



# CITY OF MCKINNEY, TEXAS

## Agenda City Council Regular Meeting

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Tuesday, February 6, 2018

6:00 PM

Council Chambers  
222 N. Tennessee Street  
McKinney, TX 75069

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### CALL TO ORDER

### INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Carol Wood, Founder and Co-Director of City Church Youth Outreach of McKinney

### 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

**18-115**      [Minutes of the City Council Regular Meeting of January 16, 2018](#)

**Attachments:**    [Minutes](#)

**18-116**      [Minutes of the City Council Work Session of January 22, 2018](#)

**Attachments:**    [Minutes](#)

**18-021**      [Minutes of the Library Advisory Board Meeting of November 16, 2017](#)

**Attachments:**    [Minutes](#)

**18-015**      [Minutes of the McKinney Armed Services Memorial Board Meeting of December 13, 2017](#)

**Attachments:** [Minutes](#)

**17-1047**      [Minutes of the McKinney Arts Commission Meeting of August 17, 2017 \(Amended\)](#)

**Attachments:** [Amended Minutes](#)

**18-027**      [Minutes of the McKinney Arts Commission Meeting of October 19, 2017](#)

**Attachments:** [Minutes](#)

**18-069**      [Minutes of the McKinney Community Development Corporation Meeting of December 21, 2017](#)

**Attachments:** [Minutes](#)

**18-051**      [Minutes of the McKinney Convention & Visitors Bureau Board Meeting of November 28, 2017](#)

**Attachments:** [Minutes](#)

**18-052**      [Minutes of the McKinney Convention & Visitors Bureau Finance Committee Meeting of November 27, 2017](#)

**Attachments:** [Minutes](#)

**18-053**      [Minutes of the McKinney Convention & Visitors Bureau Marketing & Development Committee Meeting December 13, 2017](#)

**Attachments:** [Minutes](#)

**18-024**      [Minutes of the McKinney Economic Development Corporation Meeting of December 19, 2017](#)

**Attachments:** [Minutes](#)

**18-062**      [Minutes of the Planning and Zoning Commission Regular Meeting of January 9, 2018](#)

**Attachments:** [Minutes](#)

## ORDINANCES

**18-117**      [Consider/Discuss/Act on an Ordinance Amending the Project Plan for Tax Increment Reinvestment Zone Number Two](#)

**Attachments:**    [Ordinance](#)  
                         [Exhibit A \(TIRZ 2 Amended Project Plan\)](#)  
                         [Existing TIRZ 2 Project Plan](#)

**18-118**      [Consider/Discuss/Act on an Ordinance Amending Chapter 98 of the City of McKinney Code of Ordinances by Amending the Historic Neighborhood Improvement Zone Tax Exemption Program](#)

**Attachments:**    [Proposed Ordinance](#)  
                         [HNIZ-NEZ Boundary Map](#)  
                         [Ordinance - Redline](#)

**RESOLUTIONS**

**18-119**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 1B & 1D, Block 49, Shorts Addition, City of McKinney, Collin County, Texas](#)

**Attachments:**    [Resolution](#)  
                         [Special Warranty Deed](#)  
                         [Distribution of Proceeds](#)  
                         [Location Map](#)

**18-120**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 876, Outlots Addition, aka 605 Howard Street, Being the Same Property Previously Known as 604 Washington Avenue, City of McKinney, Collin County, Texas](#)

**Attachments:**    [Resolution](#)  
                         [Special Warranty Deed](#)  
                         [Distribution of Proceeds](#)  
                         [Location Map](#)

**18-121**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 5B, Block 3, Russell #1 Addition, aka 805 ½ E. Standifer Street, City of McKinney, Collin County, Texas](#)

**Attachments:**    [Resolution](#)  
                          [Special Warranty Deed](#)  
                          [Distribution of Proceeds](#)  
                          [Location Map](#)

**18-122**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 32, Block 6, Russell #4 Addition, City of McKinney, Collin County, Texas](#)

**Attachments:**    [Resolution](#)  
                          [Special Warranty Deed](#)  
                          [Distribution of Proceeds](#)  
                          [Location Map](#)

**18-123**      [Consider/Discuss/Act on a Resolution Ratifying the Authorization of the City Manager to Apply for and Accept, If Awarded, a Selective Traffic Enforcement Program \(STEP\) Grant for Fiscal Year 2019 from the Texas Department of Transportation For Overtime Traffic Safety Enforcement](#)

**Attachments:**    [Resolution](#)  
                          [Grant Worksheet](#)

**18-124**      [Consider/Discus/Act on a Resolution Establishing a McKinney Community Internship Program and Authorizing the City Manager to Enter Into Agreements with the McKinney Business Community](#)

**Attachments:**    [Resolution](#)  
                          [Internship Agreement](#)

**END OF CONSENT**



**REGULAR AGENDA AND PUBLIC HEARINGS**

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

- 18-125**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract in the Amount of \\$85,200 with Berry Dunn, McNeil and Parker, LLC for a Contract Award for an Enterprise Resource Planning \(ERP\) RFP Specifications Development, Distribution, Evaluation and Award of an ERP Application Vendor and Authorizes all Necessary Change Orders Under Said Contract to an Aggregated Contract Amount Not to Exceed \\$97,980](#)  
**Attachments:**    [Resolution](#)
- 18-126**      [Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2017-2018 Annual Budget and the 2018 - 2022 Capital Improvement Program to Provide Funding for the Airport Land Acquisition Project \(AI1801\)](#)  
**Attachments:**    [Ordinance](#)
- 18-127**      [Consider/Discuss/Act on a Resolution Supporting Independent Bank's Development of a Federally Qualified Health Center](#)  
**Attachments:**    [Resolution](#)

**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

- Stephen Dorris v. City of McKinney, Texas, et al; Cause No. 4:16-cv-00069; U.S. District Court for the Eastern District of Texas, Sherman Division
- Petition of the Cities of Garland, Mesquite, Plano, and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District, PUC Docket No. 46662, Public Utility Commission of Texas

C. Section 551.087 – Discuss Economic Development Matters

- Project A55
- Project A146 – Project Frost
- Project A187 – Project Arlo

**ACTION ON EXECUTIVE SESSION ITEMS****ADJOURN**

Posted in accordance with the Texas Government Code, Chapter 551, on the 2nd day of February, 2018 at or before 5:00 p.m.

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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](mailto: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>.

**18-115**



**TITLE:** Minutes of the City Council Regular Meeting of January 16, 2018

**SUPPORTING MATERIALS:**

[Minutes](#)

## **CITY COUNCIL REGULAR MEETING**

**JANUARY 16, 2018**

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on January 16, 2018 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; City Attorney Mark Houser; City Secretary Sandy Hart; Assistant to the City Manager Trevor Minyard; Executive Director of Development Services Michael Quint; Planning Manager Jennifer Arnold; Planning Manager Samantha Pickett; Director of Parks and Recreation Michael Kowski; Assistant Director of Parks and Recreation Ryan Mullins; Director of Engineering Gary Graham; Engineering - Nicholas Ataie, Matt Tilke, and Paul Tucker; IT Desktop Technician Trent South; Chief Information Officer Sid Hudson; Housing and Community Services Manager Janay Tieken; Transit Administrator Tony Cao; Police Officer Tyler Lewis; Chief Financial Officer Mark Holloway; Human Resources Director Ike Obi; and Intern Grayson Roberts.

There were twenty guests present.

Mayor Fuller called the meeting to order at 6:03 p.m. after determining a quorum was present. Invocation was given by Minister David Jordan, Crosspoint Church. Mayor Fuller led the Pledge of Allegiance.

Mayor Fuller called for Citizen Comments.

Ms. Ada Simmons, 512 Cypress Hill, McKinney spoke about the wonderful Martin Luther King event that was held over the last weekend.

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

**18-034** Minutes of the City Council Regular Meeting of January 2, 2018

**18-012** Minutes of the Historic Preservation Advisory Board Regular Meeting of December 7, 2017

**17-1073** Minutes of the McKinney Housing Finance Corporation Meeting of September 29, 2017

**18-019** Minutes of the Planning and Zoning Commission Regular Meeting of December 12, 2017

**18-035** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2017-2018 Annual Budget and Amending the 2018-2022 Capital Improvements Program; and Allowing a \$23,000 Donation from the McKinney Armed Services Memorial Board to be Added to the Gold Star Memorial Project (PK1644). Caption reads as follows:

ORDINANCE NO. 2018-01-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2017-2018 BUDGET AND THE 2018 – 2022 CAPITAL IMPROVEMENTS PROGRAM TO APPROPRIATE FUNDS FROM THE MCKINNEY ARMED SERVICES MEMORIAL BOARD FOR THE GOLD STAR MEMORIAL PROJECT (PK1644); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

**17-0001M** Consider/Discuss/Act on a Resolution to Accept and File the Semiannual Impact Fee Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees. Caption reads as follows:

RESOLUTION NO. 2018-01-003 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ACCEPTING AND FILING THE SEMIANNUAL REPORT WITH RESPECT TO THE PROGRESS OF THE CAPITAL IMPROVEMENTS PLAN FOR ROADWAY AND UTILITY IMPACT FEES

**18-036** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Birkhoff, Hendricks, & Carter, LLP to Provide Consulting Engineering Services for the WA1625 - University Pump Station - 920 PP Pump Project and Authorizing Any Supplemental Agreements. Caption reads as follows:

RESOLUTION NO. 2018-01-004 (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 \$108,715 WITH

BIRKHOFF, HENDRICKS & CARTER, L.L.P. FOR CONSULTING ENGINEERING SERVICES FOR THE UNIVERSITY PUMP STATION – 920 PP PUMP PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$120,000

END OF CONSENT

- 18-037** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Approving Qualified Firms to Provide Professional Engineering Services for Traffic Engineering. Council member Shemwell inquired about the process of scoring the submittals. Transportation Engineering Manager Matt Tilke explained the scoring process for the selection of the vendor. The score sheet is set up when the RFQ is built. The resulting score is the aggregate of the individuals rating the vendors. Council unanimously approved the motion by Council member Branch, seconded by Council member Elliott, to approve a Resolution approving qualified firms to provide professional engineering services for Traffic Engineering. Caption reads as follows:

RESOLUTION NO. 2018-01-005 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING QUALIFIED FIRMS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR TRAFFIC ENGINEERING

- 17-0008Z** Mayor Fuller 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 Alma Road and Eldorado Parkway, and Accompanying Ordinance. Planning Manager Samantha Pickett stated the applicant is requesting to rezone the property to enable neighborhood commercial uses. Ms. Pickett stated the C-1 zoning is the lowest intensity of our commercial districts which will add much needed retail in this area and as such Staff recommends approval. Applicant, Mr. Tom Dudney, 7300 Eldorado Parkway, McKinney stated they are

currently marketing this parcel for sale for future development and the interest from the market has been for low-intensity retail users. Mayor Fuller called for public comments and there were none. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Councilwoman Rath, 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 Alma Road and Eldorado Parkway. Caption reads as follows:

ORDINANCE NO. 2018-01-007

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 2.42 ACRE PROPERTY, LOCATED ON THE NORTHEAST CORNER OF ALMA ROAD AND ELDORADO PARKWAY, 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

- 18-038** Mayor Fuller called for Presentations on Requests for Resolutions of Support for 2018 9% Low Income Housing Tax Credits (LIHTC) from Affordable Housing Developers. Housing and Community Development Manager Janay Ticken presented information on the 9% tax credit application process. The Low Income Housing Tax Credit Program (LIHTC) provides investors in affordable housing with a tax credit that is used to offset a portion of their federal tax liability in exchange for the production of affordable, rental housing. LIHTC developments are overseen by the investors for the duration of the tax credits, a period of 10 years. The program is administered by the Texas Department of Housing and Community Affairs. The funding is very competitive. Developments receive an additional 17 points for a Resolution of Support, 14 points for a Resolution of No Objection, and 0 points for a

Resolution of Opposition. There are 2,128 units for low-income housing in McKinney, which equals 1.26% of population. The Sphinx development did receive funding which would give McKinney 2,343 units for low-income housing once this development is completed. Approximately one-third of the low-income units in McKinney are occupied by seniors or the disabled. There are three applications requesting Resolutions of Support for your consideration.

**18-039** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Regarding the Application of Maddox Square LLC (Saigebrook Development) to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the Construction of Maddox Square. Housing and Community Development Manager Janay Tieken introduced Megan Lasch with Saigebrook Development. Ms Lasch stated that the site is located just off of Virginia Parkway and south of Ridge right behind the Trinity Presbyterian Church. This will be a mixed income community. Our property is zoned for its intended use and we are working within the planned development that is in place. We have met with the members of the church and members of the community and have revised the site plan to meet what the neighbors would like to see as far as access and to meet the letter of the code as the PD is currently approved. After meeting with the church, we modified our site plan to include garages and two parking spaces per unit. We are also working to add additional garages to meet the PD. The amenities include a clubhouse, 24-hour fitness center, multi-purpose room and swimming pool. It will be a gated community as per the PD and will have full perimeter fencing and controlled access. Our particular site would not get funding and would essentially go away if we were not able to receive the 9% credits. Council member Philips wanted to make sure Council was aware of the concerns that Trinity Presbyterian Church had and he expressed to Ms.



Lasch in response to an email that she sent that he cannot support this multi-family project. We are understanding that the Church would have to agree to give the development secondary access and the letter submitted by the Church indicated that is a work in progress. Ms. Lasch stated that title work and survey show that there is one access through the Church property and there is a secondary access through the adjacent senior housing. In our discussion with the Church, we have agreed to make the Church secondary and use the other access as primary. At this point, we have the right to go through their parking lot because the easements are in place. Mayor Fuller called for public comments.

Mr. Patrick McCoy, 306 West Park Drive North, McKinney, Pastor and President of Trinity Presbyterian Church stated that he is neither in support or opposition to this project. We have a scout troop, a youth group, and various activities day and night and the idea of that being an area of constant traffic frightened us.

Mr. Jerry Green, 1117 Constitution, McKinney spoke in support.

Mr. Pablo Ruiz, 1204 Rumford Court, McKinney, stated he would like to see a development that does not adversely affect the future growth of the Church.

Council unanimously approved the motion by Council member Branch, seconded by Council member Shemwell, to close the public hearing.

Planning Manager Samantha Pickett stated there would be no parking where the easement exists. CIP Manager Nick Ataie stated the easement is a fire lane mutual access easement and also a water and sanitary sewer easement. Council member Elliot stated that after hearing from the Pastor who is neither for, nor against, and having looked at how Ms. Lasch and her firm is approaching things, my inclination is to approve the tax credit knowing that does not mean approval of the project. Mayor Pro Tem Rogers stated that is a problem

having an access through a parking lot. I think that is just an accident waiting to happen. This is a good product but I don't know that this is the right place. Mayor Fuller stated the right to the easement has already been agreed to, those things are already in place and in no way, shape, or form would be at our discretion to take away. We are focusing on the effect of multi-family when multi-family already has entitlement to exist there. Variances or anything that they might need to do to get approval for a site plan for this development is something aside and will come before us in a different venue or at a different time. Council member Philips stated the applicant said if they didn't have the letter of support, they would not go forward with this project. And that assures me that there will not be 100 new residents who are the neighbors of this property cutting through the parking lot and will also assure me that there is room for future growth of the Church. Council approved the motion by Council member Philips, seconded by Council member Branch, to approve a Resolution of Opposition of the City Council of the City of McKinney, Texas, regarding the application of Maddox Square LLC (Saigebrook Development) to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the construction of Maddox Square with a vote of 4-3, Mayor Fuller and Council members Elliott and Shemwell voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-006 (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN OPPOSITION TO THE APPLICATION BY MADDOX SQUARE LLC TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR MADDOX SQUARE, LOCATED AT THE SE CORNER OF RIDGE ROAD AND VIRGINIA PARKWAY; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

- 18-040** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Regarding the Application of the Groundfloor Holdings LLC to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the

Construction of Circle F Ranch Lofts. Applicant, Mr. Martin Sanchez, 200 North McDonald Street, McKinney, stated he is a big supporter of dignified housing and not just affordable housing. The Cross F Planned Development District established back in the 1980s is a zoning PD that allows for the development of around 12,000 residential units, everything from large estate development, to more moderately-sized homes and yes, even to apartments. The agreement with Groundfloor Development entertains two proposed communities that are low density relative to the amount of zoning that we have entitled to us. Some of the 180 units will be market-rate and some will be rent-controlled based on the annual household income. At this point, we do not have a site plan or a plat. We are asking for the resolution in order to be able to move forward to those details. Mr. Sanchez stated according to the PD they have the right to basically establish 7,000 multi-family units across all of Cross F broken down into three various zones. The zoning in place today gives me the right to put on the ground about 3,500 units. What we have laid out is two 180-unit communities, another single-family community behind it of approximately 150 units, associated parks, et cetera. If we get the Resolution of Support, we will move forward with details of the site-planning, platting, working with the planning staff to make sure that the parks are there and all the items that go around it are there. We would have to build Hardin Road adjacent to the two developments and a portion of Community Avenue. Mayor Fuller called for public comments and there were none. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Branch, to close the public hearing. Council member Philips stated he had high hopes that Cross F Ranch would put McKinney on the map and I do not want to announce to the world that Cross F Ranch is an apartment community. Council approved the motion by Mayor Pro Tem Rogers, seconded by Council member Shemwell, to approve a Resolution of Support of the

