to the restriction imposed by law, by the Articles of Incorporation, and by these Bylaws, ~~save and except those functions managed by the City Manager under Article VI, Section 8,~~ the Board shall exercise all of the powers of the Corporation.
- b. The Board shall consist of seven (7) directors, each of whom, as well as each replacement, shall be appointed by the City Council (the "~~Council~~") of the City. The City Council shall consider an individual's experience, accomplishments and educational background in appointing members to the Board.
- c. The directors shall serve terms in accordance with City Council policy on Board and Commission Member Appointment and Eligibility.
- d. Any director may be removed from office by the Council, ~~with or without cause at will,~~
- e. ~~e.~~ Unless otherwise provided, terms shall expire on September 30.
- f. ~~f.~~ Directors seated as of the Effective Date ~~who have not attended a training course provided under Texas Local Government Code Section 502.102 and all newly appointed board members shall attend a training course provided under said Section on economic development~~ within one (1) year after the Effective Date or one (1) year after their appointment date, as the case dictates. The Board may grant a Director an extension under this subsection for good cause shown.

Section 2:

Section 2. Meeting of Directors. The directors may hold their meetings at such place or places, but in any event within the City, as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the meetings shall be held at the principal office of the ~~City Corporation as specified in Article II of these Bylaws.~~

Section 3.

Section 3. Open Meetings Act. All meetings and deliberations of the Board shall be called, convened, held and conducted, and notice shall be given to the

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public, in accordance with the Texas Open Meetings Act, Tex. ~~Gov't~~Gov't Code Ann. Section 551, as amended.

~~Section 4.~~

~~Section 4.~~ **Notice of Meetings:** To the extent that the Open Meetings Act conflicts with the provisions of this section, the Open Meetings Act shall govern.

a. Regular meetings of the Board shall be held without the necessity of written notice to the Directors at such times and places as shall be designated from time to time by the Board. Special Meetings of the Board shall be held whenever called by the Chairman, by a majority of the directors, by the ~~City Manager, by the~~ Mayor of the City, or by the City Council.

~~a.~~ b. The secretary shall give notice to each director for any Emergency Meeting (as defined in the Texas Open Meetings Act) in person or telephone, at least two (2) hours before the meeting. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a Special Meeting. At any meeting at which every director shall be present, even though without any individual notice, any matter pertaining to the purpose of the Corporation may be considered and acted upon consistent with applicable law.

c. Whenever any notice is required to be given to Board, said notice shall be deemed to be sufficient if given by depositing the same in a post office box in a sealed postage paid wrapper addressed to the person entitled thereto at his or her post office address as it appears on the books of the Corporation, and such notice shall be deemed to have been given on the day of such mailing. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objection to the transaction of any business on the grounds that the meeting is not lawfully called or convened. The business to be transacted and the purpose of any Regular or Special meeting of the Board need be specified in the notice or waiver of notice of such meeting. A waiver of notice in writing, signed by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

~~Section 5.~~

~~Section 5.~~ **Quorum and Voting:** A majority of the directors shall constitute a quorum for conducting the official business of the Corporation. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board and of the Corporation unless the act of a greater number is required by law. However, in no event shall any project or expenditure be approved upon the affirmative vote of less than four (4)

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directors present at a meeting. A director may not vote by proxy. Directors must be present in order to vote at any meeting. Attendance at the Board meetings is required in accordance with City Council policy on Board and Commission Member Appointment and Eligibility.

Section 6. Conduct of Business:

- a. At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board or the law.
- b. At all meetings of the Board, the Chairman shall preside, and in the absence of the chairman, the Vice Chairman shall exercise the powers of the Chairman.
- c. The Secretary of the corporation shall act as secretary of all meetings of the Board, but in the absence of the Secretary, the presiding officer may appoint any person to act as Secretary of the meeting.

Section 7.

Section 7. Compensation of Directors: Directors shall not receive a salary or any other compensation for their service as directors. However, directors may be reimbursed for their actual and reasonable expenses incurred in the performance of their duties.

ARTICLE V

PRESIDENT

Section 1. Roles and duties of the President: The President shall be a compensated employee of the City. Subject to the City Manager's supervision and management of the President under Article VI, Section 8, the President shall be the chief executive officer of the Corporation responsible for all daily operations and the implementation of Board policies and resolutions. Unless otherwise provided by a Resolution of the Board, the President and City Manager shall jointly sign upon the approval of the Board, in the name of the Corporation, and/or attest to the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments approved by the Board. The President shall attend all called Board meetings and perform those duties and functions as the City Manager shall prescribe. Any supervision or direction by the City Manager under prior bylaws shall be hereby supplanted by Board direction or supervision, and the

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"duties and responsibilities" of the President shall be subject to the review, direction, and supervision of the Board. The President of the Corporation shall be hired by the City Manager; however, such hiring Board only upon ratification by the City Council. Termination of the President shall require Board approval by a majority vote of the board in open session and shall only be subject to the prior notice and consultation with the Board under these Bylaws and with the City Council under the Home Rule Charter. The City Manager shall have the authority to terminate the President; however, such termination shall be subject to the prior notice and consultation with the Board under these Bylaws and with effective upon ratification by majority vote of the City Council under the Home Rule Charter. The City Manager in open session. The Board shall conduct an annual performance review of the President and provide a copy of the annual review to the Board and the City Council upon its completion.

ARTICLE VI

OFFICERS

Section 1. ~~Section 1.~~ **Titles, Duties, and Term of Office:**

- a. The officers of the Corporation shall be a Chairman, a Vice Chairman, a President, a Secretary and a Treasurer, and such other officers as the Board may from time to time elect or appoint. One person may hold more than one office, except that the Chairman shall not hold the office of Vice Chairman or Secretary. Terms of office shall be one (1) year, ending September 30, with the right of an officer to be re-elected.
- a. ~~re-elected.~~
- b. All officers shall be elected by and be subject to removal from office at any time, by a vote of a majority of the entire Board.
- c. A vacancy in the office of any officer shall be filled for the remaining term by a vote of a majority of the entire Board.

Section 2.

Section 2. **Chairman:** The Chairman shall be the presiding officer of the Board with the following authority:

- a. Shall preside over all meetings of the Board.
- b. Shall vote on all matters coming before the Board.
- c. Shall have the authority, upon notice to the members of the Board, to call a Special Meeting of the Board when in his or her judgment such a meeting is required.

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d. ~~Shall have the authority to appoint, with Board approval, standing committees to aid and assist the Board in its business undertakings or other matters incidental to the operation and functions of the Board.~~

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e. ~~Shall have the authority to appoint, with Board approval, ad hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.~~

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f. In addition to the above mentioned duties, the Chairman shall ~~jointly~~ sign with the ~~City Manager and any~~ ~~Secretary of the Board or other Board~~ designated person any deed, mortgage, bonds, contracts, or other instruments which the Board has approved and unless the execution of said document has been expressly delegated to some other officer or agent of the Corporation by appropriate Board resolution, by a specific provision of these Bylaws, or by statute.

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g. ~~In general, the Chairman shall perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board.~~

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Section 3.

~~Section 3. Vice Chairman:~~ -The Vice Chairman shall have such powers and duties as may be prescribed by the Board and shall exercise the powers of the chairman during that officer's absence or inability to act. Any action taken by the ~~Vice Chairman~~ ~~Chairman~~ in the performance of the duties of the ~~Chairman~~ ~~Chairman~~ shall be presumptive evidence of the ~~Chairman's~~ ~~Chairman's~~ absence or inability to act at the time such action was taken.

Section 4.

~~Section 4. Treasurer:~~ -The City's Finance Department shall have the responsibility ~~for~~ the disbursement, custody and security of all funds and securities of the Corporation in accordance with these Bylaws and statutes governing the Corporation formed under the Act. -The ~~Treasurer~~ ~~reasurer~~ shall maintain the financial reports provided by the City's Finance Department.:-

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Section 5.

~~Section 5. Secretary:~~ -The Secretary may sign with the President upon the ~~express~~ approval of the Board in the name of the Corporation, and/or attest to the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments, except the papers as the Board may direct, all of which shall at all reasonable time be open to public inspection upon application at the office of the Corporation during business hours, and shall in general perform all duties incident to the office of secretary subject to the control of the Board.

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The Secretary shall submit a copy of all corporation minutes and actions to the City Secretary within a reasonable time after a meeting.

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~~Section 6.~~ ***Election of Officers:*** The Chairman, Vice Chairman, Secretary, and Treasurer

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~~Section 6.~~ shall be elected from among the members of the Board.

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~~Section 7.~~

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~~Section 7.~~ ***Compensation:*** Officers who are members of the Board shall not receive any salary or compensation for their services, except that they may be reimbursed for their actual and reasonable expenses incurred in the performance of their duties.

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~~Section 8.~~

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~~Section 8.~~ ***Personnel:*** The Corporation ~~shall~~may establish full-time and/or part-time personnel positions ~~in accordance with this Section 8.~~ Personnel positions so established shall be ~~reflected~~relected in the Annual ~~Corporation~~Corporate Budget and approved accordingly, as referenced in Article ~~VHVI~~, Section 2 of these Bylaws. ~~Corporation personnel shall be City employees performing work for the MEDC under the supervision and direction of the City Manager, or his or her designee, while retaining their status as City employees.~~

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a. The City, through its City Manager, ~~shall:~~

1. Provide employees ("Loaned Employees") for use by the MEDC. "Loaned Employees" shall include the President and all other employees of MEDC.
2. Provide all City employee benefits, including but not limited to, vacation, sick leave, health insurance, family medical leave and TMRS, for all Loaned Employees.
3. Provide direct supervision, discipline and compensation decision-making for the President. Any compensation decision-making for other Loaned Employees and bonus compensation for all Loaned Employees shall be determined solely by the City Manager.
4. Provide indirect supervision and discipline for the other Loaned Employees through the President's supervisory authority over such other Loaned Employees.
5. Provide the hiring, management, training, and termination functions for all Loaned Employees, subject to the limitations of Article V, Section 1 above.
6. Provide supervisory and management support assistance to

MEDC, in the event MEDC has a vacancy in the position of President.

- b. ~~The MEDC, through its Board of Directors or through any Board-authorized subcommittee, may:~~
- ~~1. Provide periodic input to the City Manager regarding the supervision (including any performance evaluations performed by the City Manager), compensation, management and discipline of Loaned Employees, including participation in the preparation of the job description and candidate profile for the President.~~
 - ~~2. Provide input into the interview process for the President.~~
 - ~~3. Notwithstanding the foregoing, any two (2) Board members shall have the right to place an agenda item on any regular or special Board meeting to discuss the performance of the President. The agenda items shall first be placed on a closed session agenda; however the Board may take action resulting therefrom. Any subsequent meeting may include an agenda item on an open session agenda regarding the performance of the President.~~
- e. ~~The MEDC, through its Board of Directors, shall:~~
- ~~1. Pay the actual costs incurred by City for administering TMRS, health insurance and all other benefits for all Loaned Employees.~~
 - ~~2. Adhere to all City personnel policies and procedures, including disciplinary appeals, for all Loaned Employees.~~
 - ~~3. Provide office space, supplies and a safe working environment for all Loaned Employees.~~
 - ~~4. Adhere to City policies and state and federal laws regarding workplace safety, accessibility, family leave and employment discrimination.~~

~~Section 9. Section 9. **Contracts for Service.** The Corporation may contract with any qualified and appropriate person, association, corporation or governmental entity to perform and discharge designated tasks which will aid or assist the Board in the performance of its duties. However, no such contract shall ever be approved or entered into which seeks or attempts to divest the City Manager or the Board of its discretion and policy-making functions in discharging the duties herein above set forth in this section or in Section 8 above.~~

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ARTICLE VII

FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

Section 1.

Section 1. ~~**Economic Development**~~**Development Plan:** The Board shall research, develop, prepare, and submit to the Council for its approval, an economic development plan for the City, which shall include proposed methods and the expected costs of implementation. The plan shall include both short-term and long-term goals for the economic development of the City. Said plan should take into consideration general development plans and policies of the City Council.

Section 2. ~~**Section 2. Annual Corporate Budget:**~~ On or before July 25th of each year, the Board shall adopt a proposed budget, ~~prepared by the City Manager and submitted to the Board for its consideration, including any Board-directed amendments thereto,~~ of expected revenues and proposed expenditures of the next ensuing fiscal year. ~~Upon the Board's adoption of its proposed budget, the Chairman shall forward same to the City Council for its consideration.~~ The budget shall not be effective nor shall expenditures occur until the same has been approved by the Council.

Section 3. ~~**Section 3. Books, Records, Audits;**~~

a. The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs. Notwithstanding Article ~~IV~~**V**, Section 4, the Corporation may maintain any financial records solely at the City offices.

~~b.a.~~ The books, records, accounts, and financial statements of the Corporation shall be audited at least once each fiscal year by an outside, independent auditing and accounting firm approved by the Board. Such audit shall be at the expense of the Corporation.

Section 4. ~~**Deposit and Investment of Corporate Funds;**~~

~~a.b.~~ All proceeds from the issuance of bonds, notes, other debt instruments ~~("Debt Obligations")~~ issued by the Corporation shall be deposited and invested as provided in the resolutions, orders, indentures, or other documents authorizing or relating to the issuance.

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c. All other monies of the Corporation shall be deposited, secured, and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City. The Board shall designate authorized signatures on all payment authorization and/or check requests of Ten Thousand (\$10,000.00) or more. ~~Unless otherwise provided by Board Resolution, any~~ Any check request or other financial instrument for a proposed expenditure totaling less than Ten Thousand (\$10,000.00) Dollars shall require only one signature of either the Treasurer or President of the Corporation. The accounts reconciliation and investment of such funds and accounts may be reviewed by the Finance Department of the City, at the City's expense.

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Section 5. **Expenditures of Corporate Money:** The monies of the Corporation, including sales and use taxes collected pursuant to Tex. Loc. Gov't Code Ann. Chapter 504, monies derived from the repayment of loans, rents received from the lease or use of property, the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, and the proceeds derived from the sale of Obligations, may be expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitation:

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Section 6. **Issuance of Obligations:** No Obligations, including refunding Obligations, shall be sold and delivered by the Corporation unless the City Council shall approve such Obligations by action taken no more than sixty (60) days prior to the date of sale of the Obligations.

Section 7. **Conflicts of Interest:** A Board member, officer ~~or Leaned Employee~~, of the Corporation, or member of the City Council may not lend money to or borrow money from the Corporation or otherwise transact business with the Corporation.

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Section 8. **Gifts:** The Board may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purposes of the Corporation.

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ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 1.

Section 1. **Fiscal Year:** The fiscal year of the Corporation shall be the same as the fiscal year of the City.

Section 2.

Section 2. **Seal:** The seal of the Corporation shall be determined by the Board.

Section 3.

Section 3. **Resignation:** Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein; or, if no time is specified, at the time of its receipt by the chairman or secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

Section 4.

Section 4. **Approval or Advice and Consent by the Council:** To the extent that these Bylaws refer to any approval by the City or the Council or refer to advice and consent by the Council, such approval, or advice and consent shall be evidenced by a certified copy of a resolution, order, or motion duly adopted by the Council.

Section 5.

Section 5. **Services of City Staff and Officers:** ~~Subject to the approval of the City Manager, the~~ The Corporation shall have the right to utilize the services of City personnel for usual and routine matters, provided that the performance of such service does not materially interfere with the other duties of such personnel of the City ~~and may further. Subject to the approval of the City Manager or the City Council, the Corporation may~~ utilize the services of City personnel for unusual and non-routine matters. The Corporation shall pay reasonable compensation to the City for such services or use of any City personnel.

Section 6.

Section 6. **Indemnification of Directors, Officers and Employees:**

a. As provided in the Act, the Corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.

b. ~~Section 6. Indemnification of Directors, Officers and Employees:~~

a. As provided in the Act, the Corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and

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~~Remedies Code), a governmental unit and its actions are governmental functions.~~

The Corporation shall indemnify a person who was, is or has been threatened to be made a named defendant or respondent in a proceeding because the person is or was a Board member, officer, employee, or agent, but only if the determination to indemnify is made in accordance with the provision of ~~Tex. Bus. Org.~~ Tex. Bus. Org. Code Ann. Chapter 8, as amended.

~~b.~~

~~c.~~ c. The Corporation shall indemnify each and every member of the Board, its officers, its employees, its agents, and each member of the City Council and each employee of the City, to the fullest extent permitted by law and not otherwise covered by insurance, against any and all actions or omissions that may arise out of the functions and activities of the Corporation.

~~d.~~ d. The Corporation may purchase and maintain insurance on behalf of any Board member, officer, employee or agent of the Corporation, or on behalf of any person serving at the request of the Corporation as a Board member, officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise, against any liability asserted against that person and incurred by that person in any such capacity or arising out of any such status with regard to the Corporation, whether or not the Corporation has the power to indemnify that person against liability for any of those acts.

~~e.~~ e. Any indemnification or liability insurance provided under this Section may be obtained through the City's general insurance coverage.

ARTICLE IX

EFFECTIVE DATE, AMENDMENTS

~~Section 4.~~

~~Section 1.~~ Section 1. **Effective Date:** These Bylaws shall become effective upon the occurrence of the following events:

~~The~~

a. ~~the~~ adoption of these Bylaws by the Board; and

b. The approval of these Bylaws by the City Council.

~~Section 2.~~

~~Section 2.~~ Section 2. **Amendments to Articles of Incorporation and Bylaws:** The Articles of Incorporation and the Bylaws may be amended or repealed and amended

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articles of incorporation and bylaws may be adopted by an affirmative vote of at least four (4) Board members present at any regular meeting or at any special meeting, if at least five (5) days written notice is given of an intention to amend or repeal the articles of incorporation and bylaws or to adopt new articles of incorporation and bylaws at such meeting. Any amendment of the articles of incorporation and bylaws will be effective upon approval by the City Council.

Adopted this, the _____ day of _____, 2016, 2017.

Attest:

Corporate Secretary

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Chairman of the Board of Directors

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**SEVENTH AMENDED BYLAWS OF
MCKINNEY ECONOMIC DEVELOPMENT CORPORATION**

ARTICLE I

- Section 1. **Purpose:** The Corporation is incorporated for the purposes set forth in its Articles of Incorporation, the same to be accomplished on behalf of the City of McKinney, Texas, (the "City") as its duly constituted authority and instrumentality in accordance with the Development Corporation Act of 1979, as amended; Tex. Loc. Gov't. Code Ann. Chapter 501 (the "Act"), as amended, and other applicable laws.
- Section 2. **Powers:** In the fulfillment of its corporate purpose, the Corporation shall be governed by Tex. Loc. Gov't. Code Ann. Chapter 501, and shall have all of the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed herein.

ARTICLE II

OFFICES

- Section 1. **Principal Office:** The principal office of the Corporation in the State of Texas shall be located in the City of McKinney, Collin County, Texas.
- Section 2. **Registered Office and Registered Agent:** The Corporation shall have and continuously maintain in the State of Texas a registered office and a registered agent, whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be identical with the principal office of the corporation in the State of Texas, and the address of the registered office may be changed from time to time by the Board.

ARTICLE III

- Section 1. **Members:** The Corporation shall have no members or stockholders.

ARTICLE IV

BOARD OF DIRECTORS

- Section 1. **Powers, Number and Term of Office.**
- a. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (the "Board") and, subject to the restriction imposed by law, by the Articles of Incorporation, and by these Bylaws, the Board shall exercise all of the powers of the Corporation.
 - b. The Board shall consist of seven (7) directors, each of whom, as well as each replacement, shall be appointed by the City Council (the "Council") of the City. The City Council shall consider an individual's experience, accomplishments and educational background in appointing members to the Board.
 - c. The directors shall serve terms in accordance with City Council policy on Board and Commission Member Appointment and Eligibility.
 - d. Any director may be removed from office by the Council at will.

- e. Unless otherwise provided, terms shall expire on September 30.
- f. Directors seated as of the Effective Date shall attend a training course on economic development within one (1) year after the Effective Date or one (1) year after their appointment date, as the case dictates. The Board may grant a Director an extension under this subsection for good cause shown.

Section 2. **Meeting of Directors:** The directors may hold their meetings at such place or places, but in any event within the City, as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the meetings shall be held at the principal office of the Corporation as specified in Article II of these Bylaws.

Section 3. **Open Meetings Act:** All meetings and deliberations of the Board shall be called, convened, held and conducted, and notice shall be given to the public, in accordance with the Texas Open Meetings Act, Tex. Gov't Code Ann. Section 551, as amended.

Section 4. **Notice of Meetings:** To the extent that the Open Meetings Act conflicts with the provisions of this section, the Open Meetings Act shall govern.

- a. Regular meetings of the Board shall be held without the necessity of written notice to the Directors at such times and places as shall be designated from time to time by the Board. Special Meetings of the Board shall be held whenever called by the Chairman, by a majority of the directors, by the Mayor of the City, or by the City Council.
- b. The secretary shall give notice to each director for any Emergency Meeting (as defined in the Texas Open Meetings Act) in person or telephone, at least two (2) hours before the meeting. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a Special Meeting. At any meeting at which every director shall be present, even though without any individual notice, any matter pertaining to the purpose of the Corporation may be considered and acted upon consistent with applicable law.
- c. Whenever any notice is required to be given to Board, said notice shall be deemed to be sufficient if given by depositing the same in a post office box in a sealed postage paid wrapper addressed to the person entitled thereto at his or her post office address as it appears on the books of the Corporation, and such notice shall be deemed to have been given on the day of such mailing. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objection to the transaction of any business on the grounds that the meeting is not lawfully called or convened. The business to be transacted and the purpose of any Regular or Special meeting of the Board need be specified in the notice or waiver of notice of such meeting. A waiver of notice in writing, signed by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 5. **Quorum and Voting:** A majority of the directors shall constitute a quorum for conducting the official business of the Corporation. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board and of the Corporation unless the act of a greater number is required by law. However, in no event shall any project or expenditure be approved upon the affirmative vote of less than four (4)

directors present at a meeting. A director may not vote by proxy. Directors must be present in order to vote at any meeting. Attendance at the Board meetings is required in accordance with City Council policy. on Board and Commission Member Appointment and Eligibility.

Section 6. **Conduct of Business:**

- a. At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board or the law.
- b. At all meetings of the Board, the Chairman shall preside, and in the absence of the chairman, the Vice Chairman shall exercise the powers of the Chairman.
- c. The Secretary of the corporation shall act as secretary of all meetings of the Board, but in the absence of the Secretary, the presiding officer may appoint any person to act as Secretary of the meeting.

Section 7. **Compensation of Directors:** Directors shall not receive a salary or any other compensation for their service as directors. However, directors may be reimbursed for their actual and reasonable expenses incurred in the performance of their duties.

ARTICLE V

PRESIDENT

Section 1. **Roles and duties of the President:** The President shall be a compensated employee of the Board. The President shall be the chief executive officer of the Corporation responsible for all daily operations and the implementation of Board policies and resolutions. The President may sign upon the approval of the Board, in the name of the Corporation, and/or attest to the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation. The President shall attend all called Board meetings and perform those duties and functions as the Board shall prescribe. Any supervision or direction by the City Manager under prior bylaws shall be hereby supplanted by Board direction or supervision, and the “duties and responsibilities” of the President shall be subject to the review, direction, and supervision of the Board. The President of the Corporation shall be hired by the Board only upon ratification by the City Council. Termination of the President shall require Board approval by a majority vote of the board in open session and shall only be effective upon ratification by majority vote of the City Council in open session. The Board shall conduct an annual review of the President and provide a copy of the annual review to the City Council upon its completion.

ARTICLE VI

OFFICERS

Section 1. **Titles, Duties, and Term of Office:**

- a. The officers of the Corporation shall be a Chairman, a Vice Chairman, a President, a Secretary and a Treasurer, and such other officers as the Board may from time to time elect or appoint. One person may hold more than one office, except that the Chairman shall not hold the office of Vice Chairman or Secretary. Terms of office shall be one (1)

year, ending September 30, with the right of an officer to be re-elected.

- b. All officers shall be elected by and be subject to removal from office at any time, by a vote of a majority of the entire Board.
- c. A vacancy in the office of any officer shall be filled for the remaining term by a vote of a majority of the entire Board.

Section 2. **Chairman:** The Chairman shall be the presiding officer of the Board with the following authority:

- a. Shall preside over all meetings of the Board.
- b. Shall vote on all matters coming before the Board.
- c. Shall have the authority, upon notice to the members of the Board, to call a Special Meeting of the Board when in his or her judgment such a meeting is required.
- d. Shall have the authority to appoint, with Board approval, standing committees to aid and assist the Board in its business undertakings or other matters incidental to the operation and functions of the Board.
- e. Shall have the authority to appoint, with Board approval, ad hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.
- f. In addition to the above mentioned duties, the Chairman shall sign with the Secretary of the Board or other designated person any deed, mortgage, bonds, contracts, or other instruments which the Board has approved and unless the execution of said document has been expressly delegated to some other officer or agent of the Corporation by appropriate Board resolution, by a specific provision of these Bylaws, or by statute.
- g. In general, the Chairman shall perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board.

Section 3. **Vice Chairman:** The Vice Chairman shall have such powers and duties as may be prescribed by the Board and shall exercise the powers of the chairman during that officer's absence or inability to act. Any action taken by the Vice Chairman in the performance of the duties of the Chairman shall be presumptive evidence of the Chairman's absence or inability to act at the time such action was taken.

Section 4. **Treasurer:** The City's Finance Department shall have the responsibility for the disbursement, custody and security of all funds and securities of the Corporation in accordance with these Bylaws and statutes governing the Corporation formed under the Act. The Treasurer shall maintain the financial reports provided by the City's Finance Department.

Section 5. **Secretary:** The Secretary may sign with the President upon the approval of the Board in the name of the Corporation, and/or attest to the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments, except the papers as the Board may direct, all of which shall at all reasonable time be open to public inspection upon application at the office of the Corporation

during business hours, and shall in general perform all duties incident to the office of secretary subject to the control of the Board. The Secretary shall submit a copy of all corporation minutes and actions to the City Secretary within a reasonable time after a meeting.

- Section 6. ***Election of Officers:*** The Chairman, Vice Chairman, Secretary, and Treasurer shall be elected from among the members of the Board.
- Section 7. ***Compensation:*** Officers who are members of the Board shall not receive any salary or compensation for their services, except that they may be reimbursed for their actual and reasonable expenses incurred in the performance of their duties.
- Section 8. ***Personnel:*** The Corporation may establish full-time and/or part-time personnel positions. Personnel positions so established shall be reelected in the Annual Corporate Budget and approved accordingly, as referenced in Article VI, Section 2 of these Bylaws.
- Section 9. ***Contracts for Service:*** The Corporation may contract with any qualified and appropriate person, association, corporation or governmental entity to perform and discharge designated tasks which will aid or assist the Board in the performance of its duties. However, no such contract shall ever be approved or entered into which seeks or attempts to divest the Board of its discretion and policy-making functions in discharging the duties herein above set forth in this section.

ARTICLE VII

FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

- Section 1. ***Economic Development Plan:*** The Board shall research, develop, prepare, and submit to the Council for its approval, an economic development plan for the City, which shall include proposed methods and the expected costs of implementation. The plan shall include both short-term and long-term goals for the economic development of the City. Said plan should take into consideration general development plans and policies of the City Council.
- Section 2. ***Annual Corporate Budget:*** On or before July 25th of each year, the Board shall adopt a proposed budget of expected revenues and proposed expenditures of the next ensuing fiscal year. The budget shall not be effective nor shall expenditures occur until the same has been approved by the Council.
- Section 3. ***Books, Records, Audits:***
- a. The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs. Notwithstanding Article V, Section 4, the Corporation may maintain any financial records solely at the City offices.
 - b. The books, records, accounts, and financial statements of the Corporation shall be audited at least once each fiscal year by an outside, independent auditing and accounting firm approved by the Board. Such audit shall be at the expense of the Corporation.
- Section 4. ***Deposit and Investment of Corporate Funds:***
- c. All proceeds from the issuance of bonds, notes, other debt instruments ("Debt Obligations") issued by the Corporation shall be

deposited and invested as provided in the resolutions, orders, indentures, or other documents authorizing or relating to the issuance.

- d. All other monies of the Corporation shall be deposited, secured, and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City. The Board shall designate authorized signatures on all payment authorization and/or check requests of Ten Thousand (\$10,000.00) or more. Any check request or other financial instrument for a proposed expenditure totaling less than Ten Thousand (\$10,000.00) Dollars shall require only one signature of either the Treasurer or President of the Corporation. The accounts reconciliation and investment of such funds and accounts may be reviewed by the Finance Department of the City, at the City's expense.

Section 5. ***Expenditures of Corporate Money:*** The monies of the Corporation, including sales and use taxes collected pursuant to Tex. Loc. Gov't Code Ann. Chapter 504, monies derived from the repayment of loans, rents received from the lease or use of property, the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, and the proceeds derived from the sale of Obligations, may be expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitation:

- a. Expenditures for the proceeds of Obligations shall be identified and described in the orders, resolutions, indentures or other agreements submitted to and approved by the City Council prior to the sale and delivery of the Obligations to the purchasers thereof required by Section 6 of this Article.
- b. All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 2 of this Article.

Section 6. ***Issuance of Obligations:*** No Obligations, including refunding Obligations, shall be sold and delivered by the Corporation unless the City Council shall approve such Obligations by action taken no more than sixty (60) days prior to the date of sale of the Obligations.

Section 7. ***Conflicts of Interest:*** A Board member, officer of the Corporation, or member of the City Council may not lend money to or borrow money from the Corporation or otherwise transact business with the Corporation.

Section 8. ***Gifts:*** The Board may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purposes of the Corporation.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 1. ***Fiscal Year:*** The fiscal year of the Corporation shall be the same as the fiscal year of the City.

Section 2. ***Seal:*** The seal of the Corporation shall be determined by the Board.

Section 3. ***Resignation:*** Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein; or, if no time is specified, at the time of its receipt by the chairman or secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

- Section 4. ***Approval or Advice and Consent by the Council:*** To the extent that these Bylaws refer to any approval by the City or the Council or refer to advice and consent by the Council, such approval, or advice and consent shall be evidenced by a certified copy of a resolution, order, or motion duly adopted by the Council.
- Section 5. ***Services of City Staff and Officers:*** The Corporation shall have the right to utilize the services of City personnel for usual and routine matters, provided that the performance of such service does not materially interfere with the other duties of such personnel of the City. Subject to the approval of the City Manager or the City Council, the Corporation may utilize the services of City personnel for unusual and non-routine matters. The Corporation shall pay reasonable compensation to the City for such services or use of any City personnel.
- Section 6. ***Indemnification of Directors, Officers and Employees:***
- a. As provided in the Act, the Corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.
 - b. The Corporation shall indemnify a person who was, is or has been threatened to be made a named defendant or respondent in a proceeding because the person is or was a Board member, officer, employee, or agent, but only if the determination to indemnify is made in accordance with the provision of Tex. Bus. Org. Code Ann. Chapter 8, as amended.
 - c. The Corporation shall indemnify each and every member of the Board, its officers, its employees, its agents, and each member of the City Council and each employee of the City, to the fullest extent permitted by law and not otherwise covered by insurance, against any and all actions or omissions that may arise out of the functions and activities of the Corporation.
 - d. The Corporation may purchase and maintain insurance on behalf of any Board member, officer, employee or agent of the Corporation, or on behalf of any person serving at the request of the Corporation as a Board member, officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise, against any liability asserted against that person and incurred by that person in any such capacity or arising out of any such status with regard to the Corporation, whether or not the Corporation has the power to indemnify that person against liability for any of those acts.
 - e. Any indemnification or liability insurance provided under this Section may be obtained through the City's general insurance coverage.

ARTICLE IX

EFFECTIVE DATE, AMENDMENTS

- Section 1. ***Effective Date:*** These Bylaws shall become effective upon the occurrence of the following events:
- a. the adoption of these Bylaws by the Board; and
 - b. The approval of these Bylaws by the City Council.

Section 2. ***Amendments to Articles of Incorporation and Bylaws:*** The Articles of Incorporation and the Bylaws may be amended or repealed and amended articles of incorporation and bylaws may be adopted by an affirmative vote of at least four (4) Board members present at any regular meeting or at any special meeting, if at least five (5) days written notice is given of an intention to amend or repeal the articles of incorporation and bylaws or to adopt new articles of incorporation and bylaws at such meeting. Any amendment of the articles of incorporation and bylaws will be effective upon approval by the City Council.

Adopted this the ____ day of _____, 2017.

Chairman of the Board of Directors

Attest:

Corporate Secretary



17-778

TITLE: Consider/Discuss/Act on Fiscal Year 2017-18 Proposed Tax Rate, Take Record Vote and Set Public Hearing and Adoption Dates

COUNCIL GOAL: Financially Sound Government

MEETING DATE: July 31, 2017

DEPARTMENT: Financial Services

CONTACT: Mark Holloway, Chief Financial Officer

RECOMMENDED CITY COUNCIL ACTION:

- Discuss FY2017-18 proposed tax rate.
- Take record vote on proposed tax rate.
- Schedule Public Hearings & Adoption Date:
 - First Public Hearing: August 15, 2017, 6:00 p.m. at the Collin County Jack Hatchell Administration Building, 2300 Bloomdale Road, Collin County Commissioners Court, 4th Floor, McKinney, Texas 75071.
 - Second Public Hearing: September 5, 2017, 6:00 p.m. at the Collin County Jack Hatchell Administration Building, 2300 Bloomdale Road, Collin County Commissioners Court, 4th Floor, McKinney, Texas 75071.
 - Announce Tax Rate Adoption Date: September 19, 2017, 6:00 p.m. at the Collin County Jack Hatchell Administration Building, 2300 Bloomdale Road, Collin County Commissioners Court, 4th Floor, McKinney, Texas 75071.

ITEM SUMMARY:

- The proposed tax rate ceiling is \$0.562600 based on 100% market ratio on each \$100 of all taxable property within the City.
- The rate for Maintenance and Operations (M&O) is \$0.398012 per \$100 valuation.
- The rate for Interest and Sinking Funds (I&S) is \$0.164588 per \$100 valuation.
- The tax rate ratio is 70% for M&O and 30% for I&S.
- The proposed tax rate exceeds the effective tax rate of \$0.526703.
- The effective tax rate is the relationship between taxes for the preceding year

and for the current year.

- City Manager's recommended tax rate will be significantly lower.