City Council of the City of McKinney, Texas, regarding the application of the Groundfloor Holdings LLC to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the construction of Circle F Ranch Lofts with a vote of 5-2-0, Council members Philips and Branch voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-007 (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN SUPPORT OF THE APPLICATION BY GROUND FLOOR HOLDINGS LLC, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR THE CIRCLE F RANCH LOFTS, LOCATED AT THE NE CORNER OF FUTURE HARDIN BLVD AND COMMUNITY AVE; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

- 18-041** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Regarding the Application of GroundFloor Holdings LLC to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the Construction of Circle F Ranch Seniors. Mayor Fuller stated that this is a companion item to the previous item. Mayor Fuller called for public comments and there were none. Council approved the motion by Council member Shemwell, seconded by Council member Elliott, to close the Public Hearing and approve a Resolution of Support of the City Council of the City of McKinney, Texas, regarding the application of GroundFloor Holdings LLC to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the construction of Circle F Ranch Seniors with a vote of 5-2-0, Council members Philips and Branch voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-008 (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN SUPPORT OF THE APPLICATION BY GROUND FLOOR HOLDINGS LLC, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR THE CIRCLE F RANCH SENIORS, LOCATED AT THE NE CORNER OF FUTURE HARDIN BLVD AND COMMUNITY AVE; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

**18-042** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Ratifying the First Amendment to the Interlocal Agreement with the Denton County Transportation Authority ("DCTA") to Provide Transit Services to the McKinney Urban Transit District Service Area on Saturdays, and Approving the Second Amendment to said Interlocal Agreement to: (a) Add Contract Provisions Now Required for Compliance with Federal Contracting Guidelines; and, (b) Outline Changes in DCTA's Scope of Services Regarding the Use of Two (2) 2014 Glaval Titan LF Buses. Transit Administrator Tony Cao stated this item seeks Council's approval to make two amendments to the Interlocal Agreement with DCTA. The first amendment would ratify the expansion of transit services to include Saturdays from 8:00 a.m. to 6:00 p.m. The second amendment includes federal clauses and are required to utilize federal grant funds and to modify the scope of changes to include bus management and bus operations for two buses that were previously acquired from TAPPS. Mr. Cao stated DCTA will be responsible for maintenance of the buses. Currently the two buses are sitting with DCTA and things need to be done with maintenance and rebranding to get the buses in service. We are planning on using federal funds and in order to do that we have to have federal clauses in the ILA to do so. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Shemwell, to approve a Resolution ratifying the First Amendment to the Interlocal Agreement with the Denton County Transportation Authority ("DCTA") to provide transit services to the McKinney Urban Transit District Service Area on Saturdays and approving the Second Amendment to said Interlocal Agreement to: (a) add contract provisions now required for compliance with Federal Contracting Guidelines; and, (b) outline changes in DCTA's scope of services regarding the use of two (2) 2014 Glaval Titan LF Buses. Caption reads as follows:

RESOLUTION NO. 2018-01-009 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY OF MCKINNEY, AS THE DESIGNATED RECIPIENT FOR THE MCKINNEY URBANIZED AREA TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE DENTON COUNTY TRANSPORTATION AUTHORITY FOR THE PROVISION OF TRANSIT SERVICE WITHIN THE MCKINNEY URBAN TRANSIT DISTRICT AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION

- 18-043** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Revising the Lease Agreement for the Downtown Parking Garage, Generally Located on the Northeast Corner of Chestnut Street and Virginia Street. Assistant City Manager Barry Shelton stated this item is to revise the lease approved on April 4, 2017. It is generally the same program we have under the existing lease. After five years of rent we will own the parking structure. It does allow us to have a pre-payment at any time during the lease period to pay the remaining balance and take ownership at that time. The revision extends the completion date to December 1, 2018. The City will waive its development fees associated with this project and anticipate these will be in the range of \$42,000 worth of fees. It also indicates the City will pay for the relocation of the Oncor power pole located on the south side of Herndon. It offers up to \$35,000 in related utility, paving and landscape construction in-kind services towards the project. The total project cost is just under \$7.6 million. Council approved the motion by Council member Shemwell, seconded by Council member Elliott, to approve a Resolution revising the lease agreement for the downtown parking garage, generally located on the northeast corner of Chestnut Street and Virginia Street with a vote of 6-1-0, Council member Branch voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-010 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED LEASE AGREEMENT WITH VIRGINIA@5, LLC AND SP2 301 E VIRGINIA, LLC FOR A DOWNTOWN PARKING GARAGE

- 18-044** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Amending the 2018 - 2022 Capital Improvements Program, to Create a New CIP Project and Provide Funds for Gabe Nesbitt Park Improvements. Director of Parks and Recreation Michael Kowski stated this item focuses on the John and Judy Gay Library and the connection to the existing developed area of Gabe Nesbitt Park and provides a second means of ingress and egress to the library site. They are going through a massive expansion of the library that will double the size of the library. Per the Fire Marshal we must have a second means of ingress/egress for vehicles. There is another area near the baseball fields where I am proposing additional parking. This is a partnership between the library and Parks and Recreation to use that money, pool our resources, to actually achieve those results. Council approved the motion by Councilwoman Rath, seconded by Council member Branch, to approve a Resolution amending the 2018 - 2022 Capital Improvements Program, to create a new CIP Project and provide funds for Gabe Nesbitt Park Improvements with a vote of 6-1-0, Council member Shemwell voting against. Caption reads as follows:

RESOLUTION NO. 2018-01-011 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET  
AMENDMENT PERTAINING TO THE FISCAL YEAR 2017-18  
BUDGET AND THE 2018 – 2022 CAPITAL IMPROVEMENTS  
PROGRAM

- 18-045** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract with Birkhoff, Hendricks, & Carter, LLP to Provide Consulting Engineering Services for the Update of the WA4202 - Water Master Plan, WW4209 - Wastewater Master Plan and Utility Impact Fee Project and Authorizing Any Supplemental Agreements. CIP Manager Nick Ataie stated this item is in reference to the updates to the water and wastewater master plan as required. It's also to update the utility impact fee analysis. The current

water/wastewater master plans were last updated in 2013. This update will take into account the changes for future land use planning and also look at associated water and wastewater capital infrastructure. The contract includes a new water and wastewater impact fee report which was last completed in 2013 and is required to be updated every five years per requirements of the Local Government Code. The study will look at three scenarios - the baseline, a ten-year plan, and then build-out. Executive Director of Development Services Michael Quint noted that state law mandates that we re-evaluate our impact fees every five years. We need to do that this year. We may have to make our future land use plan based on assumptions and feed that into the plan update. Then we can come back and modify the comprehensive plan once TXDOT makes up their mind on the 380 bypass. Council unanimously approved the motion by Council member Elliott, seconded by Council member Branch, to approve a Resolution authorizing the City Manager to execute a contract with Birkhoff, Hendricks, & Carter, LLP to Provide Consulting Engineering Services for the update of the WA4202 - Water Master Plan, WW4209 - Wastewater Master Plan and Utility Impact Fee Project and authorizing any supplemental agreements. Caption reads as follows:

RESOLUTION NO. 2018-01-012 (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 \$474,470 WITH BIRKHOFF, HENDRICKS & CARTER, L.L.P. FOR CONSULTING ENGINEERING SERVICES FOR THE UPDATE OF THE WATER MASTER PLAN, THE WASTEWATER MASTER PLAN AND THE UTILITY IMPACT FEE PROJECT AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$522,000

- 18-046** Mayor Fuller called for Consideration/Discuss the Recent Implementation of EnerGov, McKinney's New Land Management Software System Developed by Tyler Technologies, Inc. Executive Director of Development Services Michael Quint presented a brief update on the implementation of EnerGov, specifically our new land management



software. On October 16, 2017, a series of software packages went into service. The CSS, or citizen self-service and customer-facing side of EnerGov, is where folks submit plans and submit and request permits. There is also the e-Review digital permit or digital plan review portal, where plans will be submitted for plan review, whether it be through building inspections, engineering or planning. There is the IG Enforce, IG Inspect iPad apps that are loaded onto iPads for our field staff so they can do quick and essential building inspections, construction inspections or CO inspections. The EnerGov back office is the portion of the software that internal staff will use to manipulate data, review plans to process permits, charge fees, assess fees, etc. We have our IVR automated phone line, where you can call in a building inspection or things of that nature from any cell phone and from anywhere. All you need is your permit code and you'd be able to get in and access inspections for your permit. There have been many challenges with the software working as it should. It has been very time consuming for staff as well as customers. The solution going forward is to continue to evaluate how to make the software fixes and what the best way to do that is. Since October we have been identifying what issues can be fixed in-house with our team and what issues do we have to go back to Tyler and ask for help on. We just don't know which of these issues are best suited to be resolved by Tyler, how long it's going to take them to fix, how much it's going to cost them to fix, and what assurances do we have that the fixes won't break other things. Mayor Fuller stated Council understands this is a complex, convoluted issue and the solution that you have today might open up a can of worms that requires a new solution tomorrow. Chief Information Officer Sid Hudson stated that we have identified 182 items that need reconfiguration. We showed those to Tyler so they can evaluate them and make sure they understand what we're asking for. I had a conversation with Tyler about putting forth a good-faith effort to

bring staff in here at their own cost and help us resolve those issues. Mr. Quint stated that as of January 11, 2018, we had 237 single-family residential permits pending. As of today, we have 129. We'll get there but we have to be methodical and intentional about it. We appreciate the support of the Council and appreciate the support of the City Manager's office for being committed to righting the ship. We will continue to work with our IT department and Tyler and will come back to Council in the near future. Council member Elliot expressed concerns that if there are bugs in the software that Tyler delivered, we should not have to pay for them to fix those. Mr. Hudson stated that the software is customized out of the box. Any bugs or fixes are getting rolled into the new versions as they go but the modifications, or the customization, does not go into their application. Council member Elliot stated that, as we contemplate spending more money, I would like to know from the vendor's side if they have given us the tools to make sure that things don't get to production and break other things. City Manager Paul Grimes stated we are not where we want to be and we're not happy with the product. I don't mean Tyler's product, but our product together and what we provide to our customers. We know Tyler Technologies is a leader in the field. Mr. Grimes stated that we will not advance any financial system ERP until he is confident, working with our team, that we have a better systematic approach to doing that. At the next meeting, we're bringing forward a consulting agreement to start designing specifications before going out to the marketplace for an ERP.

- 18-047** Mayor Fuller called for Consideration/Discussion/Action on Filling the Vacant Position on the McKinney Armed Services Memorial Board. Mayor Pro Tem Rogers stated that he and Council member Branch conducted the interviews for this Board and have agreed that we would like to put the name of Ken Davis forward to be added to the Board. Council unanimously approved the motion by Mayor Pro Tem Rogers,

seconded by Council member Branch, to appoint Ken Davis to fill the vacant position on the McKinney Armed Services Memorial Board.

Mayor Fuller called for Citizen Comments and there were none.

Mayor Fuller called for Council and Manager Comments.

Council member Philips recognized McKinney Economic Development Corporation Board member and member of Leadership McKinney Michael Jones. Mr. Philips thanked Mayor Pro Tem Rogers who did an outstanding job on behalf of the entire City Council speaking at Memorial services for Leonard Evans. He did a wonderful job and I was truly proud. Mr. Philips recognized Lance Olinski who is a citizen of McKinney and formed Streetside Showers after he was in a bathroom and saw a homeless person trying to clean himself in the sink. He was so moved by it, that he invested in some trailers to drive around the Metroplex and give showers to the homeless. Today he received word that Streetside Showers was approved as a 501(c)(3) corporation by the IRS. It's an amazing ministry and started in McKinney. Mr. Philips thanked City Manager Grimes for being available whenever Council has something that they need. He always provides the information that we need. This weekend a church had a gas leak and needed a City inspector to inspect the line so that the gas could be turned on. He was able to get someone out to inspect to enable the Church to hold Sunday services. It was greatly appreciated.

Council member Elliot stated that it is Paul Grimes kudos night. Councilwoman Rath, Mr. Grimes and I had a chance to go to Ada Simmons' Martin Luther King power leadership breakfast on Saturday at Collin College. With Tracy's excellent coaching City Manager Grimes filled in for Mayor Fuller and he did an excellent job. Mr. Elliott announced that Darrell Auterson has resigned his position as President of the McKinney Economic Development Corporation. He is dealing with tough family health issues. Mr. Elliott expressed his thanks to Darrell for his service and God speed with the issues that you have to deal with.

Mayor Pro Tem Rogers thanked Mr. Philips for his kind words. It was an honor for me to represent the City and the Mayor at the funeral of a good man that I considered a friend. He was one of the great citizens of McKinney. If you look back at his life, Coach Evans was a wonderful human being and a man that was needed at the

time that he was here. He also taught me how to drive. Seventeen years ago this last November, some friends of ours that we went to church with were in a wreck. The parents were killed and their five kids survived. About five months ago, the youngest, who went through some fairly traumatic brain injury, desired to seek out and search for the nurse that saved his life. So there is a great little video if you haven't seen it, it's called "help me find the nurse who saved my life." The family actually came in on Sunday and I had a handful of them stay at our house for the last two days. They met with the nursing staff that helped the kids 17 years ago and most of them are still at the McKinney hospital. It just reminds us the quality of people that we have in our City. I'm proud to live in this City. I just wanted to acknowledge the first-responders and people who work here in McKinney.

Council member Shemwell stated that when he woke today it was 19 degrees. It was even colder during the night and the Vintage Church has been opening their doors as a homeless shelter. Hope Fellowship Church on University Drive has also opened their doors this winter during these cold nights. So if you see anyone that needs shelter, you can point them that way. I appreciate that the churches are taking a stance to help those in need. That is what they are called to do and what God has called us to do. I also attended Coach Evans' funeral. I had a really good relationship with Coach Evans. As one of the last things he was able to do on this Earth was endorse me in my candidacy to represent this District. Mr. Shemwell stated that he attended the first-ever Collin County Martin Luther King Appreciation Day in Allen where I saw the Mayor and Mr. Grimes. There was standing room only and if you didn't get to make it, I think next year will be even better. One of the Dr. King quotes that stood out to me was "We stop living the moment we stop caring about things that matter." As we celebrate his life, it's important to put into context that we celebrate his life now and it's a holiday. Coach Evans was probably the greatest man I ever met and in terms of seeing his life, being the son of a slave, living in McKinney for 93 years, integrating schools, being the first black to work in a white school, and all of the people that he touched here. He left a great example for me to follow.

Council member Branch noted that the appointment tonight to McKinney Armed Services Memorial Board was due to George Lodge's resignation due to his health. He

is a great man and served veterans and the military here in Collin County. He was very instrumental in helping bring the Veterans Memorial Park and a big part of that was getting the Gold Star Memorial here in McKinney. We certainly appreciate him and love him and hope he recovers soon.

Councilwoman Rath stated that she attended a half-day Main Street retreat today facilitated by our own Assistant City Manager Barry Shelton. A lot of good discussion from the Board and I think staff is going to go back and wordsmith some things and Main Street Board will be taking a look at that again in February before it comes to Council sometime in early spring. Ms. Rath stated that she had spoken to the City Manager about bringing the Comprehensive Plan back to Council since it had been stalled largely in part because of the mobility portion with TXDOT. Ms. Rath was favorable with Mr. Grimes working with staff to see if there are some elements of the plan that we can start moving forward with. Ms. Rath expressed her excitement at the new development at Cross F Ranch. I take every project on its merits and I'm looking forward to some affordable housing in the Northwest sector. I look forward to the roads being built that the City is not going to have to do and certainly we'll partner and do our part as we always do. That location will be providing workforce housing that will be needed.

City Manager Grimes stated he had mentioned briefly the water service line and the question about our water loss. We're continuing work on our water service line replacement and we are seeing results. Water loss is an important issue. You will never get it down to 0 and typically try to get it between 8-10% ideally. Staff is currently working in the Pine Ridge Estates 2 and the Legends of McKinney Phases 1, 2, and 3. With the temperatures below freezing, things will slow down a little bit, but the crews really do have it down to a science and how quickly they can make work of a subdivision in terms of replacing water service lines. Mr. Grimes reminded everyone that on February 2nd, the City Council will hold a Strategic Planning Workshop in the Council Chambers with Mr. Patrick Ibarra facilitating the meeting. Mr. Ibarra will be holding pre-conversations prior to February 2nd. I failed to announce this at the last meeting, we are very excited to announce the hiring of our new Airport Director - Ken Carley. He is coming to McKinney from the quad cities area that includes Rock Island,

Moline, Illinois, and Bettendorf and Davenport, Iowa. We are excited to have him on-board and he has a full schedule already.

Mayor Fuller stated that Mr. Auterson has done a great job for the City and wish him the best of luck. Ada Simmons did a good job on the Martin Luther King Jr. event and I was sorry that I was not able to attend. I did attend the Martin Luther King Jr. event in Collin County. My two favorite quotes from Mr. Martin Luther King, Jr. – “if you can't fly, run. If you can't run, walk. If you can't walk, crawl.” Whatever you do, just move forward. Another quote was “if I can't do great things I will do small things in a great way.” I think that is something for all of us to hold on to.

Mayor Fuller recessed the meeting into executive session at 8:50 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 9:04 p.m.

Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to adjourn. Mayor Fuller adjourned the meeting at 9:05 p.m.

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GEORGE C. FULLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary

**18-116**



**TITLE:** Minutes of the City Council Work Session of January 22, 2018

**SUPPORTING MATERIALS:**

[Minutes](#)

## **CITY COUNCIL WORK SESSION**

**JANUARY 22, 2018**

The City Council of the City of McKinney, Texas met in work session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on January 22, 2018 at 5:30 p.m.

Council Present: Mayor George C. Fuller, Mayor Pro Tem Rainey Rogers, Council members: Chuck Branch, Charlie Philips, Tracy Rath, and La'Shadion Shemwell. Absent: Council member Scott Elliott.

Staff Present: City Manager Paul Grimes; Deputy City Manager Jose Madrigal; Assistant City Manager Barry Shelton; Assistant City Manager Steve Tilton; City Attorney Mark Houser; City Secretary Sandy Hart; Assistant to the City Manager Trevor Minyard; Executive Director of Development Services Michael Quint; Planning Director Brian Lockley; Assistant Director of Public Works Paul Sparkman; Planning Manager Jennifer Arnold; Director of Parks and Recreation Michael Kowski; Director of Engineering Gary Graham; CIP Manager Nicholas Ataie; MPAC/Main Street Director Amy Rosenthal; Chief Financial Officer Mark Holloway; and Police Chief Greg Conley.

There were five guests present.

Mayor Fuller called the meeting to order at 5:33 p.m. after determining a quorum present.

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

- 18-066**      Update on ONE McKinney 2040 Comprehensive Plan Initiative
- 18-067**      Discuss and Provide Direction to Staff Regarding Possible Late Hours  
Sales of Alcoholic Beverages
- 18-068**      Discuss and Provide Direction Concerning Submitting a Letter of Intent to  
the Texas Commission on the Arts for a Cultural District Designation

Mayor Fuller called for Council Liaison Updates.

Mayor Fuller recessed the meeting into executive session at 6:13 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 6:48 p.m.

Mayor Fuller called for Action on Executive Session.

Council approved the motion by Councilwoman Rath, seconded by Mayor Fuller, to authorize the City Manager to execute an amended purchase and sale agreement by and between VTCR, LP, a Texas limited partnership, Prairie Flight, LP, a Texas limited partnership, and MADMT, LP, a Texas limited partnership and the City of McKinney, Texas, with a vote of 5-1-0, Council member Philips voting against.

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Philips, to adjourn. Mayor Fuller adjourned the meeting at 6:50 p.m.

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GEORGE C. FULLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary

18-021



**TITLE:** Minutes of the Library Advisory Board Meeting of November 16, 2017

**SUPPORTING MATERIALS:**

[Minutes](#)

## **McKINNEY PUBLIC LIBRARY SYSTEM ADVISORY BOARD**

**NOVEMBER 16, 2017**

The McKinney Public Library System Advisory Board met in regular session in the Conference Room of the John and Judy Gay Library, 6861 W. Eldorado Parkway, McKinney, Texas on November 16, 2017 at 5:00 p.m.

Board members Present: Vice Chairman Joann Pond, Coretta Lule, Amanda Hamilton, Joseph Closs, Cheryl Darveaux, Lauren Smith-Carter.

Absent: Chairman Peter Samsury

The meeting was called to order at 5:00 p.m. after determining a quorum was present.

There was one guest present.

**17-1132** Minutes of the Library Advisory Board Meeting of October 19, 2017.

Board members unanimously approved the motion by Board member Closs, seconded by Board member Darveaux, to approve the minutes of the Library Advisory Board meeting of October 19, 2017.

**17-1133** Vice Chairman Pond called for the Tech Services Report. Mike Smith and Ed Veal delivered the Tech Services Report: Schedule3W, the software the libraries use to note staff locations and responsibilities, is now hosted on the Schedule3W cloud. The Access is much faster access than Schedule 3W housed on a server here. Staff with permissions can make changes at any workstation via the web. We're still working with IT on obtaining a "remote desktop connection" to full-featured Schedule3W admin, but have our workarounds using staff laptops and the EnvisionWare console. We will be evaluating a database called Kovel's Library Archive. Kovel's is one of the major sources of information about antiques and collectibles. This database is linked to Kovels.com and has all of the articles, reviews and Q and As that are posted to the site. It also provides access to over 40 years of their published subscription newsletter. The annual price guide is available as

soon as it is published and there are over 20 years of these guides in the archive. We look at many databases because it is useful for us to know how these products work, and good to interact with the vendors, etc. To review these databases, we look at their cost, usefulness to citizens, and we run trials such as the ones we are running with Kovel's. Our IT department handles all telephone capabilities. We have been challenged at JJGL to catch all of our phone calls from the public that come in at our check-in desk, and to get checking-in done while we are answering the phone calls. In order to solve this public service problem, we have changed the length of time that the phone will ring before going to a message. We have also asked IT to test a mobile telephone that staff members can carry with them or have at their desks in order to better catch all the calls. IT should be testing this within a few weeks. Another alternative which is apparently very difficult with our phone system, would be to set up a group of other phones from which we could pick up the check-in line calls. Koha Upgrade to 17.05 Nov. 14<sup>th</sup> - ByWater Solutions, our partner in ILS services, performed the software upgrade overnight so there were no interruptions in service to our citizens. Recent adult programs facilitated by Mike included the Sunday 11/5 National Novel Writing Month event at JJGL and a demonstration of ReferenceUSA on 11/14, open to both staff and public at JJGL, 3:00 - 4:00. Vendor demonstrations are one way that we train the staff so that they understand the possibilities of the databases. We also encourage staff to attend webinars, and to look at help pages on the website. A representative from the Novelist database visited us a few months ago, and took a number of staff members through an afternoon of training with that database. Adult programming ideas for the spring include: Adult Coding Club, Beginners' Guide to Digitizing Your Personal Collections, Home Brewing for Beginners, What's the Buzz? Honeybees and Beekeeping and Trivia Night. JJGL is in the process of hiring a fourth

shelver. The position has been posted through November 14. Adrienne Dagley's part time library assistant position was downgraded at our request to be a badly-needed fourth part-time shelver position (15 hours/week).

**17-1134** Vice Chairman Pond called for the Director's Report. Library Manager, Lisa Bailey, delivered the Director's Report: I will say a few words from Spencer. We have a comparison from October 2016 to October 2017. I want to highlight a few numbers. One number that stood out as being down 20% was the number of library visitors. Spencer and I took a closer look at what we were doing last October, and we were doing early voting. We had thousands of people in to vote and we are pretty sure this is where the number difference was. Another statistic that we, as staff are always proud of, is in interlibrary loans. There are huge increases in the number of interlibrary loans, both received and borrowed. Also, we have an increase in the number of volunteer hours. It is very helpful for us when we can have volunteers help with shelving, and children's programming. We are very happy to have volunteers. The children's programming is still down. We are still understaffed. Once we get more staff on board, we can have many programs. Youth services have just completed their programming for spring as well.

Board members agreed to not have the Library Advisory Board meeting on December 21, 2017.

Board members unanimously approved the motion by Board member Lule, seconded by Board member Smith-Carter, to adjourn. Vice Chairman Pond, adjourned the meeting at 5:20 p.m.

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JOANN POND  
Vice Chairman

18-015



**TITLE:** Minutes of the McKinney Armed Services Memorial Board Meeting of  
December 13, 2017

**SUPPORTING MATERIALS:**

[Minutes](#)

## **McKINNEY ARMED SERVICES MEMORIAL BOARD**

**DECEMBER 13, 2017**

The McKinney Armed Services Memorial Board met at the Parks, Recreation, and Open Space Conference Room, 1611 North Stonebridge Drive, McKinney, Texas on December 13, 2017 at 6 p.m.

Board members Present: Chairman Colin Kimball, Andrew Hudson, Marlene Bockler and Matthew Parker. Board members Absent: George Lodge, Barry Brown and Matt Harris.

Staff members Present: Tim White, Parks Maintenance Superintendent; Melissa Lee, Parks Executive Assistant and Flora Ray, Parks Administrative Assistant.

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

**17-1209** Chairman Kimball called for the Minutes of the McKinney Armed Services Memorial Board Meeting of November 8, 2017. Board members unanimously approved the motion by Board member Parker, seconded by Board member Bockler, to approve the Minutes of the McKinney Armed Services Memorial Board Meeting of November 8, 2017.

**17-1210** Chairman Kimball called for discussion on the Veterans Day Ceremony Events of 2017 at the Veterans Memorial Park in McKinney, Texas. The Board discussed the Veterans Day Ceremony of 2017 and thanked all those who participated and volunteered to make the event a success.

**17-1211** Chairman Kimball called for consideration/discussion/action on the Gold Star Monument. The Gold Star Families Memorial dedication ceremony to take place on December 16, 2017 was discussed with no action taken.

Chairman Kimball called for any citizen comments. Missy McPherson of the Daughters of the American Revolution was present and offered their assistance in the placement of a wreath at the Gold Star Families Memorial dedication ceremony on December 16, 2017.

Board members unanimously approved the motion by Board member Parker, seconded by Board member Hudson, to adjourn. Chairman Kimball adjourned the meeting at 6:38 p.m.

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COLIN KIMBALL  
Chairman



**17-1047**



**TITLE:** Minutes of the McKinney Arts Commission Meeting of August 17, 2017  
(Amended)

**SUPPORTING MATERIALS:**

[Amended Minutes](#)

**McKINNEY ARTS COMMISSION**

**AUGUST 17, 2017**

The McKinney Arts Commission of the City of McKinney, Texas met in regular session in the 2<sup>nd</sup> floor Conference Room of the Municipal Building on August 17, 2017 at 4:00 p.m.

Commissioners Present: Michelle Andriola, Tricia Conover, Greg Huckaby, and Jeffery Hull.

Absent: Sandra Doak, Molly Brewer, and Pamela Harden.

Staff Present: Janay Tieken, Housing & Community Development Manager; and Judy Hawkins, Administrative Assistant.

Manager Tieken called the meeting to order at 4:07 p.m. after determining a quorum present.

**17-831** Consider/Discuss/Act on the Final Report of McKinney Repertory Theatre Young Actors Guild. Commissioners unanimously approved the motion by Commissioner Hull, seconded by Commissioner Conover, to approve the Final Report of MRT Young Actors Guild and release the remaining 30% of grant funds (\$4,200).

**17-786** Consider/Discuss/Act on Recommendation to City Council for 2017-2018 Art Grant Recipients and Other Projects. Commissioners unanimously approved the motion by Commissioner Conover, seconded by Commissioner Hull, to approve the following art grant recommendations to City Council:

Arts & Music Guild	\$8,000
NTC ATOS	\$5,480
Friends of the Library	\$10,510
Junior Players	\$8,900
McKinney Community Band	\$20,000
McKinney Community Concert Assn.	\$4,380
Melissa Youth Onstage	\$10,000
McKinney Repertory Theatre	\$16,000
Odysseus Chamber Orchestra	\$20,000
Ollimpaxqui Ballet Company	\$13,500
Plano Symphony	\$6,100
Young Actors Guild	\$18,000

Youth Ballet of Texas	\$5,325
Outreach	\$15,555
Membership	\$1,000
Reproduction	\$500
Public Art	\$20,000
Art Show/Art Exhibit	\$13,090
Zoom Grants	\$3,000
Texas Commission on Arts Conference	\$600

Commissioners unanimously approved the motion by Commissioner Conover, seconded by Commissioner Andriola, to approve the expenditure of Leadership Arts dues from Special Projects.

Commissioners unanimously approved the motion by Commissioner Conover, seconded by Commissioner Andriola, to adjourn the meeting. The meeting was adjourned at 4:35 p.m.

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PAMELA HARDEN  
Chair

18-027



**TITLE:** Minutes of the McKinney Arts Commission Meeting of October 19, 2017

**SUPPORTING MATERIALS:**

[Minutes](#)

## **McKINNEY ARTS COMMISSION**

**OCTOBER 19, 2017**

The McKinney Arts Commission of the City of McKinney, Texas met in regular session in the 2<sup>nd</sup> Floor Conference Room of the Municipal Building on October 19, 2017 at 4:30 p.m.

Commissioners Present: Molly Brewer, Jeffery Hull, Michael McEntire, Latisha Nance, Amanda Beller

Absent: Greg Huckaby, Nina Ringley

Staff Present: Janay Tieken, HCD Manager; Judy Hawkins, Administrative Assistant; Camille Smith, Community Services Coordinator

The meeting was called to order at 4:36 p.m. by Manager Tieken. A quorum was present.

**17-1043** Oaths of Office. The Oath of Office was administered to Commissioners by City Secretary Sandy Hart.

**17-1044** Election of Officers. Commissioners unanimously approved the motion by Commissioner Hull, seconded by Commissioner Brewer, to elect Molly Brewer as Chairman. Commissioners unanimously approved the motion by Commissioner Brewer, seconded by Commissioner Nance, to elect Jeff Hull as Vice Chairman.

Commissioners unanimously approved the motion by Commissioner Hull, seconded by Commissioner Beller, to approve the following Consent items:

**17-1045** Minutes of the McKinney Arts Commission Meeting of August 10, 2017

**17-1046** Minutes of the McKinney Arts Commission Meeting of August 11, 2017

**17-1047** Minutes of the McKinney Arts Commission Meeting of August 17, 2017

Commissioner McEntire arrived at 4:40 p.m.

**17-1048** Staff Report on Budget Status. Manager Tieken reviewed the 2018 art grant awards and budget amounts available for the 2017-18 fiscal year. The total budget amount is \$200,000, with \$146,255 of that awarded as seasonal grants. Other funding amounts are: Outreach (\$15,555),

Business Council for the Arts (\$1,000), Reproduction (\$500), Public Art (\$20,000), Special Projects (\$13,090), Zoom Grants (\$3,000), Texas Commission for the Arts Conference (\$600).

**17-1049** Commissioner Reports. Commissioner Brewer reported that the “Hues & Blues” exhibit was successful and well-attended. The “American Farmer” exhibit is scheduled for June-August, 2018.

**17-1050** Consider/Discuss/Act on the Final Report of Arts & Music Guild. Commissioners unanimously approved the motion by Commissioner Hull, seconded by Commissioner Nance, to approve the Final Report of Arts & Music Guild.

**17-1051** Consider/Discuss/Act on the Final Report of McKinney Repertory Theatre. Commissioners unanimously approved the motion by Commissioner Hull, seconded by Commissioner Beller, to approve the Final Report of McKinney Repertory Theatre.

**17-1052** Consider/Discuss/Act on the Final Report of Junior Players. Commissioners unanimously approved the motion by Commissioner Hull, seconded by Commissioner McEntire, to approve the Final Report of Junior Players.

**17-1053** Consider/Discuss/Act on the Final Report of McKinney Youth Theatre. Commissioners unanimously approved the motion by Commissioner Nance, seconded by Commissioner Beller, to approve the Final Report of McKinney Youth Theatre.

**17-1054** Consider/Discuss/Act on Final Report of Jump Into Art. Commissioners unanimously approved the motion by Commissioner McEntire, seconded by Commissioner Hull, to approve the Final Report of Jump Into Art and remit the remaining \$1,070 of Outreach Grant funding.

**17-1055** Consider/Discuss/Act on Authorization to Expend \$2,500 from Public Art Fund to Pay One-half of Public Art Sculpture Consultant's Fees.