BACKGROUND INFORMATION:

- State law requires an entity that will propose a tax rate that exceeds the lower of the rollback or effective tax rate, the entity must vote to place a proposal to adopt the rate on the agenda of a future meeting as an action item. **This must be a record vote.**
- The effective tax rate is \$0.526703 per \$100 valuation and the rollback tax rate is \$0.562605 per \$100 valuation.
- Once the record vote has passed, State law requires an entity must schedule and hold two public hearings before adopting a tax rate.

FINANCIAL SUMMARY:

- Estimated tax revenues will be determined by the adopted tax rate.

SUPPORTING MATERIALS:

[Presentation](#)

[Motion](#)

Tax Rate Record Vote



Purpose of Vote

- Record Vote on Proposed Tax Rate and Schedule Public Hearings
 - Vote will be required with specific wording of motion
 - Sets ceiling for FY18 Tax Rate
- Required when proposed tax rate will exceed effective tax rate
- Proposed tax rate ceiling is at \$0.562600
- City Manager's recommended tax rate will be significantly lower



Effective and Rollback Tax Rates

- The effective tax rate is a calculated rate that would provide a taxing unit with about the same amount of revenue it received in the year before on properties taxed in both years
- If property values rise, the effective tax rate will go down and vice versa
- The rollback tax rate is 8% above the effective tax rate
 - Citizens may petition for a rollback election if this rate is exceeded

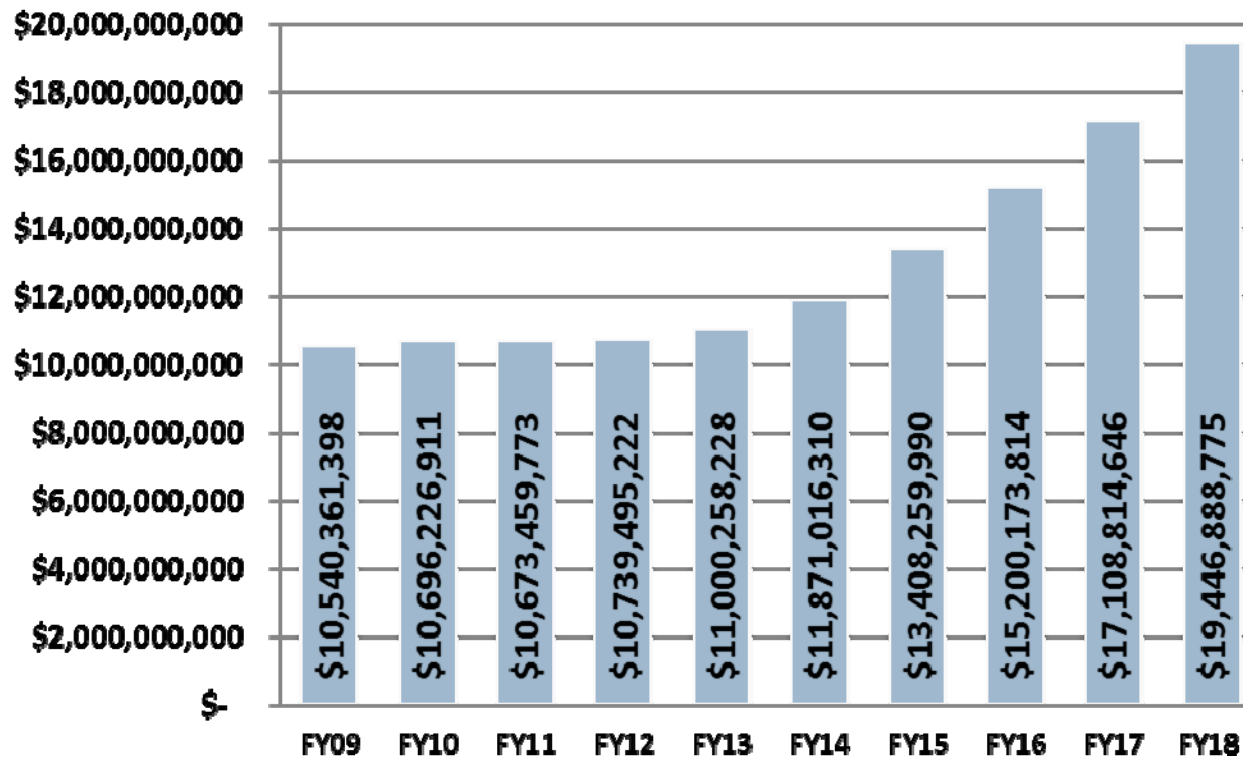


Tax Rates

	<u>FY 2016-17</u>	<u>FY2017-18</u>
Tax Rate Ceiling	\$0.573000	\$0.540199
Effective Tax Rate	\$0.534543	\$0.526703
Effective M&O Rate	\$0.375907	\$0.368535
Rollback Rate	\$0.577210	\$0.562605
Debt Rate	\$0.171231	\$0.164588
Actual M&O Rate	\$0.401769	\$0.375611
<u>Proposed Rate in Budget</u>		<u>\$0.540199</u>



Taxable Value History

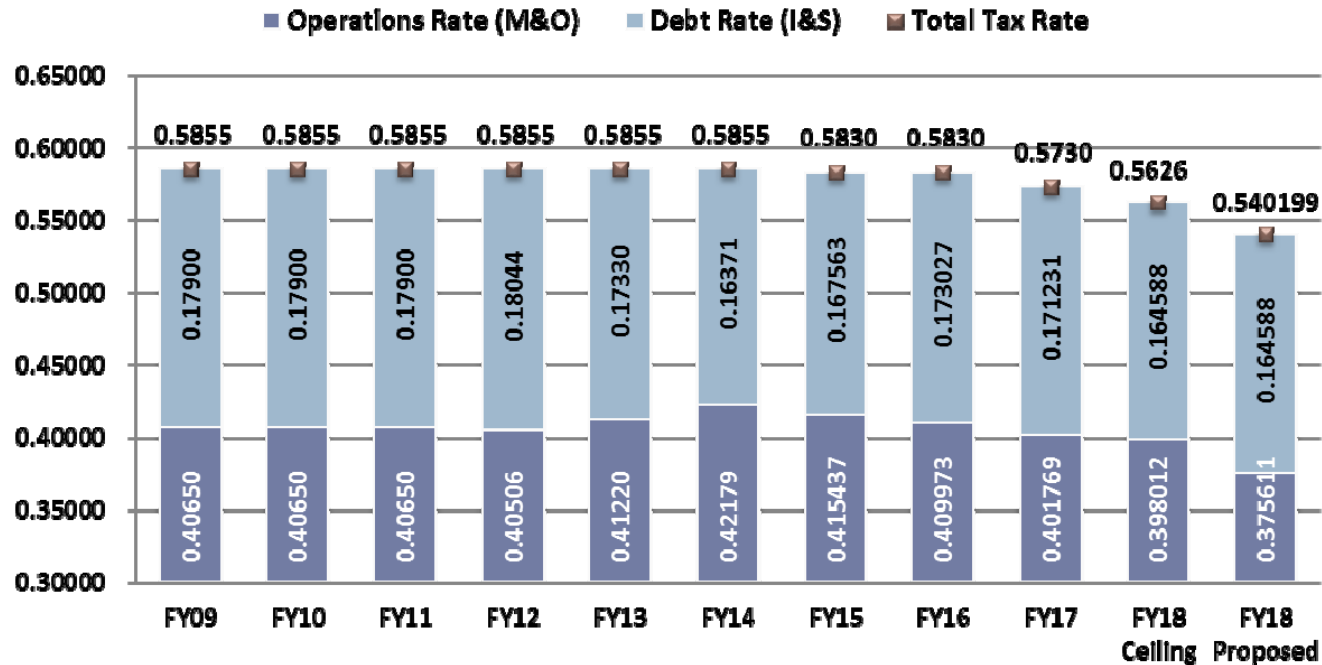


Tax Rate

- Tax Rate has 2 parts
 - I&S or Debt Service Rate
 - Set to match amount required to meet debt service payments in a given year
 - M&O Tax Rate (Maintenance and Operations)
 - Funds general operational expenses (salaries and supplies)
 - Subject to effective and rollback calculations



Property Tax Rate History



Important Dates Ahead

- **August 4th – Budget Work Session**
- **August 15th – 1st Public Hearing on Tax Rate**
- **September 5th**
 - 1st Public Hearing on Budget
 - 2nd Public Hearing on Tax Rate
- **September 19th**
 - 2nd Public Hearing on Budget & Final Budget Adoption
 - Ratification of Property Tax Revenue Increase
 - Tax Rate Adoption
 - Fee/Rate Change Adoption



Motion to Propose Tax Rate (Requires Record Vote) – July 31, 2017

I move that the City of McKinney propose to adopt a Fiscal Year 2018 Total Tax Rate of **\$0.562600**, which is higher than the Fiscal Year 2018 Effective Tax Rate of **\$0.526703**, and call for two public hearings; the first public hearing to be held on August 15, 2017 at 6:00 p.m. and the second public hearing to be held on September 5, 2017 at 6:00 p.m.

Further, a Record Vote on the tax rate adoption will be held on September 19, 2017 at the regular City Council Meeting. All meetings will be held at the Collin County Jack Hatchell Administration Building, 2300 Bloomdale Road, Collin County Commissioners Court, 4th Floor, McKinney, Texas 75071.



14-297Z5

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “AG” - Agricultural District, “PD” - Planned Development District, and “CC” - Corridor Commercial Overlay District to “C2” - Local Commercial District, “SO” - Suburban Office District and “CC” - Corridor Commercial Overlay District, Located on the Southeast Corner of Meadow Ranch Road and U.S. Highway 380 (University Drive)

COUNCIL GOAL: Direction for Strategic and Economic Growth

MEETING DATE: July 31, 2017

DEPARTMENT: Planning

CONTACT: Brian Lockley, Director of Planning, AICP, CPM
Samantha Pickett, Planning Manager
Danielle Quintanilla, Planner I

RECOMMENDED CITY COUNCIL ACTION: Staff recommends approval of the proposed rezoning request.

APPLICATION SUBMITTAL DATE: October 27, 2014 (Original Application)
November 20, 2014 (Revised Submittal)
December 14, 2016 (Revised Submittal)
January 11, 2017 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 4.00 acres of land from “AG” - Agricultural District, “PD” - Planned Development District, and “CC” - Corridor Commercial Overlay District to “C2” - Local Commercial District, “SO” - Suburban Office District and “CC” - Corridor Commercial Overlay District, generally for commercial uses.

On January 10, 2017, the Planning and Zoning Commission voted 7-0-0 to close the public hearing and to table the item to the January 24, 2017 Planning and Zoning Commission meeting due to a noticing error. Staff has re-noticed this item accordingly.

On January 24, 2017, the Planning and Zoning Commission voted 3-2-1 to deny the

applicant's request to rezone the subject property.

On February 7, 2017, City Council unanimously approved the motion to close the public hearing and table this item indefinitely.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"AG" - Agricultural District (Agricultural Uses), "PD" - Planned Development District Ordinance No. 1998-11-63 (Office Uses), and "CC" - Corridor Commercial Overlay District	Single Family Residence and Cornerstone Offices
North	"PD" - Planned Development District Ordinance No. 2012-08-037 and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
South	"AG" - Agricultural District and "CC" - Corridor Commercial Overlay District (Agricultural Uses)	Meadow Ranch Subdivision
East	"PD" - Planned Development District Ordinance No. 1992-02-01 and "CC" - Corridor Commercial Overlay District (Light Manufacturing Uses)	Undeveloped Land
West	"PD" - Planned Development District Ordinance No. 2002-05-050 and "CC" - Corridor Commercial Overlay District (Commercial Uses)	380 West Animal Hospital

PROPOSED ZONING: The applicant is requesting to rezone approximately 4.00 acres of land from "AG" - Agricultural District, "PD" - Planned Development District, and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District, "SO" - Suburban Office District and "CC" - Corridor Commercial Overlay District, generally for commercial uses. The governing zoning on the northern tract of the subject property ("PD" - Planned Development District Ordinance No. 1998-11-63) primarily allows for office uses and the governing zoning on the southern tract of the subject property ("AG" - Agricultural District) primarily allows for agricultural uses.

There are existing offices on the northern tract of the subject property and there is an existing single family residence on the southern tract of the subject property. The subject property is adjacent to single family residences to the south and the 380 West Animal Hospital to the west. While the properties located to the north and east are currently undeveloped, the property to the north is zoned for commercial uses and the property to the east is zoned for light manufacturing uses.

The applicant is requesting to rezone the northern tract of the subject property to “C2” - Local Commercial District and “CC” - Corridor Commercial Overlay District and the southern tract of the subject property to “SO” - Suburban Office District and “CC” - Corridor Commercial Overlay District. Due to the subject property’s adjacency to a major regional highway (U.S. Highway 380), the proposed zoning districts would help enhance this area as a prime commercial corridor, while also providing a transition to the existing residential uses located to the south. The Suburban Office District would help provide this transition as it is designed to allow for low intensity office uses.

Though the Future Land Use Plan designates the property for low density residential uses, given that three of the four surrounding properties are zoned for non-residential uses, it is Staff’s professional opinion that the proposed rezoning request would remain compatible with adjacent and future surrounding land uses. As such, Staff recommends approval of the proposed rezoning request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for low density residential uses. The FLUP modules diagram designates the subject property as Suburban Mix within a significantly developed area. The Comprehensive Plan lists factors to be considered when a rezoning request is being considered within a significantly developed area:

- Comprehensive Plan Goals and Objectives: The proposed rezoning request is generally in conformance with the goals and objectives of the Comprehensive Plan. In particular, the proposed zoning change would help the community attain the goal of “Economic Development Vitality for a Sustainable and Affordable Community” through the stated objective of the Comprehensive Plan, a “balanced development pattern”.

IMPACT ON SUBJECT AND SURROUNDING PROPERTIES:

- Impact on Infrastructure: The proposed rezoning request may have an impact on the existing and planned water, sewer and thoroughfare plans in the area since the southern tract of the subject property will change from residential to office uses.
- Impact on Public Facilities/Services: The proposed rezoning request should have a minimal impact on public services, such as schools, fire and police, libraries, parks and sanitation services.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located to the east, west, and north of the subject property are zoned for similar non-residential uses. The proposed rezoning request should remain compatible with the surrounding and adjacent land uses.

Land Use and Tax Base Summary: The attached “Land Use and Tax Base Summary” shows that Module 34 is currently comprised of approximately 49.6%

residential uses and 50.4% non-residential uses (including institutional and agricultural uses). The proposed rezoning request will have an impact on the anticipated land uses in this module. Estimated tax revenues in Module 34 are comprised of approximately 83.0% from residential uses and 17% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 34 are comprised of approximately 94.1% ad valorem taxes and 5.9% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of commercial land uses in the area.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received eight comments in opposition, one comment in support, as well as a signed petition. The petition has been signed by at least 20 percent of the property owners within 200 feet of the subject property, and as such meets the requirements of a formal petition and will require a favorable vote by a supermajority (6 of 7) of the City Council to be approved.

BOARD OR COMMISSION RECOMMENDATION: On January 24, 2017, the Planning and Zoning Commission voted 3-2-1 to deny the applicant's request to rezone the subject property. As such, the rezoning request will require a favorable vote by a supermajority (6 of 7) of the City Council in order to be approved.

SUPPORTING MATERIALS:

[CC Minutes 02.07.17](#)

[PZ Minutes 01.24.pdf](#)

[PZ Minutes 01.10.pdf](#)

[PZ Minutes 12.9.14](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Letter of Support](#)

[Letters of Opposition](#)

[Written Protest Map](#)

[Zoning Change Written Protest](#)

[Comprehensive Plan Maps](#)

[Land Use and Tax Base Summary Map](#)

[Land Use Comparison Table](#)

[Ex. PD Ord. No. 98-11-63](#)

[Proposed Ordinance](#)

[Proposed Exhibits A-C](#)

[PowerPoint Presentation](#)

CITY COUNCIL REGULAR MEETING

FEBRUARY 7, 2017

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on February 7, 2017 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro Tem Randy P. Pogue, Council members: Chuck Branch, Don Day, Tracy Rath, Rainey Rogers, and Travis Ussery.

Staff Present: City Manager Paul Grimes; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Planning Director Brian Lockley; Executive Director of Development Services Michael Quint; Assistant Director of Engineering Michael Hebert; Director of Parks and Recreation Rhoda Savage; Assistant Director of Parks and Recreation Ryan Mullins; Chief of Police Greg Conley; Fire Chief Danny Kistner; Assistant Fire Chief Tim Mock; Assistant Director of Public Works Paul Sparkman; Director of Strategic Services Chandler Merritt; Planning Manager Jennifer Arnold; CIP and Transportation Engineering Manager Gary Graham; Engineering - Paul Tucker and Nicholas Ataie; Housing and Community Services Manager Janay Tieken; Assistant Director of Engineering Michael Hebert; Chief Building Official Rick Herzberger; Police Officer Tyler Lewis; IT Nicholas Martin; Fire – Jason Hockett, Austin Hendricks, J.C. Stinson, Daniel Frey, and Andrew Barr; Emergency Management – Karen Adkins and Randall Gurney; Senior Financial Analyst Trevor Minyard.

There were approximately 60 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Senior Associate Pastor Jaime Gonzalez, Christ Fellowship Church. Children from the Boys and Girls Club of McKinney and a Scout from Troop 909 led the Pledge of Allegiance.

17-133 Presentation of McKinney Fire Department Lone Star Achievement Award for the Community Healthcare Program. Brent Park, 1st Vice President of the Texas Fire Chiefs Association presented Chief Danny Kistner with the Lone Star Achievement Award for the Community Health Program. Firefighter Association Vice President Austin Hendricks presented a check for \$45,230 from the Fill the Boot Campaign to the

Muscular Dystrophy Association.

Mayor Loughmiller called for Citizen Comments.

The following individuals spoke in favor of agenda item 17-154 relating to supporting 9% Tax Credits by Merritt McGowan Manor, L.P.

Ms. Connie Crosby, 612 N. Wood Street, McKinney

Mr. Nikki Leaks, 1200 N. Tennessee Street, McKinney

Mr. La'Shadi Shemwell, 1200 N. Tennessee Street, McKinney

Ms. Lashon Brigham, 1200 N. Tennessee Street, McKinney

The following individuals did not wish to speak but requested their support of agenda item 17-154 relating to supporting 9% Tax Credits by Merritt McGowan Manor, L.P. be entered into the record:

Ms. Angie Farquhar, 8440 Spectrum Drive, McKinney

Mr. Kent Jones, 1615 W. Louisiana, McKinney

Ms. Nacole Tate, 1200 N. Tennessee Street, McKinney

Ms. Margaret Coverson, 1200 N. Tennessee Street, McKinney

Ms. Layne Killingsworth, 1200 N. Tennessee Street, McKinney

Ms. Elinor Williams, 1025 Hawthorne Road, Anna

Ms. Bethany Shawlis, 114 Bowden, Anna

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

- 17-134** Minutes of the City Council Regular Meeting of January 17, 2017
- 17-135** Minutes of City Council Strategic Planning Work Session of January 20, 2017
- 17-136** Minutes of the City Council Work Session of January 23, 2017
- 16-1207** Minutes of the Animal Service Facilities Advisory Committee Meeting of February 17, 2016
- 16-1208** Minutes of the Animal Service Facilities Advisory Committee Meeting of May 13, 2016
- 17-047** Minutes of the Library Advisory Board Meeting of December 15, 2016
- 17-034** Minutes of the McKinney Arts Commission Meeting of October 20, 2016

- 17-102** Minutes of the McKinney Community Development Corporation Meeting of December 22, 2016
- 17-096** Minutes of the McKinney Convention & Visitors Bureau Board Meeting of November 29, 2016
- 17-097** Minutes of the McKinney Convention & Visitors Bureau Finance Committee Meeting of November 28, 2016
- 17-098** Minutes of the McKinney Convention & Visitors Bureau HR Committee Meeting of January 19, 2017
- 17-050** Minutes of the McKinney Economic Development Corporation Meeting of November 15, 2016
- 17-051** Minutes of the McKinney Economic Development Corporation Meeting of December 20, 2016
- 17-137** Minutes of the McKinney Housing Authority Meeting of November 29, 2016
- 17-022** Minutes of the Main Street Board Meeting of December 8, 2016
- 17-094** Minutes of the Planning and Zoning Commission Work Session of January 10, 2017
- 17-095** Minutes of the Planning and Zoning Commission Regular Meeting of January 10, 2017
- 17-045** Minutes of the Reinvestment Zone Number One Meeting of August 16, 2016
- 17-089** Minutes of the Reinvestment Zone Number Two Meeting of August 15, 2016
- 17-139** Consider/Discuss/Act on an Ordinance Establishing a Speed Limit on Wilmeth Road West of Lake Forest Drive. Caption reads as follows:

ORDINANCE NO. 2017-02-015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING A SPEED LIMIT ON WILMETH ROAD, EAST OF LAKE FOREST DRIVE IN MCKINNEY; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 17-140** Consider/Discuss/Act on an Ordinance Renaming Ridgewood Drive to Stoltz Drive within the Robinson Ridge Subdivision. Caption reads as follows:

ORDINANCE NO. 2017-02-016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS RENAMING RIDGEWOOD DRIVE TO STOLTZ DRIVE WITHIN THE ROBINSON RIDGE SUBDIVISION IN MCKINNEY; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 17-141** Consider/Discuss/Act on an Ordinance that Restricts the Eastbound U-Turn Movements Along US 380 at the Median Opening 550 Feet East of Lake Forest Drive. Caption reads as follows:

ORDINANCE NO. 2017-02-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS RESTRICTING THE U-TURN MOVEMENTS ALONG US 380 AT A MEDIAN OPENING EAST OF LAKE FOREST DRIVE IN MCKINNEY; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 17-142** Consider/Discuss/Act on an Ordinance Calling the May 6, 2017 General Election. Caption reads as follows:

ORDINANCE NO. 2017-02-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CALLING A GENERAL ELECTION FOR MAY 6, 2017, TO ELECT A MAYOR AND THREE COUNCIL MEMBERS; DESIGNATING POLLING PLACES; APPOINTING THE EARLY VOTING CLERK; AND PROVIDING FOR NOTICE AND PUBLICATION OF THE ELECTION

ORDENANZA N° 2017-02-018

UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE MCKINNEY, TEXAS, QUE CONVOCA A ELECCIONES GENERALES PARA EL 6 DE MAYO DE 2017, CON EL FIN DE ELEGIR UN ALCALDE Y TRES CONCEJALES; DESIGNA SITIOS DE VOTACIÓN; NOMBRA EL SECRETARIO ENCARGADO DE LA VOTACIÓN ANTICIPADA, Y ESTIPULA LA NOTIFICACIÓN Y PUBLICACIÓN DE LAS ELECCIONES

- 17-143** Consider/Discuss/Act on a Resolution Authorizing a Contract with Collin County Elections Administration to Conduct the May 6, 2017 General

Election and Authorizing a Joint Election Agreement with McKinney Independent School District and Collin College District. Caption reads as follows:

RESOLUTION NO. 2017-02-027 (R)

A RESOLUTION AUTHORIZING A CONTRACT WITH COLLIN COUNTY ELECTIONS ADMINISTRATOR TO CONDUCT THE MAY 9, 2017 ELECTION AND AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF MCKINNEY, MCKINNEY INDEPENDENT SCHOOL DISTRICT, AND COLLIN COLLEGE TO HOLD A JOINT ELECTION FOR THE MAY 9, 2015 GENERAL ELECTION

- 17-145** Consider/Discuss/Act on a Resolution Approving Redirection of FY16 Unspent Arts Commission Funds to the Public Art Fund. Caption reads as follows:

RESOLUTION NO. 2017-02-029 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE REDIRECTION OF FY16 UNSPENT ARTS COMMISSION FUNDS TO THE PUBLIC ART FUND

- 17-149** Consider/Discuss/Act on a Resolution of the City of McKinney to Authorize the City Manager to Apply for and Accept, if Awarded, a Grant to the U. S. Department of Justice, Administered through the State of Texas, Criminal Justice Division, for a Victims of Crime Act (VOCA) Grant. Caption reads as follows:

RESOLUTION NO. 2017-02-033 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT, IF AWARDED, A GRANT TO THE U.S. DEPARTMENT OF JUSTICE, ADMINISTERED THROUGH THE STATE OF TEXAS, CRIMINAL JUSTICE DIVISION, FOR A VICTIMS OF CRIME ACT (VOCA) GRANT

- 17-150** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Amended Professional Services Contract with Kimley-Horn and Associates, Inc. in Support of the 2015 Comprehensive Plan 10-Year Update. Caption reads as follows:

RESOLUTION NO. 2017-02-034 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO

EXECUTE AN AMENDED CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES IN ASSOCIATION WITH THE 2015 COMPREHENSIVE PLAN 10-YEAR UPDATE; PROVIDING AN EFFECTIVE DATE

- 17-151** Consider/Discuss/Act on a Resolution Awarding a Contract to Kirila Fire of Brookfield, Ohio for the Purchase of an Aircraft Rescue & Firefighting Training Simulator. Caption reads as follows:

RESOLUTION NO. 2017-02-035 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO KIRILA FIRE OF BROOKFIELD, OHIO FOR THE PURCHASE OF AN AIRCRAFT RESCUE & FIREFIGHTING TRAINING SIMULATOR

- 17-004DA** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Agreement to Defer the Construction of Required Improvements (Drainage and Sanitary Sewer Infrastructure) with Wholelife Properties, LLC and Wellstone Living Craig Ranch, LLC, for Lots 1 and 2, Block A, Lots 1-4, Block B, and Lot 1, Block C of the Whole Life at Craig Ranch Addition, Generally Located on the North Side of Collin McKinney Parkway and West of The Esplanade. Caption reads as follows:

RESOLUTION NO. 2017-02-036 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A FACILITIES AGREEMENT WITH WHOLELIFE PROPERTIES, LLC AND WELLSTONE LIVING CRAIG RANCH, LLC, TO DEFER THE CONSTRUCTION OF REQUIRED IMPROVEMENTS (DRAINAGE AND SANITARY SEWER INFRASTRUCTURE) FOR LOTS 1 AND 2, BLOCK A, LOTS 1-4, BLOCK B, AND LOT 1, BLOCK C, OF THE WHOLE LIFE AT CRAIG RANCH ADDITION

- 17-152** Consider/Discuss/Act on a Resolution Authorizing the Award of a Contract to Global Building Maintenance of Dallas, Texas, for City Wide Janitorial Services. Caption reads as follows:

RESOLUTION NO. 2017-02-037 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO GLOBAL BUILDING MAINTENANCE OF DALLAS, TEXAS, FOR JANITORIAL SERVICES FOR THE CITY OF MCKINNEY

- 17-153** Consider/Discuss/Act on a Resolution Rescinding the Award of Contract for Janitorial Services- Apex Centre to CTJ Maintenance and Authorizing the Award of a Contract to the Second Best Value Bidder, Global Building Maintenance of Dallas, Texas, for Janitorial Services- Apex Centre. Caption reads as follows:

RESOLUTION NO. 2017-02-038 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING RESCINDING AWARD OF CONTRACT OF JANITORIAL SERVICES- APEX CENTRE TO CTJ MAINTENANCE AND AUTHORIZING THE AWARD OF A CONTRACT TO THE SECOND BEST VALUE BIDDER, GLOBAL BUILDING MAINTENANCE OF DALLAS, TEXAS, FOR JANITORIAL SERVICES FOR THE APEX CENTRE

- 17-046** Consider/Discuss/Act on the 2016 Annual Report for Tax Increment Reinvestment Zone One (TIRZ No. 1 / Town Center).
- 17-090** Consider/Discuss/Act on the 2016 Annual Report for Tax Increment Reinvestment Zone Two (TIRZ No. 2 / Airport).

END OF CONSENT

- 17-138** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Amending Chapter 122, Section 103.5 of the Code of Ordinances Pertaining to Fees Assessed for the Annual Inspection of Multi Family Residential and Hotel/Motel Properties. Council member Day requested this item be pulled down for discussion. Chief Building Official Rick Herzberger stated that the fees for inspection and reinspection are contained in Appendix A "Schedule of Fees." Council unanimously approved the motion by Council member Rogers, seconded by Council member Day, to approve an Ordinance amending Chapter 122, Section 103.5 of the Code of Ordinances pertaining to fees assessed for the Annual Inspection of Multi Family Residential and

Hotel/Motel Properties. Caption reads as follows:

ORDINANCE NO. 2017-02-014

AN ORDINANCE OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 122 (CONSTRUCTION REGULATIONS) OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY BY AMENDING SECTION 122-39; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

- 17-144** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Amending the Policy on Board and Commission Member Appointment and Eligibility. Council member Branch requested that this item be pulled down for discussion. Mr. Branch inquired on how the make-up interview would be managed. Mayor Loughmiller stated that City Secretary Hart will send out notices to the applicants letting them know when the make-up interview will be scheduled. Many of the applicants call in to advise Staff that they are unable to attend. Ms. Hart maintains a list of those who have indicated they are unavailable for the initial interview date and time. Mr. Branch inquired why we do not require that all board appointees are residents of McKinney. City Attorney Houser stated that several of the boards are based on State Law. Ms. Hart stated that several of the boards do allow members that are not residents based on certain criteria (McKinney Main Street, McKinney Convention and Visitor's Bureau, and Animal Service Facilities Advisory Committee). Council unanimously approved the motion by Council member Ussery, seconded by Council member Branch, to approve a Resolution amending the Policy on Board and Commission Member Appointment and Eligibility. Caption reads as follows:

RESOLUTION NO. 2017-02-028 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ITS POLICY FOR BOARD AND COMMISSION MEMBER APPOINTMENTS AND ELIGIBILITY; AND PROVIDING FOR AN EFFECTIVE DATE

- 17-148** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute an Agreement with

the Texas Department of Transportation for the Temporary Closure of the State Right-of-Way for the Purpose of Special Events. CIP and Traffic Manager Gary Graham stated that the City spent approximately \$4,300 for each of the three events last year which included staff time, equipment and vehicles necessary to set up and remove the closures. This did not include Police officers. Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Pogue, to approve a Resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of the State Right-of-Way for the purpose of Special Events. Caption reads as follows:

RESOLUTION NO. 2017-02-032 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY

- 14-297Z4** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District, "PD" - Planned Development District, and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District, "SO" - Suburban Office District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Meadow Ranch Road and U.S. Highway 380 (University Drive), and Accompanying Ordinance (REQUEST TO BE TABLED). Director of Planning Brian Lockley stated that the applicant has requested that this item be tabled indefinitely to allow time to meet with the surrounding property owners. Mayor Loughmiller called for public comment.

The following individuals spoke in opposition to this zoning request:

Mr. Mike Gorman, 1410 Meadow Ranch Road, McKinney

Mr. Stephen Martinez, 1920 Meadow Ranch, McKinney

Council unanimously approved the motion by Mayor Pro Tem Pogue,

seconded by Council member Branch, to close the public hearing and table this item indefinitely.

16-024SP5 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Site Plan for Automotive Sales, Repair and Car Wash (EchoPark McKinney), Located Approximately 430 Feet South of Bray Central Drive and on the West Side of Central Circle. Director of Planning Brian Lockley stated that the applicant is proposing to construct a 22,021 square foot building for Automotive Sales and Repair and a detached car wash (EchoPark McKinney), located approximately 430 feet South of Bray Central Drive and on the West Side of Central Circle. The applicant is also requesting approval of a living plant screen for the proposed overhead doors and overnight parking spaces facing Central Circle. On April 19, 2016, the City Council voted unanimously to approve the site plan; however, the applicant has since modified the layout and square footage of the building and therefore it is back for consideration. Applicant, Mr. Charles Garcia, 209 W. Stone Ave., Greenville, S.C. stated that the initial concept of EchoPark was launched in Denver two years ago. As stores continued to open in the Denver market we learned more and more regarding their operation. It has been decided that the store needed to be bigger on the inside. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Ussery, seconded by Council member Branch, to close the public hearing and approve the Site Plan for Automotive Sales, Repair and Car Wash (EchoPark McKinney), located approximately 430 feet south of Bray Central Drive and on the west side of Central Circle, with the following conditions: the applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, prior to issuance of a building permit: the applicant receive approval of a living plant screen (Composed of Nellie R. Stevens Holly 6' at the time of planting) for the overhead door for the car wash facing Central Circle; the

applicant receive approval of a living plant screen (Composed of Nellie R. Stevens 6' at the time of planting) for the overhead doors for the service bays located on the east side of the building and the overnight parking spaces oriented towards Central Circle; and the applicant receive approval of a living plant screen (Composed of Nellie R. Stevens 6' at the time of planting) for the overhead door for the appraisal booth located on the south side of the proposed building facing Central Circle.

16-341Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "SF5" - Single Family Residence District to "TH" - Townhome Residential District, Located Approximately 3,200 Feet South of U.S. Hwy 380 (University Drive) and on the East Side of Lake Forest Drive; and Accompanying Ordinance. Director of Planning Brian Lockley stated that this item is a rezoning request for the Lake Forest Townhomes. Mr. Lockley stated that this property was previously approved for single-family residential zoning but the tree mitigation plan was a variance to the zoning ordinance and was subsequently denied by the Tree Board. The applicant is now requesting approval to rezone the property for townhome use. Location for access points, tree preservation requirements, and any other items that will be a part of the development will be addressed in the platting process. The item tonight is to determine if the rezoning to townhome from SF-5 residential is in compliance with the Comprehensive Plan. Staff reviewed this request and is recommending denial. Staff looked at the challenges in developing this property in terms of the tree preservation and the amount of property located within the floodplain. The Planning and Zoning Commission reviewed this application and recommended approval. A townhome plan would be considerably denser than a single-family residential development. In order for them to develop any of the property located within the floodplain, they will have to bring that property out of the floodplain. However, the tree ordinance would still apply in

order to develop the property. The applicant will have to come back to Council for any variances to the tree ordinance. Applicant, Mr. Adam Buczek, Skorborg Company, 8214 Westchester Drive, Suite 710, Dallas, stated that the applicant will not be asking for any variances to the tree ordinance or the townhome ordinance. In the previous plan, the project would disturb over 20 acres of the 27 acres in the development. The current plan is that surface disturbance will be about 10 acres of the 27 acres and can be done without a tree variance. The developer has come up with a development plan that will not bring any requests for variances to the Council. This developer will be happy to dedicate the right-of-way so that the property owner to the east can develop his property at a later time, however, we will not be extending the pavement and utilities outside of this development. The developer will have to redo the flood study for the smaller development surface area and resubmit. We will not do that before we know if the City supports our zoning request. The developer will do a reclamation program taking some of the area out of the floodplain and submit a LOMAR whereby FEMA will reevaluate the floodplain designation and remove that area from the floodplain so that residents do not have to buy flood insurance. Mayor Pro Tem Pogue inquired with regards to the dedication of right-of-way, if there is a city ordinance that requires the extension of roadways and utilities to the extremity of the developed property. Assistant Director of Engineering Michael Hebert stated that when staff receives a submittal for the plat, we investigate the proportionality effects, in other words, what should be dedicated as opposed to what is being proposed for construction. The utilities and roadway can be stopped short depending on how the property is developed, the number of lots brought on board, and if we consider it proportional to the development, and evaluated, with a determination at the next stage when the plat is submitted. Mayor Loughmiller called for public comments.