Commissioners unanimously approved the motion by Commissioner McEntire, seconded by Commissioner Beller, to authorize spending \$2,500 from the Public Art Fund to pay for one-half of the Public Art Sculpture Consultant's \$5,000 fee. This amount is in addition to the \$20,000 approved at the April 20, 2017 MAC meeting. Don Day will provide the matching \$2,500 in funding. The Consultant will recommend a site, promote competition for an artist, and design for the sculpture.

- 17-1056** Consider/Discuss/Act on a 2018 Outreach Grant Request for \$3,000 from Jump Into Art. Commissioners unanimously approved the motion by Commissioner Hull, seconded by Commissioner Nance, to approve a 2018 Outreach Grant Request for \$3,000 from Jump Into Art. Funding will be used to provide scholarships to students.

Commissioners unanimously approved the motion by Commissioner McEntire, seconded by Commissioner Beller, to adjourn the meeting. The meeting adjourned at 5:37 p.m.

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MOLLY BREWER  
Chair

**18-069**



**TITLE:** Minutes of the McKinney Community Development Corporation Meeting of December 21, 2017

**SUPPORTING MATERIALS:**

[Minutes](#)



## **MCKINNEY COMMUNITY DEVELOPMENT CORPORATION**

**DECEMBER 21, 2017**

The McKinney Community Development Corporation met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on December 21, 2017 at 8:00 a.m.

Board members Present: Chairman Kurt Kuehn, Vice Chairman Dave Clarke, Treasurer David Myers, Rick Glew, Michelle Gamble, and Jackie Brewer. Absent: Secretary Hamilton Doak

Staff Present: President Cindy Schneible; City Manager Paul Grimes; Main Street Program Director Amy Rosenthal; MEDC President Darrell Auterson; Facilities Construction Manager Patricia Jackson; MCVB Sales Manager Vanesa Rhodes; Apex Center Manager Teresa Thomason; Assistant Director of Parks & Recreation Ryan Mullins; Director of Parks & Recreation Michael Kowski; Temporary Administrative Assistant Sterrett Coleman; MEDC Operations and Compliance Administrator Sheri Van Slycke; Council member Scott Elliott

There were 13 guests present.

Chairman Kuehn called the meeting to order at 8:00 a.m. after determining a quorum was present.

**17-1222** Chairman Kuehn called for the Minutes of the McKinney Community Development Corporation Meeting of November 16, 2017. Board members unanimously approved the motion by Treasurer Myers, seconded by Vice Chair Clarke, to approve the minutes of the McKinney Community Development Corporation Meeting of November 16, 2017

**17-1223** Chairman Kuehn called for the October and November Financial Reports. Chief Financial Officer Mark Holloway reported sales tax for November was up 5.2% over last year and October sales taxes were flat. YTD sales tax is up 2.4% and is projected at 5.2%. CFO Holloway will report back in February on December, as it is a big month for sales tax so until then it is hard to update the projected sales tax for the year.

**17-1224** Chairman Kuehn called for Board and Liaison Updates. Chairman Kuehn

stated MCDC had a fantastic Christmas event at Chestnut Square. My family was honored to be the grand marshals of the Rotary Parade of Lights and represent the MCDC (McKinney Community Development Corporation). Chairman Kuehn also participated in the Habitat for Humanity Wall Raising with Councilman Elliott. It was a fantastic event; Habitat is meeting a real need for the City with respect to low income housing, and events like the Wall Raising show how the MCDC is helping to fill those needs. Chairman Kuehn is honored and proud to be part of the MCDC.

City of McKinney - City Manager Paul Grimes reported Mayor Fuller and Councilman Charlie Philips testified before the PUC (Public Utilities Commission) on a matter involving Brazos Energy and their location of transmission electric lines along the Sam Rayburn Tollway corridor. The administrative law judge recommended the substation and transmission lines be on the South side of Sam Rayburn Tollway. A decision should be decided at the next public meeting on January 19<sup>th</sup>. Mr. Grimes continued Mayor Fuller and Deputy City Manager Jose Madrigal had a positive meeting with Texas' Executive Director of Economic Development and Tourism, Bryan Daniel. They discussed funding opportunities the state may provide for the McKinney National Airport. A finalized draft of the Airport Master Plan Update is complete and ready for the approval process. A primary recommendation is the acquisition of 500 acres of land to secure the future growth of the airport.

McKinney Convention and Visitors Bureau – Sales Manager Vanesa Rhodes reported the economic impact from the Texas Downtown Association event resulted in over \$104,000. Ms. Rhodes expressed a special thanks to Amy Rosenthal and her team for their help in hosting the event. Special thanks were also given to Mayor Fuller, City Manager Grimes, Assistant City Manager Barry Shelton, Councilwoman Rath, Historic Preservation Officer Guy Giersch, Planning Manager Matt

Robinson, Development Engineering Manager Matthew Richardson and Community Partner Don Day for being guest speakers at this event. The MCVB assisted in over 1,000 room nights, in November, for a value of \$127,000 which consisted of 14 weddings, two association events, three corporate events and one social event. The MCVB received applications for \$10,000 in grant monies. There are five requests the board will vote on at the next meeting. The board will also be voting on the Tourism Partner of the Year.

McKinney Economic Development Corporation – President and CEO Darrell Auterson reported following last month's approval of the Southgate Master Development Agreement, there will be a fantastic website created to promote the site as well as a full array of marketing materials that will be completed by the end of the calendar year. The development team is targeting over 3,500 corporations to receive marketing materials for the office prospects. The Retail Development Team has had conversations with at least 18 different restaurant operators and anticipate 2018 will be a very exciting year for the marketing and promotion of the new Southgate Development. The PACCAR building foundations are being poured and the project is moving along quickly. Playful Corporation's first set of walls should go up next week. The Hunt Southwest projects are not as far along with the construction on Wilmeth Street but they have stimulated a lot of other speculative interest. At the MEDC Board Meeting this week the board approved another proposal for additional development. A January groundbreaking is scheduled for Independent Bank.

MPAC/Main Street - MPAC/Main Street Program Director Amy Rosenthal reported Home for the Holiday's had record setting attendance of over 35,000. The Rotary Parade of Lights was a fantastic event with an estimated 10,000 spectators. In January we have the comedy act *Four Funny Females* and the bridal show on January 20<sup>th</sup> in partnership with

the MCVB.

Parks and Recreation - Director of Parks and Recreation Michael Kowski reported the council approved the contract for the expansion of tennis complex at Gabe Nesbitt Park, a \$9.6 million dollar project. Director Kowski shared that the Parks and Rec department hosted a tour with the parks board and members of MCDC. Director Kowski thanked Mr. Doak for his service as liaison to the parks board from MCDC. The APEX Center won The Recreation Facility Design Excellence Award from the North Region Conference of Texas Recreation and Park Society. Director Kowski presented the award to MCDC President Cindy Schneible.

**17-1225** Chairman Kuehn called for the President's Report. MCDC President Cindy Schneible encouraged board members to review the reports attached to the agenda, which include three final reports on grants this board approved; two for Habitat and one for Chestnut Square. If you haven't already, please read the reports provided as it's important to see the impact the MCDC funds have on those organizations. The MCDC is accepting project grant applications through January 3<sup>rd</sup>. The MCDC is also accepting nominations for the Annual Quality of Life Award through January 4<sup>th</sup>. Additional Information, award criteria, and the nomination form is available on our website, [mckinneycdc.org](http://mckinneycdc.org).

**17-1240** Chairman Kuehn called for a Public Hearing and the Consideration/Discussion/Action on Amending Project #17-05 to Reallocate \$750,000 Approved for Hike and Bike Trail Design and Construction and \$500,000 Approved for Land Acquisition; to Allow the Funds Totaling \$1,250,000 to be Used for the Design and Construction of Additional Park Amenities, Pedestrian and Vehicle Connections, Parking, and Landscape Enhancements in Gabe Nesbitt Community Park. Director of Parks and Recreation Michael Kowski explained details of the Gabe Nesbitt Community Park Master Plan and requested a reallocation

of funds in the amount of \$1,250,000 for design and construction. Board Chairman Kuehn expressed concerns regarding the distance of the proposed parking lot and safety for pedestrians having to cross the main road by the intersection. Director Kowski responded saying an option is to have employees park in that area and will re-engage with master planners to address that issue to ensure safety. Chairman Kuehn called for public comments and there were none. Board members unanimously approved the motion by Vice Chairman Clarke, seconded by Treasurer Myers, to close the public hearing. Board members unanimously approved the motion by Treasurer Myers, seconded by Vice Chairman Clarke, to approve amending Project #17-05 to reallocate \$750,000 for Hike and Bike Trail Design and Construction and \$500,000 for Land Acquisition; to allow the funds totaling \$1,250,000 to be used for the design and construction of additional Park Amenities, Pedestrian and Vehicle Connections, Parking, and Landscape Enhancements in Gabe Nesbitt Community Park.

**17-1239** Chairman Kuehn called for the Consideration and Discussion of Bike Share Options for the City of McKinney. Director of Parks and Recreation Michael Kowski presented the options for creating a bike share program in McKinney. Over the years, bike-sharing has grown in popularity and need. There are three types of bike-sharing; point-to-point; ride & return; and distributed. There are challenges with all three types that have to be considered. Director Kowski shared a planning process he wants to consider before moving forward with bike sharing in McKinney, consisting of research and conducting a feasibility study, planning and design, and creating business and financial plans. The Board members shared their perspectives regarding cost and liability, and private vs. public ownership.

**17-1226** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by Collin County History Museum (PC#18-01) in the Amount of \$8,532 for

Advertising, Marketing and Promotion of the 2018 Texas and Collin County World War I Centennial Commemoration Events. Mary Carole Strother with the Collin County History Museum presented. The exhibit launched in 2017, with 4,000 visitors from March through October, expecting a total of 5,500 by year-end. The exhibit will be open this year from January through November and expect an attendance goal of 8,000.

**17-1227** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by McKinney Main Street (PC#18-02) in the Amount of \$15,000 for the Advertising, Marketing and Promotion of the 2018 Arts in Bloom event. MPAC/Main Street Program Director Amy Rosenthal presented. The event will be held April 13-15, 2018 in Historic Downtown McKinney. In 2017 the Arts & Bloom event grew to three days seeing over 33,000 guests. There were 110 artists from 16 different states and we anticipate this will grow and are prepared to accommodate up to 150 artists. The event included 14 wineries as well as numerous live performances. Director Rosenthal shared *D Magazine* said the best time to visit downtown McKinney was during the Arts & Bloom Event.

**17-1228** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by Elemental Essentialz (P&C#18-03) in the Amount of \$15,000, for the Advertising, Marketing and Promotion of the 2018 Gardens, Grill and Goats and the Pumpkin Chunkin Events and the 2019 Fall in Love at the Farm Event. Owner Theresa Harris presented. The goal of Elemental Essentialz is to provide real food, a unique shopping experience and true connections to community. The company plans to open a zero waste market, farm and café. Community events planned to promote Elemental Essentialz zero waste mission are: Gardens, Grills and Goats; Pumpkin

Chunkin and Fall in Love at the Farm. Projected attendance is 100 residents and visitors for each event, with 20% coming from outside of McKinney. The target audience for the events includes McKinney ISD students, teachers and families; McKinney business owners and employees; City officials; families and visitors from surrounding cities; individuals and companies with an interest in sustainability, zero-waste and the future of food and community programs. The events will be held at Elemental Farmz located at CR 862 in McKinney.

**17-1229** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by St. Peter's Episcopal Church (PC#18-04), in the Amount of \$7,500 for Advertising, Marketing and Promotion of the 2018 Empty Bowls Event. Jamie St. Clair, coordinator of the event presented. The Empty Bowls Event will take place on May 3, 2018 at McKinney Performing Arts Center (MPAC) in Historic Downtown McKinney. The attendance goal is 1,000+ from McKinney and across the DFW area. This event promotes the artists and restaurants that participate. Proceeds benefit Community Lifeline Center's hunger initiatives.

**17-1230** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by Kiwanis Club of McKinney (PC#18-05) in the Amount of \$5,000 for the Advertising, Marketing and Promotion of the 2018 Historic McKinney Triathlon, Duathlon and Kids Triathlon Events. Dennis Williams from the Kiwanis Club presented. The events will be held April 22, 2018. The targeted participation number is 400 for the triathlon and 250 for the youth event and 100 for the newly added Duathlon and 5K run. In 2017, 72% of participants came from outside of McKinney.

**17-1231** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by

ManeGait Therapeutic Horsemanship (PC#18-06) in the Amount of \$8,000 for Advertising, Marketing and Promotion of the 2018 ManeGait Country Fair. Chief Development Officer Susan Hansen presented. The mission of ManeGait is to ensure that children and adults with disabilities move beyond their boundaries through the healing power of the horse and the dedication of a professional and caring community. The event will be held on April 28, 2018 at ManeGait. Modeled after old-fashioned county fairs, the event will feature fun for the whole family. The target audience includes friends of ManeGait and families from Dallas, Denton, Collin, Grayson and Rockwall Counties. The estimated attendance is 1,200 visitors.

**17-1232** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by McKinney Garden Club (PC#18-07) in the Amount of \$7,500 for Advertising, Marketing and Promotion of the 2018 Garden and Home Tour Event. Melinda Wedding with the McKinney Garden Club presented. Ms. Wedding indicated they misunderstood the process and revised the requested amount to \$4,000. Founded in 1930, The McKinney Garden Club has been committed to promoting an interest in gardens and gardening. The event will be held on June 9, 2018 and will be hosted in six to eight homes in the Historic District. The event provides funds for charitable beautification projects that have included: Heard-Craig House Memorial Garden; Chestnut Square's Meditation Garden and School House landscaping; Collin County SPCA; Crape Myrtle Trails Central Park urban garden; benches at MPAC; Lovejoy Memorial Flowerbed at Finch Park; Signature Project of planting bulbs in medians throughout the City of McKinney. 2018 will mark the 10<sup>th</sup> anniversary for this event.

**17-1233** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by



Heritage Guild of Collin County (PC#18-08) in the Amount of \$15,000 for Advertising, Marketing and Promotion of the 2018 Farmer's Market, Tour de Coop and Ice Cream Crank-off events. Chairman Kuehn reported that Executive Director, Jaymie Pedigo is ill and not here today so the presentation will be sent out to board members.

- 17-1234** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by Project Graduation (PC#18-09) in the Amount of \$11,900 for Advertising, Marketing and Promotion of the 2018 McKinney's Project Graduation Event. Project Director Amanda Szecsy presented. Project Graduation is a 501(c)(3) organization started at McKinney North High School and has grown to include all three McKinney ISD High Schools; over 1,300 students. The mission of McKinney's Project Graduation is to provide a safe, alcohol and drug free, all night, event for all MISD seniors (McKinney Boyd, McKinney North, McKinney High) on graduation night. Although highly praised by administration, teachers and parents, it is not a McKinney ISD sponsored event. *Mothers Against Drunk Driving* statistics show car crashes are the leading cause of teen deaths with 25% of those involving underage drinking. The biggest danger a teen faces on graduation night is an auto accident. We believe Project Graduation saves lives. Vice Chairman Clarke requested reason(s) why McKinney ISD does not sponsor the event. Ms. Szecsy will follow up to provide this information.

- 17-1235** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by Smiles Charity (P&C #18-10), in the Amount of \$15,000 for Advertising, Marketing and Promotion of the 2018 Smiles Charity Concert. Smiles Charity Board Member Karen Holden presented. Smiles Charity is a 501(c)(3) and raises funds to build homes for wounded veterans. Over the past 10 years, Smiles has built 12 homes for deserving families. The

event will be held on May 27, 2018 in Adriatica. The event is a free community-wide concert that attracts 15,000 participants ~~free of charge~~. 2018 will mark the 11<sup>th</sup> anniversary of the Smiles Charity Concert and Family Festival.

**17-1236** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by The Celt (P&C #18-11) in the amount of \$15,000 for Advertising, Marketing and Promotion of the 2018 McKinney Celtic Music Festival. Chairman Kuehn reported to the board that the application had been withdrawn.

**17-1237** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by Community Garden Kitchen (P&C #18-12) in the amount of \$8,000 for Advertising, Marketing and Promotion of the 2018 Star-Spangled Salsa Fest. Angela Poen with the Community Garden Kitchen presented. Community Garden Kitchen is a 501(c)(3), established in 2014. This is the first year for this event which will be held on July 4, 2018 at Chestnut Square. The event will happen immediately following the downtown parade. This is going to be a family focused event and will feature a variety of activities. The estimated attendance is 10,000. Admission will be \$5 for adults; children 12 and under get in free. The mission of the Community Garden Kitchen is to raise approximately \$700,000 in funds to build a 4,780 square foot, free standing kitchen and dining facility to serve meals to anyone experiencing hunger in the area. The kitchen will be located on the campus of Holy Family School in McKinney. Net proceeds from this event will support the kitchen initiative. To date, we have raised \$225,000 and hope to have the remaining funds by the end of this year.

**17-1238** Chairman Kuehn called for the Consideration and Discussion of the Promotional and Community Event Grant Application Submitted by the City of McKinney Parks and Recreation Department (PC#18-13) in the

Amount of \$15,000 for Advertising, Marketing and Promotion of a Holiday Light Display in Gabe Nesbitt Park. Apex Manager Teresa Thomason presented. The goal of establishing a scholarship program for those in financial need was discussed beginning early in the construction phase of the Apex Centre. Net proceeds from the event will support the scholarship program. The event will take place December 1st through December 24th, 2018. Estimated attendance, with calculations based on attendance at Main Street events, is 50,000.

- 17-1241** Consider/Discuss/Act on Priorities for Potential Projects and McKinney Community Development Corporation Funding. MCDC President Cindy Schneible referred to the priority list developed at the November meeting that consists of 17 items. A suggestion was made to review and discuss to determine if some of these items should be combined or remain separate. Following discussion,—board members would have an opportunity to refine the list in terms of the total number of priorities to focus on. The discussion was led by Board Member Glew. Following a review of the potential priorities, board members utilized a preferencing process to identify project priorities for future consideration. Board members directed Ms. Schneible to secure priority input from Mr. Doak and Mr. Myers, since they were not in attendance at the meeting. Additionally, board members indicated their interest in continuing to work on scheduling joint meetings with City Council, the McKinney Economic Development Corporation board and the Parks and Recreation Advisory Board.

Chairman Kuehn called for Board or Commissioner Comments and Chairman Kuehn shared his concern regarding crime in some of the city's parks. Chairman Kuehn asked Director Kowski what options have been explored and if there was a need for a project request? Director Kowski reported they had a camera vendor do an analysis at some of the key parks. Director Kowski is reviewing the information and determining what action to take.

Chairman Kuehn recessed the meeting into executive session at 10:40 a.m. per Texas Government Code: Section 551.087. Deliberation Regarding Economic Development Matters as listed on the posted agenda. Chairman Kuehn recessed back into open session at 11:06 a.m.

Chairman Kuehn called for Citizen Comments and there were none.

Board members unanimously approved the motion by Board member Brewer, seconded by Vice Chairman Clarke, to adjourn. Chairman Kuehn adjourned the meeting at 11:07 a.m.

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KURT KUEHN  
Chairman

18-051



**TITLE:** Minutes of the McKinney Convention & Visitors Bureau Board Meeting of November 28, 2017

**SUPPORTING MATERIALS:**

[Minutes](#)

## **MCKINNEY CONVENTION AND VISITORS BUREAU BOARD**

### **REGULAR MEETING**

**NOVEMBER 28, 2017**

The McKinney Convention and Visitors Bureau Board met in regular session at the MCVB Conference Room, 200 W. Virginia, McKinney, Texas on November 28, 2017 at 8:00 a.m.

Chair Sally Huggins called the meeting to order at 8:05 a.m. after determining a quorum was present.

Board members present: Chair Sally Huggins, Vice Chair Jennifer Estes, Secretary/Treasurer Connie Gibson, Hal Harbor, Jim Bressler, Bryan Perkins and Julia Baublis.

Staff: Executive Director Dee-dee Guerra, Administrative Assistant Ashley Ford, Communications Manager Beth Shumate, Sales Manager Vanesa Rhodes and Staff Assistant Sue Davis.

Guests: Assistant to City Manager Barry Shelton, Senior Financial Analyst Eric Corder, City Councilman Scott Elliott, City Councilman La'Shadion Shemwell, MCDC Secretary Hamilton Doak, McKinney Main Street Director Amy Rosenthal, Sheraton McKinney Hotel GM Ryan Miyamoto, Sheraton McKinney Hotel GM Assistant Kellea Collier, Sheraton McKinney Hotel Director of Sales Dawn Patterson, Heard-Craig Museum of Art Executive Director Karen Zupanic, Mayor of Allen Nate Pike, Heritage Guild of Collin County Executive Director Jamie Pedigo, Collin County History Museum Executive Director Mary Carole Strother, Dennis Williams of Kiwanis Club of McKinney, and Sara Thomas with the Holy Family School Board.

Board members unanimously approved the motion by Board member Hal Harbor, seconded by Board member Julia Baublis, to approve the following consent items:

- 17-1147** Minutes of the McKinney Convention & Visitors Bureau Board Meeting of October 24, 2017.
- 17-1148** Minutes of the McKinney Convention & Visitors Bureau Finance Committee Meeting of October 23, 2017.

- 17-1149** Presentation from the Sheraton Hotel & Conference Center from General Manager Ryan Miyamoto, General Manager Assistant Kellea Collier and Director of Sales Dawn Patterson. General Manager Miyamota provided an update about the Sheraton closing out its third year. He stated although many hotels in the Dallas area have been flat in occupancy, the Sheraton McKinney has continued to grow with a close-out for the year at 80 percent. Sheraton GM Miyamoto advised board members they are projecting to have nearly \$8 million in total revenue for the year 2017, which is just at two and a half percent growth over last year. He reported the hotel has a satisfaction rating of 72.3 percent. General Manager Assistant Kellea Collier discussed the impact of the merger with Starwood Hotels and Resorts reporting that members of the Marriott Rewards program and Starwood Preferred Guest (SPG) can link their rewards accounts to and redeem points at all hotels under both flags. Director of Sales Dawn Patterson advised board members that her primary focus this year is group room sales. Patterson reported that their group room budget fell short by approximately 150 rooms for 2017. Ms. Patterson advised board members their goal for 2018 is 19,000 room nights. Additionally, she reported their banquet and catering budget is \$1.4 million. Lastly, Ms. Patterson shared that Marriott put together a presentation for Toyota North Texas Corporate from which they received an RFP for their first Toyota group for March 2018.
- 17-1152** The Heard-Craig Museum of Art presented a grant proposal in the amount of \$7,540 for Marketing, Advertising and Promoting their Art Meets Floral Regional Design Competition. Nate Pike and Karen Zupanic explained that the event combines artwork from various artists with floral interpretations of the art. The event is on (April 26-28, 2018).
- 17-1153** Jaymie Pedigo presented the Heritage Guild of Collin County's grant proposal in the amount of \$1,500 for marketing, advertising and

promoting the Heritage Guild Murder Mystery Dinner. The event will take place in (February 2018).

**17-1154** Mary Carole Strother with the Collin County History Museum presented a grant request in the amount of \$1,600 to purchase a Padcaster studio. Ms. Strother emphasized that this will enable them to share digital content for their 2019, "Then & Now Exhibit." The Padcaster will be used to interview and showcase the unique businesses and highlight the heritage of the buildings that are located on the downtown square.

**17-1155** Dennis Williams with the McKinney Kiwanis presented a grant request in the amount of \$5,000 for marketing, advertising and promoting the McKinney Kiwanis 2018 Triathlon. Mr. Williams stated their target participation number is 400 for the triathlon and 150 in the children's triathlon, with total event attendance projected to be 1,000 including spectators.

**17-1156** Sara Thomas with the Holy Family School presented a grant request in the amount of \$8,000 for marketing, advertising and promoting the Believe! Race. She reported there were 895 registered runners last year. This event will be on Nov. 6, 2018.

**17-1151** Board & Liaison Reports

City of McKinney – Assistant City Manager Barry Shelton reported the City Council will be meeting in special session in the Council Chambers of the Municipal Building on Nov. 29 at 8:30 a.m. In addition, Mr. Shelton stated the ribbon cutting ceremony for the new McKinney National Airport hangar will be Dec. 15. Mr. Shelton reported that the John & Judy Gay Library and the McKinney's Dr. Pepper Star Center are both under design for facility expansion.

Main Street/MPAC – Executive Director Amy Rosenthal thanked board members for their support with the 2017 Home for the Holidays Festival, stating that it was a huge success. She also reported the Tree Lighting



Ceremony had the largest attendance to date. Ms. Rosenthal reviewed some upcoming events, including Santa's Helpers Toy Drive (Dec. 7), Annual Christmas Parade of Lights (Dec. 9) and Breakfast & Photos with Santa (Dec. 9). Lastly, Ms. Rosenthal shared the Downtown McKinney shuttle "Dash" won the Spirit of Downtown Award at the Texas Downtown Annual Conference held in McKinney in November 2017.

MCDC – Hamilton Doak shared with the board information about the survey that was conducted by the McKinney Community Development Corporation (MCDC) to gather input from citizens on priorities for quality of life amenities in McKinney. He stated that 77 percent of the respondents thought a large outdoor amphitheater venue was a great idea and 71 percent wanted zip lining as an activity for the parks department. Lastly, he advised the board members that MCDC will start their Promotional and Community Grant cycle in December.

Finance Committee – Board member Jim Bressler provided a budget and hotel occupancy update. He advised the board that average sales for The McKinney Shop is about \$1,500 a month.

- 17-1150** Executive Director's Report – Executive Director Guerra reported the MCVB hosted the Texas Downtown Association (TDA) in November, bringing in over 250 guests from more than 100 cities throughout the state. She reported that the Executive Director from TDA stated 82 surveys showed attendees spent approximately \$15,000 in retail and food sales. Ms. Guerra also reported that she attended the 32<sup>nd</sup> Texas Travel Industry Association (TTIA) Summit in Arlington. The conference centered primarily on Advocacy for Tourism. Ms. Guerra reported for the second year in a row, the MCVB was awarded the Convention South Readers' Choice award. Lastly, she presented Tourism Partner of the Year information to the board members including recipient criteria, previous recipients, and nominees' recommendations from MCVB staff.

The board will vote on the Partner of the Year recipient at the January 2018 board meeting.

Board Chair Sally Huggins adjourned the meeting at 8:58 a.m.

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SALLY HUGGINS  
Chair

18-052



**TITLE:** Minutes of the McKinney Convention & Visitors Bureau Finance Committee Meeting of November 27, 2017

**SUPPORTING MATERIALS:**

[Minutes](#)

**MCKINNEY CONVENTION AND VISITORS BUREAU BOARD**  
**Finance Committee Meeting**  
**November 27, 2017**

The McKinney Convention & Visitors Bureau Finance Committee met on November 27, 2017 at 200 W. Virginia Street, McKinney Texas.

In attendance were Board members: Vice- Chairman Bressler, Director Hal Harbor & Director Bryan Perkins.

Staff: Executive Director Dee-dee Guerra.

The meeting was called to order at 8:30 am.

The Committee discussed the following items:

1. MCVB October 2017 Financials & Occupancy Report: No discussion.
2. Detailed Budget-Director- No discussion
3. The McKinney Shop- No discussion.
4. STR Report- September 2017- No discussion

The MCVB Finance Committee meeting was adjourned at 8:55 am.

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Jim Bressler  
MCVB Finance Committee

**18-053**



**TITLE:** Minutes of the McKinney Convention & Visitors Bureau Marketing & Development Committee Meeting December 13, 2017

**SUPPORTING MATERIALS:**

[Minutes](#)

## **MCKINNEY CONVENTION AND VISITORS BUREAU BOARD**

### **Marketing/Development Committee**

**December 13, 2017**

The McKinney Convention & Visitors Bureau Marketing & Development Committee met on December 13, 2017 at 200 W. Virginia Street, McKinney Texas.

In attendance were Board members: Vice- Chairman Estes, Director Julie Baublis and Staff member, Executive Director Dee-dee Guerra.

The meeting was called to order at 4:00 p.m.

The Committee discussed the allocation and recommendation to the MCVB Board for the first round of Promotional Grants (\$10,000) that will be awarded at the January 23, 2018, MCVB Board Meeting. The following were the applicants and the amount that was requested by each:

- Heritage Guild of Collin County- Advertise & Promote their Murder Mystery Dinner (Expansion-They want to make this event larger.)
  - Event Date: February 2018
  - Grant request by Jaymie Pedigo for \$1,500
  - No Matching Funds being requested
- Collin County History Museum-Purchase a Padcaster Studio which will enable them to share digital content for their *2019 Then & Now Exhibit* via their website and social media. They will use this padcaster to interview & showcase the unique business and highlight the heritage of the buildings that are located on the downtown square.
  - Event Date: Open
  - Grant request by Mary Carole Strother for \$1,600
  - No Matching Funds being requested
- McKinney Kiwanis Triathlon- Advertising & T-shirts to promote long-standing event.
  - Event Date: April 22, 2018
  - Grant request by Dennis Williams for \$5,000
  - Matching Funds being requested from MCDL \$3,500
- Heard Craig Museum of Art-Art Meets Floral Regional Design Competition
  - Event Date: April 26-28, 2018
  - Grant request by Karen Zupanic for \$7,540 to advertising the event
  - No Matching Funds being requested

- Holy Family School- Believe! Race
  - Event Date: November 25,2017
  - Grant request by Sara Thomas for \$8,000 for Facebook marketing, Radio spots, and 2017 race shirts (promote Sponsors-McKinney Businesses).
  - Sponsorship from MCDC \$1,000

The MCVB Marketing/Development Committee meeting was adjourned at 4:45 p.m.

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Jennifer Estes  
MCVB Marketing/Development Committee

18-024



**TITLE:** Minutes of the McKinney Economic Development Corporation Meeting of December 19, 2017

**SUPPORTING MATERIALS:**

[Minutes](#)



## **MCKINNEY ECONOMIC DEVELOPMENT CORPORATION**

**DECEMBER 19, 2017**

The McKinney Economic Development Corporation met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on December 19, 2017 at 8 a.m.

Board members Present: Chairman Jason Burress, Vice Chairman Paul Merritt, Kenneth Sipiora, Joe Minissale, Michael Jones and Sharon Denny. Absent: Secretary/Treasurer Robert Clark.

Staff Present: President Darrell Auterson, Executive Vice President Abby Liu, Director of BRE/Emerging Tech John Valencia, Director of Marketing and Research Geneva Aragon, Director of Business Development Bruce Coleman, Operations/Compliance Administrator Sheri Van Slycke, Temporary Administrative Assistant Sterrett Coleman, City Manager Paul Grimes, Chief Financial Officer Mark Holloway, MCVB Communications Manager Beth Shumate, City Secretary Sandy Hart, MEDC Attorney Mark Houser, and Mayor George Fuller.

There were five guests present.

Chairman Burress called the meeting to order at 8:00 a.m. after determining a quorum present.

**17-1216** Minutes of the McKinney Economic Development Corporation Meeting of November 28, 2017. Board members unanimously approved the motion by Board member Jones, seconded by Chairman Burress, to approve the minutes of the McKinney Economic Development Corporation Meeting of November 28, 2017.

**17-1217** Chairman Burress called for Consideration/Discussion/Action on Authorizing the Execution of Real Estate Consultant Services Agreements. Board members unanimously approved the motion by Board member Minissale, seconded by Vice Chairman Merritt, to approve the Execution of Real Estate Consultant Services Agreements.

**17-1218** Chairman Burress called for Board and Liaison Updates Board Chairman City of McKinney Chamber of Commerce Main Street/MPAC MCDC

MCVB.

Chairman Burress stated that the MEDC held a great Christmas party, nice turn out. Thursday is Sheri's last day. We wish you well. You have been a terrific resource for the board and staff.

City of McKinney – City Manager Paul Grimes reported Mayor Fuller and Council member Charlie Philips testified before the PUC (Public Utilities Commission) on a matter involving Brazos Energy and their location of transmission electric lines along the Sam Rayburn Tollway corridor. The administrative law Judge recommended the substation and transmission lines be on the South side of Sam Rayburn Tollway. A decision should be decided at the next public meeting on January 19<sup>th</sup>. Mr. Grimes stated that Mayor Fuller and Deputy City Manager Jose Madrigal had a positive meeting with Texas' Executive Director of Economic Development of Tourism, Bryan Daniel. They discussed funding opportunities the state may provide for the McKinney National Airport. The Airport Master Plan process is closer to completion. A finalized draft of the report is completed and ready for the approval process. A primary recommendation is the acquisition of 500 acres of land to secure the future growth of the airport.

Chamber of Commerce – Chamber President Lisa Hermes provided the results from the legislative survey. A copy of the report will be provided to President Auterson for distribution. Ms. Hermes thanked Board member Minissale for his help with the survey. The Chamber welcomes five new board members: Carl Armstrong with Baylor Scott & White Hospital in McKinney, Leroy Armstrong with First Baptist Church, Jennifer Cox with Carey Cox Company, Kim Sanchez with Sanchez Advisory Group, and Julie Williams with Texas Property Sisters. The Annual Business Meeting will be held on January 30<sup>th</sup>. Tom Luce, Founding CEO of Meadows Mental Health Policy Institute, is the keynote speaker. The Annual Community Awards Celebration will take place February

23rd. Ms. Hermes encouraged the board to place their nominations by January 12<sup>th</sup>.