The following individuals spoke against the zoning request:

Ms. Misty Ventura, 9406 Biscayne Blvd., Dallas

Mr. David Cook, 1100 Eastbrook Drive, McKinney

Mr. Harry Hickey, 1600 Eastbrook Drive, McKinney

Mr. Steve Spainhour, 4690 Eldorado Parkway, McKinney

The following individuals spoke in favor of the zoning request:

Mr. Wayne McClaws, 5716 Pine Meadow Lane, McKinney

Mr. Damon Nahoulana, 3308 Calais, McKinney

Mr. La'Shadian Shemwell, 1200 N. Tennessee Street, McKinney

Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to close the public hearing. Mr. Buczek stated that the unit count of this development will be between 40 and 44 two-story townhome units. The developer previously offered a portion of the property to the Parks Department but they declined the offer because it did not fit into the Parks Master Plan. Mr. Lockley stated that a requirement of platting is to provide the connectivity but again it is based on proportionality. Staff cannot speculate on that until we know for sure how many lots are platted for the property. There are several different things for staff to consider with this development with respect to the tree mitigation plan and the floodplain reclamation program. Council member Rogers stated that he is a member of the Church of Jesus Christ of Latter Day Saints, however, he does not attend this building. Nobody in McKinney will receive a dime of the money from the proceeds of the sale of this property. I would like to see this property built to create a tax base. If they can work with the tree mitigation plan, I see no reason not to approve this request. Councilwoman Rath stated she would have liked for the developer to have made an effort to meet with the HOA knowing that this is a very contentious zoning request. Mayor Pro Tem Pogue stated that he would not be in support of this item as it is presented tonight. Mayor Loughmiller stated he appreciates that the developer has

come back with a different plan. I believe a meeting with the HOAs would be helpful. Based on what I have heard at this meeting, I am not prepared to support this tonight. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Ussery, to table the item indefinitely.

16-349Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS 60" - Single Family Residence District to "SO" - Suburban Office District, Located at 1202 West University Drive; and Accompanying Ordinance. Director of Planning Brian Lockley stated that this is a request to rezone the subject property that fronts along University. The surrounding area consists of single-family residential uses and single-family residential uses that have been converted to offices and other types of uses. The applicant is proposing to rezone the property in order to allow it to be developed with office uses. Applicant, Mr. John David Cross, Cross Engineering Consultants, 131 S. Tennessee Street, McKinney stated that several properties to the east of this property have been converted into businesses. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Council member Branch, seconded by Council member Day, to close the Public Hearing and approve an Ordinance rezoning the Subject Property from "RS 60" - Single Family Residence District to "SO" - Suburban Office District, located at 1202 West University Drive. Caption reads as follows:

ORDINANCE NO. 2017-02-019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 0.26 ACRE PROPERTY, LOCATED AT 1202 WEST UNIVERSITY DRIVE, IS REZONED FROM "RS-60" – SINGLE FAMILY RESIDENCE DISTRICT TO "SO" – SUBURBAN OFFICE DISTRICT; 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

16-370SU2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Private Club (Hank's Texas Grill), Located at 1310 North Central Expressway, and Accompanying Ordinance. Director of Planning Brian Lockley stated that Staff is requesting to table this item until the February 21st meeting due to a posting issue. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to close the public hearing and table this item to the February 21, 2017 meeting.

16-373Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C1" - Neighborhood Commercial District, Located on the Northeast Corner of Virginia Parkway and Carlisle Road, and Accompanying Ordinance. Director of Planning Brian Lockley stated this item is a rezoning request from PD to C1. The surrounding area is largely developed with offices, multifamily, a school, and churches. The governing PD on the property requires that the property develop in a unified development. The applicant has decided to rezone it so that they do not have to develop all the property at once and to allow for medical offices. Under the current PD it is required to have a Specific Use Permit. This request is to move out of the PD into C1 to allow more flexibility in development. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, stated that the main reason for this rezoning is to allow the property to continue to develop as a commercial property but with less intensity anticipated under the current PD ordinance. This property is surrounded on several sides by schools and churches and those carry their own limitations by virtue of state law in terms of alcohol sales. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Branch, seconded by Mayor Pro Tem Pogue, to close the public hearing

and approve an Ordinance rezoning the Subject Property from "PD" - Planned Development District to "C1" - Neighborhood Commercial District, located on the northeast corner of Virginia Parkway and Carlisle Road. Caption reads as follows:

ORDINANCE NO. 2017-02-020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 5.083 ACRE PROPERTY, LOCATED ON THE NORTHEAST CORNER OF VIRGINIA PARKWAY AND CARLISLE ROAD, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "C1" – NEIGHBORHOOD COMMERCIAL DISTRICT; 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

- 16-358M2** Conduct a Public Hearing to Consider/Discuss/Act on an Amendment to the Capital Improvements Plan for Utility Impact Fees and the Imposition of Updated Utility Impact Fees; and Accompanying Ordinance. Planning Manager Jennifer Arnold stated that the City no longer issues one and a half inch water meters and has also stopped issuing compound and turbine meters. Because the impact fee and CIP ordinance component are based on meter size and meter type, this change has required an update to the ordinance. The new ultrasonic meters have a different flow rate with a slight variation in the equation that is used during the CIP process to determine the maximum assessable fee. Based on the changes in City practices, there is a new calculation which results in a new fee structure for the City. Based on the new meter types and sizes, the fee for the most common meters actually goes down. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Day, seconded by Council member Rogers, to close the public hearing and approve an Ordinance amending the Capital Improvements Plan for Utility Impact Fees and the Imposition of Updated Utility Impact Fees. Caption reads

as follows:

ORDINANCE NO. 2017-02-021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING CHAPTER 130, ENTITLED "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, THROUGH THE AMENDMENT OF EXISTING ARTICLE II ENTITLED "WATER AND WASTEWATER IMPACT FEES" BY AMENDING PORTIONS OF SECTION 130-28 AS SET FORTH HEREIN BELOW; BY THE ADOPTION OF A NEW EXHIBIT 2 REGARDING THE 2012-2013 WATER & WASTEWATER IMPACT FEE UPDATE ("WATER & WASTEWATER IMPROVEMENTS PLANS"); AND BY THE ADOPTION OF A NEW SCHEDULE 1 REGARDING THE ASSESSMENT AND COLLECTION OF WATER AND WASTEWATER IMPACT FEES; AND BY THE ADOPTION OF A NEW SCHEDULE 2 REGARDING THE ASSESSMENT AND COLLECTION OF WATER AND WASTEWATER IMPACT FEES; PROVIDING THIS ORDINANCE BE CUMULATIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; AND PROVIDING FOR AN EFFECTIVE DATE

- 17-154** Mayor Loughmiller called for Consideration/Discussion/Action on a Request for a Resolution of Support for 9% Tax Credits by Merritt McGowan Manor, L.P., to the Texas Department of Housing and Community Affairs (TDHCA) for the Redevelopment of the Existing Merritt Homes Multifamily, Rental Development Located at 1200 N. Tennessee. Housing and Community Development Manager Janay Tieken stated this is a request for a Resolution of Support for the Merritt Homes redevelopment. This redevelopment will demolish 86 of the existing units with an additional 50 units for a total of 136 units. The applicant is technically McKinney Affordable Housing Authority, a public facility corporation, along with Carlton Development. Applicant, Mr. Will Henderson, Director of Affordable Housing for Carlton Residential Properties, thanked Council for their support for the Newsome Homes redevelopment. The next project is Merritt McGowan Manor redevelopment. We are pursuing 9% tax credits which allows a much larger percentage of tax equity to support the redevelopment. This redevelopment will create 136 units in the same area, two and four plexes, primarily two-story buildings, which will replace the current single-

story and will allow us to increase the density. Mayor Loughmiller called for any public comments and there were none. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Rogers, to approve a Resolution of Support for 9% Tax Credits by Merritt McGowan Manor, L.P., to the Texas Department of Housing and Community Affairs (TDHCA) for the redevelopment of the existing Merritt Homes Multifamily, Rental Development located at 1200 N. Tennessee. Caption reads as follows:

RESOLUTION NO. 2017-02-039 (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN SUPPORT OF THE APPLICATION BY MERRITT MCGOWAN MANOR, L.P. TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR THE MERRITT MCGOWAN MANOR LOCATED AT 1200 N. TENNESSEE; MAKING FINDINGS RELATED TO THE SUBJECT AND DESIGNATING MERRITT MCGOWAN MANOR IS THE 2017 9% TAX CREDIT DEVELOPMENT THAT CONTRIBUTES MORE THAN ANY OTHER TO THE CONCERTED REVITALIZATION EFFORTS OF THE CITY OF MCKINNEY; AND PROVIDING AN EFFECTIVE DATE

- 17-155** Mayor Loughmiller called for Consideration/Discussion/Action on a Request for a Resolution of Support for 9% Tax Credits by Evergreen at McKinney Senior Community, LP, to the Texas Department of Community Affairs (TDHCA) for the Senior, Multifamily, Rental Development to be Located At the Easternmost Part of a Tract at the NEQ of Silverado and Custer. Housing and Community Development Manager Janay Tieken stated this request is for a Resolution of Support for 9% tax credits by Evergreen at McKinney Senior Community, LP. This is a 130-unit senior development of which 114 will be affordable rate units and 16 market-rate units. Applicant, Mr. Tony Sisk, Churchill Residential, stated that this development competes in a different category than the at-risk set aside, however this category is also very competitive. The average age for our properties is 75 with 85% female. This is an age-restricted senior housing. Director of Planning Brian Lockley stated that the use is permitted on a portion of the property with the current

zoning. There is an approved PD on a portion of the property for general office and office uses. The PD zoning has a general development site plan (GDP) attached to it which will have to be modified or amended. Mr. Sisk stated that they will come back to Council to amend the PD with the site plan. The plan we submit will define all the setbacks and exact building that will be built. If we receive the Resolution of Support, we will then do a site engineering study required for financing and get those questions answered. We will put deed restrictions by age and a land-use restriction agreement on the property that states it will always be senior living which is required with our financing. Executive Director of Development Services Michael Quint stated that Tract 2 has the BN zoning district which allows the multifamily use as a permitted use but it does come with two-story building caps, with additional landscape buffers, and screening requirements, so if the applicant does not want to adhere to the two-story caps, the screening walls, the landscape buffers, the additional trees, they would need to rezone and modify the development standards. The property to be redeveloped is not Tract 2 so those allowances granted do not apply to this property that the applicant is looking to develop. If they want to go three stories and get the modified parking standards, they have to come in and do more than just swap out the layout as part of the rezoning. Mayor Loughmiller called for public comments and there were none. Executive Director of Development Services Michael Quint stated for clarification, there is a provision in the existing PD that specifically states that this property shall be limited to office uses only so they are asking for new multifamily to develop on this property. Provision 1B of this PD says buildings 6-7 and 11-13 as shown on the attached general development plan shall be limited to office uses only. When this PD was originally zoned back in 2008, the intent for this property was that this would be nonresidential uses horizontally integrated into the multifamily. If this property to the

south is going to be developed for multifamily it will be new units beyond what was already anticipated in this PD. Council approved the motion by Council member Rogers, seconded by Councilwoman Rath, to approve a Resolution of Objection for 9% Tax Credits by Evergreen at McKinney Senior Community, LP, to the Texas Department of Community Affairs (TDHCA) for the Senior, Multifamily, Rental Development to be located at the easternmost part of a tract at the NEQ of Silverado and Custer with a vote of 5-2-0, Council members Day and Ussery voting against. Caption reads as follows:

RESOLUTION NO. 2017-02-040 (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, OPPOSING THE APPLICATION BY EVERGREEN AT MCKINNEY SENIOR COMMUNITY, L.P. TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR THE EVERGREEN AT MCKINNEY COMMUNITY, LOCATED IN THE 8800 BLOCK OF SILVERADO TRAIL; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

- 17-156** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Amending the 2017-2021 Capital Improvements Program to Provide Funds for Various Citywide Rehabilitation Projects for FY 16-17. CIP and Transportation Manager Gary Graham stated this item relates to funding that has been allocated for FY 16-17 for rehabilitation of various streets, replacement or rehabilitation of various substandard water utilities, replacement or rehabilitation of various substandard wastewater utilities, and storm water improvements. Staff has allocated use of these funds for design and construction of various projects throughout the City which have been identified as needing street rehabilitation, having substandard water mains, having substandard wastewater mains, and/or in need of storm water improvements based on previous flood studies. This Resolution amends expenditures in the 2017-2021 Capital Improvements Program by creating the following new Capital Improvements Program projects: Pearson Avenue and related drainage improvements (Waddill Street to Kentucky Street) and McKinney FY 17

Substandard Utility Replacement and Street Rehabilitation Umbrella Projects north of Virginia. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to approve a Resolution amending the 2017-2021 Capital Improvements Program to provide funds for various citywide rehabilitation projects for FY 16-17. Caption reads as follows:

RESOLUTION NO. 2017-02-041 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE FISCAL YEAR 2017 - 2021 CAPITAL IMPROVEMENT PROGRAM TO TRANSFER FUNDS TO PEARSON AVENUE AND RELATED DRAINAGE IMPROVEMENTS (WADDILL STREET TO KENTUCKY STREET) (CO1703) AND MCKINNEY FY 17 SUBSTANDARD UTILITY REPLACEMENT AND STREET REHABILITATION UMBRELLA PROJECTS NORTH OF VIRGINIA (CO1706)

- 17-146** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract with Freese and Nichols, Inc. (FNI) for Professional Engineering Design Services for the McKinney FY 17 Substandard Utility Replacement and Street Rehabilitation Umbrella Projects North of Virginia and Any Necessary Supplemental Agreements. CIP/Transportation Manager Gary Graham stated this contract is for design services for street rehabilitation projects. Council unanimously approved the motion by Council member Branch, seconded by Mayor Pro Tem Pogue, to approve a Resolution authorizing the City Manager to execute a contract with Freese and Nichols, Inc. (FNI) for Professional Engineering design services for the McKinney FY 17 Substandard Utility Replacement and Street Rehabilitation Umbrella Projects north of Virginia and any necessary supplemental agreements. Caption reads as follows:

RESOLUTION NO. 2017-02-030 (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 \$440,800.00 WITH FREESE AND NICHOLS, INC. FOR ENGINEERING DESIGN SERVICES FOR THE FY 17 SUBSTANDARD UTILITY REPLACEMENT AND STREET REHABILITATION UMBRELLA PROJECTS NORTH OF VIRGINIA AND AUTHORIZING ANY

SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$485,000

- 17-147** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract with Freese and Nichols, Inc. (FNI) for Professional Engineering Design Services for the Pearson Avenue and Related Drainage Improvements (Waddill Street to Kentucky Street) and Any Necessary Supplemental Agreements. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to approve a Resolution authorizing the City Manager to execute a contract with Freese and Nichols, Inc. (FNI) for Professional Engineering design services for the Pearson Avenue and related Drainage Improvements (Waddill Street to Kentucky Street) and any necessary supplemental agreements. Caption reads as follows:

RESOLUTION NO. 2017-02-031 (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 \$322,807.00 WITH FREESE AND NICHOLS, INC. FOR ENGINEERING DESIGN SERVICES FOR THE PEARSON AVENUE AND RELATED DRAINAGE IMPROVEMENTS (WADDILL STREET TO KENTUCKY STREET) AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$355,000

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Council member Branch did not have any comments.

Council member Day did not have any comments.

Council member Rogers did not have any comments.

Councilwoman Rath stated that she would like to verify that the 2016 Water Quality report is posted on the City's website. Ms. Rath stated that she is exhausted from hearing the same incorrect rhetoric about the water quality in McKinney.

Council member Ussery thanked staff for what they do day in and day out. Mr. Ussery stated that he appreciates your patience and perseverance.

Mayor Pro Tem Pogue congratulated the Fire Department on their Lone Star Achievement Award. Mr. Pogue stated that there has been a lot of discussion on social media about Eldorado Parkway. There has been no decision made on Eldorado Parkway going from four to six lanes. That has not been voted on or authorized or approved at this time. This Thursday there is a meeting at 5:30 p.m. in the Council Chambers to solicit public input on Regional Mobility with regard to a U.S. 380 Bypass.

Mayor Loughmiller stated that he wanted to address the issue of the Ethics Policy that was discussed last night at the Work Session. Mayor Loughmiller stated that he has seen comments posted on social media that the possibility that this is being brought forward because of specific actions of Council. The question came from Mr. Branch last night on "why now after 14 years." Neither of those reasons are the basis of bringing the Ethics Policy forward. Since joining the City Council in 2002 as District 4 Representative, one of the goals I had was to continue to make local government more inclusive. Good governance was a topic before previous Councils. In the 2003-2004 Council retreat notebook, there was a reference to discussing the roles, expectations and responsibilities of Council members including discussions and action items that included supporting decisions and agreements of fellow Council members once those decisions have been made, keeping confidential information confidential, sharing accurate information with the citizens, representing the entire city and respecting the City Manager/Council form of government. All these items are included in the draft Ethics Policy that was brought to Council last night. They also include, when speaking for the City, to represent Council policy as opposed to individual Council's opinion. It also mentions a potential draft of an ethics statement, conflicts of interest, and issues relating to emails and open meetings. The information in the 2003-2004 notebook provided references to Attorney General Opinions and specifically stressed rules as it relates to conflicts of interest. One of the outcomes was to decide the first time in the City of McKinney to televise City Council meetings. Prior to that we did not televise Council meetings. At that time the discussion was whether to televise the meetings live versus tape-delayed or recorded. Ultimately, everyone agreed to go live. We also engaged the community through regular neighborhood meetings on various issues. We had zoning cases that were different, difficult, or comprehensive, the School District

would often give us the use of a school where we could have an open meeting – by the applicant and by the public and facilitate a discussion, and at a minimum, an understanding of the issues before the Council. This was the best way to bring the issues to the public, given the fact that we did not televise meetings. During my time as a representative of District 4, we had these types of meetings regarding these major issues and development of major projects including the architecture of Home Depot across from Falcon Creek, construction of Methodist Hospital and reorientation of emergency room facilities because of concerns by the neighborhood. Prior to having televised meetings, at times we would have a few hundred people here like when we did the rezoning of Walmart on Lake Forest. With each retreat we had, we reaffirmed the priorities and looked for ways to improve service delivery. We continue these discussions as we discuss development and retail strategies recognizing that the first step was implementing infrastructure initiatives that did not exist at that time that would be necessary to attract the type of development as the City continues to grow. In 2007, the retreat goals and actions included continuing to work on communications with the citizens, developing and maintaining a City website. In 2007, we started talking about the website and development of operation of a public access cable channel. Other governance issues included discussions regarding staff interaction. One of the hot topics at that time was the possibility of tolling Highway 121. In 2009, when I became Mayor, the Mayor and Council orientation binder has a section that states increase focus on transparency in City government, process decisions consideration, and internal processes. Communication will play a key role in facilitating this process. Communication plans will continue to be developed to enhance the transparency of the City government by using all communication vehicles available to communicate with residents and others in a variety of formats. This included a relaunch of the City's website, new government program on the City's television channel, and the use of citywide citizen surveys. As part of that discussion, we also covered governance issues that included interference with administration and staff, Council Rules of Order, the Texas Open Meetings Act, and conflict disclosures, appearance of impropriety, and rules regarding stepping down from agenda items. Most of these items were discussed in the framework of existing rules and regulations, and the City Charter. All of these

items are included in the Ethics Policy presented to the Council last night but were not part of the written policy at that time. In 2012, with new elections on the horizon and the advent of going from three to four year terms, we then began to discuss governance issues that led to resolutions that modified certain procedures in regard to Board and Commission and Council policies. At the time it was decided to put a policy in place as it related to legal conflicts of interest. We continued to discuss these items to further enhance transparency in the role of government and in our community as well as the operation of Council meetings and the manner in which items can be placed on an agenda. In December 2014, in preparation for the January 2015 retreat, we were asked by the then Interim City Manager Tom Muehlenbeck to provide our issues for the retreat. In my response to Mr. Muehlenbeck, I wrote I look forward to our planning retreat in January and am interested in creating a mindset in planning that will set the blue print beyond the first major transition in the City Council as we see two Council members termed out in 2015 and two additional Council members and the Mayor term out in 2017. My hope is that future Councils will not feel the need to recreate the wheel and continue policies or enhance and improve policies to develop a sense of continuity and consistency in the future as we build out our City. As I mentioned before, and mentioned at our retreat in January of this year in discussing and addressing issues of a written ethics policy, we best serve our community, even when we do not agree on specific issues, our community's trust that we are putting the City's interest first in operating with a sense of decorum and public discernment of these issues. My only goal in bringing this policy forward at this time is to further enhance our transparency to show that we will operate in a manner consistent with our expectations of our Board, Commissions and Committees given that we have written policies for them and that we demonstrate an ethical standard respected of a public entity for the betterment of those who we represent. This is all nothing more than an effort, which I believe this Council is poised and interested in good governance and transparency and getting information out and operating in an ethical manner in voting on items and to bring that to bear in a written policy so that future Councils will also recognize the importance of operating that way. I wanted to bring that forward to the public as to the purpose and reasons behind bringing that policy forward so it will set the record straight.

City Manager Grimes states that the Apex will open to the public on March 1st. The founding members will receive total access to the facility on Feb. 28th. Mr. Grimes stated that the City hired SGR for the recruitment of an Assistant City Manager. The position closed last Friday after receiving 150 applications. The recruiter, Mr. Greg Nelson, is going to have a lot of work cut out for him.

Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to adjourn. Mayor Loughmiller adjourned the meeting at 8:54 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary

Planning and Zoning Commission Meeting Minutes of January 24, 2017:

Commission Member Mantzey stepped down on the following item # 14-297Z3 due to a possible conflict of interest.

14-297Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District, "PD" - Planned Development District, and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District, "SO" - Suburban Office District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Meadow Ranch Road and U.S. Highway 380 (University Drive)

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed rezoning request for McKinney Ranch Estates. She stated that Staff had received four additional letters of opposition and one letter of support, which were distributed to the Planning and Zoning Commission prior to this meeting. Ms. Quintanilla stated that the northern property with the "PD" – Planned Development District label currently allows for office uses. She stated that the northern tract has existing office uses and an office complex on the property. Ms. Quintanilla stated that the southern property with the "AG" – Agricultural District label generally allows for agricultural uses. She stated that the southern tract has an existing single-family residence on the property. Ms. Quintanilla stated that adjacent to the subject property there are single-family uses to the south and an existing 380 West Animal Hospital to the west. She stated that the surrounding northern and eastern tracts of property were undeveloped. Ms. Quintanilla stated that the zoning for the property to the north allowed for commercial uses. She stated that the zoning for the property to the east allowed for industrial uses. Ms. Quintanilla displayed an aerial exhibit of the area that showed additional commercial uses

nearby. She stated that at the intersection of Lake Forest Drive and U.S. Highway 380 (University Drive) there were several commercial establishments, including Walgreens, Taco Bell, Chicken Express, Subway, and Baylor Hospital. Ms. Quintanilla stated that there was also a Kroger proposed at the southwest corner of this intersection. She stated that the applicant was requesting to rezone the northern tract to “C2” – Local Commercial District and “CC” – Corridor Commercial Overlay District and the southern tract to “SO” – Suburban Office District and “CC” – Corridor Commercial Overlay District. Ms. Quintanilla stated that due to the subject property’s adjacency to a major regional highway and nearby commercial land uses to the west, the proposed zoning districts would help enhance this area as a prime commercial corridor, while also providing a transition to the existing residential uses located to the south, known as the Meadow Ranch Estates. She stated that the “SO” – Suburban Office District would help provide this transition as it is designed to allow for low intensity office uses. Ms. Quintanilla stated that the most intense uses allowed within the “SO” – Suburban Office District by right were a museum, library, art gallery, school, bank and financial institutions. She stated that there were not many uses permitted in this district and some of the commercial uses allowed would require a specific use permit, which would allow Staff to further evaluate whether or not that use would be appropriate in the “SO” – Suburban Office District. Ms. Quintanilla stated that it was Staff’s professional opinion that the proposed rezoning request would remain compatible with adjacent and future surrounding land uses. She stated that Staff recommends approval of the proposed rezoning request Ms. Quintanilla stated that Staff also received a zoning change written protest that was signed by at least 20% of the property owners within 200’ of the subject property, which meets the requirements of a

formal petition and would require a favorable vote by a supermajority (6 of 7) of City Council to be approved. Ms. Quintanilla offered to answer questions.

Mr. Martin Sanchez, Sanchez and Associates, 2000 N. McDonald Street, McKinney, TX, stated that they worked closely with City Staff to come up with a good solution for the subject property for a non-residential prospective. He briefly discussed the nearby commercial uses and that the adjacent property to the east was zoned for light industrial uses. Mr. Sanchez stated that the subject property was located on a highway and over time would continue to have commercial pressure. He stated that they were trying to buffer the adjacent properties to the south with the proposed "SO" – Suburban Office District, which would have a lighter, less intense office use. Mr. Sanchez stated that they proposed to have the more intense commercial use on the front end, near the highway. He stated that he concurred with the Staff report and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments.

The following eight people spoke in opposition to the request.

Mr. Ron Holmes, 1505 Stoneoak Drive, McKinney, TX, stated that he was a lawyer that represented the Meadow Ranch Estates Neighborhood Association. He stated that the association was formed to keep the subdivision unique by design. Mr. Holmes stated that the estate homes were two acre lots. He stated that the aerial displayed on the overhead project cut off some of the southern lots in the subdivision. Mr. Holmes stated that there was no outlet from the southern side of the subdivision. He stated that there was residential uses behind the Meadow Ranch Estates subdivision. Mr. Holmes stated that most of the nearby office complex was a single-story structure that looked similar to

single-family house. He stated that this area used septic systems. Mr. Holmes questioned how much it would cost to bring utilities to this area and whether or not a four acre development could afford even the sewer to service the development. He stated that they were unsure of what the applicant proposes to develop on the subject property. Mr. Holmes stated that it may be a very high intense use that would require a great deal of City services. He stated that this was the only entrance to the 19 residential homes on two acre tracts to the south. Mr. Holmes stated that the residential neighbors would have to drive through whatever the applicant developed to get to their properties. He requested that the proposed rezoning request be denied, because they would like to keep that neighborhood unique by design and keep McKinney unique by nature. Mr. Holmes offered to answer questions. There were none.

Mr. Mike Gorman, 1910 Meadow Ranch Road, McKinney, TX, gave a PowerPoint presentation during his comments. He stated that his property was two lots away from the subject property. Mr. Gorman stated that he did not have an issue with the commercial use on the front of the property near the highway; however, he did have an issue with rezoning the residential property. He stated that the entrance to their residential development was well defined. Mr. Gorman stated that there was a definite break, with a wall, between the commercial development to the west of the subject property and the residential development. He stated that the properties fronting U.S. Highway 380 (University Drive) were zoned for commercial uses, which they all knew that when they moved into the residential development. Mr. Gorman stated that the Meadow Ranch Estates had estate homes built on two acre lots. He stated that all but three property owners had signed the petition. Mr. Gorman stated that one was the nursing

facility and the other two residential properties that did not sign the petition had business dealing with the Mr. Keith Andre and wished to stay neutral. He stated that the Meadow Ranch Estates was David Craig's first development in McKinney. Mr. Gorman stated that it should be kept unique and maintained in McKinney. He stated that the Comprehensive Plan showed the subject property as being residential and low-density. Mr. Gorman requested that the property be kept residential to preserve the community. He expressed concerns about the proposed rezoning and future more intense development that could decrease the Meadow Ranch Estates property values. Mr. Gorman felt it would cause a cascading effect of other surrounding properties becoming commercial developments.

Mr. Stephen Martinez, 1920 Meadow Ranch Road, McKinney, TX, stated that his property was immediately adjacent to the subject property. He stated that he was strongly opposed to the proposed rezoning request of lot # 19. Mr. Martinez stated that in 1985 the City of McKinney approved the Meadow Ranch Estates development of 20 single-family residences. He stated that lots 1, 2, and 20, that border U.S. Highway 380 (University Drive), were rezoned to allow limited commercial development. Mr. Martinez stated that a muffler shop, veterinary practice, and an accounting firm occupy those three properties. He stated that Meadow Ranch Estates was shielded from those commercial developments by the masonry wall and trees in the landscaping buffer. Mr. Martinez stated that the remaining 17 lots in Meadow Ranch Estates have remained zoned "AG" – Agricultural District as originally zoned. He stated that a previous proposal to rezone the property was presented back in December 2014; however, it was tabled due to the neighborhood opposition. Mr. Martinez stated that due to that request, the Meadow Ranch Estates Association was established to promote, protect, and enhance the

longstanding environment of Meadow Ranch Estates. He stated that it was shocking that the owner of lot 19 plans to cram over 16,000 square feet of commercial development and 68 parking spaces on two acres of land within their neighborhood. Mr. Martinez stated that when one considers development density and traffic alone that commercial development in their neighborhood was not in the best interest of keeping McKinney unique by nature and it undermines the intentions of their neighborhood with keeping them unique by design. He stated that he and his wife were proud to join the over 80% of the Meadow Ranch Estate property owners in urging the Commission Members to recognize the uniqueness of their neighborhood by denying the rezoning of lot # 19.

Mr. Chuck Howard, 1810 Meadow Ranch Road, McKinney, TX, stated that the commercial property that faced the highway was there when he purchased his property. He stated that the lot inside the brick wall being proposed to be rezoned would be similar to a cancer that would spread. Mr. Howard stated that on occasion there have been residents from the Alzheimer's homes, located in the last lot in the subdivision, that have wandered over to his yard before they were found. He stated that they have fire trucks and ambulances that go to the Alzheimer's home every time a new person moves in or when one of the residents passes. Mr. Howard expressed concerns about additional traffic or congestion. He stated that the proposed rezoning request was not in the benefit of the surrounding residential property owners.

Mr. Darrell Groves, 1900 Meadow Ranch Road, McKinney, TX, stated that he was the fourth house on the left. He stated that they love their neighborhood. Mr. Groves stated that all of the neighbors know each other and help each other out. He pleaded that we don't change their neighborhood.

Ms. Debbie Kessler Martinez, 1920 Meadow Ranch Road, McKinney, TX, concurred with the previous Meadow Ranch Estate resident's comments in opposition to this proposed rezoning request. She stated that there have to be people who live in McKinney to support the various businesses. Ms. Martinez stated that it would be a domino effect and would destroy the Meadow Ranch Estates neighborhood. She stated that she doubted that Mr. Richard Atchison, possible tenant if developed, would want to live next to it. Ms. Martinez stated that this would be a deterrent to living in McKinney. She stated that if they ever thought that they might be living next to that many parking spaces, then they never would have purchased their property.

Ms. Sandra Hanson, 1800 Meadow Ranch Road, McKinney, TX, stated that they live the furthest away from the subject property within the Meadow Ranch Estates. She stated that they might be the least impacted by the proposed development with the exception on having to drive through the entrance with possible parking lots and office buildings. Ms. Hanson stated that the street was developed by the Developer David Craig. She gave a brief history of the development of Meadow Ranch Estates. Ms. Hanson stated that they reside in David Craig's mother's home. She stated that when they purchased the property that they knew the properties facing U.S. Highway 380 (University Drive) were commercial, which was outside of their subdivision entrance. Ms. Hanson stated that she had concerns about the proposed rezoning request taking the commercial uses inside of their subdivision entrance. She stated that there would be a parking lot butting up to the adjacent residential property. Ms. Hanson expressed concerns about a possible decrease in property values for the surrounding residential neighborhood. She expressed concerns about losing the uniqueness of their subdivision.

Ms. Hanson asked if the Commission Members lived there if the proposed rezoning and possible development was something that they would want to see happen.

Ms. Juliette Buchanan, 1830 Meadow Ranch Road, McKinney, TX, stated that they moved to the neighborhood about 1 ½ years ago. She stated that the Meadow Ranch Estates was a special neighborhood. Ms. Buchanan stated that was only one of two neighborhoods in McKinney with multi-acre estates that is completely enclosed. She stated that homeowners were able to keep horses on their property and how that is special. Ms. Buchanan stated that if commercial development was built on the subject property that it would ultimately destroy their neighborhood. She stated that there were a lot of other locations where the commercial uses could be built in McKinney.

The following two people spoke in favor of the request.

Mr. Richard Atchison, 1423 Bucksnot Road, Van Alstyne, TX, stated that he was an architect with an architectural firm in Downtown Ft. Worth. He stated that they had been in discussion with Mr. Keith Andre about moving their corporate offices to the subject property as a possible tenant. Mr. Atchison stated that they were looking to bring their skills and talents to McKinney.

Mr. Keith Andre, 4695 W. University Drive, McKinney, TX, stated that he had been a good neighbor to the surrounding property owners. He stated that if the proposed rezoning request was approved that there still would be commercial property to the south of his property across the street. Mr. Andre stated that he was not trying to antagonize the neighbors. He stated that there was a peninsula of residential properties surrounded by industrial, commercial, and office properties. Mr. Andre stated that the entrance that the residents are so proud of is located on his property. He stated that the commercial

property on the other side of the street is owned by the veterinarian. Mr. Andre stated that they would be happy to build a new entrance way to their neighborhood. He stated that he would not be opposed if the neighbors wanted to put up a gated entranceway. Mr. Andre stated that there was another entrance to the subdivision to the south; however, they decided to put a gate up on it. He stated that Meadow Ranch Estates was a unique development. Mr. Andre stated that many of the residential property owners had multiple buildings on their property. He felt that the residential property owners got to do exactly what they wanted on their properties; however, he could not. Mr. Andre stated that there were 20 lots in the Meadow Ranch Estates subdivision and seven of the property owners had not signed the petition. He stated that he would like to work with the surrounding residential property owners. Mr. Andre stated that he had outgrown his facilities and would like to continue doing business in McKinney for another 30 years.