MCVB - Communications Manager Beth Shumate stated that MCVB assisted in over 1,000 room nights for a value of \$128,000 which consisted of 14 weddings, two association events, three corporate events and one social event. Ms. Shumate expressed a special thanks to Amy Rosenthal and her team for their help in hosting the Texas Downtown Association. Special thanks were also given to Mayor Fuller, City Manager Grimes, Assistant City Manager Barry Shelton, Councilwoman Rath, Historic Preservation Officer Guy Giersch, Planning Manager Matt Robinson, Development Engineering Manager Matthew Richardson and Community Partner Don Day for being guest speakers at this event. The economic impact from this event resulted in over \$104,000.00. Ms. Shumate reported that they will be distributing \$10,000 in grant monies.

**17-1219** Chairman Burress called for Consideration/Discussion on MEDC Staff Monthly Reports. Director of Marketing and Research Geneva Aragon thanked Chamber President Hermes for mentioning the annual Community Awards Celebration. In your box yesterday you should have received an e-mail regarding the four nominations we have for the two awards. We actually have the Corporate Performance Award and Encore Award. What we are asking you to do, is if you would like to nominate anyone else because of our timelines, please get those nominations to me by December 21<sup>st</sup> at noon. If you have any questions of any of the nominations in there please let me know and I'll be happy to answer. I want to thank the MEDC team because they all pulled together and got with the corporations in order to gather and collect all this information. The Board will have the final vote at the January 16th board meeting. Mark your calendar for February 23<sup>rd</sup> for the Awards Event at the Sheraton McKinney Hotel.

**17-1220** Chairman Burress called for Consideration/Discussion/Action on

November Financials. Chief Financial Officer Mark Holloway provided the November financial report. Mr. Holloway stated that there is very little to note in the operations expenditures this month. On the revenue side, sales tax revenue was up 5.2 percent. The Christmas season is approaching and it is our biggest sales tax of the year. The December sales tax will be included in February financial report. Board members unanimously approved the motion by Vice Chairman Merritt, seconded by Board member Minissale, to approve November Financials.

Chairman Burress called for Citizen Comments and there were none.-

Chairman Burress called for Board or Commissioner Comments and there were none.

Chairman Burress recessed the meeting into executive session at 8:25 a.m. per Texas Government Code Section 551.071 (2) Consultation with MEDC 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 Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Chairman Burress recessed back into open session at 10:38 a.m.

Chairman Burress called for Action on Executive Session.

Board members unanimously approved the motion by Board member Sipiora, seconded by Chairman Burress, to approve that we proceed on Volunteer Mobilization as discussed in executive session.

Board members unanimously approved the motion by Vice Chairman Merritt, seconded by Chairman Burress, to approve Project Flip as discussed in executive session.

Chairman Burress called for the following Work Session Item with no action taken:

**17-1221** Type A Economic Development Sales Tax Training. MEDC Attorney Mark Houser presented the Type A Economic Development Sales Tax

Training.

Board members unanimously approved the motion by Vice Chairman Merritt, seconded by Board member Denny, to adjourn. Chairman Burress adjourned the meeting at 10:50 a.m.

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JASON BURRESS  
Chairman

18-062



**TITLE:** Minutes of the Planning and Zoning Commission Regular Meeting of  
January 9, 2018

**SUPPORTING MATERIALS:**

[Minutes](#)

## **PLANNING AND ZONING COMMISSION**

**JANUARY 9, 2018**

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, January 9, 2018 at 6:00 p.m.

City Council Present: Charlie Philips

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

Commission Members absent: Pamela Smith

Staff Present: Director of Planning Brian Lockley, Planning Managers Matt Robinson and Samantha Pickett, Planner Danielle Quintanilla, and Administrative Assistant Terri Ramey

There were twelve guests present.

Chairman Cox called the meeting to order at 6:04 p.m. after determining a quorum was present.

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

**18-019       Minutes of the Planning and Zoning Commission  
Regular Meeting of December 12, 2017**

**17-034PF    Consider/Discuss/Act on a Preliminary-Final Plat for  
Lots 1-3, Block A, of Redbud Pump Station Addition,  
Located on the South Side Bloomdale 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.

**17-275Z       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, Generally to Allow for Retail,  
Office, and Multi-family Residential Uses, Located  
Approximately 200 Feet South of Chisholm Trail and on**

**the East Side of Ridge Road (REQUEST TO BE  
TABLED)**

Ms. Samantha Pickett, Planning Manager for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item tabled indefinitely in order to allow the applicant to continue working through the development regulations. She stated that Staff will re-notice the item prior to an upcoming meeting.

The applicant was not present at the meeting to comment on the proposed rezoning request.

Chairman Cox opened the public hearing and called comments.

Mr. David Geise, 4800 Lasso Lane, McKinney, TX, stated that they moved to McKinney approximately nine years ago. He stated that they live behind the subject property. Mr. Geise expressed concerns over increased congestion on Ridge Road due to recent development in the area. Mr. Geise stated that adding a retail establishment will increase it even more. He expressed concerns about the reduction in the driveway for the daycare center at the corner of Chisholm Trail and Ridge Road. Mr. Geise expressed concerns that the parents dropping off their children would back up onto Ridge Road due to the proposed changes. He stated that the corner of Chisholm Trail and Ridge Road was an Allen Independent School District bus stop. Mr. Geise stated that there could be an increased risk of accidents at this location. He requested that we work with the Allen Independent School District to move the bus stop to another location for the safety of the children.

Mr. Mark Harris, 5904 Chisholm Trail, McKinney, TX, stated that he concurred with Mr. Geise's comments. He expressed concerns about the traffic congestion in on Ridge Road and possible changes to their property values. Mr. Harris expressed safety concerns for the children due to the street being narrow and increased traffic. He stated that they had not met with the developer to discuss what was planned for the subject property. Mr. Harris stated that currently he was in opposition of the request and would like to learn more about what was planned for the proposed development.

On a motion by Commission Member McCall, seconded by Commission Member Zepp, the Commission unanimously voted to close the public hearing and table the proposed rezoning request indefinitely per Staff's recommendation, with a vote of 7-0-0.



**17-285SP Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for an Office/Warehouse Building (Paradigm Roofing), Located Approximately 480 Feet East of State Highway 5 (McDonald Street) and on the South Side of McKinney Parkway**

Ms. Danielle Quintanilla, Planner I for the City of McKinney, briefly explained the proposed site plan variance request. She stated that the applicant is proposing to construct an 11,633 square foot office/warehouse building for Paradigm Roofing. Ms. Quintanilla stated that site plans could typically be approved by Staff; however, the applicant was requesting approval of a variance to allow for a living plant screen to be used to screen the proposed overhead doors from public right-of-way. She stated that the applicant was proposed to use a living plant screen composed of Sweet Viburnum shrubs. Ms. Quintanilla stated that she distributed a color copy photograph, provided by the applicant, for an example of how the screening would appear. She stated that the shrubs would be planted 36" on center and would be 36" tall at the time of planting. Ms. Quintanilla stated that they would grow to 6' in height at maturity. She stated that they were proposed to screen the overhead doors located on the west, east, and south sides of the building from McKinney Parkway and Metro Park Drive. Ms. Quintanilla stated that there were currently vacant lots to the east and west of the subject property. She stated that once those properties were developed they would provide additional screening. Ms. Quintanilla stated that given the location and future development that is likely to occur next to the subject property, Staff was of the professional opinion that the proposed living plant screen will serve as adequate screening for the overhead doors from the public right-of-way. She stated that Staff has no objections to the applicant's request and recommends approval of the proposed site plan and variance request. Ms. Quintanilla offered to answer questions. There were none.

Mr. Bill Perman, Cross Engineering, 131 S. Tennessee Street, McKinney, TX, stated that the tracts of land on each side of the subject property will be developed and the buildings will block screening of the overhead doors. He stated that the owner and architect has worked diligently with Staff in locating these doors in the back of the development to aid in the screening. Mr. Perman stated that the proposed landing on the property would be nice and attractive. He concurred with the Staff Report 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 Vice-Chairman Mantzey, seconded by Alternate Commission Member McReynolds, the Commission unanimously voted to close the public hearing and approve the proposed site plan and associated variance as recommended by Staff, with a vote of 7-0-0.

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

Vice-Chairman Mantzey stepped down on the following item # 17-172SP due to a possible conflict of interest.

**17-172SP    Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Parking Garage, Located at the Southeast Corner of Chestnut Street and Herndon Street**

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the proposed site plan request for a parking garage located the southeast corner of Chestnut Street and Herndon Street. He stated that it would be located at the rear of two existing office/retail buildings. Mr. Robinson stated that the proposed parking garage would consist of five floors of parking with a total of 316 parking spaces. He stated that typically site plans were approved by Staff; however, the applicant is requesting several design exceptions which require the Planning and Zoning Commission's approval. Mr. Robinson stated that the first exception requested was to allow a driveway off of a Pedestrian Priority "B" Street (Chestnut Street). He stated that the second design exception requested was to allow frontage along a Pedestrian Priority "B" Street (Chestnut Street) without active commercial uses on the ground floor to a minimum depth of 25'. Mr. Robinson stated that the third design exception requested was to allow for garage facades along Pedestrian Priority "B" Streets to not maintain a traditional facade rhythm of 20' – 30' or multiples thereof. He stated that the fourth design exception requested was to allow for cars and parking garage ramps to not be screened from adjacent streets or buildings. Mr. Robinson stated that given the location and constraints of this site, Staff is recommending approval of the proposed site plan request and design exception as conditioned in the Staff Report. He offered to answer questions.

Alternate Commission Member McReynolds asked what the typically required screening would be for a similar parking garage. Mr. Robinson stated that it would require more screening; however, one of the challenges of a parking garage is that you cannot enclose too much of it without impacting building and fire code requirements. He stated that typically they would not be required to screen as much along the back elevation on a Service Street (Herndon Street). Mr. Robinson stated that more screening would be required along a Pedestrian Priority "B" Street (Chestnut Street). He stated that they typically do a solid masonry wall or some type of mesh screening.

Mr. Chris Blevins, Sanchez and Associates, LLC, 2000 N. McDonald Street, McKinney, TX, concurred with the Staff Report and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments.

Mr. Ronnie Thomason, Thomason Tires, 211 N. McDonald Street, McKinney, TX, stated he really appreciated that City Council decided not to close Herndon Street. He stated that if the parking garage is built he would asked for some consideration on some site plan issues where they need access to and from their property along Chestnut Street to the back of their building. Mr. Thomason asked if the Hunt Street corner, where the fire plug was located, could be enlarged to allow that area to be more accessible. He stated that they have large trucks that will have to come along that way if the parking garage is built as the street will be closed for an indefinite period. Mr. Thomason stated that they would be dependent on Hunt Street a lot during that time.

On a motion by Commission Member Zepp, seconded by Commission Member McCall, the Commission voted to close the public hearing, with a vote of 6-0-1. Vice-Chairman Mantzey abstained.

Commission Member Zepp asked what type of design impact would occur on the parking garage if any of the requested design exceptions were not granted. Mr. Robinson stated that the driveway exception was the most functional point of the site. He stated that having active commercial uses on the ground floor for the first 25' along Chestnut Street would create a detriment to the parking garage impacting the number of spaces that you could utilize and it would really change up the driveway entrance off of Chestnut Street. Mr. Robinson stated that they would need the entrance off of Herndon

Street at that point. He stated Staff felt the facade rhythm was appropriate given the design challenges of the parking garage. Mr. Robinson stated Chestnut Commons was located to the south of the subject property. He stated that potential redevelopment of surrounding sites would also help screen the proposed parking garage. Mr. Robinson stated that Staff was supportive of the design exception requests.

Commission Member Zepp asked if that was the sole entrance to the proposed parking garage. Mr. Robinson said yes.

Alternate Commission Member McReynolds asked if the structures located to the north on Herndon Street were current one-store structure. Mr. Robinson stated that he believed that was correct.

Alternate Commission Member McReynolds expressed some concerns about the lack of screen on the north and east sides of the structure, since it would be a five story structure visible from McDonald Street. He stated that no attempt was made to screen it.

Chairman Cox stated that he appreciated everyone working together to keep Herndon Street open. He stated that was important. Chairman Cox asked what provision had been made when Herndon Street is closed during the construction of the proposed parking garage to allow Thomason Tire to continue to operate. Mr. Robinson stated that the applicant should be able to discuss the construction timeline for the proposed project. He stated that there would be provisions for traffic control while Herndon Street was closed during the construction phase of the proposed parking garage. Mr. Robinson stated that would be determined with a construction documents submitted to the Engineering Department. He stated that City Council has discussed access along Hunt and other provisions; however, he did not know their final determination on these items. Mr. Robinson stated that those concerns could be raised with City Council.

Chairman Cox asked how they could get in front of City Council to address these issues. Mr. Robinson stated that we would not be able to dictate improvements to Hunt Street during the site plan phase. He stated that the Board Members could direct Staff to bring comments forward to City Council to study improvements to Hunt Street.

Chairman Cox stated requested that Staff forward the issue of the fire hydrant located at the southeast corner of Chestnut Street and Hunt Street on to City Council to address. He stated that our goal should be to allow a business to continue operating and not shut them down. Chairman Cox stated that it appears that their truck traffic would come in off of Herndon Street.

Commission Member Zepp concurred with Chairman Cox.

On a motion by Commission Member McCall, seconded by Alternate Commission Member McReynolds, the Commission voted to approve the proposed site plan and design exceptions listed in the Staff Report as recommended by Staff, with a vote of 6-0-1. Vice-Chairman Mantzey abstained.

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

Vice-Chairman Mantzey returned to the meeting.

**17-028FR Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan Appeal for an Office Building (Independent Bank Headquarters), Located on the Southeast Corner of Henneman Way and Grand Ranch Parkway**

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed facade plan appeal. She stated that the applicant was requesting a facade plan appeal for a six-story, 160,000 square-foot office building for Independent Bank Headquarters. Ms. Quintanilla stated that the proposed elevations do not conform to the requirements of the City's Architectural Standards for non-residential uses in non-industrial districts as the applicant has requested to utilize a glass curtain wall system as the primary finishing material of the building on two of the four elevations. She stated that typically facade plans could be approved by Staff; however, the applicant is requesting approval of a facade plan appeal, which must be considered by the Planning and Zoning Commission. Ms. Quintanilla stated that the Architectural Standards within the Zoning Ordinance states that for buildings that are three stories or greater must have at least 25 percent of each elevation covered with a masonry finishing material. She stated that acceptable primary masonry finishing materials are brick, stone, or synthetic stone, including, but not limited to, slate, flagstone, granite, limestone, and marble. Ms. Quintanilla stated that the north and west elevations feature more than the required 25

percent masonry through the use of a cream colored stone veneer. She stated that the south and east elevations proposed to use the glass curtain wall and do not meet the 25 percent masonry requirement. Ms. Quintanilla stated that it was Staff's professional opinion that the applicant is proposing a unique, L-shaped building with interesting angles that provides an innovative modern architectural style that will be visible from the State Highway 121 corridor. She stated that the use of glass is in keeping with this design, and along with the exterior balconies on the upper floors, help to create a modern and innovative design. Ms. Quintanilla stated that Staff recommends approval of the proposed variance request and offered to answer questions. There were none.

Mr. Tom Philippi, SmithGroupJJR, 5910 N. Central Expressway, Dallas, TX, stated that he was a resident of Craig Ranch. He stated that during the visioning session with Independent Bank, they discussed creating an architectural expression that gave the presence of openness to the community, freeway, and Craig Ranch. Mr. Philippi stated that they felt that they had accomplished it with this design. He stated that the glass wall was a way of gaining some transparency and translucency to the architecture, while still respecting the use of a large amount of masonry material on the exterior of the building. Mr. Philippi stated that Independent Bank approved their design with a unanimous vote. He stated that they had gained the confidence of the Craig Ranch Development Group that this would be a positive improvement to the Craig Ranch Corporate Center. Mr. Philippi stated that it would serve as a catalyst for future development in Craig Ranch.

Alternate Commission Member McReynolds stated that it would be nice to see something like the proposed development in McKinney. He stated that the proposed development had beautiful elevations, especially on the south side. Alternate Commission Member McReynolds stated that Craig Ranch would get a different perception of the building depending on what angle you were looking at it. He stated that they did a wonderful job designing it.

Chairman Cox concurred with Alternate Commission Member McReynolds. He stated that it was a commitment that Independent Bank has made to McKinney.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Alternate Commission Member McReynolds, the Commission unanimously voted to close the

public hearing and approve the facade plan appeal as recommend by Staff, with a vote of 7-0-0.

Chairman Cox stated that the Planning and Zoning Commission was the final approval authority for this facade plan appeal.