The following ten residents turned in speakers cards in opposition to the proposed rezoning request; however, did not wish to speak during the meeting:

- Ms. Samantha Arrington, 1820 Meadow Ranch Road, McKinney, TX
- Ms. Jan Gunn, 1911 Meadow Ranch Road, McKinney, TX
- Mr. Vincent Gunn, 1911 Meadow Ranch Rd., McKinney, TX
- Mr. John Hanson, 1800 Meadow Ranch Road, McKinney, TX
- Ms. Jan Howard, 1810 Meadow Ranch Road, McKinney, TX
- Ms. Liz McElhaney, 1811 Meadow Ranch Road, McKinney, TX
- Ms. Yvonne Ralph, 1820 Meadow Ranch Road, McKinney, TX
- Mr. William L. Smith, 1811 Meadow Ranch Road, McKinney, TX
- Ms. Kimberly Tisserand, 1901 Meadow Ranch Road, McKinney, TX

- Mr. Daniel Tisserand, 1901 Meadow Ranch Road, McKinney, TX

The following four residents turned in speakers cards in support of the proposed rezoning request; however, did not wish to speak during the meeting:

- Ms. Kay Bertschi, 3191 Medical Center Drive, McKinney, TX
- Ms. Teresa Dempsey, 2214 Woodcrest, McKinney, TX
- Ms. Melissa Simmons, 4907 Redwood Drive, McKinney, TX
- Mr. Paul Sturkie, 202 Redbud Trail, McKinney, TX

On a motion by Commission Member Cobbel, seconded by Alternate Commission Member McReynolds, the Commission unanimously approved the motion to close the public hearing, with a vote of 6-0-0.

Alternate Commission Member McReynolds asked Mr. Sanchez if his intent was to plat both of the properties together. Mr. Sanchez stated that it was undecided at this point. He stated that it probably made sense to replat that in some configuration, so that a building could be centered on the overall track. Mr. Sanchez stated that without entitlements that it was hard to predict what could be developed on the property. He stated that once they go through the development process, then all development regulations would apply. Mr. Sanchez stated that they would have to pay for the water and sewer services to develop the site, not the City. He stated that they would also have to pay for the screening and buffering between the residential site and a non-residential site. Mr. Sanchez stated that if the veterinarian clinic ever decided to develop the empty portion of their property then they would need to align the driveway, so that there would only be one driveway cut going into their facility and going into our facility. He stated that Mr. Keith Andre had outgrown his current facility.

Alternate Commission Member McReynolds asked Mr. Sanchez for the dimensions for the two properties that Mr. Andre owns. Mr. Sanchez stated that they were both tracts were approximately 200' deep and 400' wide. He stated that there was an existing curb cut on U.S. Highway 380 (University Drive) other than the Meadow Ranch Road that would continue. Mr. Sanchez stated that when the Meadow Ranch Association was formed that they did not include the subject property. He questioned how they would have dominion of that lot.

Commission Member Cobbel asked if the veterinarian clinic's property, to the west of the subject property, went inside the entrance fence of the subdivision. Mr. Sanchez said yes. Commission Member Cobbel asked if that property was zoned for commercial uses. Mr. Sanchez said yes. Commission Member Cobbel wanted to clarify that property could already build a commercial use inside the subdivision. Mr. Sanchez stated that was correct. Ms. Quintanilla stated that zoning on that property did allow for commercial uses. Commission Member Cobbel asked what type of uses were allowed on the property to the west. Ms. Quintanilla stated that the zoning was a "PD" – Planned Development District with a base zone of "C" – Planned Center District. She stated that the "C" – Planned Center District was one of the older, more generous zoning districts. Ms. Quintanilla stated that it allows a lot of commercial uses by right. She stated that when that property develops, there was a provision in the ordinance that requires a minimum 7' tall finished metal screening wall and at least a 15' wide landscaping buffer along the southern property line.

Mr. Sanchez stated that the property immediately to the east was zoned for light industrial uses and gave some examples. He stated that "PD" – Planned Development

District specially removed some uses, while others required a “SUP” – Specific Use Permit. Mr. Sanchez stated that property was adjacent to the back of some of the Meadow Ranch Estate lots.

Commission Member Cobbel asked about the gated entrance on the south end of Meadow Ranch Estates subdivision. Mr. Sanchez explained that it was a second point of access for another subdivision. He stated that it had a crash gate blocking it off; however, he was unsure how it was agreed upon by the two subdivisions and approved by the City. Commission Member Cobbel asked what allowed the gate to be locked and closed. Mr. Sanchez stated that the crash gates typically have a lock on them to only allow emergency vehicles through and a box nearby with a key to the lock. He stated that the gates were not intended to be structural. Commission Member Cobbel stated that you do not typically see them on a through street. Mr. Sanchez stated that City Staff would not normally allow a road between two subdivisions to be gated off like this.

Commission Member Kuykendall asked what type of communication about the proposed rezoning request and possible development had occurred between the property owner and/or applicant and the community. Mr. Sanchez stated that he had spoken with the veterinarian and some of the surrounding property owners at different times; however, he had not spoken with the Meadow Ranch Estates property owners directly. He stated that Mr. Andre had visited with a number of the residential property owners. Mr. Sanchez stated that Meadow Ranch Estates was not different than any other residential development that was located near a major road. He stated that there was always pressure for land to go to the highest and best use.

Chairman Cox asked what type of screening may be installed on the subject property if developed. Mr. Sanchez stated that there would be a screening wall, landscaping buffer, additional trees planted, parking, fire lane, probably more parking, and then the building. He stated that it was usually about 80' in distance from the property line to where the building was located. Mr. Sanchez stated that the proposed "SO" – Suburban Office District limited the building height to 35'. He stated that the building would be approximately the height of a house.

Ms. Quintanilla stated that the applicant was requesting to rezone two different tracts of land. She stated that they would have to develop as two separate tracts. Ms. Quintanilla further explained that one building could not be built on the two tracts of land, since they would have split zoning. She stated that if the applicant wanted to come back at a later time to develop the entire four acres as one development with one building, then the whole property would need to be rezoned.

Alternate Commission Member McReynolds asked about the setback for the northern property along U.S. Highway 380 (University Drive). Ms. Quintanilla stated that there would be a minimum 20' front yard setback and a 20' landscape buffer. She stated that there could not be any parking within the landscape buffer. Ms. Quintanilla stated that they would have to plant some trees as well.

Commission Member Cobbel asked where the Alzheimer's center was located within the Meadow Ranch Estates. Chairman Cox stated that it was located in the back of the subdivision and was using one of the residential structures.

Chairman Cox asked what Staff would be looking for in regards to traffic counts if the subject property was developed. Ms. Quintanilla stated that the City of McKinney

Engineering Department would review the plans to make sure that they have the right amount of access on the site. She stated that they would check to see if they would be required to provide additional right turn lanes based on the traffic counts. Mr. Brian Lockley, Planning Director for the City of McKinney, stated that that would also include any intersection improvements based on the number of trips for this development. He stated that they would also take a look at nearby intersections to ensure that they were adequate to meet the demand.

Alternate Commission Member McReynolds asked if the two lots stay separate if that meant that there could only be a specific building type of each lot. He also asked about the setbacks for the two lots. Ms. Quintanilla stated that each lot would have to follow the setbacks, landscape buffer, provide adequate parking, and site circulation. She stated that they would have a maximum lot coverage of 70% within the “SO” – Suburban Office District, which might not allow for two buildings to be built on one lot. Ms. Quintanilla stated that these would be reviewed by Staff during the site plan process.

Alternate Commission Member McReynolds stated that it would be hard to develop the two separate lots with the depth of the lots, setbacks, screening requirements, et cetera. He stated that he felt it would be a bad idea to turn the southern property into an office use. Alternate Commission Member McReynolds stated that the Comprehensive Plan showed the property as residential. He stated that it was a bad idea to split it from the other residential properties in the subdivision.

Commission Member Kuykendall stated that she could understand Alternate Commission Member McReynolds’s comments; however, she felt that the property owner’s rights for his property should also be considered. She stated that she was not

crazy about seeing the overwhelming dissent from the surrounding neighborhood. Commission Member Kuykendall stated that she would weigh both sides of the argument.

Alternate Commission Member McReynolds stated that if the subject property was originally one large lot, then he would not have as much of an issue with the request. He stated that the southern property was currently part of the subdivision. Alternate Commission Member McReynolds stated that there had to be commercial uses along U.S. Highway 380 (University Drive). He stated that he did not agree with the proposed rezoning request for the southern property.

Commission Member Cobbel asked if it was likely that the applicant would come back at a later time to request that the two lots be replatted into one large lot. Mr. Sanchez stated that there was a strong likelihood that was exactly what they would do. He stated that the dimensions work with having two lots. Mr. Sanchez stated that if you really want to make the site the best that it can be, then it probably would need to be replatted into one larger lot so that everything flows smoothly. He stated that he could not replat the two lots into one larger lot without knowing what he could develop on the property.

Commission Member Cobbel wanted to clarify that the current wall at the entrance would need to be moved and a new wall would be built. She asked for the height of the new wall compared to the current wall. Mr. Sanchez stated that a new wall would be 6' tall. He thought the current wall was approximately 5' – 6' tall.

Commission Member Cobbel stated that the property to the west was already within the subdivision and had the right to build commercial uses on their property. She reiterated that the commercial uses were technically already allow in there. Commission

Member Cobbel stated that there would still be a buffer like there was to begin with. She also stated that there was industrial property to the east of the subject property.

Commission Member McCall stated that he was on both sides of the fence on this request. He expressed concerns about the two properties having different zoning on them. Commission Member McCall questioned if the property owner would be back at a later time to rezone the property. Mr. Sanchez stated that when they first came in to discuss rezoning the property with Staff, they discussed rezoning all four acres to a straight commercial tract. He stated that they decided to take the southern tract to a lesser intense use to help buffer from the residential development. Mr. Sanchez stated that this was not the perfect solution; however, they need a starting point on the entitlements. He stated that they could then bring forward a plan for exactly what they want to do at that point.

Alternate Commission Member McReynolds asked if they decided to rezone the four acre tract of land into one zone which one with they chose. Mr. Sanchez stated that if he had to develop two separate tracts given these dimensions with the proposed rezoning, then he could do it. He stated that the math works to do it. Mr. Sanchez stated that he could not say at this time if that is what they plan to ultimately do with the subject property.

Commission Member McCall expressed concerns about taking away residential uses for commercial development. He stated that there has to be commercial uses at U.S. Highway 380 (University Drive). Mr. Sanchez stated that if his concerns were over the screening between the residential property and the non-residential property, then he was willing to do whatever the City ordinance requires and additional items that were

reasonable to make it more palatable. He gave examples of things that they were willing to do like increasing the height of the screening wall, increasing the number of trees planted, et cetera. Commission Member McCall asked if the entrance would match on the other side of the street on the adjacent western property. Mr. Sanchez stated that property owner would be responsible for their property. He stated that property owner would be facing the same screening requirements if they decide to develop the back of their property.

Commission Member McCall and Alternate Commission Member McReynolds stated that there were still too many questions that needed to be answered. Alternate Commission Member McReynolds questioned if they did come back in to rezone the four acres under the same zoning if it might be straight commercial instead of the lesser intense use that they were currently proposing. Mr. Sanchez stated that they would not come back to request straight commercial zoning for the whole tract. He stated that would not make sense financially.

Commission Member McCall questioned if the rezoning request was not approved then what might be developed on the property by right.

Commission Member Kuykendall asked about the process after this meeting. Ms. Quintanilla stated that the Planning and Zoning Commission's recommendation on this request would be forwarded to City Council and City Council would need a supermajority vote to approve or deny the request. She stated that if City Council approved the proposed rezoning request, then the applicant would start the platting and site plan processes for either both tracts at the same time or individually.

Chairman Cox clarified that the City Council would need a supermajority vote whether or not the Planning and Zoning Commission recommended approval or denial of the request. Ms. Quintanilla said that was correct.

On a motion by Alternate Commission Member McReynolds, seconded by Commission Member McCall, the Commission voted to recommend denial of the proposed rezoning request, with a vote of 3-2-1. Commission Members Cobbel and Kuykendall voted against the motion. Commission Member Mantzey abstained.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on February 7, 2017.

Commission Member Kuykendall stated that she appreciated all of the residential neighbors showing up to voice their opinion at the meeting.

Commission Member Mantzey returned to the meeting.

Planning and Zoning Commission Meeting Minutes of January 10, 2017:

14-297Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District, "PD" - Planned Development District, and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District, "SO" - Suburban Office District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Meadow Ranch Road and U.S. Highway 380 (University Drive) (REQUEST TO BE TABLED)

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained that Staff recommends that the public hearing be closed and the item tabled to the January 24, 2017 Planning and Zoning Commission meeting due to a noticing error. She stated that Staff would re-notice prior to an upcoming Planning and Zoning Commission meeting. Ms. Quintanilla offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments.

Mr. Stephen Martinez, 1920 Meadow Ranch, McKinney, TX, stated that he represented the Meadow Ranch Estates Neighborhood Association and that they had filed a written protest today. He stated that they plan to attend the January 24, 2017 Planning and Zoning Commission meeting regarding this request.

On a motion by Commission Member Kuykendall, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing and table the proposed rezoning request to the January 24, 2017 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

PLANNING AND ZONING COMMISSION

DECEMBER 9, 2014

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on Tuesday, December 9, 2014 at 6:00 p.m.

Commission Members Present: Chairman Rick Franklin, Vice-Chairman Matt Hilton, Deanna Kuykendall, Cam McCall, Mark McReynolds, Dick Stevens, and Eric Zepp

Commission Member Absent: Jim Gilmore

Staff Present: Assistant Director of Development Services Rick Leisner; Director of Planning Michael Quint; Planning Managers Brandon Opiela, Jennifer Arnold, and Matt Robinson; CIP & Transportation Engineering Manager Gary Graham; Planner II Samantha Pickett; Planners Eleana Galicia, Jason Aprill, and Aaron Bloxham; and Administrative Assistant Terri Ramey

There were approximately 23 guests present.

Chairman Franklin called the meeting to order at 6:00 p.m. after determining a quorum was present.

Chairman Franklin explained the format and procedures of the meeting, as well as the role of the Commission. He announced that some of the items considered by the Commission on this date would be only heard by the Planning and Zoning Commission and others would be forwarded on to City Council. Chairman Franklin stated that he would advise the audience if the case will go on to City Council or be heard only by the Planning and Zoning Commission. He requested that applicants and Staff limit their remarks to five minutes each and that guests limit their remarks to three minutes and speak only once. Chairman Franklin explained that there is a timer located on the podium, and when one minute of the speaker's time is remaining, the light will switch from yellow to red and a buzzer will sound. He asked that everyone treat others with respect, be concise in all comments, and avoid over talking the issues.

Chairman Franklin continued the meeting with the Consent Items.

The Commission unanimously approved the motion by Vice-Chairman Hilton, seconded by Commission Member McCall, to approve the following four Consent items with a vote of 7-0-0.

- 14-1273 Minutes of the Planning and Zoning Commission Regular Meeting of November 11, 2014**
- 14-287PF Consider/Discuss/Act on a Preliminary-Final Plat for 53 Single Family Residential Lots (Stone Hollow Addition Phase Five), Located on the North Side of Nicolet Lane and on the East Side of Caribou Trail**
- 14-309PF Consider/Discuss/Act on a Preliminary-Final Plat for 58 Single Family Residential Lots, 1 Commercial Lot and 5 Common Areas (Oak Knoll Villas), Located on the Southeast Corner of Ridge Road and McKinney Ranch Parkway**
- 14-314PF Consider/Discuss/Act on a Preliminary-Final Plat for 52 Single Family Residential Lots and 2 Common Areas (Trinity Falls Planning Unit 2, Phase 4), Located on the Southeast Corner of Trinity Falls Parkway and County Road 228**

END OF CONSENT

Chairman Franklin continued the meeting with the Regular Agenda Items and Public Hearings on the agenda.

- 14-289Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "SO" - Suburban Office District, Located on the Southwest Corner of Linkside Point and Stonebridge Drive (WITHDRAWN)**

Ms. Samantha Pickett, Planner II for the City of McKinney, stated that the applicant officially withdrew this request and that no further action on this item was necessary.

- 14-166Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "REC" - Regional Employment Overlay District and "CC" -Corridor Commercial Overlay District to "PD" - Planned Development District, "REC" - Regional Employment Overlay District and "CC" -Corridor Commercial Overlay District, Generally to Allow for Townhome Uses, Located on the Southwest Corner of McKinney Place Drive and Collin McKinney Parkway (REQUEST TO BE TABLED)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the January 13, 2015 Planning and Zoning Commission meeting due to public hearing

notification signs not being posted on the subject property by the applicant in the timeframe required by the Zoning Ordinance.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Hilton, seconded by Commission Member McCall, the Commission voted unanimously to continue the public hearing and table the proposed rezoning request to the January 13, 2015 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

14-297Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District, "PD" - Planned Development District, and "CC" - Corridor Commercial Overlay District to "C-1" - Neighborhood Commercial District, and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Meadow Ranch Road and U.S. Highway 380 (University Drive) (REQUEST TO BE TABLED)

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be closed and the item be tabled indefinitely per the applicant's request.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Hilton, seconded by Commission Member Stevens, the Commission voted unanimously to close the public hearing and table the proposed rezoning request as recommended by Staff, with a vote of 7-0-0.

14-305SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Additional Fuel Pumps and Car Wash, Located on the Southwest Corner of Westridge Boulevard and Independence Parkway (REQUEST TO BE TABLED)

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the January 13, 2015 Planning and Zoning Commission meeting per the applicant's request.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Hilton, seconded by Commission Member Zepp, the Commission voted unanimously to continue the public hearing and table the proposed specific use permit request to the January 13, 2015 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

14-302Z 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 "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the Northwest Corner of Meyer Way and Collin McKinney Parkway (REQUEST TO BE TABLED)

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the January 13, 2015 Planning and Zoning Commission meeting per the applicant's request.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Stevens, seconded by Commission Member McCall, the Commission voted unanimously to continue the public hearing and table the proposed rezoning request to the January 13, 2015 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

14-317SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for an Event Center (Five Star Concierge), Located Approximately 80 Feet East of Tennessee Street and on the North Side of Davis Street

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the specific use permit request. He stated that Staff recommends approval of the proposed specific use permit for an event center use.

The applicant was not present at the meeting.

Chairman Franklin opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Stevens, seconded by Commission Member McReynolds, to close the public hearing and recommend approval of the specific use permit per Staff's recommendations, with a vote of 7-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on January 6, 2015.

14-295SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit for a Restaurant with Drive-Through Window, Located Approximately 250 Feet East of Stonebridge Drive and on the North Side of Eldorado Parkway

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the specific use permit request. She stated that Staff recommends approval of the proposed specific use permit with the special ordinance provisions listed in the staff report.

Mr. Tony Scalise, Dorado Crossing, LP, 1412 Main Street, Dallas, TX, offered to answer questions. There were none.

Chairman Franklin opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Vice-Chairman Hilton, seconded by Commission Member Kuykendall, to close the public hearing and recommend approval of the specific use permit with the special ordinance provisions listed in the staff report, with a vote of 7-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on January 6, 2015.

14-267SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan to Waive the Screening Device on a Dry Cleaning Facility (Eco Green Dry Clean Super Center), Located on the West Side of Custer Road and Approximately 1,250 Feet South of U.S. Highway 380 (University Drive)

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed site plan. She stated that Staff recommends approval of the proposed site plan as conditioned in the Staff report. Ms. Pickett stated that Staff could not support the applicant's request to waive the screening devices for the overhead bay doors on the western and northern sides of the building. She discussed some of Staff's concerns.

Mr. Todd Stein, 4631 Elsbey Avenue, Dallas, TX, discussed the proposed site plan and offered to answer questions.

Chairman Franklin asked why the applicant did not want to install the screening devices. Mr. Stein did not feel the rollup door would be very visible. He explained why they needed a rollup door for the business. Mr. Stein showed an example of another dry cleaner location in McKinney that was not screened. He also showed a photograph of the AutoZone that would be facing this property that had planted shrubs for their screening device. Mr. Michael Quint, Director of Planning for the City of McKinney, briefly discussed the various approved screening devices and some alternate screening

devices. Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that AutoZone did receive a variance to plant the living screening material on the property.

Mr. Brian Hoang, Dream Works USA, 1049 N. Preston Road, Prosper, TX, explained why he felt that they could not make some exterior changes to the design. He felt that the rollup door would be closed most of the time. Mr. Hoang stated that having rollup doors was an industry standard for dry cleaner businesses. Mr. Stein also explained why planting shrubs would be an issue on the western side of the property.

Vice-Chairman Hilton asked how many 6' tall evergreen shrubs (at time of full height) would be required for an alternate screening device on the property. Mr. Opiela stated it could be around 10 evergreen shrubs, if they are planted 3' on center.

Commission Member Zepp asked if the rollup door could be required to match the rest of the exterior. Mr. Hoang stated that they should be able to match the exterior color on the rollup door.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Hilton, seconded by Commission Member Zepp, the Commission voted unanimously to close the public hearing, with a vote of 7-0-0.

Chairman Franklin felt this request had unique circumstances. He was in favor of using a living screen.

Commission Member Kuykendall asked what was historically approved for situations similar to this. Mr. Quint briefly gave some examples of ways to address the screening issues. He felt development design was still flexible at this point.

Chairman Franklin asked if the applicant would be willing to move the driveway to the north of the property. Mr. Hoang stated that they had considered having the driveway to the north of its current proposed location on the property; however, the City of McKinney Engineering Department asked them to relocate the driveway to the proposed location on the property due to traffic concerns.

Chairman Franklin asked if the applicant if they would be willing to table the request to further discuss the driveway and screening issues with Staff.

Mr. Gary Graham, CIP & Transportation Engineering Manager for the City of McKinney, explained Engineering Staff's concerns with the northern location of the driveway and why they asked to have it moved to the south on the property.

Mr. Stein offered to add additional an living screen around the corner of the property.

Commission Member McReynolds asked about the dumpster on the property. Mr. Hoang stated that it was proposed for the future phase. Mr. Opiela explained that area would have landscaping on it until it was built for a dumpster enclosure at a future time. Chairman Franklin felt that would also help with the screening issues on the property. Mr. Quint stated that the only landscaping required at this location would be grass for erosion control and a tree. He stated that they were not required to have shrubs at the future dumpster location. Chairman Franklin asked if the Commission could request that shrubs be planted there. Mr. Quint said yes. Mr. Hoang was willing to plant shrubs at this location.

On a motion by Vice-Chairman Hilton, seconded by Commission Member Kuykendall, the Commission voted unanimously to approve the proposed site plan as conditioned in the Staff report and require screening living screen composed of evergreen shrubs, planted 3' on center and 3' tall at the time of planting, along the northern property line and the west side of the property up to the western access drive, with a vote of 7-0-0.

Chairman Franklin stated that the Planning and Zoning Commission was the final approval authority for the proposed site plan.

14-053SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for Newsome Homes, Located on the North Side of McMakin Street and on the East Side of McDonald Street (State Highway 5)

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed site plan. She stated that Staff distributed a letter of support to the Commission prior to the meeting. Ms. Pickett stated that Staff recommends approval of the proposed site plan as conditioned in the Staff report. She stated that Staff could not support the applicant's variance request to install a 6' tall wood fence as an alternate screening device along the western and northern property lines as detailed further on

the site plan or the variance request to reduce the landscape buffer to 10' in width along a portion of Amscott Street, as detailed further on the site plan. Ms. Pickett discussed some of Staff's concerns.

Mr. Levi Wild, Sanchez and Associates, 402 N. Tennessee Street, McKinney, TX, explained the proposed site plan request and the two variance requests. He gave a brief history of the proposed development. Mr. Wild also discussed some of the issues they faced with the project.

Vice-Chairman Hilton asked for the estimates on the various fencing options. Mr. Wild stated that he did not have the numbers with him; however, it was significant enough to be a concern.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Stevens, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing, with a vote of 7-0-0.

Commission Member Stevens asked if there would be screening between this project and the surrounding residential homes on the east side of the property. Ms. Pickett stated that there would be a living plant screen and an existing tree line along that area per the "PD" – Planned Development District.

Commission Member Stevens stated that he did not want to see wooden fences used as screening on the development. He preferred using a living screen. Mr. Wild stated that they would be willing to plant living screens on the property.

Commission Member McReynolds had concerns with planting living screens where walking paths could cause gaps in the screening. He did not want to see a wooden fence used on the property either. Commission Member McReynolds preferred using wrought iron fencing with masonry columns.

Mr. Wild stated that the wood fence would provide privacy and security for the residents.

Chairman Franklin asked Mr. Wild if they had considered a wood fence with masonry columns. Mr. Wild said yes; however, he did not feel it was in the budget for the project. He felt that if they spent additional money on the screening, then it would take away from other areas of the development.

Vice-Chairman Hilton asked what the budget amount for the development. Mr. Wild stated that the budget was close to \$20,000,000.

Vice-Chairman Hilton stated that this was a significant development at an entrance to the City of McKinney. He felt it was well worth investing in the screening to make sure the development looked good for years to come.

Commission Member Zepp had concerns about the proposed parking.

Mr. Wild stated that they would prefer 30' centers if they have to build masonry columns for the fencing.

Commission Member Zepp asked who would be responsible for the maintenance of the property after it was built. Mr. Wild stated that McKinney Housing Authority and the developer would be joint owners of the property for the next 15 years after the Certificate of Occupancy was issued. He stated that after 15 years the ownership would revert back to the McKinney Housing Authority.

On a motion by Vice-Chairman Hilton, second by Commission Member Zepp, the Commission approved the proposed site plan request as conditioned in the Staff report, approved the variance for a 10' landscape buffer along Amscott Street as detailed further on the site plan, and denied the variance for a 6' tall wood fence as an alternate screening device along the western and northern property lines, with a vote of 6-1-0. Chairman Franklin voted against the motion.

Chairman Franklin stated that the Planning and Zoning Commission was the final approval authority for the proposed site plan.

14-238PFR Conduct a Public Hearing to Consider/Discuss/Act on the Request for Approval of a Preliminary-Final Replat for 80 Single Family Attached Residential Lots, 1 Commercial Lot and 7 Common Areas (Provence Townhome Addition), Located Approximately 1,135 Feet South of Eldorado Parkway and on the West Side of Alma Road

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the proposed preliminary-final replat. He stated that Staff recommends approval of the proposed preliminary-final replat as conditioned in the Staff report.

Mr. Gary Nail, 5000 Whitestone Lane, Plano, TX, explained the proposed preliminary-final replat.

Commission Member Stevens asked if the development would be located in Stonebridge Ranch. Mr. Nail said no.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member McCall, seconded by Commission Member Zepp, the Commission voted unanimously to close the public, with a vote of 7-0-0. On a motion by Commission Member Zepp, seconded by Commission Member McReynolds, the Commission voted unanimously to approve the proposed preliminary-final replat as conditioned in the Staff report, with a vote of 7-0-0.

Chairman Franklin stated that the Planning and Zoning Commission was the final approval authority for the proposed preliminary-final replat.

**14-318M Conduct a Public Hearing to Consider/Discuss/Act on
the Semiannual Report with Respect to the Progress of
the Capital Improvements Plan for Roadway and Utility
Impact Fees**

Mr. Jason Aprill, Planner for the City of McKinney, explained the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees as required by Chapter 395 of the Texas Local Government Code. He stated that Staff recommends filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees.

Chairperson Franklin opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member McReynolds, seconded by Commission Member McCall to close the public hearing and recommend filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees, with a vote of 7-0-0.

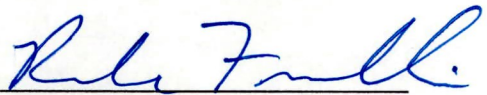
Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting of January 6, 2015.

END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

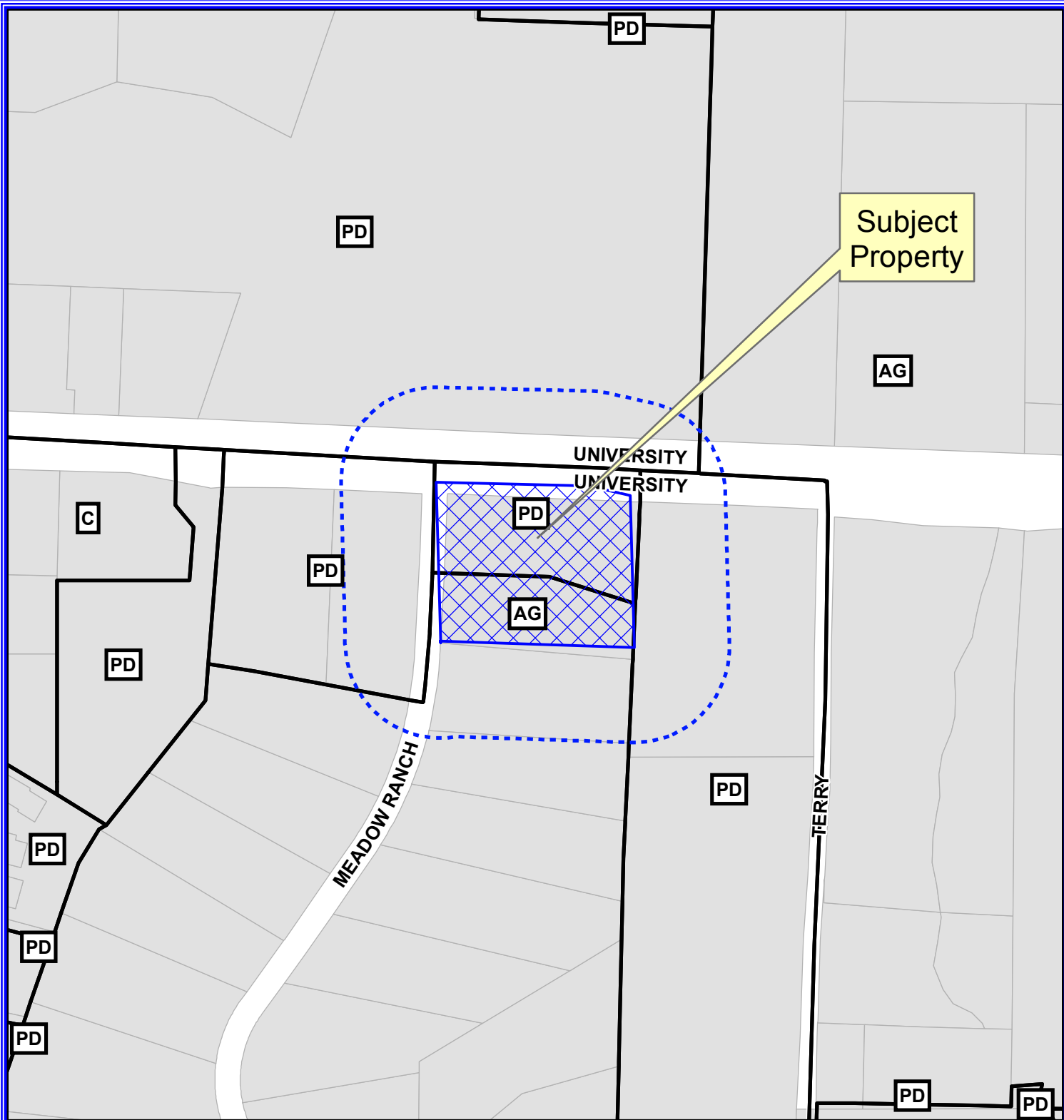
Mr. Michael Quint, Director of Development Services for the City of McKinney, welcomed Cam McCall to the Commission. He stated that the next Planning and Zoning Commission meeting would be held on Tuesday, January 13, 2015.

PLANNING AND ZONING COMMISSION MINUTES
TUESDAY, DECEMBER 9, 2014
PAGE 11

There being no further business, Chairman Franklin declared the meeting
adjourned at 7:08 p.m.



RICK FRANKLIN
Chairman



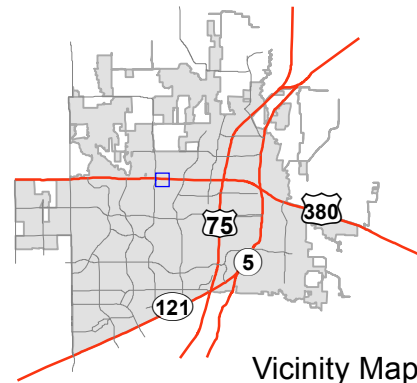
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Feet



Notification Map

Case: 14-297Z

--- 200' Buffer



Vicinity Map



January 11th, 2017

Brian Lockley
Director of Planning
221 N. Tennessee
McKinney, Texas 75069

RE: Letter of Intent – Rezoning Request
Approximately 4.0 Acres
SEC of Meadow Ranch Road & U.S. Highway 380;
S&A Project Number: 02128-001

Dear Mr. Lockley:

Please accept this correspondence as the formal Letter of Intent for the rezoning request for the four (4) acres located at the southeast corner of Meadow Ranch Road and U.S. Highway 380. Currently the property is zoned under a PD Planned Development Ordinance No. 1998-11-93 and AG – Agricultural District and “CC” – Corridor Commercial Overlay District.

In an effort to affectively market the property for future commercial development, our Client is requesting to rezone the two (2) acre tract against U.S. 380 to C-2 (Commercial) and “CC” - Corridor Commercial Overlay District. This zoning district should allow for flexibility for future uses on the site and be compatible with the adjoining properties as development occurs along U.S. 380. Currently this portion of the site is occupied by an accounting business.

Our Client recognizes that there are existing single family homes adjoining the southern boundary of the property. As such, our Client is requesting that the two (2) acre tract along Meadow Ranch Road, bounded by the portion of the subject property requesting to be zoned to C-2 and the single family homes to the south, be rezoned to SO (Suburban Office) and “CC” – Corridor Commercial Overlay District. This zoning district will provide a good transition from the commercial uses along U.S. 380 into the single family residences to the south. Currently this portion of the property is occupied by a single-family residence.

Thank you for your time and consideration in this matter. If you have any questions, please contact me at 469-424-5900 or at Tyler.Scott@thesanchezgroup.biz if this is more convenient.

Regards,

Tyler Scott
Project Manager
CC: File

Brokerage • Master Planning • Civil Engineering • Construction • Asset Management • Land Development

2000 North McDonald Street, McKinney, TX 75071 Tel 469.424.5900

Danielle Quintanilla

To: Keith Andre
Subject: RE: P&Z Meeting 1-24-17

-----Original Message-----

From:
Sent: Tuesday, January 24, 2017 3:44 PM
To: Keith Andre
Subject: P&Z Meeting 1-24-17

Keith: Due to a scheduling fowl up I will not be able to attend tonight's P&Z meeting. However, as a resident of the Meadow Ranch community, residing At 1821 Meadow Ranch, I want to advise you that I support your rezoning application for the residential tract that you own to the south and adjacent to your existing commercial tract fronting Hwy 380.

Elliott Bradley
Pres. Bradco Interests

U. S. Treasury Circular 230 Notice - Any U.S. Federal tax advice included in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding U.S. Federal tax related penalties or (ii) promoting marketing or recommending to another party any tax related matter addressed herein. This electronic mail transmission may contain confidential or privileged information. If you believe that you have received this message in error, please notify the sender and delete the messages without copying or disclosing it.

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From: [Vince Gunn](#)
To: [Contact-Planning](#); dquintoan@mckinneytexas.org
Subject: Texas Planning Commission Case #14-297Z
Date: Monday, January 9, 2017 2:44:47 PM

1/9/2017

Dear Planning Commission Members,

Our home is situated within 200 feet of the property known as Lot 19 of Meadow Ranch Estates, 1930 Meadow Ranch Road.

We oppose the rezoning of Lot 19, requested under Case # 14-297Z.

We are concerned that approval of this rezoning request and the consequential encroachment of commercial enterprise within the Meadow Ranch Estates neighborhood will, due to the commercial traffic, noise and related nuisances associated with commercial developments, destroy the peace, quiet and privacy of this secluded family-safe neighborhood that we so enjoy. We are also concerned that the property value of our home and of the homes of our neighbors will be reduced as well, should this rezoning request be approved.

Therefore, we respectfully request the Planning Commission members to deny this request.

Sincerely,
Vincent J. Gunn and Jan E. Gunn

From: [Stephen Martinez](#)
To: [Contact-Planning](#); [Danielle Quintanilla](#)
Subject: Rezoning Case # 14-297Z
Date: Tuesday, January 10, 2017 2:07:45 PM

Jan 10 2017

Dear Planning Commission Members,

Our home is situated within 200 feet of the property known as Lot 19 of Meadow Ranch Estates, 1930 Meadow Ranch Road.

We oppose the rezoning of Lot 19, requested under Case # 14-297Z.

Meadow Ranch Estates was designed as a unique residential no outlet neighborhood with approximately 17 single family residences zoned as Agricultural. We are concerned that approval of Lot 19 rezoning request for ANY commercial uses would have a severe, detrimental effect on the quality of life in this unique family-safe neighborhood. We certainly would experience commercial traffic, noise and related nuisances associated with commercial developments. Additionally, the property value of our home and of the homes of our neighbors would be reduced as well should this rezoning request be approved.

We recognize the desirability of living in McKinney; unique neighborhoods such as Meadow Ranch Estates need to be preserved for the quality of life it offers.

Therefore, we respectfully join many of our neighbors in urging the Planning Commission Members to deny Case # 14-297Z.

Respectfully,

Stephen & Debbie Martinez

From: [Maya Kaul](#)
To: [Contact-Planning](#); [Danielle Quintanilla](#)
Subject: Texas Planning Commission Case#14-297Z Rezoning Request
Date: Tuesday, January 10, 2017 2:43:19 PM

Jan 10 2017

Dear Planning Commission Members,

Our home is situated within 200 feet of the property known as Lot 19 of Meadow Ranch Estates, 1920 Meadow Ranch Road.

We oppose the rezoning of Lot 19, requested under Case # 14-297Z.

Meadow Ranch Estates was designed as a unique residential no outlet neighborhood with approximately 17 single family residences zoned as Agricultural. We are concerned that approval of Lot 19 rezoning request for ANY commercial uses would have a severe, detrimental effect on the quality of life in this unique family-safe neighborhood. We certainly would experience commercial traffic, noise and related nuisances associated with commercial developments. Additionally, the property value of our home and of the homes of our neighbors would be reduced as well should this rezoning request be approved.

We recognize that the desirability of living in our City; unique neighborhoods such as Meadow Ranch Estates need to be preserved for the quality of life it offers.

Therefore, we respectfully join many of our neighbors in urging the Planning Commission Members to deny Case # 14-297Z.

Respectfully,
Maya Kaul

From:
To: [Contact-Planning](#)
Cc: [Danielle Quintanilla](#)
Subject: Texas Planning Commission Case #14-297Z Rezoning Request
Date: Friday, January 13, 2017 10:54:34 AM

TO WHOM IT MAY CONCERN:

We wish to protect our neighborhood as well as our property by keeping totally residential. We feel the zoning change request would diminish our property values and create undue traffic to our quiet family neighborhood.

Please consider our request and vote NO to this zoning change.

Sincerely,
Frederick & Pamela Meyer

Affordable Wireless Plans

Set up is easy. Get online in minutes.

Starting at only \$14.95 per month!

www.netzero.net

From: [Gorman, Michael](#)
To: [Contact-Planning](#)
Cc: [Danielle Quintanilla](#)
Subject: Texas Planning Commission Case #14-297Z
Date: Sunday, January 22, 2017 11:42:56 PM

Dear Planning Commission Members:

Our home is situated within 200 feet of the property in question known as Lot 19 of Meadow Ranch Estates, 1930 Meadow Ranch Road.

We oppose the rezoning of Lot 19, requested under Case # 14-297Z.

Rezoning this piece of property would result in an encroachment of commercial business(s) into this very unique residential development. This would result in increased noise, traffic and other business related activities upsetting the peaceful nature of this development. Meadow Ranch Estates is a very secluded, family oriented neighborhood with large residential homes on large acreage. With the approval of this request, we see the beginning of the destruction of this beautiful development. We also see the resulting reduction of our property values of our home and of the homes of our neighbors with this approval.

Therefore, we respectfully request the members of the Planning Commission to deny this request to preserve this very unique development.

Sincerely,

Michael Gorman and Cathi Gorman

Confidentiality Notice: This message is private and may contain confidential and proprietary information. If you have received this message in error, please notify us and remove it from your system and note that you must not copy, distribute or take any action in reliance on it. Any unauthorized use or disclosure of the contents of this message is not permitted and may be unlawful.

From:
To: [Contact-Planning](#)
Cc: dquintoan@mckinneytexas.org
Subject: Texas Planning Commission Case #14-297Z
Date: Monday, January 23, 2017 11:29:16 AM

Hello McKinney Planning & Zoning Commission,

We are residents of Meadow Ranch Estates, We would like to express our strong opposition to the rezoning request of Lot 19 from residential to commercial. Our family oriented neighborhood would be forever altered in a negative way if this request is approved; commercial and residential properties simply do not mix. We know this from first hand experience because our home is next door to a residential Alzheimer's Care Facility and it has been a nightmare of epic proportion . We have continuous in/out traffic, 24 hours a day seven days a week, we routinely have medical waste in our yard, and perhaps most significantly, we have a complete and total loss of privacy.

Family orientated neighborhoods such as ours are what make a community stable and inviting. This proposed changed would alter what makes McKinney strong.

We are asking the committee to put themselves in our shoes when considering this request and deny the rezoning.

Thank you,

In Great Goodwill,

Bill Smith & Liz McEhane

From:
To: [Danielle Quintanilla](#)
Subject: case#14-297Z rezoning request
Date: Tuesday, January 24, 2017 10:30:35 AM

chuck howard-jan lot#13 meadow ranch estates we
strongly object to any rezoning of res-ag to Office and
office to com.
see you at the hearing.

Petition in Opposition to City of McKinney, Texas Planning Commission Case#14-297Z

Petition

As Owners and/or Residents of Meadow Ranch Estates, we the undersigned, are opposed to the Rezoning Request, Case #14-297Z, for property known as Lot 19, 1930 Meadow Ranch Rd. The owner of Lot 19 has applied to rezone the 2 acres of Lot 19 that is adjacent to Highway 380 from PD to C-2 (Commercial) and the 2 acres located within Meadow Ranch estates from AG to SO (Suburban Office). We are not presently informed as to the Owner's specific intentions but believe that any commercial use of the two acres located within Meadow Ranch Estates is incompatible with the neighborhood and must be denied. We also wish to be informed as to the proposed changes to the uses of the two acres located on 380 from PD to C-2 in order to be able to timely object to enhanced commercial activity that inevitably will cause noise disturbances, traffic or other nuisances in Meadow Ranch Estates.

Meadow Ranch Estates is a unique residential no-outlet neighborhood of approximately 20 single family residences with a minimum lot size of two acres. Meadow Ranch Estates was designed to be a quiet family neighborhood set back and visibly secluded from Highway 380. Unquestionably, rezoning Lot 19 to permit commercial uses would destroy the unique character of Meadow Ranch Estates,

diminish the property values of the homes in the neighborhood as well as create undue and harmful traffic on the current roadway. We request that the Planning and Zoning Commission consider this Petition prior to rendering any decision and that it reject and deny rezoning case #14-297Z.

By signing this Petition, I affirm that I am at least 18 years of age and am a resident of Meadow Ranch Estates, Mckinney, Texas

Printed Name

DARRELL GROVES

Signature

Darrell Groves

Printed Name

DESIREE GROVES

Signature

Desiree Groves

Printed Name

KIMBERLY TISSERAND

Signature

Kimberly Tisserand

Printed Name

Daniel Tisserand

Signature

Daniel Tisserand

Printed Name

Samantha Arrington

Signature

Samantha Arrington

Printed Name

Mark Arrington

Signature

Mark Arrington

Printed Name

MARK S. RUTLEDGE

Signature

Mark Rutledge

Printed Name

Juliette Buchanan

Signature

Juliette Buchanan

By signing this Petition, I affirm that I am at least 18 years of age and am a resident of Meadow Ranch Estates, McKinney, Texas

Printed Name Chuck Howard
Signature Chuck Howard

Printed Name JAN HOWARD
Signature Jan Howard

Printed Name WILLIAM L. SMITH, JR
Signature Will L. Smith, Jr

Printed Name Elizabeth McElhanev
Signature Elizabeth McElhanev

Printed Name Frederick A. Meyer
Signature FREDERICK A. MEYER

Printed Name Pamela S. Meyer
Signature Pamela S Meyer

Printed Name John R. Hanson
Signature John R Hanson

Printed Name Sandra K Hanson
Signature SHanson

By signing this Petition, I affirm that I am at least 18 years of age and am a resident of Meadow Ranch Estates, McKinney, Texas

Printed Name

Vincent J. Gunn

Signature

V. Gunn

Printed Name

Jan E. Gunn

Signature

Jan Gunn

Printed Name

Joshua V. Gunn

Signature

Joshua V. Gunn

Printed Name

Cassandra V. Gunn

Signature

Cassandra V. Gunn

Printed Name

Maya Karyl

Signature

Maya Karyl

Printed Name

Darrell Lewis

Signature

Darrell Lewis

Printed Name

Karen Lewis

Signature

Karen Lewis

Printed Name

Stephen Martinez

Signature

Stephen Martinez

By signing this Petition, I affirm that I am at least 18 years of age and am a resident of Meadow Ranch Estates, Mckinney, Texas

Printed Name Debbie Martinez
Signature Debbie Martinez

Printed Name MICHAEL GORMAN
Signature Michael Gorman

Printed Name Cathy Gorman
Signature Cathy Gorman

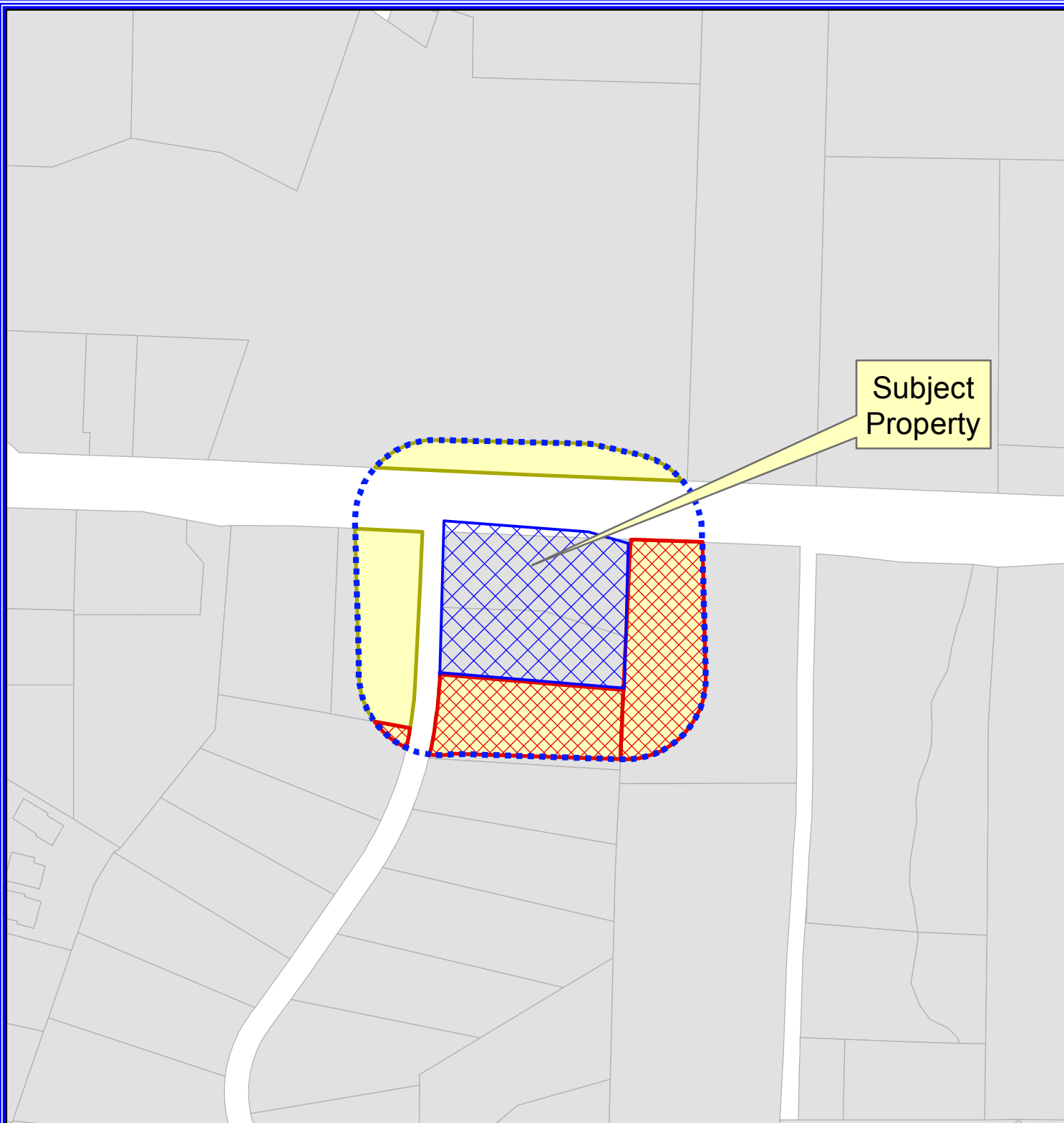
Printed Name Paul Gorman
Signature Paul Gorman

Printed Name Rick McDaniel
Signature Rick McDaniel

Printed Name Kari McDaniel
Signature Kari McDaniel

Printed Name _____
Signature _____

Printed Name _____
Signature _____



0 200 400 Feet

Protest Map

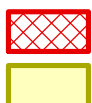
Case: 14-297Z

Total Acres in Protest: 4.25
Total Acres in Notification Area: 7.0
Percent of Notification Area in Protest: 60.7%



200 Foot Buffer

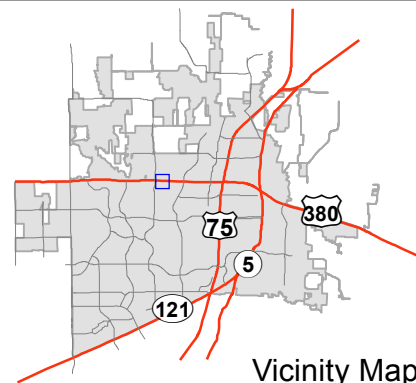
14-297Z



Protesting Properties



Notification Area



Vicinity Map



Holmes Firm PC
when it matters™

Received
JAN 10 2017

City Secretary

January 9, 2017

RONALD L. HOLMES
Main: 469.916.7700 x 105
Direct: 469.317.3470
Mobile: 214.577.6316
ron@theholmesfirm.com

City of McKinney
City Secretary's Office
222 North Tennessee Street
McKinney, Texas 75069
Attention: Sandy Hart

via Email: contact-citysecretary@mckinneytexas.org

Re: Zoning Case No. 14-297Z
Our File: Martinez, S.2

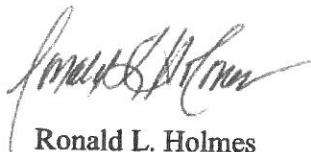
Dear Ms. Hart:

This law firm represents the Neighborhood Association for Meadow Ranch Estates, a Texas non-profit corporation, and the Members thereof. The Neighborhood Association was formed to promote, protect and enhance the long standing neighborhood environment of Meadow Ranch Estates.

Attached to this letter is a Zoning Change Written Protest signed by those Members of the Neighborhood Association entitled to sign the Zoning Change Written Protest (that is, those Members of the Association who own property situated within 200 feet of the property which is the subject of the proposed zoning change to-wit, Lot 19, 1930 Meadow Ranch Road). You may also receive emails from other Members of the Neighborhood Association, who don't qualify to sign the Zoning Change Written Protest, protesting the zoning change.

I look forward to presenting the protest on behalf this firm's clients at the public hearing on January 24, 2017.

Very truly yours,



Ronald L. Holmes

RLH/tt
Enclosures



ZONING CHANGE
WRITTEN PROTEST

Received
JAN 10 2017
City Secretary

In accordance with Subsection 146-164(5) "Negative Recommendations; Written Protest Procedures." of the Zoning Ordinance, a valid, written protest to a proposed zoning amendment, supplement, or change must be filed by the owners of at least 20 percent of either the area of the lots or land covered by the proposed change or the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

If a valid, written protest is received by the City Secretary's Office before 5:00 p.m. on the fourth working day immediately preceding the date advertised for the City Council public hearing, the proposed zoning amendment, supplement, or change shall require a favorable vote of three-fourths of all members of the City Council.

This written protest must bear the original signatures of ONLY the owners of property that is: (1) subject to the proposed zoning change; or, (2) situated within 200 feet of the property which is the subject of the proposed zoning change. The individual(s) collecting the signatures contained on the pages submitted with and made a part of this Zoning Change Written Protest form shall be required to complete the Zoning Change Written Protest Signature Witness Affidavit. (Please note that individual owners of eligible property may submit an individual Zoning Change Written Protest form, which form is available from the City, rather than sign this form.)

For additional information on submitting a written protest to a proposed zoning case, please contact the City Secretary's Office at 972-547-7500 or the Planning Department at 972-547-2000. Once this written protest form has been completed, please deliver it to the City Secretary's Office at 222 N. Tennessee Street, McKinney, TX 75070.

Zoning Case Number or Description: # 14-297Z

Date and Time of Protest Submittal: 10 JAN 2017 11:51 AM

Total Number of Pages Submitted: (6); cover letter + (5) pages

PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
Stephen A. Martinez	1920 Meadow Ranch Rd. McKinney, Texas 75071-7800	<i>Stephen A. Martinez</i>
Debbie Kessler Martinez	1920 Meadow Ranch Rd. McKinney, Texas 75071-7800	<i>Debbie Kessler Martinez</i>

PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
DARRELL K LEWIS	UNIVERSITY DR West McKinney, TX	Darrell Lewis
KAREN E LEWIS	UNIVERSITY DR West McKinney, TX	Karen Lewis
MICHAEL P. GORMAN	1910 MEADOW RANCH RD McKINNEY, TX 75071-7800	Michael P. Gorman
CATHI J. GORMAN	1910 MEADOW RANCH RD. McKINNEY, TX 75071-7800	Cathi J. Gorman
VINCENT J. GUNN	1911 MEADOW RANCH RD, McKinney, TX 75071	Vincent J. Gunn
Jan E. Gunn	1911 Meadow Ranch Rd McKinney, TX 75021	Jan Gunn

Please use as many of these pages as necessary to provide information for all protesting parties.

ZONING CHANGE WRITTEN PROTEST SIGNATURE WITNESS AFFIDAVIT City Secretary

I Stephen A. Martinez personally circulated the foregoing petition, that it bears 2 signatures, that all signatures appended thereto were made in my presence, and that I believe them to be the genuine signatures of the persons whose names they purport to be.

Stephen A. Martinez
Stephen A. Martinez

STATE OF TEXAS §
COUNTY OF COLLIN §

Before me, a notary public, on this 9th day of January, 2017 personally appeared Stephen A. Martinez, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

(Seal)



Sonny Patterson Notary
Public, State of Texas

Re: Case #14-297Z; Lot 19 of Meadow Ranch Estates, 1930 Meadow Ranch Road

We are the owners and residents of Lot 18 of Meadow Ranch Estates (address: 1920 Meadow Ranch Road). Lot 18 is situated within 200 feet of Lot 19 of Meadow Ranch Estates (address: 1930 Meadow Ranch Road). Lot 19 is the subject of the proposed zoning change in the above-referenced case. Lot 19 is comprised of approximately four (4) acres. The approximately two (2) acres of Lot 19 adjacent to U.S. Highway 380 is currently zoned PD (the "PD Property"). The approximately two (2) acres of Lot 19 immediately to the south of the PD Property is currently zoned AG (the "AG Property"). Both the PD Property and the AG Property are within the Corridor Commercial Overlay District (CC). The owner (the "Lot 19 Owner") of Lot 19 has applied to rezone (i) the PD Property to C-2 (Commercial) and (ii) the AG Property to SO (Suburban Office) [the "Rezoning"]. We are opposed to the Rezoning of Lot 19.

The Meadow Ranch Estates is a unique residential no-outlet subdivision of twenty (20) single family residences with average lot size of two (2) acres, offering its residents a quiet, private and secluded family safe environment where residents do not need to worry about noise disturbances, traffic or other nuisances associated with commercial developments. It is for those reasons that we purchased Lot 18.

A CPA's office is currently operated on the PD Property and a single family residence occupied by Owner currently exists on the AG Property. We are not aware of the Lot 19 Owner's intentions with respect to the redevelopment of Lot 19 and, thus, it is impossible to determine if the numerous uses permitted by the Rezoning would be appropriate to Meadow Ranch Estates.

It only makes sense that a rezoning of the PD Property to C-2 (Commercial) will result in a higher intensity use of the PD Property; however, we have been provided no information as to the Lot 19 Owner's intentions with respect to the development of the PD Property.

A rezoning of the AG Property to SO (Suburban Office) will absolutely result in a higher intensity use than the current low intensity use of the AG Property for a single family residence; again, however, we have been provided no information as to the Lot 19 Owner's intentions with respect to the development of the AG Property.

Further, without knowing what use the Lot 19 Owner intends to make of Lot 19, the Commission simply does not have sufficient information to weigh the factors required to be considered by the Commission pursuant to Code of Ordinances Sec. 146-164(3).

The higher intensity use of Lot 19 which will occur if the City of McKinney approves the Rezoning will result in increased and unnecessary (i) traffic adjacent to and within The Meadow Ranch Estates, (ii) noise within The Meadow Ranch Estates and (iii) nuisances to the residents of The Meadow Ranch Estates, all burdens which do not currently exist and which will destroy the unique nature of The Meadow Ranch Estates described above. These burdens resulting from the City of McKinney's approval of the Rezoning will diminish the value of the homes in The Meadow Ranch

P. 4 of 5

Estates as the quiet, private and secluded family safe environment currently provided by The Meadow Ranch Estates is what enhances and sustains the value of the homes in The Meadow Ranch Estates.

The City of McKinney is Unique by Nature. The Meadow Ranch Estates is unique by design. We urge you to protect that uniqueness and deny the Rezoning.

V:\MARTINEZ,S\2\MEADOW RANCH ESTATES\OPPOSITION TO REZONING INSERT

P. 5 of 5

CITY OF MCKINNEY COMPREHENSIVE PLAN FUTURE LAND USE PLAN

* Original Adoption 03-22-2004
(Ordinance No. 2004-03-035)

* Amendment #1 04-04-2006
(Ordinance No. 2006-04-042)
Revised to reflect alignment of
Future Collin County
Multimodal Transportation
Corridor as well as changes to
the Master Thoroughfare Plan.

* Amendment #2 01-05-2010
(Ordinance No. 2010-01-001)
Revised to reflect the Trinity
Falls Municipal Utility District,
the Airport Master Plan,
boundary changes between
McKinney, Fairview, and
Princeton as well as changes to
the Master Thoroughfare Plan.

* Amendment #3 07-16-2013
(Ordinance No. 2013-07-070)
Revised to reflect the changes to
the Master Thoroughfare
Plan.

* Amendment #4 05-05-2015
(Ordinance No. 2015-05-039)
Revised to reflect changes to
anticipated land uses/zoning for
the area formerly known as the
REC Module and create new
modules: Tollway Commercial
Module and Urban Mix Module.

* Amendment #5 06-02-2015
(Ordinance No. 2015-06-048)
Revised to reflect amendments to
the Master Thoroughfare
Plan, floodplain changes, and
boundary changes between
McKinney and Fairview.

The Future Land Use Plan serves as a guide for future development and represents policy and generalized land uses proposed for the City of McKinney. This Future Land Use Plan is composed of Land Use Modules. The Modules are groupings of several different land use categories combined with recommended percentages, working to achieve a holistic goal for a specific area of the community. THIS IS NOT A ZONING MAP.

Legend

Existing and Future Thoroughfares
Extraterritorial Jurisdiction (ETJ)

Rail Line
Floodplain

FUTURE LAND USE MODULES

Estate Mix
Suburban Mix
Urban Mix
Town Center
Transit Village (1/4 mile radius)
Community Village
Regional Commercial
Tollway Commercial
Regional Employment
Office Park
Industrial
Airport Industrial

Potential Commercial within the
Residential Module
(Based on Locational Criteria)

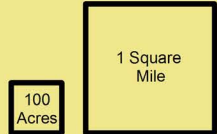
ANTICIPATED LAND USES / ZONING

Floodplain
Golf Course
Parks/Open Space
Government/Schools
Airport
Heavy Manufacturing
Light Manufacturing
Commercial Historic
Commercial
Neighborhood Business
Mixed Use
Office
Residential/Low Density
Residential/Medium Density
Residential/High Density
Residential/Urban High Density

Source: City of McKinney Planning Department Data

02 June 2015
FIGURE 7.4

0 1 2 Miles



CITY OF MCKINNEY COMPREHENSIVE PLAN

FUTURE LAND USE PLAN MODULE DIAGRAM

Legend

- Rail Line
- Existing and Future Thoroughfares
- Floodplain
- Extraterritorial Jurisdiction (ETJ)

FUTURE LAND USE MODULES

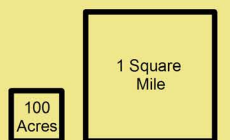
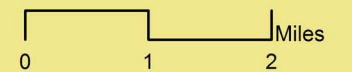
- EM Estate Mix
- SM Suburban Mix
- UM Urban Mix
- TC Town Center
- TV Transit Village
- CV Community Village
- RC Regional Commercial
- TWY Tollway Commercial
- RE Regional Employment
- OP Office Park
- I Industrial
- AI Airport Industrial

MODULE TYPE

- Existing Modules
- Future Modules

Source: City of McKinney Planning Department Data

02 June 2015
FIGURE 7.5



* Original Adoption 03-22-2004
(Ordinance No. 2004-03-035)

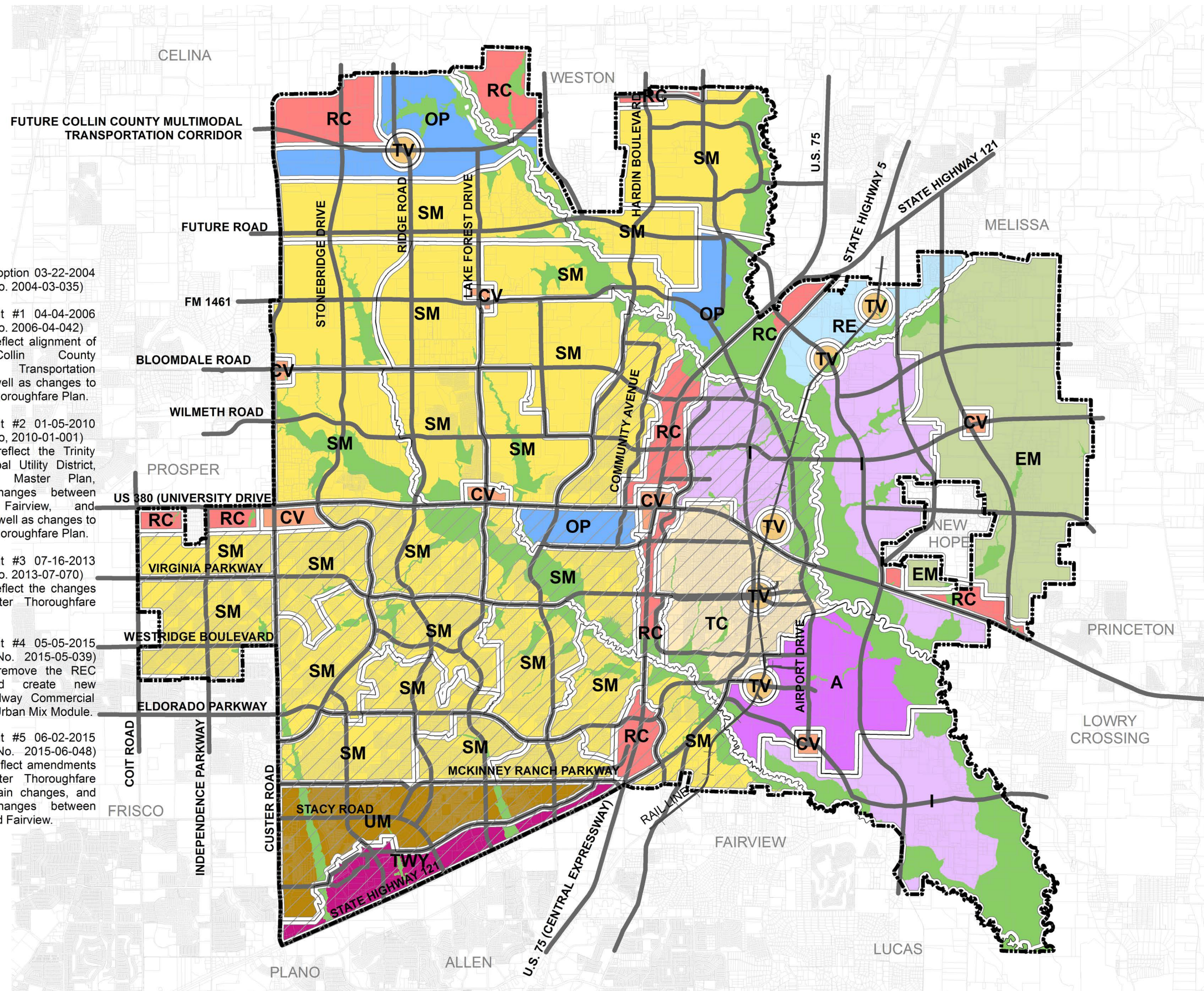
* Amendment #1 04-04-2006
(Ordinance No. 2006-04-042)
Revised to reflect alignment of
Future Collin County
Multimodal Transportation
Corridor as well as changes to
the Master Thoroughfare Plan.

* Amendment #2 01-05-2010
(Ordinance No. 2010-01-001)
Revised to reflect the Trinity
Falls Municipal Utility District,
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boundary changes between
McKinney, Fairview, and
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Revised to remove the REC
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modules: Tollway Commercial
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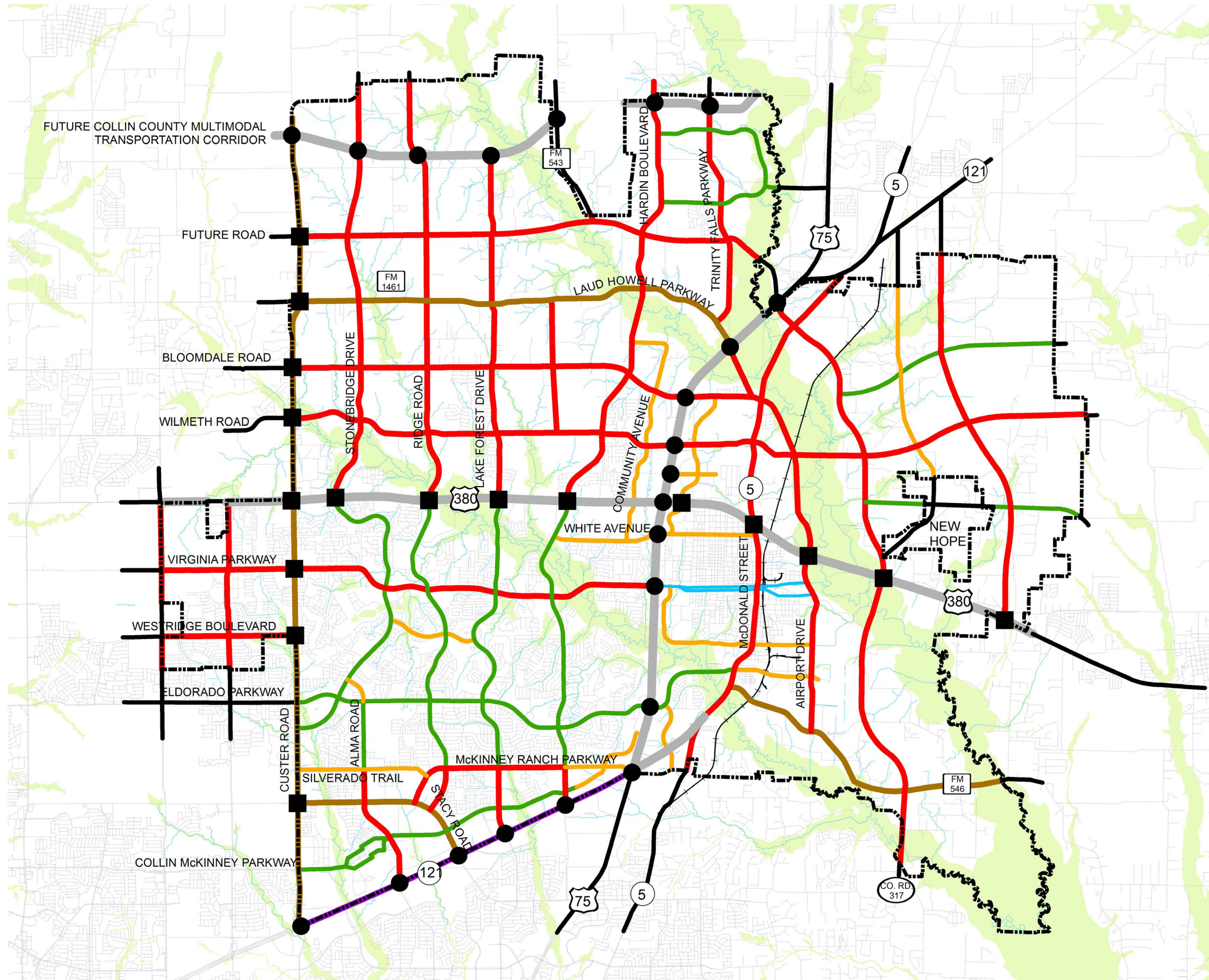
* Amendment #5 06-02-2015
(Ordinance No. 2015-06-048)
Revised to reflect amendments
to the Master Thoroughfare
Plan, floodplain changes, and
boundary changes between
McKinney and Fairview.