Vice-Chairman Mantzey stepped down on the following item # 17-178PFR due to a possible conflict of interest.

**17-178PFR Conduct a Public Hearing to Consider/Discuss/Act on a Preliminary-Final Replat for Lots 1R, 2R, and 3, Block A of the Chestnut Commons Addition, Located at the Northeast Corner of Virginia Street and Chestnut Street**

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the proposed preliminary-final replat. He stated that the applicant was proposing to subdivide two lots into three lots to create an additional lot for the Chestnut Commons Parking Garage that was approved earlier in this meeting. Mr. Robinson stated that the subject plat meets the requirements of the City's Subdivision Ordinance. He stated that Staff recommends approval of the proposed preliminary-final replat as conditioned in the Staff Report. Mr. Robinson offered to answer questions. There were none.

Mr. Chris Blevins, Sanchez and Associates, LLC, 2000 N. McDonald Street, McKinney, TX, concurred with the Staff Report 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 Zepp, the Commission voted to close the public hearing and approve the preliminary-final replat as recommended by Staff, with a vote of 6-0-1. Vice-Chairman Mantzey abstained.

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

Vice-Chairman Mantzey returned to the meeting.

**END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS**

Commission Member Zepp stated that he would like to see more buildings in McKinney similar to the Independent Bank Headquarters that was presented tonight. He stated that he liked innovated architecture.

Alternate Commission Member McReynolds complemented the City's presentations on the website since they were beautifully and concisely detailed that they were easy to read and understand.

Chairman Cox concurred with Alternate Commission Member McReynolds. He stated that there was an effort from the top down to make things more user friendly. Chairman Cox stated that he appreciated City Staff.

There being no further business, Chairman Cox declared the meeting adjourned at 6:50 p.m.

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BILL COX  
Chairman





18-117

**TITLE:** Consider/Discuss/Act on an Ordinance Amending the Project Plan for Tax Increment Reinvestment Zone Number Two

**COUNCIL GOAL:** Direction for Strategic and Economic Growth

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** Planning

**CONTACT:** Matt Robinson, AICP, Planning Manager  
Brian Lockley, AICP, Director of Planning  
Michael Quint, Executive Director of Development Services

**RECOMMENDED ACTION:**

- Staff recommends approval of the ordinance.

**ITEM SUMMARY:**

- The board for Reinvestment Zone Number Two (TIRZ 2) is considering a resolution to amend the project plan for TIRZ 2 at their February 6, 2018 meeting. If the Reinvestment Zone Number Two Board approves the resolution amending the project plan for TIRZ 2, the City Council can take action on the ordinance adopting the amended project plan for TIRZ 2.
- At the December 4, 2017 Reinvestment Zone Number Two meeting, Staff sought direction from the board regarding a potential amendment to TIRZ 2 to add additional eligible projects. Under the existing project plan for TIRZ 2, only two projects are identified for TIRZ funding: the perimeter north/south roadway along the eastern side of the Airport, and the extension of FM 546. The board gave Staff direction to add airport related projects such as land acquisition, public infrastructure and airport related construction as TIRZ eligible expenditures.
- The proposed amended project plan broadens the types of projects that are available for funding from TIRZ 2. The project plan adds airport related projects (i.e. airport facilities and related services, public infrastructure, and land acquisition) as TIRZ eligible expenses.
- TXDOT is currently constructing FM 546 from State Highway 5 to Airport

Boulevard, which frees up a portion of the TIRZ funds that were projected to be utilized for the roadway project. As such, funds associated with that roadway project could be utilized towards other airport related projects should the project plan be amended.

#### **BACKGROUND INFORMATION:**

- The creation of a TIRZ to support the McKinney National Airport was proposed as part of the ongoing investment in the Airport to serve the regional needs of Collin County and the greater D/FW Metroplex. The Project Plan of the TIRZ focuses on infrastructure support necessary to fulfill the mission and vision of the McKinney National Airport. Specifically, the TIRZ provides for the design and construction of the roadway infrastructure necessary to access the Airport.
- The authority of the Board of Directors is established by City Ordinance No. 2010- 09-035 creating the TIRZ. Board authority includes the making of recommendations to the City Council concerning the administration of the TIRZ; and adopting (and amending as needed in the future) a project plan and financing plan consistent with the preliminary project plan and finance plan subject to final approval by the City Council.
- On September 21, 2010 the McKinney City Council created Tax Increment Reinvestment Zone Number Two (TIRZ No. 2), consisting of approximately 3,617 acres generally in and around the McKinney National Airport ("Airport") from approximately US 380 to the southeastern city limits of McKinney.

#### **FINANCIAL SUMMARY:**

- N/A

#### **SUPPORTING MATERIALS:**

[Ordinance](#)

[Exhibit A \(TIRZ 2 Amended Project Plan\)](#)

[Existing TIRZ 2 Project Plan](#)

**ORDINANCE NO. 2018-02-\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS APPROVING THE FIRST AMENDED PROJECT PLAN FOR REINVESTMENT ZONE NUMBER TWO, CITY OF MCKINNEY, AS ADOPTED BY ITS BOARD OF DIRECTORS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on September 21, 2010, the City Council of McKinney, Texas ("City"), approved Ordinance Number 2010-09-035 creating the Reinvestment Zone Number Two, City of McKinney and establishing a Board of Directors for such zone (and as amended on October 19, 2010 by Ordinance Number 2010-10-041); and

**WHEREAS**, on April 6, 2011, the City Council adopted Ordinance Number 2011-04-017 that amended and superseded the foregoing referenced ordinances which initially established Reinvestment Zone Number Two, City of McKinney; and

**WHEREAS**, the McKinney City Council approved a preliminary project plan with the creation of Reinvestment Zone Number Two, City of McKinney; and

**WHEREAS**, the Board of Directors of Reinvestment Zone Number Two, City of McKinney have prepared, or cause to be prepared, and adopted an amendment to the project plan identified as "First Amended Project Plan for Tax Increment Reinvestment Zone No. 2 (Airport)" ("First Amended Project Plan") and recommended approval of the First Amended Project Plan to the McKinney City Council in accordance with Section 3(e) of Ordinance Number 2011-04-017; and

**WHEREAS**, the McKinney City Council finds that the First Amended Project Plan is consistent with the preliminary project plan and desires to approve the First Amended Project Plan as recommended by the Board of Directors of Reinvestment Zone Number Two, City of McKinney.

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

**Section 1. FINDINGS**

The findings set forth above are found to be true and correct and are hereby incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

**Section 2. APPROVAL OF THE FIRST AMENDED PROJECT PLAN**

From and after the effective date of this Ordinance the McKinney City Council hereby approves the "First Amended Project Plan for Tax Increment Reinvestment Zone No. 2 (Airport)", attached hereto as Exhibit "A" and incorporated herein by reference for all purposes allowed by law, adopted by the Board of Directors for Reinvestment Zone Number Two as the official project plan for Tax Increment Reinvestment Zone Number Two.

**Section 3. SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the words, phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the

same would have been enacted by the City Council without the incorporation of any such unconstitutional word, phrase, clause, sentence, paragraph or section.

Section 4. **REPEALER CLAUSE**

Any provision of any prior ordinance of the City, whether codified or uncodified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 5. **EFFECTIVE DATE**

This Ordinance shall become effective from and after the date of its final passage and publication as provided by law and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 6<sup>th</sup> DAY OF FEBRUARY, 2018.**

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**

**Tax Increment Reinvestment Zone No. 2  
(Airport)**

**First Amended Project Plan<sup>1</sup>**



<sup>1</sup> As amended by Resolution No. 2018-02-001 (TR2R) of the Tax Increment Reinvestment Zone No. 1, and approved to be effective on the 11<sup>th</sup> day of February, 2018 by Ordinance No. 2018-02-008 of the City Council of the City of McKinney, Texas.

**Background**

The City of McKinney TIRZ No. 2 (outlined in Figure 1) will support the ongoing investment and development of the McKinney National Airport (“the Airport”), which is operated, maintained, developed and managed by the McKinney Airport Development Corporation (MADC).

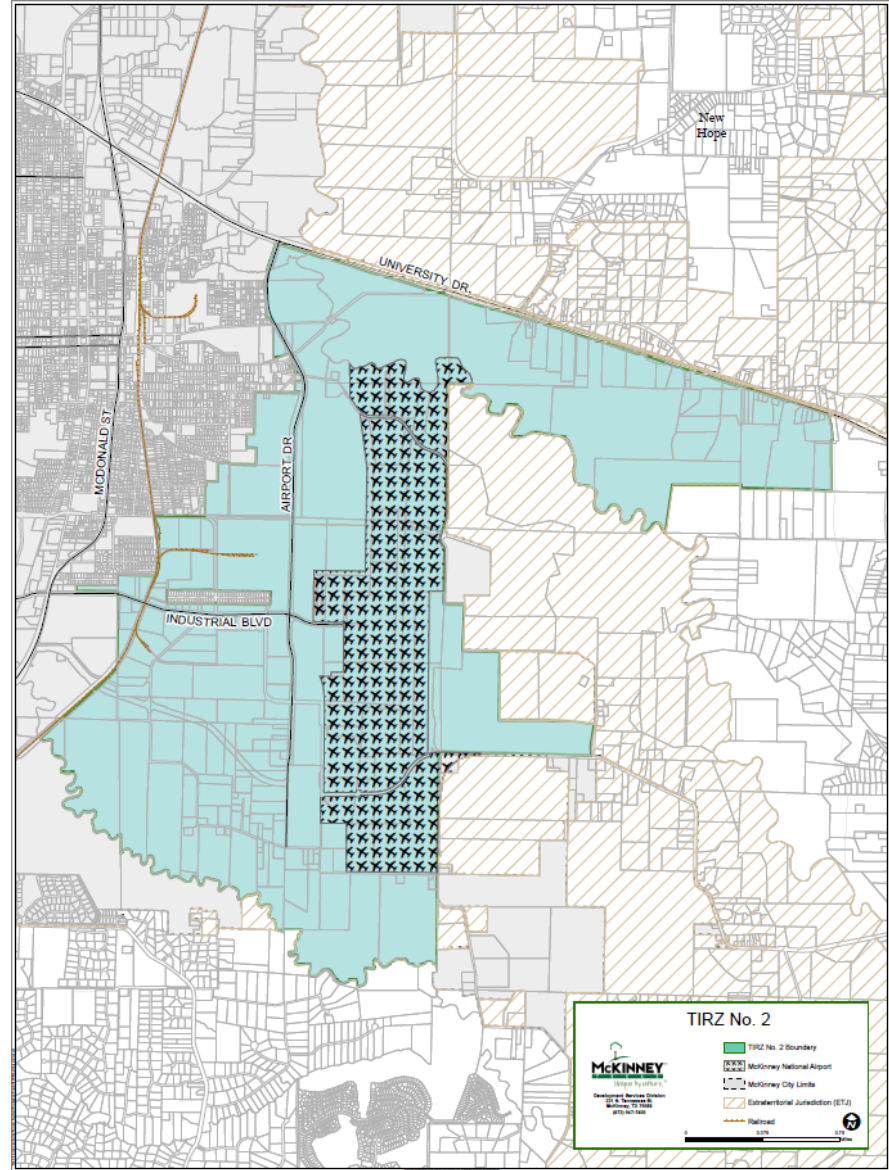
On February 12, 2009, the MADC approved a strategic plan establishing the following mission statement and vision.

**Mission Statement:** *Develop the premier general aviation reliever airport in the D/FW Metroplex with future commercial service goals.*

**Vision:** *McKinney National Airport is an air transportation center and economic engine for the North Dallas Region, facilitating general aviation, business aviation and related services by an aggressive marketing program and aeronautical service, infrastructure and facility development program.*

TIRZ No. 2, as delineated below, will provide support necessary to fulfill this mission and vision.

**Figure 1: TIRZ No. 2 Boundary (Airport)**



**Existing Conditions and Uses**

The Airport is located east of the Town Center in a primarily undeveloped area. The Airport itself is zoned for aeronautical uses. The area including and around the Airport is primarily designated as a general aviation business service airport that is an integral part of an industrial park. The primary zoning districts within TIRZ No. 2 are light manufacturing and agricultural.

**Proposed Improvements and Uses**

The following initiatives are included in the current plan for the Airport:

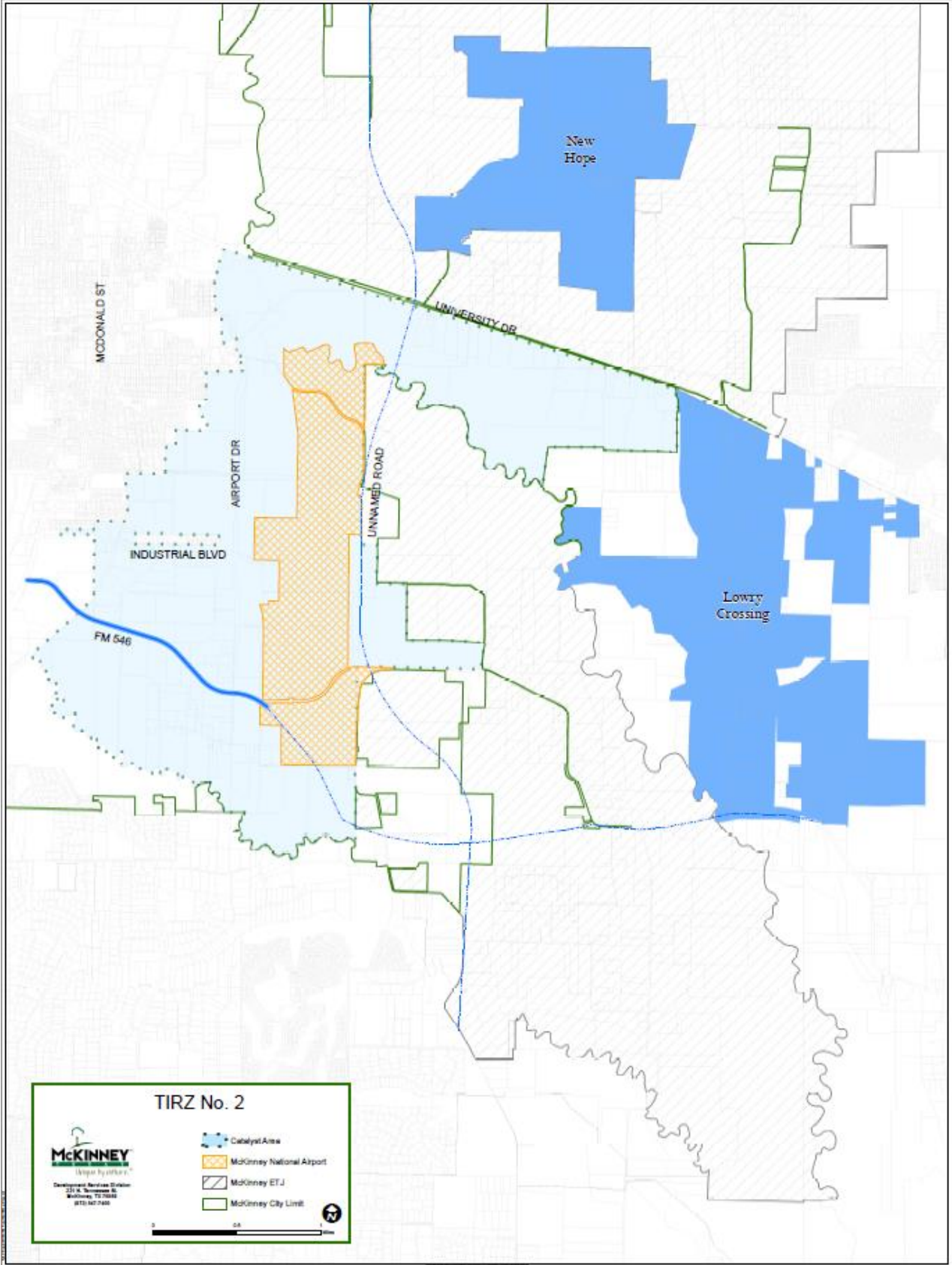
- 1. Focus on Business Aviation Activity
- 2. Continue to Assess Perimeter Access Control and Airport Security
- 3. Continue to Prepare for Commercial Passenger Service

The key to these initiatives will be the investment in airport related projects (i.e., airport facilities & related services, public infrastructure, and land acquisition) and roadway infrastructure necessary to access the Airport, i.e., the perimeter north/south roadway along the eastern side of the Airport and FM 546. The cost estimated for those catalyst projects is \$40,000,000.