CITY OF MCKINNEY

COMPREHENSIVE PLAN

MASTER THOROUGHFARE PLAN



- High Capacity at Grade Intersections
 - Grade Separated Intersections
 - ▭ Extraterritorial Jurisdiction (ETJ)
 - Rail Line
 - Floodplain
- Roadway Classifications**
- Major Regional Highway / Multi-Modal
 - Tollway
 - Principal Arterial: (P6D - 130'-150' ROW, 6 lanes)
 - Major Arterial: (M6D - 120' ROW, 6 lanes)
 - Minor Arterial: (M4D, M5U, M4U, M3U)
 - Greenway Arterial: (G4D - 120' ROW, 4 lanes)
 - Town Thoroughfare
 - Road By Others

* Original Adoption (Ordinance No. 2004-03-035)
 * Amendment #1 (Ordinance No. 2005-10-133) Revised to reflect changes to Ridge Road and Stonebridge Drive north of Bloomdale Road.
 * Amendment #2 (Ordinance No. 2010-01-001) Revised to reflect actual alignments of recently built roads, the Future Collin County Multimodal Transportation Corridor alignment, the Trinity Falls Municipal Utility District, assorted roadway classification changes, and boundary changes between McKinney, Fairview and Princeton.
 * Amendment #3 (Ordinance No. 2012-11-160) Revised to reflect new Custer Rd. / Wilmeth Rd. Alignment.
 * Amendment #4 (Ordinance No. 2013-07-070) Revised to reflect actual alignments of recently built roads, the Future Collin County Multimodal Transportation Corridor alignment, the Trinity Falls Municipal Utility District, Custer Rd. north of U.S. 380, Stonebridge Dr. north of U.S. 380, Hardin Blvd. north of U.S. 380, FM 546, and assorted roadway classification changes.
 * Amendment #5 (Ordinance No. 2015-06-048) Revised to reflect actual alignment of recently built roads, changes to the Ridge Rd., Lake Forest Dr. and Laud Howell Pkwy. alignments, assorted roadway classification changes, boundary changes between McKinney and Fairview, and floodplain changes.

Source: City of McKinney GIS Department Data

2 June 2015
 FIGURE 8.3

0 1 2 Miles

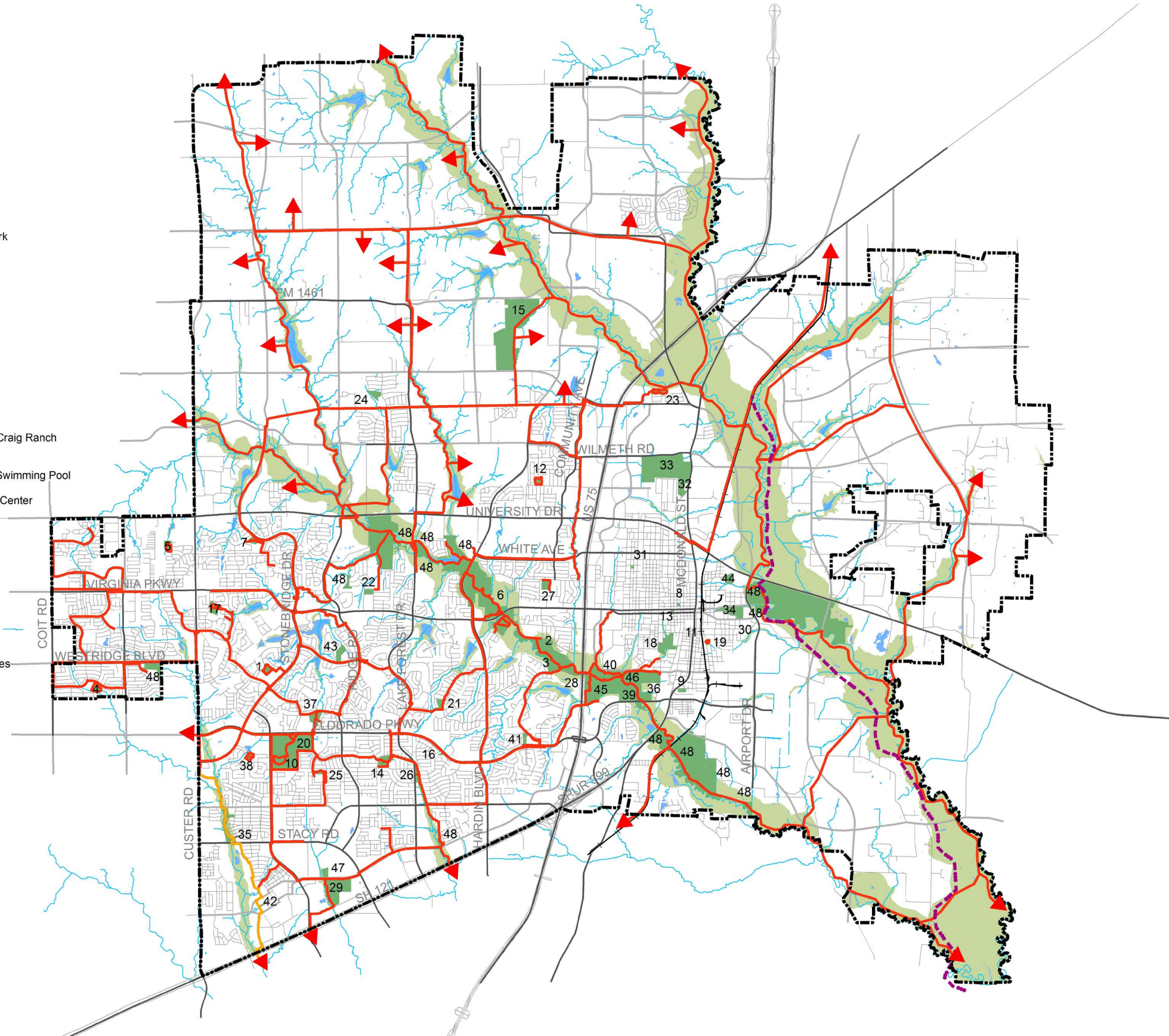


100 Acres

1 Square Mile

PARKS AND FACILITIES

1. A. Hardy Eubanks, Jr. Park
2. Al Ruschhaupt Soccer Complex
3. Alex Clark Disc Golf Course
4. Ash Woods Park
5. Aviator Park
6. Bonnie Wenk Park
7. Carey Cox Memorial Park
8. Central Park
9. Cottonwood Park
10. The Courts at Gabe Nesbitt
11. Day Labor Plaza
12. Dr. Charles B. McKissick Park
13. Dr. Glenn Mitchell Memorial Park
14. E.A. Randles Park
15. Erwin Park
16. Ezra Lee (Tinker) Taylor Park
17. Falcon Creek Park
18. Finch Park
19. Fitzhugh Park
20. Gabe Nesbitt Community Park
21. Hill Top Park
22. Horizon Park
23. Inspiration Park
24. Jim Ledbetter Park
25. John M. Whisenant Park
26. Katherine B. Winniford Park
27. Mary Will Craig Park
28. McKinney Community Center
29. McKinney Soccer Complex @ Craig Ranch
30. Mouzon Ball Fields
31. Murphy Park
32. North Park & Juanita Maxfield Swimming Pool
33. Oak Hollow Golf Course
34. Old Settlers Park & Recreation Center
35. Rowlett Creek Park
36. Senior Recreation Center
37. Serenity Park
38. Tom Allen Jr. Park
39. Towne Lake Disc Golf
40. Towne Lake Park
41. Valley Creek Park
42. Veterans Memorial Park
43. W.B. Finney Park
44. Wattley Park
45. Wilson Creek Nature Trail
46. Wilson Creek Softball Complex
47. World Collection of Crape Myrtles
48. Undeveloped/Open Space



CITY OF MCKINNEY COMPREHENSIVE PLAN HIKE AND BIKE TRAILS MASTER PLAN

- Extraterritorial Jurisdiction (ETJ)
- Hike and Bike Trail
- Six City Trail
- Equestrian Trail
- Roads
- Proposed Thoroughfares
- Rail Line
- Creeks
- Lakes
- Park Property
- Flood Plain

The arrows represent potential connections to future school sites with the intent of connecting all school sites with the main trails along major creeks.

Original Adoption 03-22-04 (Ordinance No. 2004-03-035)

*Amendment #1: 10-18-05 (Ordinance No.05-10-133) Revised sections of Ridge Road and Stonebridge Drive north of Bloomdale Road.

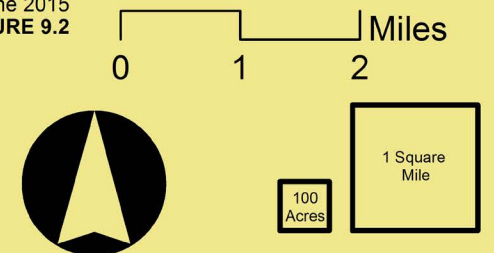
*Amendment #2: 04-04-06 (Ordinance No. 2006-04-042) Realigned the trail in the vicinity of the intersection of the Irving Water Distribution Line Easement and the East Fork of the Trinity River

*Amendment #3: 06-03-08 (Ordinance No. 2008-06-055) Adding, relocating, and eliminating various hike and bike sections.

*Amendment #4: 06-02-15 (Ordinance No. 2015-06-048) Adding, relocating and eliminating various hike and bike sections, updating floodplain changes, removing Bridge/Grade crossings designations, boundary changes between McKinney and Fairview, and updating the Master Thoroughfare Plan.

Source: City of McKinney Planning Department Data

2 June 2015
FIGURE 9.2



Land Use and Tax Base Summary for Module 34

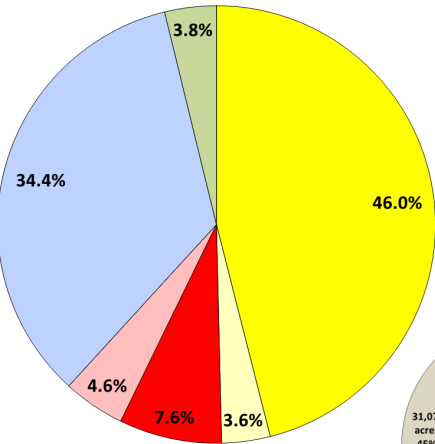
14-297Z Rezoning Request

Land Use Summary

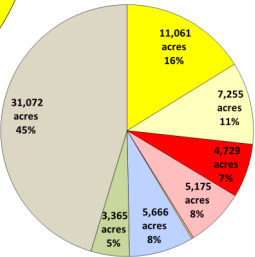
Based on information obtained from the Collin Central Appraisal District's certified tax roll in conjunction with approved zoning requests (for parcels currently undeveloped), below is a summary of existing and anticipated land uses in this module as of January 2015.

	Acres
Residential	671.1
Vacant Residential	52.2
Total Residential	723.3 (49.6%)
Non-Residential	110.6
Vacant Non-Residential	66.7
Total Non-Residential	177.2 (12.1%)
Mixed-Use	0.0
Vacant Mixed-Use	0.0
Total Mixed-Use ¹	0 (0%)
Institutional (non-taxable)	501.5
Total Institutional (non-taxable)	501.5 (34.4%)
Agricultural/Undetermined	55.5
Total Agricultural/Undetermined ²	55.4 (3.8%)
Total Acres (city limits only)	1,457.5 (100%)
Extraterritorial Jurisdiction (ETJ)	0.0
Total Extraterritorial Jurisdiction ³	0.0 (0%)
Total Acres	1,457.5

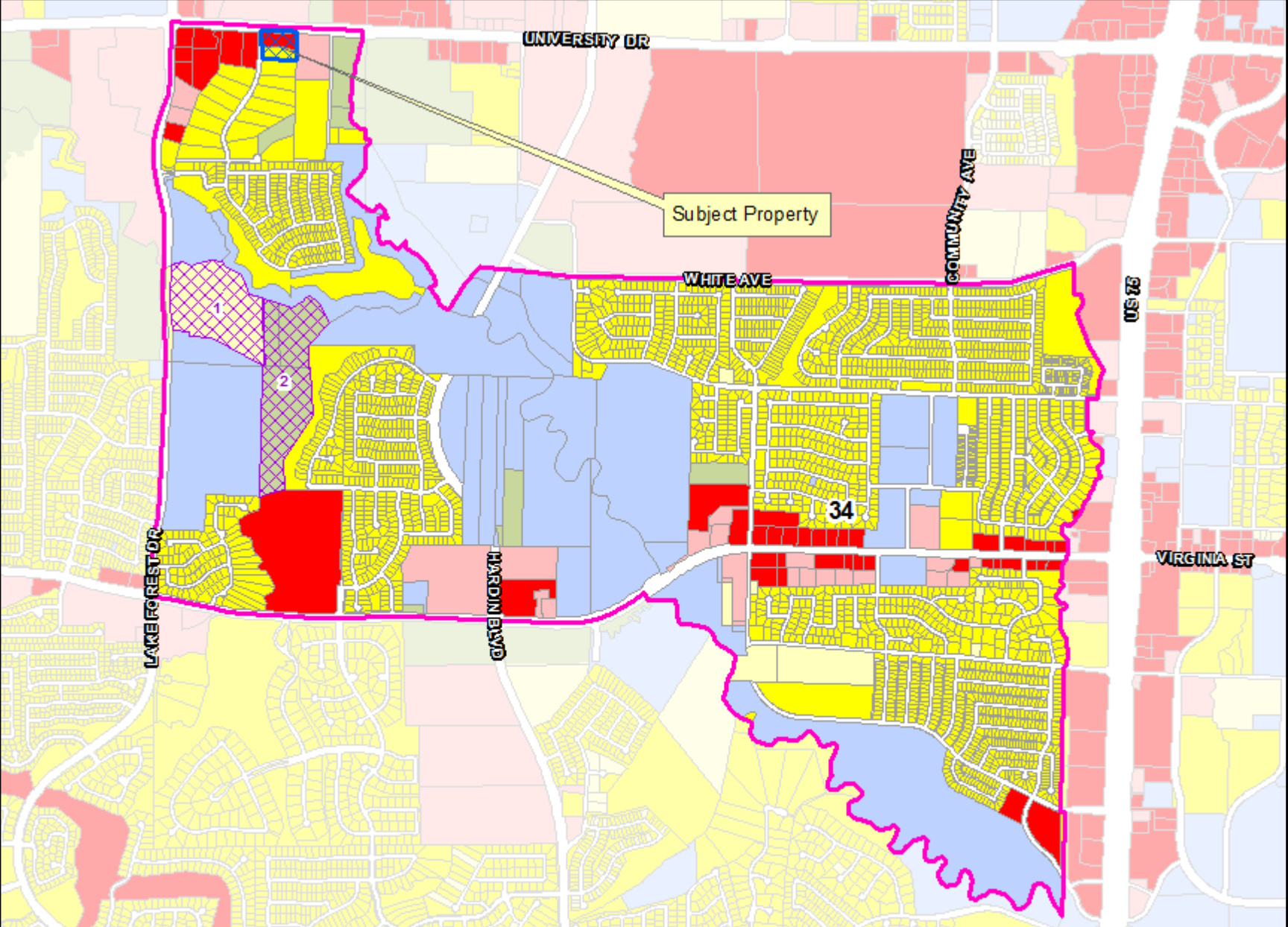
Module 34



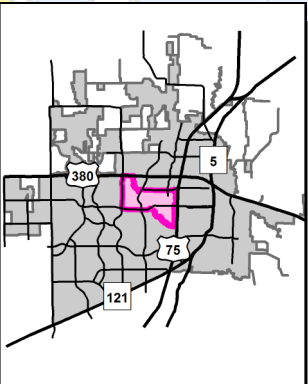
Citywide and ETJ



Module 34 Map



Approved Projects Impacting Land Use or Tax Base (2015, 2016) ⁴				
Map ID	Case Number	Project	Project Description	Acres
1	15-273Z	Lake Forest Residential	Rezone fewer than 27 acres, generally from AG to SF5	26.65
1	15-310Z	Carlisle Grace	Rezone fewer than 34 acres, generally from AG to SF5	33.28



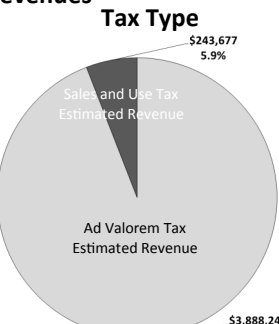
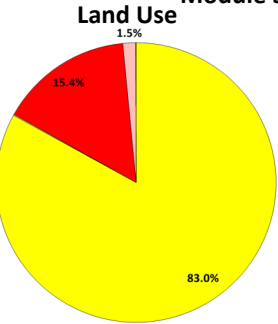
Tax Base Summary⁵

Based on the existing land uses in this module, below is a summary of the estimated tax revenues as of January 2015. These revenues are aggregated from Collin Central Appraisal District (for Ad Valorem taxes) and from the Texas Comptroller of Public Accounts (for Sales and Use taxes).

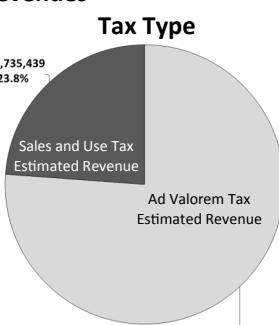
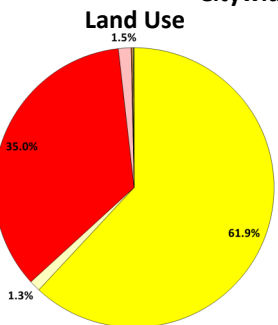
Land Use	Ad Valorem	Sales Tax	Total
Residential	\$ 3,429,260	\$ -	\$ 3,429,260
Non-Residential	\$ 391,621	\$ 243,677	\$ 635,298
Mixed-Use	\$ -	\$ -	\$ -
Tax Revenue from Developed Land	\$ 3,820,881	\$ 243,677	\$ 4,064,558
Vacant Residential	\$ 4,417	\$ -	\$ 4,417
Vacant Non-Residential	\$ 61,680	\$ -	\$ 61,680
Vacant Mixed-Use	\$ -	\$ -	\$ -
Agricultural/Undetermined	\$ 1,269	\$ -	\$ 1,269
Tax Revenue from Undeveloped Land	\$ 67,365	\$ -	\$ 67,365

Grand Total (city limits only)	\$ 3,888,246	\$ 243,677	\$ 4,131,923
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Module 34 Tax Revenues



Citywide Tax Revenues



NOTE: In general, land uses that generate tax revenues less than 1% of total revenues are not shown on chart.

1. Mixed-Use land uses reflect those parcels for which zoning allows for residential and/or non-residential horizontal or vertically-integrated uses .
2. Agricultural/Undetermined land uses reflect those parcels with agricultural zoning for which no future use is currently defined.
3. Properties located in the ETJ are not included in the Land Use Summary and the Tax Base Summary because they fall outside of the city's land use and taxing jurisdiction.
4. Zoning, site plan and record plat cases approved after the certified tax roll of January 1, 2015 and change land use and/or vacancy status. These cases are not included in the Land Use Summary or the Tax Base Summary.
5. Institutional (non-taxable) properties are not included in the Tax Base Summary because these properties do not generate taxes. Estimated tax revenues do not include any property exemptions, delinquencies, etc. and; therefore, may not reflect actual collection amounts.

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors or variances which may exist.



LAND USE COMPARISON TABLE
14-297Z – McKinney Ranch Estates

Type Use	(Existing) AG	(Existing) PD	(Proposed) C2	(Proposed) SO
Residential Uses				
Bed and breakfast (subject to Ch. 138, Art. IV)	S			
Boardinghouse or roominghouse (17)			S	
Dormitories			P	
Independent Living Facility (retirement community) (56)			S	
Mobile home dwelling (68)				
Mobile home park (subject to Ch 138, Art. III) (69)				
Multiple family dwelling (apartment) (71)				
Multiple family dwelling, senior (senior apartment) (72)				
Single family dwelling (attached) (104)				
Single family dwelling (detached) (105)	P			
Two-family dwelling (duplex) (119)				
Watchman or caretaker quarters	P		S	
Educational and Institutional Uses				
Assisted living facility, nursing home, or rest home (10)			P	S
Cemetery	S			
Church or rectory, including church-operated day-care facilities and pre-schools (25)	P		P	
Clinic (28)		P	P	
College or university	P		P	
Day-care for children (34)			P	
Fraternal organization, lodge, civic club (47)			P	
Halfway house			S	
Hospital (53)			P	S
Museum, library, art gallery (public) (73)	S		P	P
School, business or trade (99)		P	P	
School, public, private or parochial (100)	S	P	P	P
Accessory, Utility and Incidental Uses				
Accessory building or use (1)	P	P	P	P
Electrical generating plant				

LAND USE COMPARISON TABLE
14-297Z – McKinney Ranch Estates

Type Use	(Existing) AG	(Existing) PD	(Proposed) C2	(Proposed) SO
Home occupation (See 146-133) (52)	P			
Local utility line or utility distribution lines; Telephone exchange (no garage or shop)	P	P	P	P
Public building (shop or yard) (90)	S			
Radio, Television, Microwave Towers				
Servant's quarters (102)	P			
Sewage treatment plant				
Utility business office		P	P	
Utility shop or yard	S			
Utility substation or regulating station	P	P	P	P
Water storage tank	S	P	P	P
Water treatment plant	S			
Recreational & Entertainment Uses				
Amusement, commercial (indoor) (4)		P	P	
Amusement, commercial (outdoor) (5)			S	
Carnival or circus (temporary)	T	T	T	
Country club (31)	S	P	S	S
Fitness club, gymnasium, exercise area or similar use			P	S
Golf course (public)	P	P	S	S
Golf course (private)	S		S	S
Park or playground (public) (81)	P	P	P	P
Playfield or stadium (public) (88)	P	P	P	P
Private club (subject to Ch. 138, Art. II, Sec. 146-41) (89)			S	
Recreation area (private) (91)	P	P	P	P
Recreation center (public) (92)	P	P	P	P
Sexually oriented business (subject to Ch. 138, Art. V)				
Swim or tennis club (112)	P	P	P	S
Swimming pool (public)	P	P	P	P
Swimming pool (private) (113)	P	P	P	P
Theater (indoor)			P	S
Theater (outdoor)				
Transportation, Automobile, and Related Uses				

LAND USE COMPARISON TABLE
14-297Z – McKinney Ranch Estates

Type Use	(Existing) AG	(Existing) PD	(Proposed) C2	(Proposed) SO
Airport or landing field, and aircraft hangar				
Auto painting or body shop				
Auto parts sales (indoor)			S	
Automobile, trailer, light truck, tool rental				
Automobile, motorcycle, boat (sales, repair, or storage)				
Bus station			S	
Car Wash (See Sec 146-41(11a)) (23)			S	
Garage, auto repair (50)			S	
Garage or lot, parking (private)	P	P	P	P
Garage or lot, parking (commercial)		P	P	S
Heliport or helistop	T	T		
Motor freight terminal				
Parking, incidental to main use	P	P	P	P
Parking lot (truck) (83)				
Private street development (See Ch. 142, Art. VII)				
Railroad freight station				
Railroad team track				
Railroad track or right-of-way	P	P	P	P
Recreational vehicle sales				
Service station or motor vehicle fuel sales (subject to section 146-84 (103))			S	
Taxi or shuttle service				
Tire recapping				
Truck Fueling Station (117)				
Truck sales, storage, or repair				
Truck Stop (118)				
Commercial Type, Retail, and Service Uses				
Antique Shop				
Apparel and Accessory Stores				
Art Supplies				
Bait shop	P		P	
Bakery or confectionery (retail)			P	
Bakeries (wholesale)			P	
Banks and financial institutions		P	P	P
Barber or beauty shops		P	P	

LAND USE COMPARISON TABLE
14-297Z – McKinney Ranch Estates

Type Use	(Existing) AG	(Existing) PD	(Proposed) C2	(Proposed) SO
Building materials sales or monument sales				
Carpentry or sign shop				
Cleaning Plant (laundry)				
Cleaning and pressing (small shop and pickup) (27)			P	
Department or discount store			P	
Drug-store or pharmacy			P	
Exterminator			P	
Farmers market (40)	P		P	S
Florist or garden shop			P	
Field office (43) or real estate sales office	T	T	T	T
Food stores, groceries			P	
Frozen food lockers				
Funeral homes and mortuaries			S	
Furniture sales			P	
Greenhouse or plant nursery			P	
Hardware store (paint, plumbing, and related sales)			P	
Heavy machinery sales and storage				
Hotel or motel (54)			S	S
Household appliance sales (55)			P	
Laboratories (medical, dental, science)		P	P	S
Mimeograph or letter shop		P		
Mobile home display and sales				
Office building		P	P	P
Offices with showrooms			P	
Office use	P	P	P	P
Office supplies		P	P	
Paint and related sales			P	
Pawnshops				
Personal service (86)		P	P	S
Pet store, kennel, animal boarding (no outside runs)			P	
Pet store, kennel, animal boarding (outside runs)	P		S	
Psychic/paranormal readings			S	
Radio or TV broadcast studio		P	P	S
Retail store (indoor)			P	

LAND USE COMPARISON TABLE
14-297Z – McKinney Ranch Estates

Type Use	(Existing) AG	(Existing) PD	(Proposed) C2	(Proposed) SO
Restaurant or cafeteria (carry-out only) (95)			P	
Restaurant or cafeteria (indoor service) (96)		S	P	S
Restaurant or cafeteria (including drive-through window) (97a)			P	
Restaurant or cafeteria (drive-in service) (97b)			S	
Studios, photo, music, art, health, etc.		P	P	S
Tattoo Parlor				
Travel agent		P	P	P
Upholstery shop			S	
Veterinarian (no outside runs)			P	
Veterinarian (with outside runs)	P		S	
Wholesale establishments				
Industrial and Manufacturing Uses				
Concrete or asphalt batch plant				
Contractor's yard				
Dirt or topsoil extraction; sand and gravel mining or storage	S			
Fat rendering, animal reduction				
Food processing				
Forestry, mining and oil/gas drilling uses	P			
Forge plant				
Indoor Gun Range (57)				
Industrial and manufacturing plants (apparel, drugs and pharmaceuticals, electronic, plastic, or similar products manufacture)				
Industrial and manufacturing plants (acid, cement, chemicals, fertilizer, gypsum, lime, paper or pulp, or similar products manufacture)				
Junk or salvage yard (58)				
Machine shop or welding				
Metal fabrication				
Mini-warehouse (See Sec. 146-41)			S	
Open storage (79)				
Paper or pulp manufacture				
Printing plant				
Refining or storage (petroleum				

LAND USE COMPARISON TABLE
14-297Z – McKinney Ranch Estates

Type Use	(Existing) AG	(Existing) PD	(Proposed) C2	(Proposed) SO
products, gas, butane, propane)				
Sanitary landfill				
Smelting of ores or metals				
Soft drink bottling plant				
Warehousing				
Agricultural and Related Uses				
Agricultural and ranching uses	P	P	P	P
Community Garden (29)	P		P	P
Creamery (dairy products)				
Fairgrounds or rodeo	S			
Farm implement sales and service				
Farm, orchard or truck garden (40)	P	P	P	P
Hatchery (poultry), egg farm, feed lot	P			
Livestock auction (62)	P			
Stable, commercial (106)	P			
Stable, private	P			
Stockyards or slaughterhouse				

The following is the legend for interpreting Schedule of Uses (Appendix F, Sec. F-4):

P	Use is permitted by right
	Use is prohibited
S	Use is permitted with a Specific Use Permit under Sec. 146-41
T	Use is permitted with a Temporary Use Permit

ORDINANCE NO. 98-11-63

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 2.0 ACRE TRACT LOCATED AT THE SOUTHEAST CORNER OF UNIVERSITY DRIVE (U.S. HIGHWAY 380) AND MEADOW RANCH ROAD, IS REZONED FROM "AG" - AGRICULTURAL DISTRICT TO A "PD" - PLANNED DEVELOPMENT DISTRICT ALLOWING OFFICE USES; 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.

WHEREAS, the City of McKinney has considered the rezoning of an approximately 2.0 acre tract located at the southeast corner of University Drive (U.S. Highway 380) and Meadow Ranch Road, in the City of McKinney, Collin County, Texas, from "AG" - Agricultural District to a "PD" - Planned Development District allowing for office uses, as provided for in the City of McKinney Zoning Ordinance 1270, and,

WHEREAS, after due notice of the requested zoning as required by law, and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that the change in zoning district should be made.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. That Zoning Ordinance No. 1270 of the City of McKinney is hereby amended so that an approximately 2.0 acre tract located at the southeast corner of University Drive (U.S. Highway 380) and Meadow Ranch Road, in the City of McKinney, Collin County, Texas, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned from its present classification of "AG" - Agricultural District to "PD" - Planned Development District.

Section 2. Use and development of subject property shall conform to all regulations applicable to the City of McKinney Code of Ordinances Section 41-77 "O" - Office District, except as follows:

- (1) Maximum height of building: Two (2) stories or thirty-five feet (35'), whichever is less
- (2) Front yard setback adjacent to U.S. Highway 380 (University Drive): Minimum Fifty feet (50')
- (3) Front yard setback adjacent to Meadow Ranch Road: Minimum Twenty-five feet (25')

Section 3. The owner of the subject property is responsible for maintaining the screening and buffering fence along the southern property line.

Section 4. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 5.

It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2000.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.


Section 6.

That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development, or specific regulations contained herein. The ordinance, and the subsequent site plans (if any) and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 7.

The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 3rd DAY OF November 1998.



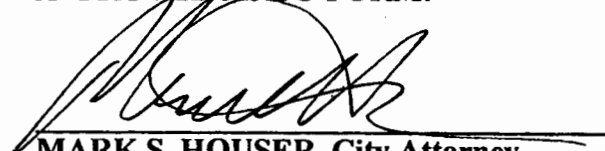
DON DOZIER, Mayor

ATTEST:

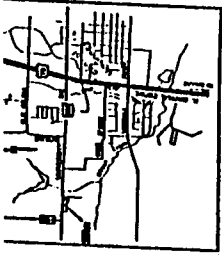


JENNIFER G. SMITH, City Secretary

APPROVED AS TO FORM:



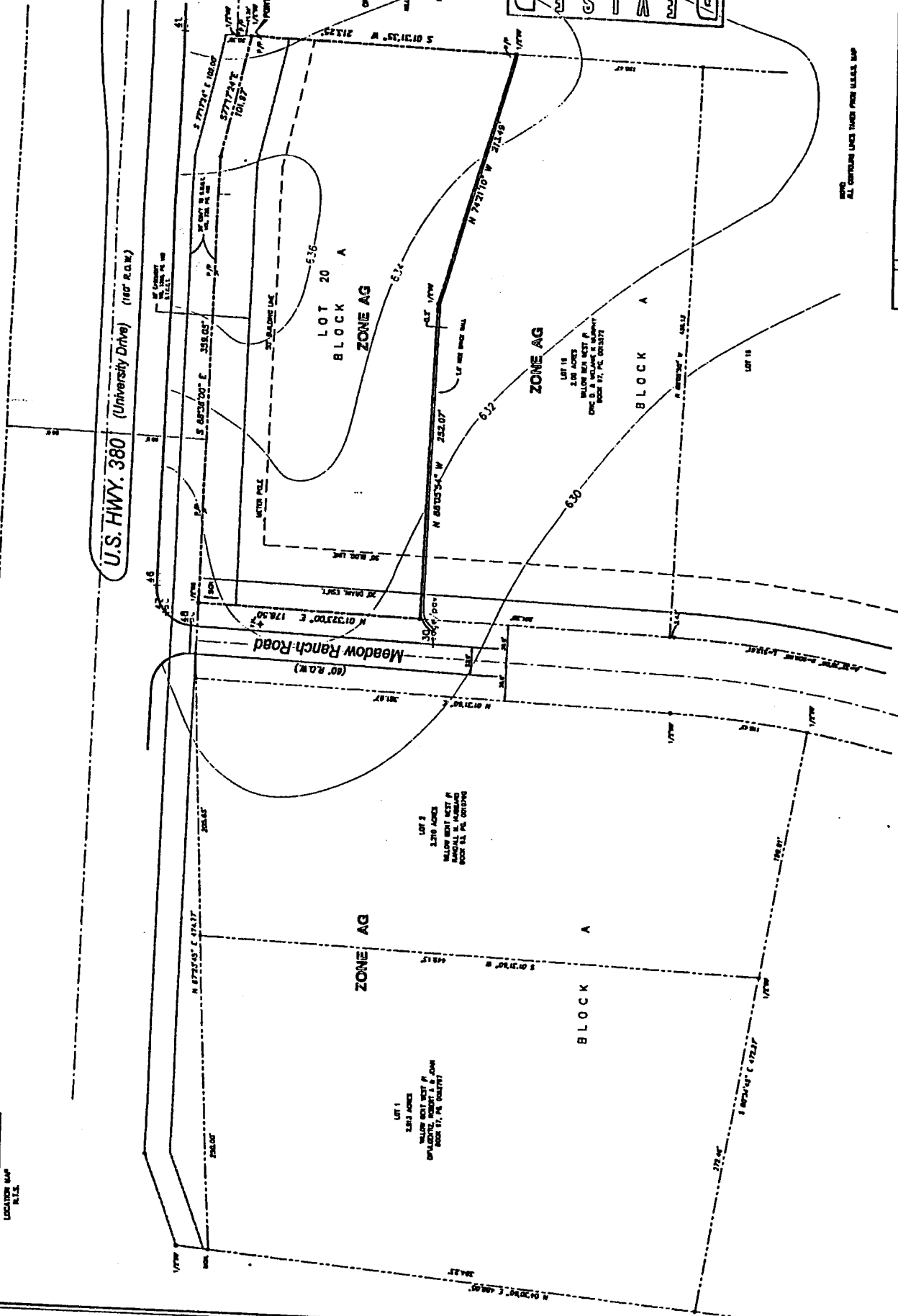
MARK S. HOUSER, City Attorney



LOCATION MAP
N.T.S.



ZONE C
17 - COLONY



SCHEDULE B NOTES

1. PROPERTY NOT SHOWN IN EXISTING RECORDS IS VALUE 100.
2. LOT 18, COLONY LAND RECORDS.
3. LOT 20, COLONY LAND RECORDS.
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99. LOT 20, COLONY LAND RECORDS.
100. LOT 18, COLONY LAND RECORDS.

SURVEYOR'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner or his agent, and that the same has been carefully examined and found to be correct and true.

W. B. Smith
12345 Main Street
Dallas, Texas 75201

PROPOSED
REZONING & BOUNDARY SURVEY

LOT 20, BLOCK A
MEADOWS RANCH ESTATES
VOLUME 1, PAGE 304

STATED BY

WILLIAM H. HUNT, SURVEYOR, ABSTRACT NO. 450
TOWN OF HUNTER, COLLIN COUNTY, TEXAS

Close Consulting, Inc.
12345 Main Street
Dallas, Texas 75201
(214) 555-1234

NO. 20041-02
BY: [Signature]
DATE: 10/1/98
SCALE: 1" = 40'

SHR. 1 OF 1

ORDINANCE NO. 2017-07-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 4.00 ACRE PROPERTY, LOCATED ON THE SOUTHEAST CORNER OF MEADOW RANCH ROAD AND U.S. HIGHWAY 380 (UNIVERSITY DRIVE), IS REZONED FROM "AG" – AGRICULTURAL DISTRICT, "PD" – PLANNED DEVELOPMENT DISTRICT, AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "C2" – LOCAL COMMERCIAL DISTRICT, "SO" – SUBURBAN OFFICE DISTRICT, AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT; 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

WHEREAS, the City of McKinney has considered the rezoning of an approximately 4.00 acre property, located on the southeast corner of Meadow Ranch Road and U.S. Highway 380 (University Drive), which is more fully depicted on Exhibits "A", "B" and "C", attached hereto, from "AG" – Agricultural District, "PD" – Planned Development District, and "CC" – Corridor Commercial Overlay District to "C2" – Local Commercial District, "SO" – Suburban Office District and "CC" – Corridor Commercial Overlay District; and,

WHEREAS, after due notice of the requested rezoning as required by law, and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that the change in zoning district should be made.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

- Section 1. The zoning map is hereby amended so that an approximately 4.00 acre property, located on the southeast corner of Meadow Ranch Road and U.S. Highway 380 (University Drive), which is more fully depicted on Exhibits "A", "B" and "C", attached hereto, is rezoned from "AG" – Agricultural District, "PD" – Planned Development District, and "CC" – Corridor Commercial Overlay District to "C2" – Local Commercial District, "SO" – Suburban Office District and "CC" – Corridor Commercial Overlay District.
- Section 2. The subject property shall develop in accordance with the rules and regulations of Section 146-112 ("C2" – Local Commercial District), Section 146-109 ("SO" – Suburban Office District) and Section 146-101 ("CC" – Corridor Commercial Overlay District) of the Zoning Ordinance, and as amended, as shown on Exhibit "C".
- Section 3. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.
- Section 4. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

- Section 5. That no developer or property owner shall acquire any vested interest in this Ordinance or specific regulations contained herein. The Ordinance, and the subsequent site plans (if any) and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.
- Section 6. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 31st DAY OF JULY, 2017.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:

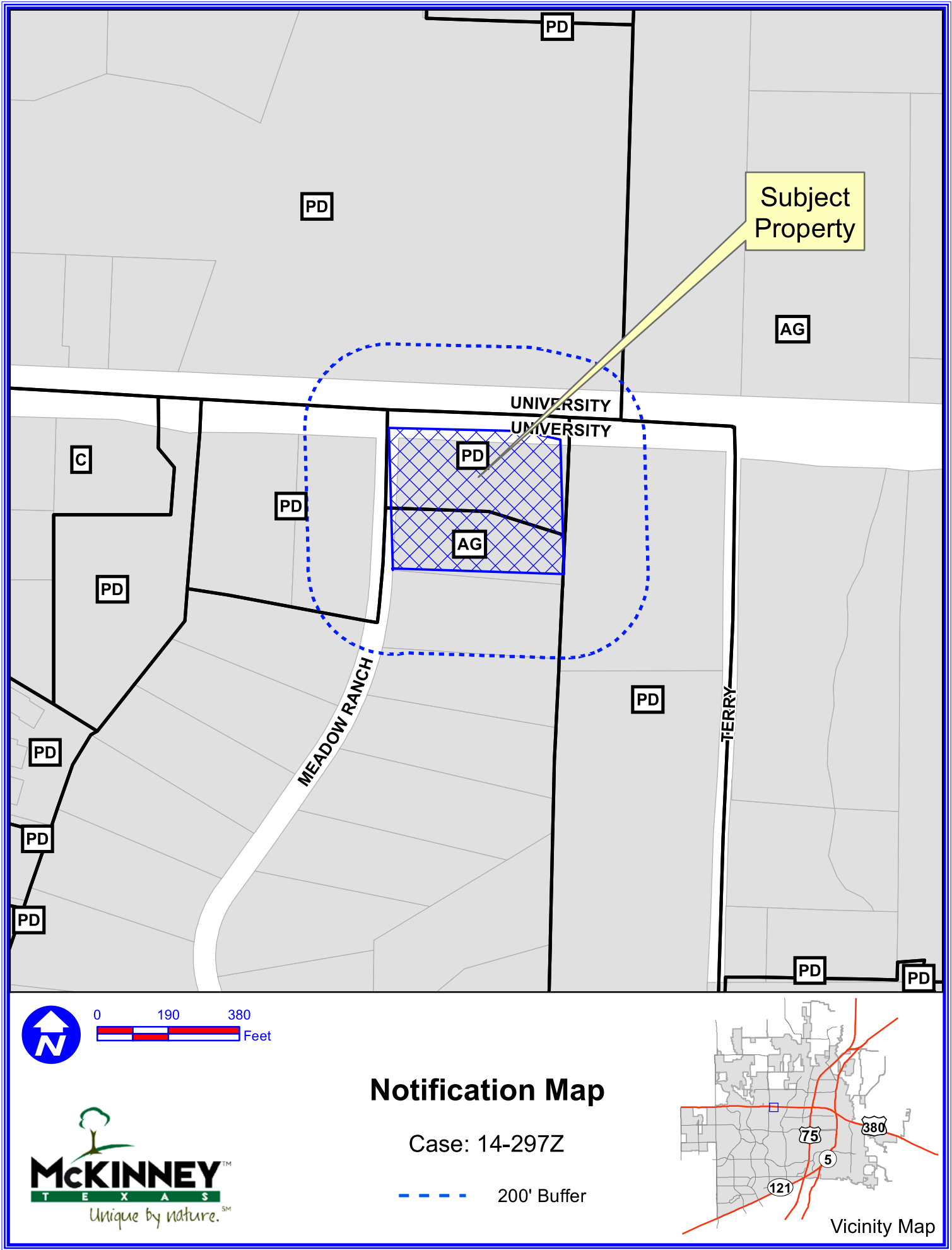
SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

EXHIBIT A



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

EXHIBIT B

LEGAL DESCRIPTION

Being a tract of land situated in Collin County, Texas and being Lot 20, Block A and Lot 19 Block A, of Meadow Ranch Estates, a subdivision to Collin County, according to the revised map records in Volume F, Page 204, Collin County Map and Plat Records and being more particularly described as follows:

BEGINNING at a 1/2 Inch iron rod found for corner 11.34 feet from an iron rod found for the northwest corner of Lot 1, William Martin Addition, recorded in Volume H, Page 525, Deed Records Collin County, Texas, said point being the northeast corner of said Lot 20, Block A, of Meadow Ranch Estates;

THENCE, South 01 degrees 31 minutes 35 seconds West, a distance of 363.72 feet along the east line of said Lot 20 and Lot 19, Block A on the west line of said Lot 1, William Martin Addition, to a iron rod for corner;

Thence North 88 degrees 05 minutes 50 seconds West, a distance of 459.13 to a iron rod for corner;

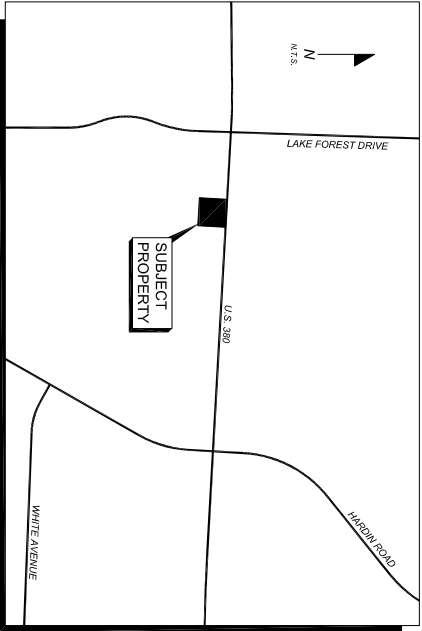
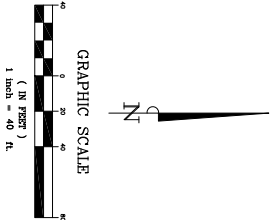
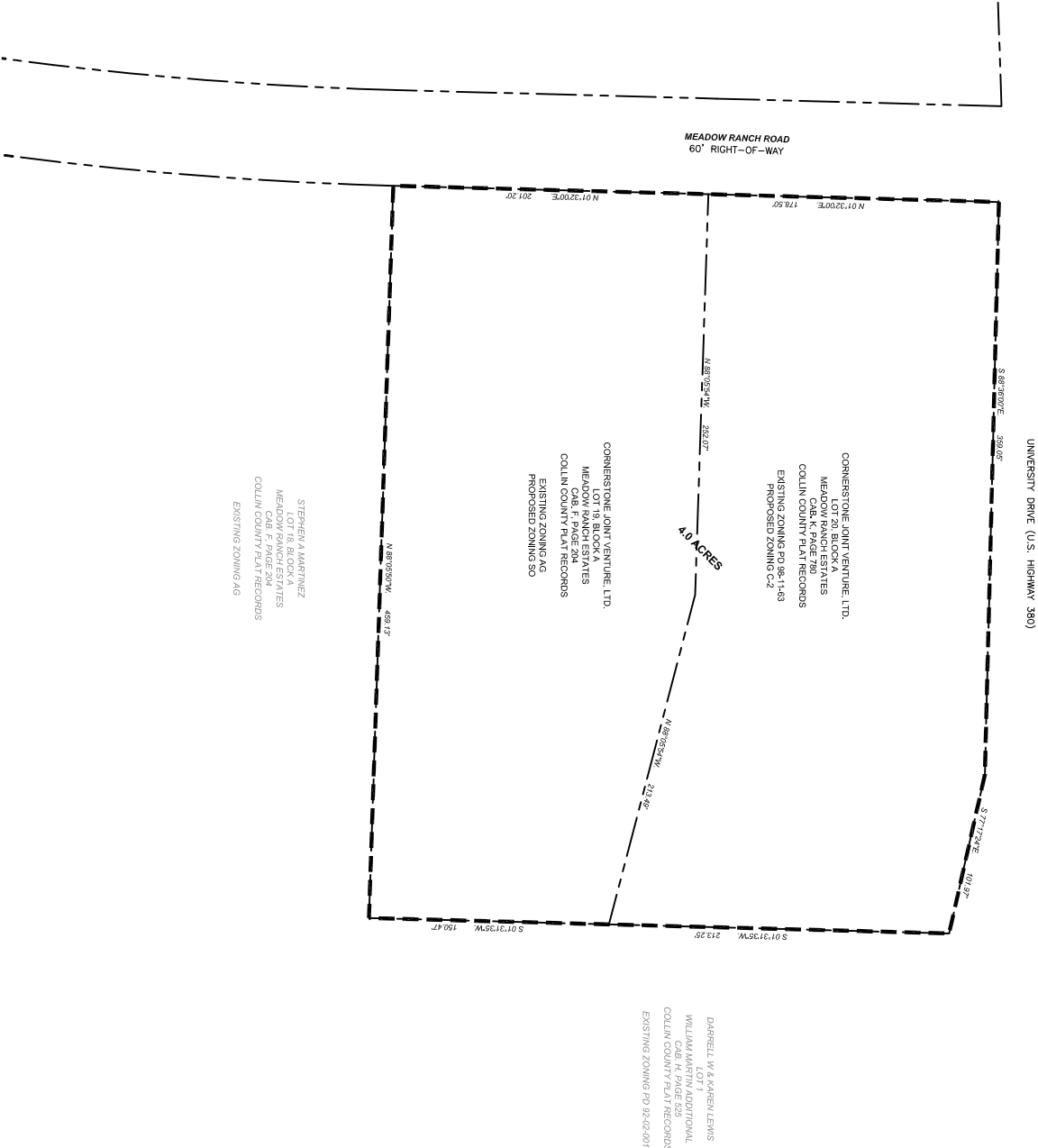
THENCE, North 01 degrees 32 minutes 00 seconds East, a distance of 379.70 feet along the east line of said Meadow Ranch Road and the South line of State Highway 380 (140 foot right-of-way) to 1/2 inch iron rod set.

THENCE, South 88 degrees 36 minutes 00 seconds East, a distance of 359.05 feet along the south line of said State Highway 380 to an 1/2 inch iron rod set for corner on the north line of said Lot 20, Block A to a 1/2 iron rod set;

THENCE, South 77 degrees 17 minutes 24 seconds East, a distance of 101.97 feet along the North line of said Lot 20, Block A to the POINT OF BEGINNING and containing 174,242 square feet or 4 acres of land more or less.



Master Planning
Civil Engineering
Land Development
2000 N. McDowell Street Suite 100
McKinney, TX 75071
Tel 469 424 5900
Fax 469 424 5901
Tjlsanchez@sanchezgroup.biz



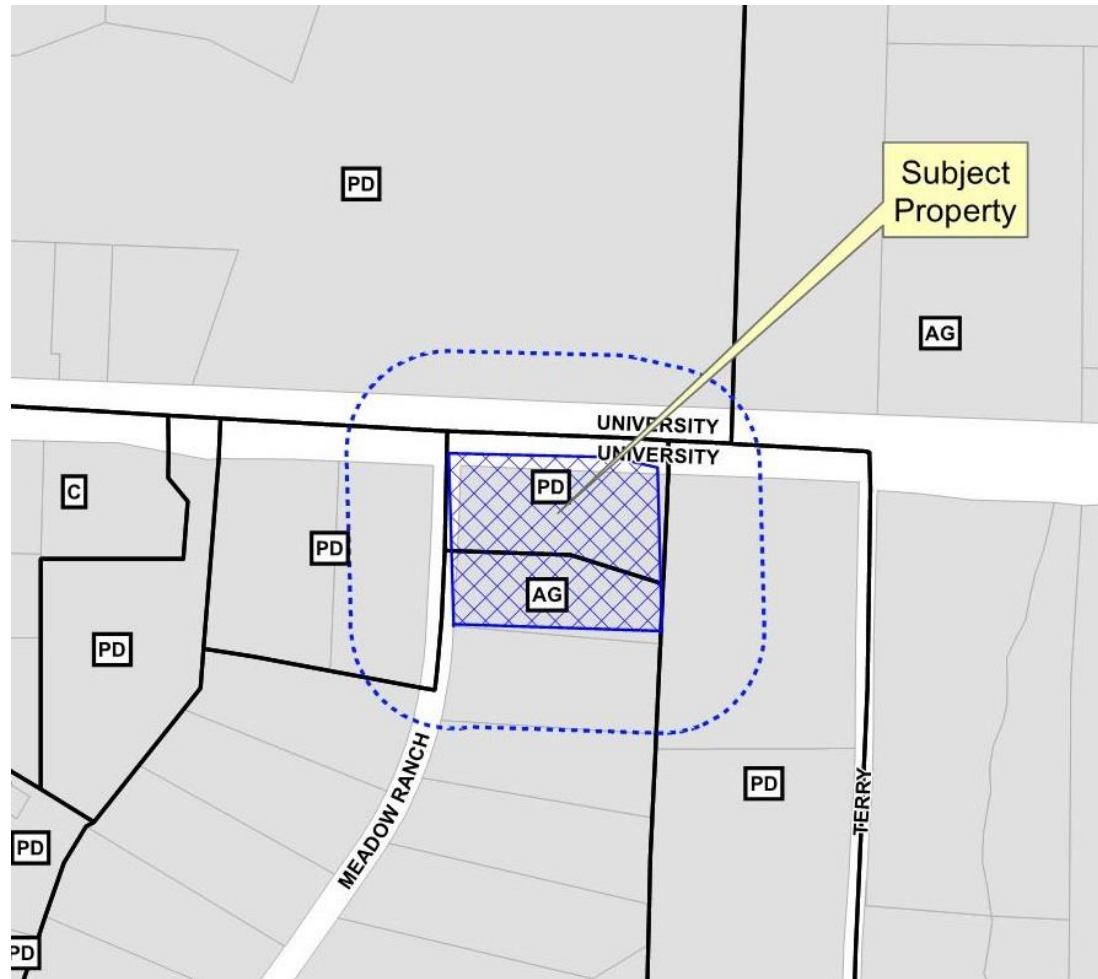
ZONING INFORMATION			
SEC MEADOW RANCH ROAD & U.S. 380			
LOT	ACRES	EXISTING ZONING	PROPOSED ZONING
20	2	PD	C-2
19	2	AG	SO

McKinney Ranch Estates Rezone

14-297Z



Location Map

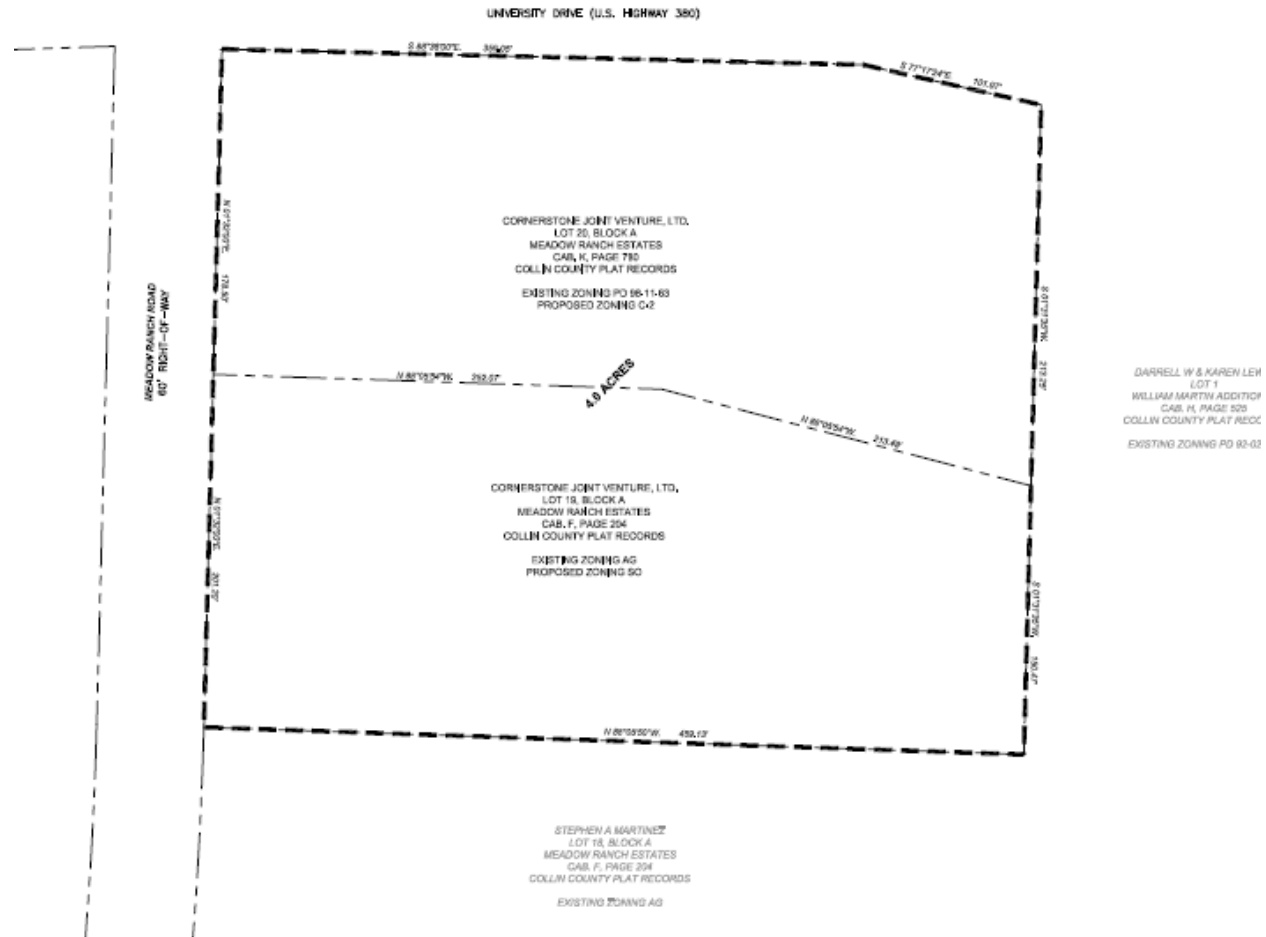


Aerial Exhibit



Aerial Exhibit









17-779

TITLE: Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter Into an Interlocal Agreement with Collin County for Funding the Extension of Bloomdale Road from Community Avenue to CR 164

COUNCIL GOAL: Direction for Strategic & Economic Growth

MEETING DATE: July 31, 2017

DEPARTMENT: Development Services / Engineering

CONTACT: Gary Graham, Director of Engineering

RECOMMENDED CITY COUNCIL ACTION:

- Approval of the Resolution.

ITEM SUMMARY:

- This Resolution authorizes the City Manager to enter into an Interlocal Agreement with Collin County to provide funding for the extension of Bloomdale Road from Community Avenue to CR 164.

BACKGROUND INFORMATION:

- This Interlocal Agreement will provide Collin County bond funds for the extension of Bloomdale Road from Community Avenue to CR 164.
- Collin County will provide \$4,000,000 towards the total project cost of \$10,500,000 as a part of the ongoing partnership to improve regional mobility.

FINANCIAL SUMMARY:

- The County Bond Program provides funding up to 50% of the total project costs.
- The McKinney match for this project is available in the Capital Improvements Program in ST 4227.

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[Resolution](#)

[Location Map](#)

RESOLUTION NO. 2017-07-____ (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 FOR FUNDING THE DESIGN AND CONSTRUCTION OF BLOOMDALE ROAD FROM COMMUNITY AVENUE TO CR 164

WHEREAS, the City Council of the City of McKinney, Texas, recognizes the need for the construction of Bloomdale Road from Community Avenue to CR 164; and

WHEREAS, the City Council of the City of McKinney, Texas, has reviewed an Interlocal Agreement between Collin County, Texas, and the City of McKinney concerning funding for the improvements on Bloomdale Road.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. The City Council of the City of McKinney, Texas, hereby authorizes the City Manager to execute an Interlocal Agreement with Collin County for funding the design and construction of Bloomdale Road from Community Avenue to CR 164.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 31st DAY OF JULY 2017.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

APPROVED AS TO FORM:

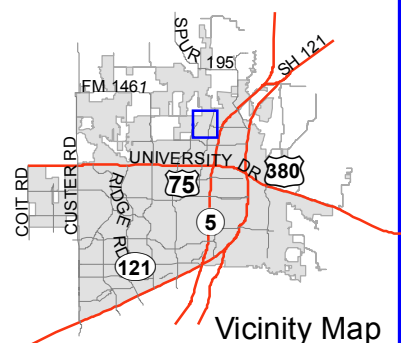
MARK S. HOUSER
City Attorney



0 400 800 Feet



ST 4227 Bloomdale Rd Extension (Hardin to Community) Location Map





17-780

TITLE: Consider/Discuss the Growth and Annexation Program in McKinney

COUNCIL GOAL: Direction for Strategic and Economic Growth

MEETING DATE: July 31, 2017

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, Planning Manager
Brian Lockley, AICP, CPM, Director of Planning

RECOMMENDED CITY COUNCIL ACTION:

- Receive presentation and discuss.

ITEM SUMMARY:

- This item is to provide an overview of the existing approach for growth and annexation in the City of McKinney.
- In November of 1999 the City of McKinney adopted its first Annexation Plan in order to remain in compliance with changes to Texas Local Government Code.
- In general, the 1999 Plan stated that *"the City of McKinney has no plans or intent to annex any property that is required by law to be included in ... [an] Annexation Plan."* The Plan went on to state that the City reserved the right to involuntarily annex certain properties under the exemption clause of Texas Local Government Code.
- Since adoption of the 1999 Municipal Annexation Plan, the corporate limits of McKinney grew from approximately 57 square miles to 68 square miles. In accordance with the Plan, this growth predominately occurred through voluntary annexation proceedings.

- However, the ultimate area of McKinney is roughly 116 square miles. This means that almost 50 square miles of unincorporated land still currently sits within McKinney's extraterritorial jurisdiction (ETJ). While the city can exercise planning and subdivision authority within its ETJ, it cannot exercise land use control (i.e. zoning) or taxing authority over those unincorporated areas.

- In 2015, the City began considering a more systematic approach for annexing land into its corporate limits. The purpose of this was to implement the vision outlined in the recently adopted Northwest Sector Study Phase I Report, to ensure that the city remains aware of the intended and potentially unintended implications of annexation decisions, and to proactively prepare for the tremendous amount of growth that was/is expected to occur over the coming years.

- During this same time, the City of McKinney completed two involuntary annexations in accordance with Section 43.052(h) of the Texas Local Government Code and the 1999 McKinney Annexation Plan. The first was the annexation of approximately 675 acres at and around US 75 and Laud Howell Parkway (completed in 2015). The second was the annexation of approximately 400 acres at and around the McKinney National Airport (completed in 2016).

- Following the activities in 2015 and 2016, the City of McKinney formally amended the 1999 Municipal Annexation Plan in January 2017. Included in the 2017 Municipal Annexation Policy are the following major parts:
 - I. Purpose and Intent
 - II. Background
 - III. Planning for Annexations
 - IV. Evaluation Criteria for Annexations
 - V. Annexation Program
 - a. Municipal Annexation Plan (2017)
 - b. Annexations Exempt from the Municipal Annexation Plan
 - c. Voluntary Annexations
 - d. Disannexations

- As approved by City Council in January 2017, Staff feels as though the 2017 Policy allows the City to better protect the long term interests of the community as it relates to orderly growth patterns, development quality, the provision of infrastructure and services, and fiscal stability. A copy of the 2017 Municipal Annexation Policy is attached to this Agenda Item for your reference.

BACKGROUND INFORMATION:

- The annexation of land into a municipality's corporate limits is authorized and governed by Chapter 43 of the Texas Local Government Code.
- In accordance with Texas Local Government Code, there are generally three ways that annexations can occur:
 1. Annexations by Petition (Voluntary)
A private property owner (or owners) may request to be annexed into a City's corporate limits. *Historically speaking, the majority of land annexed in McKinney over the last 15 years has been voluntary.*
 2. Annexations in Accordance with a Municipal Annexation Plan (Involuntary)
Properties that are to be involuntarily annexed are identified on a map that is published publicly. The plan/map must be published for three years before annexation proceedings may occur. Generally speaking, only areas containing more than 100 separate tracts with residential dwellings are required to be in a municipal annexation plan. *As part of the 2017 Annexation Policy, areas in McKinney's ETJ were identified to be annexed under this category.*
 3. Annexations in Exception to a Municipal Annexation Plan (Involuntary)
Subsection 43.052(h) of the Texas Local Government Code indicates certain conditions and requirements that, if met, authorize a city to involuntarily annex property that is not shown on a Municipal Annexation Plan. *The involuntary annexations that were approved in May 2015 (at US 75/Laud Howell Parkway) and April 2016 (at and around McKinney National Airport) were conducted under these exceptions.*

SUPPORTING MATERIALS:

[Presentation](#)

[1999 McKinney Annexation Plan](#)

[2017 Municipal Annexation Policy](#)

McKinney Growth and Annexation Program

July 31, 2017



Annexation Process in Texas

The annexation of land into a municipality's corporate limits is authorized and governed by Chapter 43 of the Texas Local Government Code.

There are generally 3 ways that annexations can occur:

1. Annexations by Petition (Voluntary)

A private property owner (or owners) requests to be annexed into a City's corporate limits.

2. Annexations in Accordance with a Municipal Annexation Plan (Involuntary)

Properties that are to be involuntarily annexed over time are shown on a map that is published publicly. The map must be published for three years before annexation proceedings may occur. Generally speaking, only areas containing more than 100 separate tracts with residential dwellings are required to be in a Municipal Annexation Plan.

3. Annexations in Exception to a Municipal Annexation Plan (Involuntary)

Subsection 43.052(h) of the Texas Local Government Code indicates certain conditions and requirements that, if met, authorize a city to involuntary annex property that is not shown on a Municipal Annexation Plan.



McKinney at a Glance

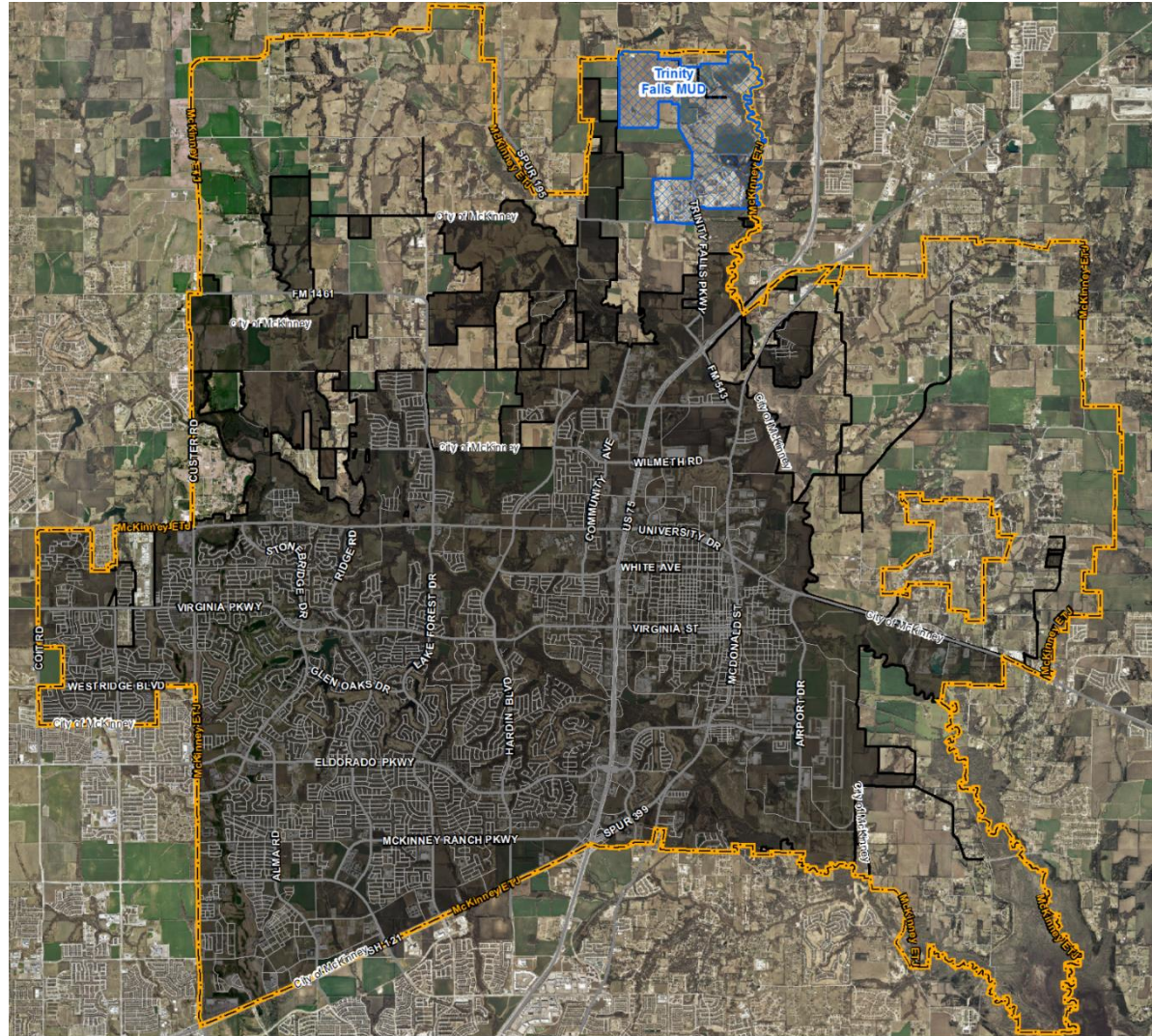
Current City Limits:

68 sq. mi.

Ultimate City Limits:

116 sq. mi.

*~41% of McKinney is
currently unincorporated*

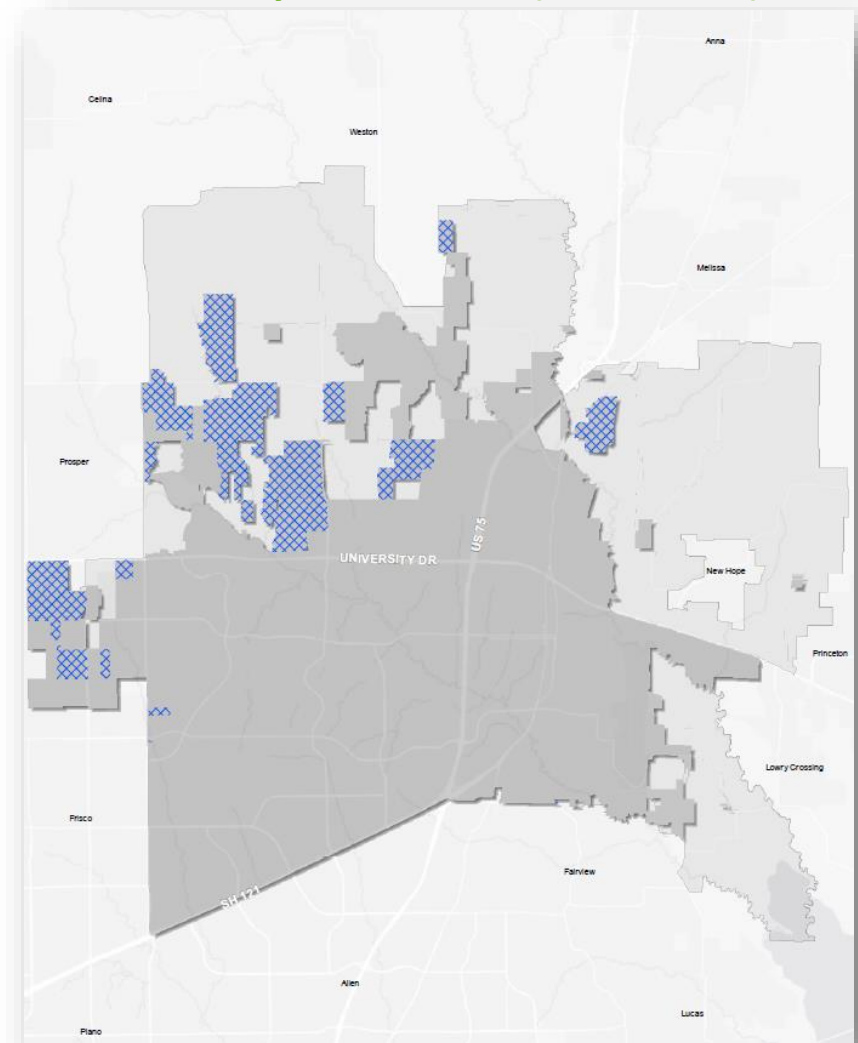


1999 McKinney Annexation Plan

generally states:

- City of McKinney has no intent to involuntarily annex properties for which an annexation plan (map) is required.
- City of McKinney reserves the right to involuntarily annex properties under the exception clause of the Texas Local Government Code.

Voluntary Annexations (1999 - 2017)



Why Establish a Growth and Annexation Program?

Basic Services and Responsibilities of the City

- ...Police Protection
- ...Fire Protection
- ...Emergency Medical Services
- ...Public Infrastructure (roads, water, sewer)
- ...Community Services (libraries, parks, facilities)
- ...Solid Waste Services
- ...General Safety and Welfare

While Maintaining

- ...Fiscal Health and Economy
- ...Operational Excellence
- ...Levels of Service
- ...Quality of Life



Why Establish a Growth and Annexation Program?

Northwest Sector Study



Adopted February 2015

Created a vision to guide the pattern of growth and desired development quality over the near, mid, and long term.

Among other things, identified the need to create an approach for orderly growth & annexation

ONE McKinney 2040 Comprehensive Plan Update



Launched in Fall 2015

Reinforced need to create an approach for orderly growth & annexation



Recently Completed Annexations Under the Exemption Clause of LGC (Involuntary)

- US 75 / Laud Howell Pky (May 2015)

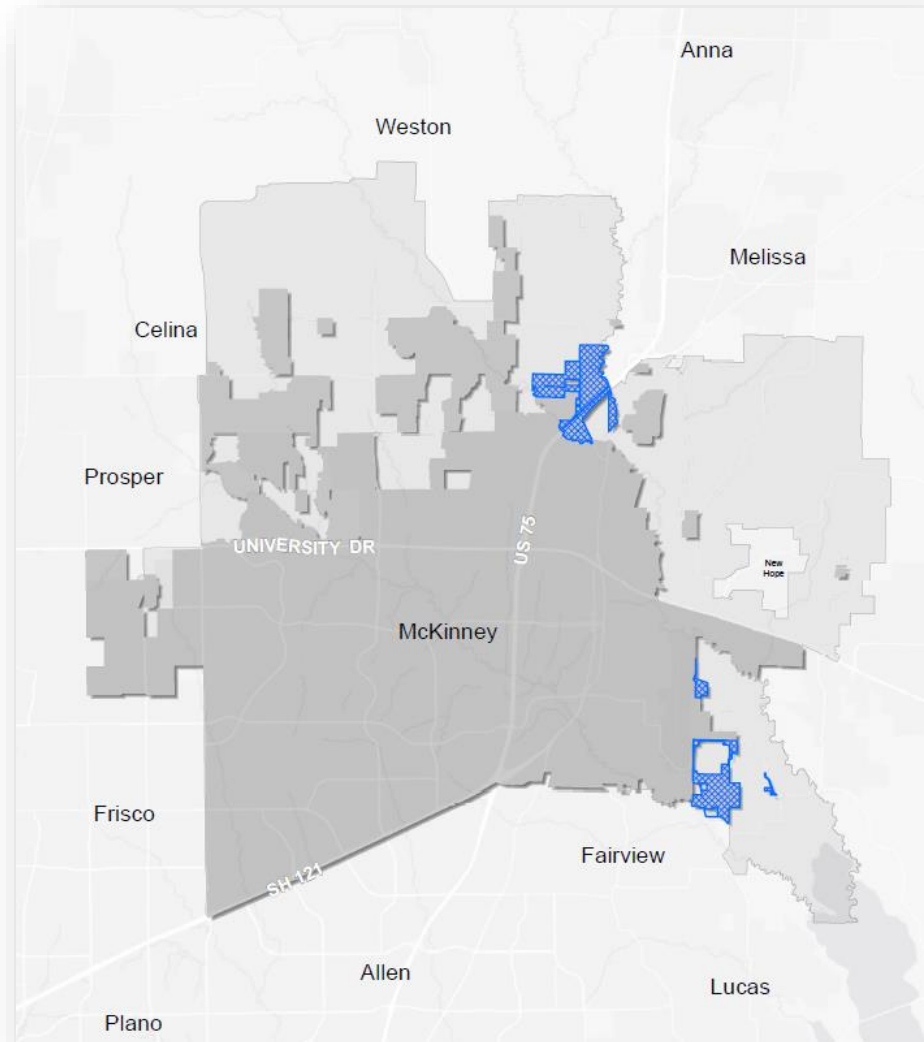
Approximately 675 acres

- Airport (April 2016)

Approximately 400 acres

1999 McKinney Annexation Plan...

City of McKinney reserves the right to involuntarily annex properties under the exception clause of the Texas Local Government Code.



2017 Municipal Annexation Policy

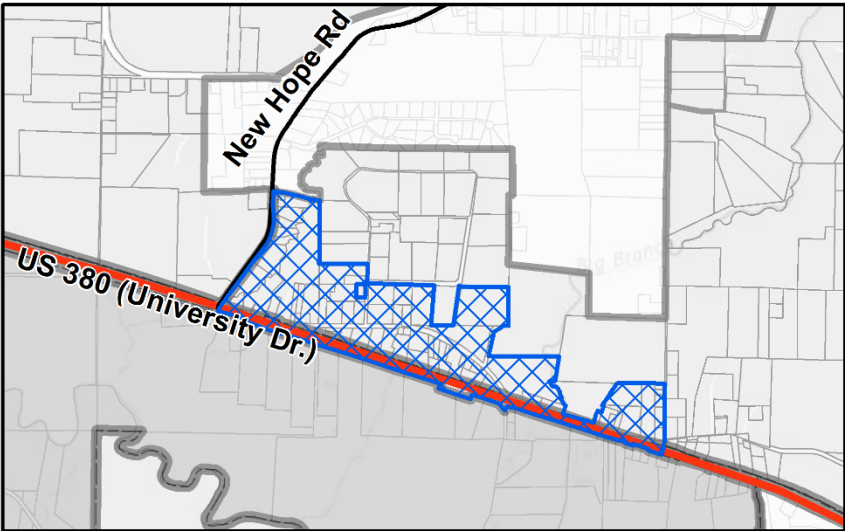
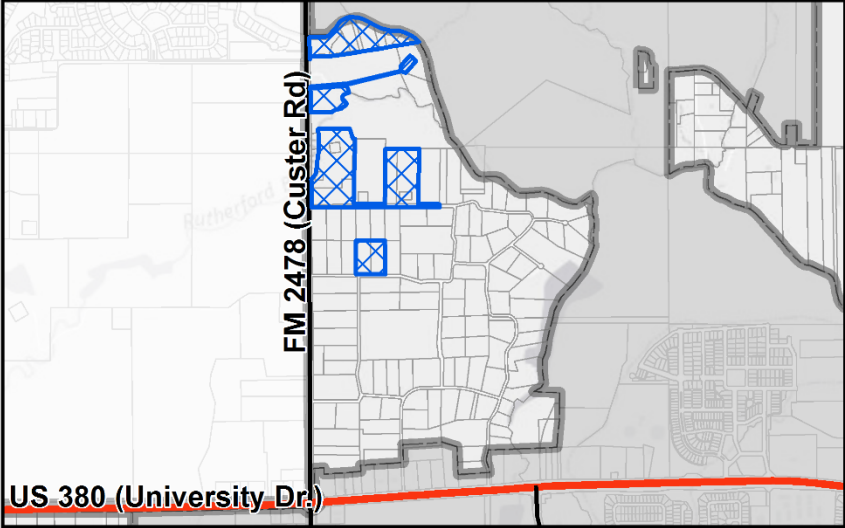
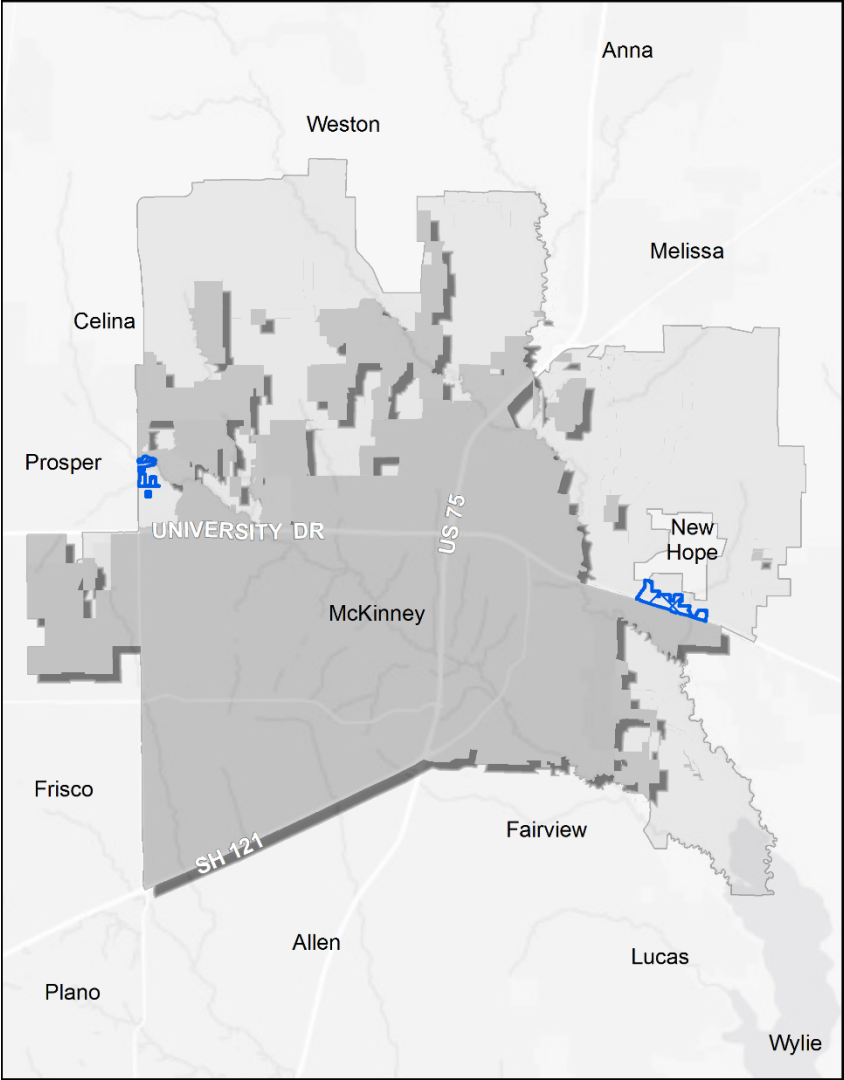
- I. Purpose and Intent
- II. Background
- III. Planning for Annexations
- IV. Evaluation Criteria for Annexations
- V. Annexation Program
 - I. Municipal Annexation Plan (2017)
 - II. Annexations Exempt from Municipal Annexation Plan
 - III. Voluntary Annexations
 - IV. Disannexations



2017 Municipal Annexation Policy

- I. Purpose and Intent
- II. Background
- III. Planning for Annexations
- IV. Evaluation Criteria for Annexations
- V. Annexation Program
 - I. Municipal Annexation Plan (2017)
 - II. Annexations Exempt from Municipal Annexation Plan
 - III. Voluntary Annexations
 - IV. Disannexations


Areas Identified for Annexation as Part of the Municipal Annexation Plan



Municipal Annexation Plan Timeline

2017

2020

- 
- [2017] Draft/adopt Municipal Annexation Plan
 - [2017] Notify property owners included in the Municipal Annexation Plan
 - [2017] Collect inventory of public services and publish findings for inspection
 - [2017] Negotiate and Create Service Plan
 - [2017] Conduct public hearings for persons interested in the annexation
 - [2020] Complete annexation proceedings within 30 days of the third anniversary of the adopted/amended Municipal Annexation Plan

What happens during the 3 years before annexation?

During the three years prior to annexation, properties identified in the annexation plan are still considered part of the ETJ and may continue to legally operate as they currently do.

Annexation Process in Texas

The annexation of land into a municipality's corporate limits is authorized and governed by Chapter 43 of the Texas Local Government Code.

There are generally 3 ways that annexations can occur:

1. Annexations by Petition (Voluntary)

A private property owner (or owners) requests to be annexed into a City's corporate limits. *Historically speaking, the majority of land annexed in McKinney over the last 10 years has been voluntary.*

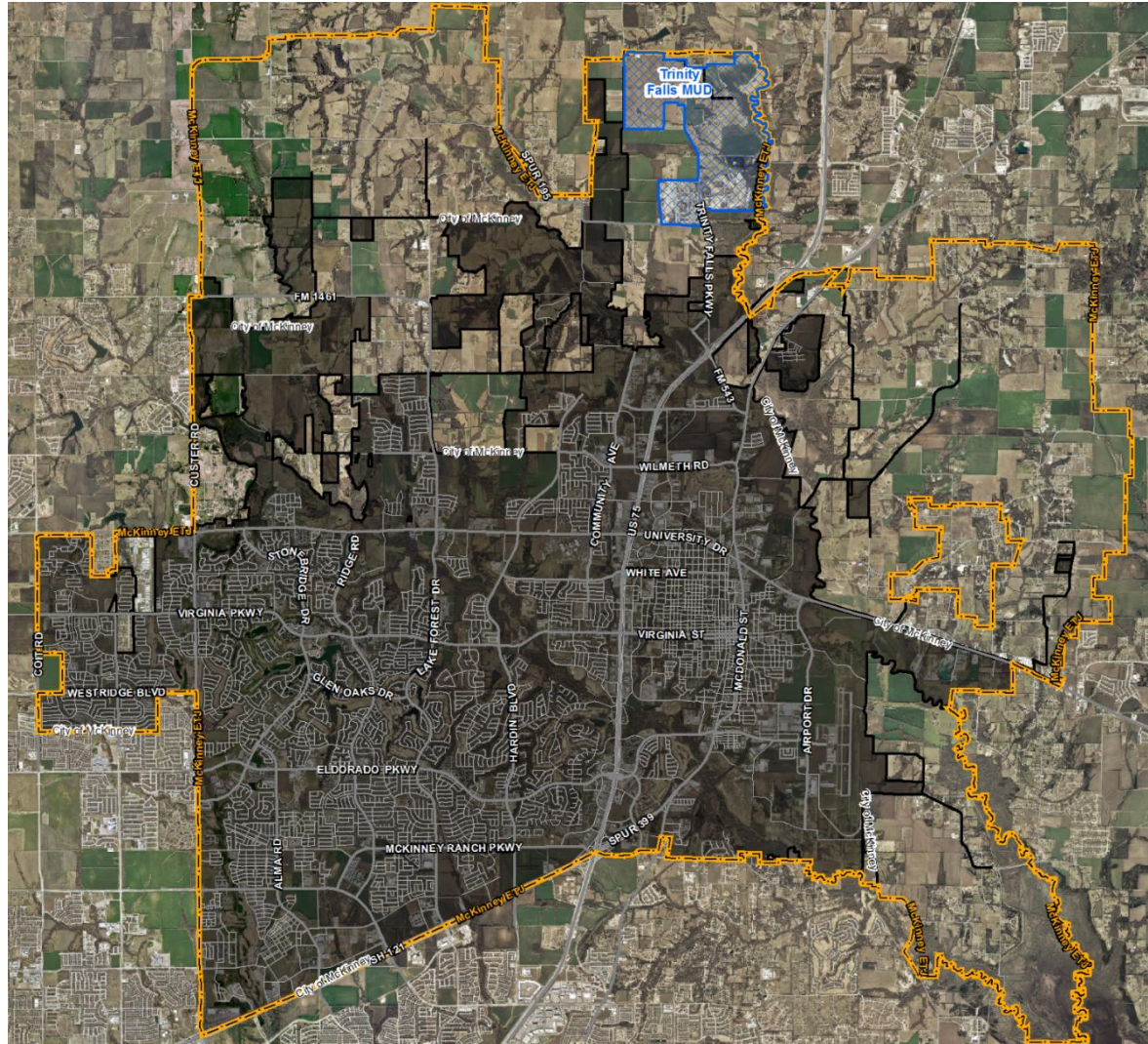
2. Annexations in Accordance with a Municipal Annexation Plan (Involuntary)

Properties that are to be involuntarily annexed over time are shown on a map that is published publicly. The map must be published for three years before annexation proceedings may occur. Generally speaking, only areas containing more than 100 separate tracts with residential dwellings are required to be in a Municipal Annexation Plan. *The recently adopted 2017 Annexation Plan included areas to be annexed under a Municipal Annexation Plan.*

3. Annexations in Exception to a Municipal Annexation Plan (Involuntary)

Subsection 43.052(h) of the Texas Local Government Code indicates certain conditions and requirements that, if met, authorize a city to involuntary annex property that is not shown on a Municipal Annexation Plan. *The involuntary annexations that were approved at/around US 75 and Laud Howell Parkway and the McKinney National Airport were conducted under these exceptions.*

McKinney at a Glance



ORDINANCE NO. 99-11-88

**AN ORDINANCE ADOPTING THE 1999 CITY OF
McKINNEY ANNEXATION PLAN; PROVIDING FOR
THE PUBLICATION OF THIS ORDINANCE AND
PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

WHEREAS, the City of McKinney, Texas, has adopted an updated Comprehensive Plan in 1990 to encourage and coordinate future physical development within its Ultimate Planning Area; and

WHEREAS, the City of McKinney recognizes that certain mechanisms are necessary to implement said 1990 Comprehensive Plan; and

WHEREAS, the Comprehensive Annexation Program is such a mechanism to aid in the implementation of the 1990 Comprehensive Plan; and

WHEREAS, the specific purposes of the Comprehensive Annexation Program are:

1. to comply with Chapter 43 of the Texas Local Government Code,
2. to aid in implementing the City of McKinney Comprehensive Plan,
3. to define and protect the ultimate boundaries of McKinney,
4. to insure responsible planning,
5. to encourage quality development in the future, and
6. to insure the continued attractive and efficient growth of the City, and

WHEREAS, the protection of the public health and general welfare of the people of the City of McKinney requires that such development be in an orderly manner and controlled by the City of McKinney, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF McKINNEY, TEXAS:

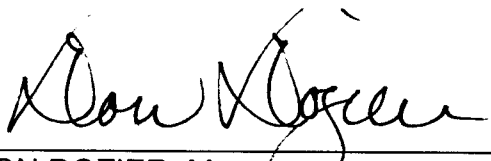
Section 1. The attached 1999 Annexation Plan is hereby adopted pursuant to Chapter 43 of the Texas Local Government Code.

SEE ATTACHED EXHIBIT "A"

Section 2. If any section, subsection, paragraph, sentence, phrase or clause of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect; and to this end the provisions of this ordinance are hereby declared to be severable.

Section 3. The caption of this ordinance shall be published one (1) time in a newspaper having general circulation in the City of McKinney, Texas, and shall be effective upon this publication.

Duly passed and approved by the City Council of the City of McKinney, Texas,
on this 2nd day of November, 1999.



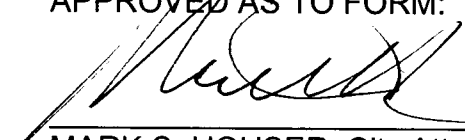
DON DOZIER, Mayor

Correctly Enrolled:



JENNIFER G. SPROULL, City Secretary

APPROVED AS TO FORM:



MARK S. HOUSER, City Attorney

EXHIBIT A

City of McKinney ANNEXATION PLAN November 2, 1999 Prepared Pursuant To Chapter 43 of the Texas Local Government Code

BACKGROUND AND INTRODUCTION

In the 1999 State of Texas Legislative Session, the State passed Senate Bill 89 which significantly changed the procedures for unilateral annexations initiated by home rule cities. The preparation, adoption and publication of this Annexation Plan is one of the major items that the State Legislature is now requiring of all municipalities.

An Annexation Plan is a document that outlines the following:

- Parcels of land being considered for annexation in the future
- Inventory of existing infrastructure in parcels being considered for annexation
- Inventory of property owners who own land in areas being considered for annexation
- Service Plan for water and sewer services to areas being considered for annexation
- Service Plan for safety services (police, fire, ambulance) for areas being considered for annexation
- Service Plan for other general services for areas being considered for annexation

In addition to the City of McKinney City Council officially adopting this Annexation Plan, the City Planning Division will publish the Annexation Plan and any related documents on its website and maintain that website for the general public. Any revisions, amendments, or other changes to the adopted Annexation Plan will also be published and maintained on the City's website. There are a variety of definitions and exemptions as part of SB 89 that should be available to all parties concerned with annexation. The City will maintain a copy of the revised Chapter 43 (which includes the SB 89 changes) on its website as well.

PURPOSE

The purpose of an Annexation Plan is to clearly articulate to elected and appointed city officials, city staff and the general public the current intent of the City of McKinney with respect to future unilateral annexations. The City of McKinney has a long history of comprehensive planning and responsible growth. This 1999 Annexation Plan is yet another tool toward that effort.

The 1999 Annexation Plan may be used as a guide to the City of McKinney with respect to the following:

- Growth Management
- Boundary Changes
- City Water and Sewer Services

- Safety Services (Police, Fire and Ambulance)
- City Roadway Services
- General Services

This Annexation Plan is intended to be a dynamic document that is flexible enough to allow the City to maintain a comprehensive approach to development and growth. This Annexation Plan takes into account the Future Land Use Plan of the City of McKinney which projects growth from the existing city limits to the ultimate planning area for the city (See Exhibit 1). As of its adoption date, the current city limits of the City of McKinney are approximately 58 square miles. The Ultimate Planning Area for the City of McKinney is approximately 114 square miles.

Annual Annexation Plans and amendments to prior plans will be prepared as State Law requires. The 1999 Annexation Plan governs any unilateral annexations beginning in the year 2002. The 2000 Annexation Plan will govern any potential unilateral annexations beginning in the year 2003, and so on.

FUTURE POSSIBLE ANNEXATIONS

At this time, the City of McKinney has no plans or intent to annex any property that is required by law to be included in the 1999 Annexation Plan.

SERVICE PLANS

- | | |
|-------------------|---|
| Water & Sewer: | Since the City of McKinney has no intent to annex any property that is required by law to be included in the 1999 Annexation Plan, no service plan has been developed which describes providing any water or sewer services outside the City Limits in conjunction with unilateral annexation. |
| Roadways: | Since the City of McKinney has no intent to annex any property that is required by law to be included in the 1999 Annexation Plan, no service plan has been developed which describes providing additional roadway improvements outside the City Limits in conjunction with unilateral annexation. |
| Safety Services: | Since the City of McKinney has no intent to annex any property that is required by law to be included in the 1999 Annexation Plan, no service plan has been developed for providing any additional police, fire or 911 ambulance services outside the City Limits in conjunction with unilateral annexation. Currently, the City of McKinney Fire Department does provide fire and ambulance service to McKinney's entire ultimate planning area. |
| General Services: | Since the City of McKinney has no intent to annex any property that is required by law to be included in the 1999 Annexation Plan, |

no service plan has been developed which describes providing any general services outside the City Limits in conjunction with unilateral annexation.

FUTURE POSSIBLE ANNEXATIONS

The City of McKinney may annex certain properties where an exemption exists under state law to the requirement that the property be identified on an approved Annexation Plan.

CITY OF MCINNEY, TEXAS
CITY LIMIT MAP



McKINNEY

REVISED 10-12-99

- EXISTING CITY LIMITS
- EXISTING E.T.J.
- ULTIMATE DEVELOPMENT
- LINE



2017 MUNICIPAL ANNEXATION POLICY

I. PURPOSE AND INTENT

The purpose of this Annexation Policy is to establish a framework whereby the City of McKinney can proactively identify, analyze, and evaluate areas for potential annexation.

It is the intent of this policy to comply with Chapter 43 of the Texas Local Government Code and to further the stated goals and strategies of the City by:

- a) implementing the City of McKinney Comprehensive Plan;
- b) defining and protecting the ultimate boundaries of McKinney;
- c) ensuring responsible planning; and
- d) ensuring the continued attractive and efficient growth of the City.

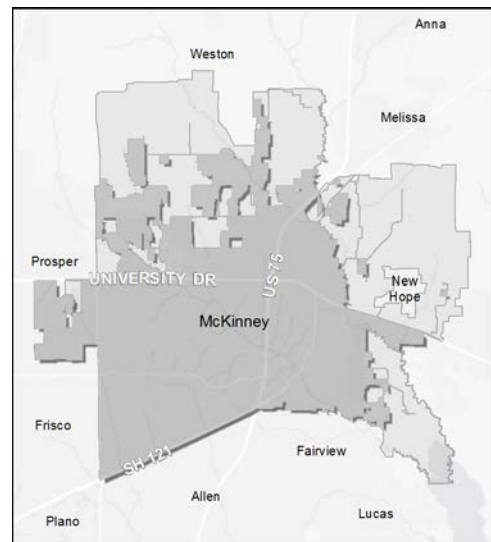
II. BACKGROUND

In the 1999 State of Texas Legislative Session, the State passed Senate Bill 89 which significantly changed the procedures for unilateral annexations initiated by home rule cities. The preparation, adoption, and publication of an Annexation Plan (also referred to as a “Municipal Annexation Plan”) is one of the major items that the State Legislature now requires of all municipalities.

The current Annexation Plan for the City of McKinney was adopted in 1999 and generally states, *“the City of McKinney has no plans or intent to annex any property that is required by law to be included in ... [an] Annexation Plan.”* The Plan goes on to state that the City reserves the right to involuntarily annex certain properties under the exemption clause of Texas Local Government Code.

As of 2016, the City of McKinney corporate limits is approximately 68 square miles. However, the ultimate area of McKinney is roughly 116 square miles. This means that almost 50 square miles of unincorporated land still currently sits within the City’s Extraterritorial Jurisdiction (ETJ). While the city can exercise subdivision authority within its ETJ, it cannot exercise land use control (i.e. zoning) or taxing authority over those unincorporated areas.

Given the expected growth of the City of McKinney, policy guidance is key to accomplishing and implementing the goals and vision of the City in order to best accommodate anticipated growth.



1 Map of McKinney City Limits and ETJ (2016)

III. PLANNING FOR ANNEXATIONS

When planning for annexations (both voluntary and involuntary), City leaders and decision-makers should consider if the proposed annexation achieves any of the following:

- a) **Economic Development:** Facilitates public-private partnerships intended to stimulate economic growth, diversify the economic base, and/or create job opportunities.
- b) **Long Range Planning:** Accomplishes the goals of the Comprehensive Plan, City Council strategic goals, and/or other city policy documents.
- c) **Protect Future Development:** Protects future development from inadequate design and construction standards through the extension of the City's land use regulations and building codes.
- d) **Capital Investments:** Promotes a sustainable community through the efficient planning and provision of capital investments and the rational extension of public improvements.
- e) **Fiscal Responsibility:** Balances the resources generated by taxes and other revenues to accommodate current needs as well as anticipated future needs.

IV. EVALUATION CRITERIA FOR ANNEXATIONS

Once an area is determined to achieve one of the planning goals described in Section III, city leaders and staff should specifically consider the following when determining if an area located in the Extraterritorial Jurisdiction should be annexed:

- a) Is the area an enclave of the City that would benefit from the systematic and efficient provision of services provided by a city?
- b) Is the City aware of, or anticipate development activity that would require water, sewer, and/or other municipal services to promote public health, safety and welfare in the area?
- c) Is the area identified on the City's Comprehensive Plan as a commercial center, mixed-use center, entertainment center, or professional campus?
- d) Is the City able to provide city services at a level equal to other comparable areas already inside the city limits?
- e) Is there development potential that would benefit from a level of service provided by a city rather than an unincorporated area?
- f) What is the reliability, capacity, and future public cost (if any) of current infrastructure such as roads, drainage, utilities, etc.?
- g) What are the current conditions of existing public services (i.e. police, fire, etc.) as compared to the conditions that currently exist within the City?

V. ANNEXATION PROGRAM

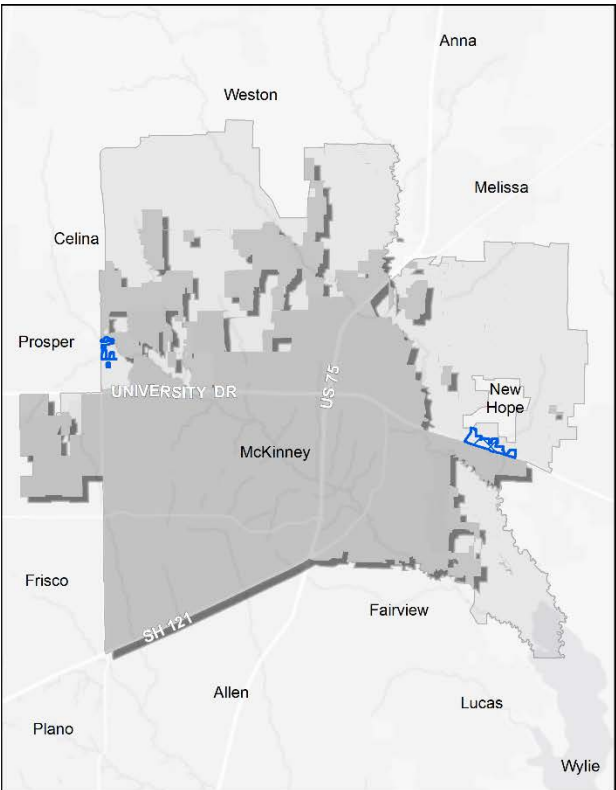
The Annexation Program below outlines the ways in which areas within the Extraterritorial Jurisdiction of McKinney can be annexed.

a) Municipal Annexation Plan (2017)

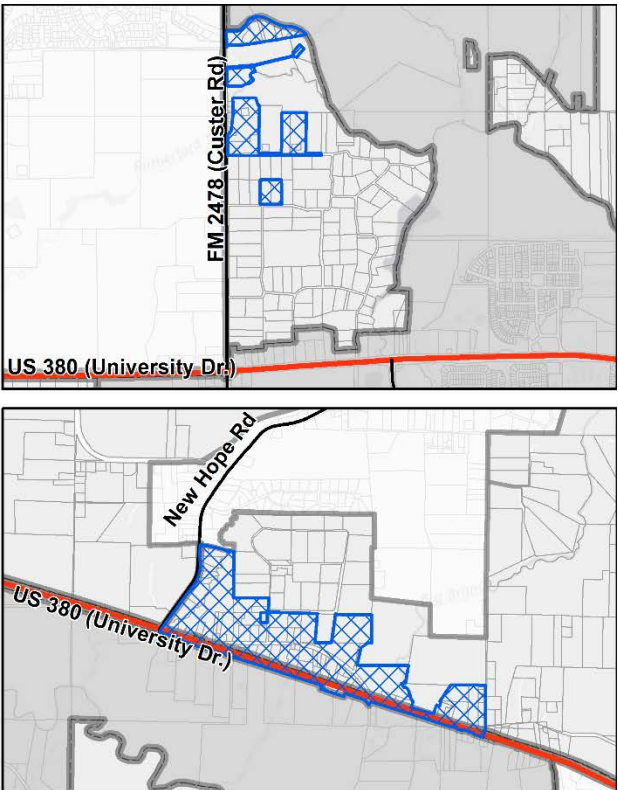
In accordance with Section 43.052 of the Texas Local Government Code, the general purpose of the Municipal Annexation Plan is to identify the areas that the City intends to annex within three years from adoption of the Plan. Below is a table of the areas that have been identified as part of the Municipal Annexation Plan (2017).

Area	Description	Approx. Size	Annexation Year
17-1	Generally located 3,300 feet north of U.S. Highway 380 (University Drive) and east of FM 2478 (Custer Road)	49 Acres	2020
17-2	Generally located north of U.S. Highway 380 (University Drive) and east of New Hope Road	169 Acres	2020

**as depicted on the figures below*



2 Municipal Annexation Plan location map (2017)



3 Enlarged map of Area 17-1 (top) and Area 17-2 (bottom)

Exclusion of an area from the Municipal Annexation Plan does not prevent the city from annexing the area under the exemption qualifications of the Texas Local Government Code.

b) Annexations Exempt from the Municipal Annexation Plan

In accordance with Section 43.052 of the Texas Local Government Code, the City of McKinney may annex certain properties not identified on the 2017 Annexation Plan. The decision to proceed with annexations exempt from the Annexation Plan shall be in conformance with this policy.

c) Voluntary Annexations

In accordance with Section 43.052 of the Texas Local Government Code, a private property owner (or owners) may request to be annexed into a City's corporate limits. Voluntary annexations have led to large expansions and growth of the city and should be evaluated using the planning and evaluation criteria of this policy to ensure that the purpose and intent of this document are being met.

d) Disannexations

In accordance with Chapter 43 of the Texas Local Government Code, real property owners may petition the City Council to disannex from the corporate limits of McKinney. Similarly, the City may seek to disannex an area from the corporate limits of McKinney in accordance with Chapter 43 of the Texas Local Government Code.

DEFINITIONS

- 1) Annexation – The legal process by which a City extends its corporate boundaries.
- 2) Annexation Policy – A set of guidelines for making annexation decisions.
- 3) Disannexation – The process by which territory is removed from the corporate limits of a municipality.
- 4) Enclave - An area within the City’s extraterritorial jurisdiction that is surrounded by the corporate limits of the city and/or the corporate limits or extraterritorial jurisdiction of other municipalities.
- 5) Extraterritorial Jurisdiction (ETJ) – An unincorporated area that is contiguous to, and extends five miles from, the corporate limits of a municipality as determined in Chapter 42 of the Texas Local Government Code.
- 6) Infrastructure – Facilities necessary to provide city services, usually referring to physical assets such as streets and utility lines.
- 7) Municipal Annexation Plan – A document required by Section 43.052 of the Texas Local Government Code that specifically identifies annexations that may occur beginning on the third anniversary of the date the annexation plan is adopted or amended.