The following diagram delineates the projects within and benefiting TIRZ No. 2:

Figure 2: TIRZ No. 2 Project Area



**Administration and Implementation**

Administrative costs, including reasonable charges for the time spent by City of McKinney employees, MADC employees and/or employees associated with any non-profit groups established to assist with implementation within TIRZ No. 2 will be eligible for reimbursement as project costs, upon approval by the TIRZ Board of Directors and in connection with the implementation of TIRZ No. 2 Project Plan and Financing Plan. Other related administrative expenses including legal fees and consulting fees, including planning, engineering and design fees, of the City, management expenses, meeting expenditures and equipment are included in this category.

**Non-Project Costs**

It is anticipated that the City of McKinney may make economic development loans or grants to TIRZ No. 2 or the MADC in furtherance of implementing this Plan. Should such loans or grants be made, consistent with the financing documents authorizing the issuance of bonds or other obligations of the MADC, tax increments may be transferred to the City or the MADC to reimburse the City for the funds made available by any such Chapter 380 economic development loans or grants in furtherance of the implementation of this Plan, and fulfilling the public purposes of developing and diversifying the economy of TIRZ No. 2, eliminating unemployment or underemployment in TIRZ No.



2, and developing or expanding transportation, business, and commercial activity in TIRZ No. 2. It is not possible to quantify the non-project costs at this time, other than to say that they are anticipated. All bonds issued are subject to City Council approval, and to minimize the exposure to the City’s general fund revenues, the MADC shall maintain sufficient debt reserve accounts and coverage ratios.

**Summary of Project Costs**

The following summarize the projected project costs of the projects delineated above:

Category		Estimated Cost (in 2010 Dollars)
Catalyst Projects		\$40,000,000
	“Unnamed” north/south Perimeter Road and FM 546	
	Airport related projects (i.e., Airport Facilities & Related Services, Public Infrastructure, Land Acquisition)	
Administration and Implementation		\$1,000,000
Total Project Cost		\$41,000,000

**Proposed Changes in Municipal Master Plans, Zoning Ordinances, Building Codes, and Subdivision Regulations**

It is anticipated that the Airport Layout Plan may need to be updated to fulfill the mission and vision of the Airport. However, it is not anticipated at this time that any change in zoning will be required to implement the projects delineated herein.

**Relocation of Displaced Persons**

This plan currently does not call for nor anticipate the displacement and relocation of persons for the proposed projects.

# **EXHIBIT “B”**

## **Tax Increment Reinvestment Zone No. 2 (Airport)**

### **Preliminary Project Plan**



**September 1, 2010**

## Background

The City of McKinney TIRZ No. 2 (outlined in Figure 1) will support the ongoing investment and development of the Collin County Regional Airport (“the Airport”), which is operated, maintained, developed and managed by the McKinney Airport Development Corporation (MADC).

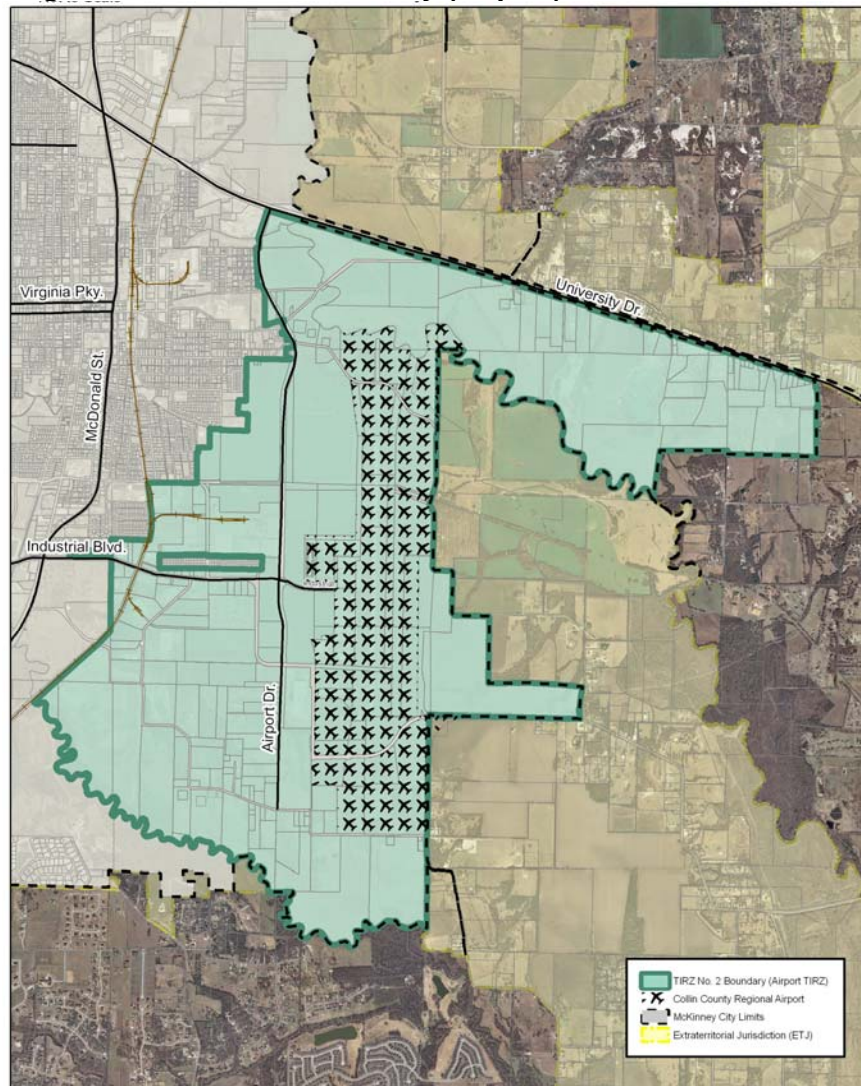
On February 12, 2009, the MADC approved a strategic plan establishing the following mission statement and vision.

**Mission Statement:** *Develop the premier general aviation reliever airport in the D/FW Metroplex with future commercial service goals.*

**Vision:** *Collin County Regional Airport is an air transportation center and economic engine for the North Dallas Region, facilitating general aviation, business aviation and related services by an aggressive marketing program and aeronautical service, infrastructure and facility development program.*

TIRZ No. 2, as delineated below, will provide infrastructure support necessary to fulfill this mission and vision.

**Figure 1: TIRZ No. 2 Boundary (Airport)**



**Existing Conditions and Uses**

The Airport is located east of the Town Center in a primarily undeveloped area. The Airport itself is designated an airport zone. The area around the Airport is primarily designated with light manufacturing and agricultural zoning districts.

**Proposed Improvements and Uses**

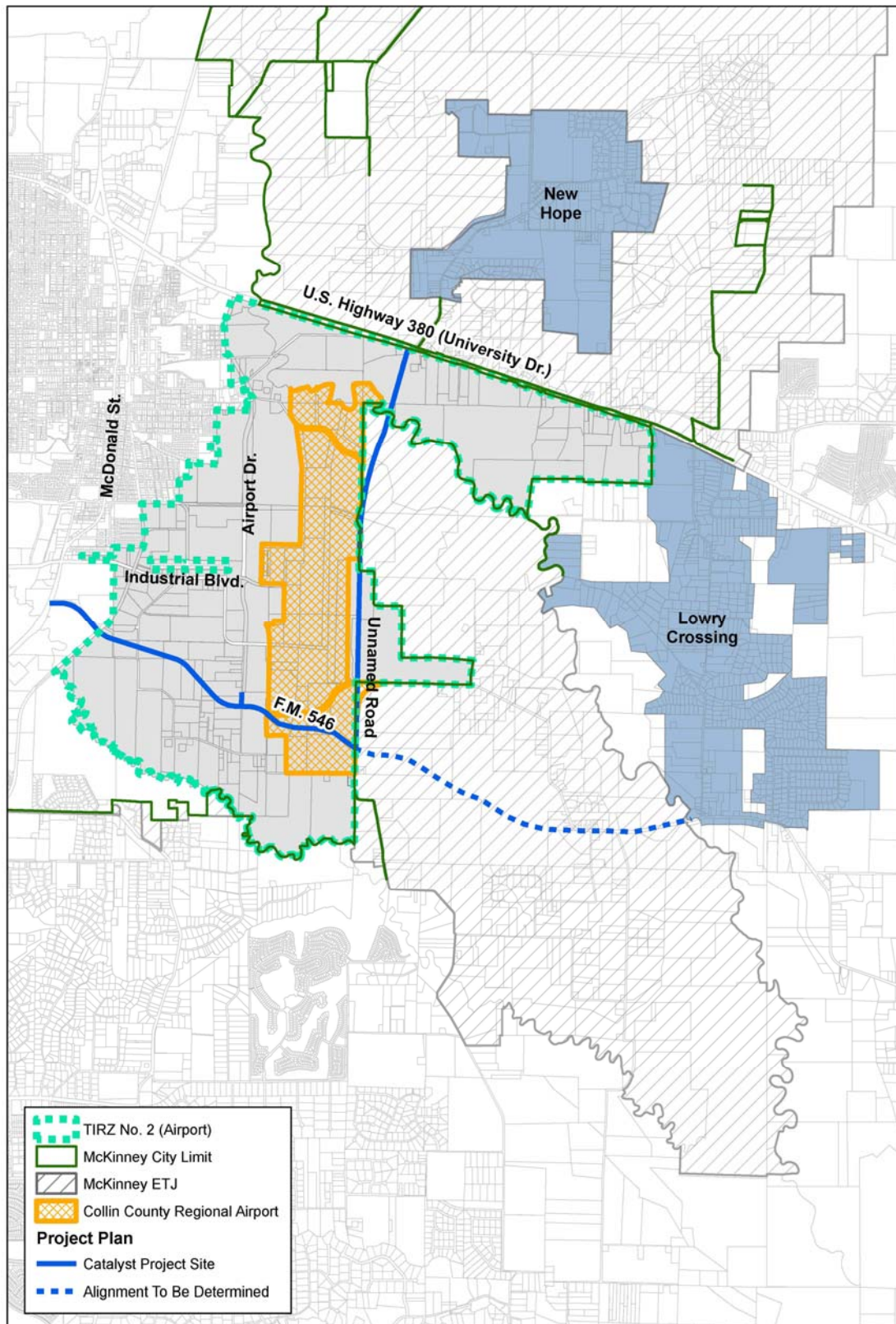
The following initiatives are included in the current plan for the Airport:

1. Focus on Business Aviation Activity
2. Continue to Assess Perimeter Access Control and Airport Security
3. Continue to Prepare for Commercial Passenger Service

The key to these initiatives will be the investment in the roadway infrastructure necessary to access the Airport as delineated below, i.e. the perimeter north/south roadway along the eastern side of the Airport and FM 546. The cost estimated for those roadway projects is \$40,000,000.

The following diagram delineates the projects within and benefiting TIRZ No. 2:

**Figure 2: TIRZ No. 2 Preliminary Project Types**



### **Administration and Implementation**

Administrative costs, including reasonable charges for the time spent by City of McKinney employees, MADC employees and/or employees associated with any non-profit groups established to assist with implementation within TIRZ No. 2 will be eligible for reimbursement as project costs, upon approval by the TIRZ Board of Directors and in connection with the implementation of TIRZ No. 2 Project Plan and Financing Plan. Other related administrative expenses including legal fees and consulting fees, including planning, engineering and design fees, of the City, management expenses, meeting expenditures and equipment are included in this category.

### **Non-Project Costs**

It is anticipated that the City of McKinney may make economic development loans or grants to TIRZ No. 2 or the MADC in furtherance of implementing this Plan. Should such loans or grants be made, consistent with the financing documents authorizing the issuance of bonds or other obligations of the MADC, tax increments may be transferred to the City or the MADC to reimburse the City for the funds made available by any such Chapter 380 economic development loans or grants in furtherance of the implementation of this Plan, and fulfilling the public purposes of developing and diversifying the economy of TIRZ No. 2, eliminating unemployment or underemployment in TIRZ No. 2, and developing or expanding transportation, business, and commercial activity in TIRZ No. 2. It is not possible to quantify the non-project costs at this time, other than to say that they are anticipated. All bonds issued are subject to City Council approval, and to minimize the exposure to the City's general fund revenues, the MADC shall maintain sufficient debt reserve accounts and coverage ratios.

### **Summary of Project Costs**

The following summarize the projected project costs of the projects delineated above:

<b>Category</b>		<b>Estimated Cost (in 2010 Dollars)</b>
Roadway Projects	"Unnamed" north/south Perimeter Road and FM 546	\$ 40,000,000
Administration and Implementation		\$ 1,000,000
<b>Total Project Cost</b>		<b>\$ 41,000,000</b>

### **Proposed Changes in Municipal Master Plans, Zoning Ordinances, Building Codes, and Subdivision Regulations**

It is anticipated that the Airport Layout Plan may need to be updated to fulfill the mission and vision of the Airport. However, it is not anticipated at this time that any change in zoning will be required to implement the projects delineated herein.

### **Relocation of Displaced Persons**

This plan currently does not call for nor anticipate the displacement and relocation of persons for the proposed projects.





18-118

**TITLE:** Consider/Discuss/Act on an Ordinance Amending Chapter 98 of the City of McKinney Code of Ordinances by Amending the Historic Neighborhood Improvement Zone Tax Exemption Program

**COUNCIL GOAL:** Enhance the Quality of Life in Downtown McKinney

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Matt Robinson, AICP, Planning Manager  
Guy Giersch, Historic Preservation Officer  
Brian Lockley, AICP, Director of Planning

**ITEM SUMMARY:**

- Staff is proposing to increase the annual aggregate cap of the Historic Neighborhood Improvement Zone (HNIZ) Program beginning in the year 2018 to \$250,000. Currently, an annual aggregate cap on the total amount of ad valorem taxes which can be exempted in any budget year under any or all of the exemption levels is set at \$150,000.00. The cap is a tool to limit any budgetary concerns based on yearly fluctuations in tax revenues, and as such can be raised or lowered each year by the City Council.
- The current \$150,000 HNIZ annual aggregate cap for tax exemptions is projected to be reached in 2018.
- At the December 18, 2017 City Council Work Session, Staff sought direction from the Council regarding raising the HNIZ program's annual aggregate cap from \$150,000. Council directed Staff to proceed with an amendment to raise the annual aggregate cap to \$250,000.

**BACKGROUND INFORMATION:**

- Ordinance No. 2007-02-014 and as amended by Ordinance No. 2008-04-030 (known as the Historic Neighborhood Improvement Zone Tax Exemption Program) encourages the general maintenance and rehabilitation of single family homes located within the HNIZ (and the geographically coexistent NEZ) by

offering financial incentives based on verified investments that meet specified criteria (Sections 98-83, 98-84 and 98-85 of the City of McKinney Code of Ordinances).

- In 2007, Council approved the HNIZ program which established an aggregate cap of \$50,000 of the total amount of City property taxes which could be exempted in any budget year.
- In 2013, City Council approved an amendment to the HNIZ Program, which increased the annual aggregate cap on the total amount of ad valorem tax which could be exempted under any or all exemption levels from \$50,000 to \$100,000. In addition, the amendment modified the 100% Level 1 Tax Exemption term from 15 years to 7 years for any new Level 1 exemption.
- In December of 2015, City Council approved an amendment to the HNIZ Program to raise the annual aggregate cap from \$100,000 to \$150,000 of the total amount of City property taxes which could be exempted in any budget year.
- Since the original adoption of the HNIZ Program in 2007, the City has approved a total of 99 tax exemptions.

**FINANCIAL SUMMARY:**

- N/A

**BOARD OR COMMISSION RECOMMENDATION:**

- On December 7, 2017, the Historic Preservation Advisory Board considered and commented to amend Chapter 98 of the City of McKinney Code of Ordinances to increase the aggregate cap.

**SUPPORTING MATERIALS:**

[Proposed Ordinance](#)  
[HNIZ-NEZ Boundary Map](#)  
[Ordinance - Redline](#)



ORDINANCE NO. 2018-02-\_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, THROUGH THE AMENDMENT OF CHAPTER 98, ENTITLED "TAXATION," BY DELETING SUBSECTION (4), "AGGREGATE CAP (PER YEAR)," OF SECTION 98-84, "HISTORIC NEIGHBORHOOD IMPROVEMENT ZONE PROGRAM," IN ITS ENTIRETY AND REPLACING SAID SUBSECTION WITH A NEW SUBSECTION (4) THAT IS ALSO TITLED "AGGREGATE CAP (PER YEAR)" TO INCREASE THE AMOUNT OF THE AGGREGATE CAP ON EXEMPTED AD VALOREM TAXES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the City of McKinney, Texas, (the "City") is a Home-Rule City possessing the full power of local self-governance pursuant to Article XI, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

**WHEREAS**, the City Council has recognized that certain provisions of the Code of Ordinances should be reviewed and updated from time to time; and

**WHEREAS**, the City Council of the City of McKinney, Texas, finds and determines that it is in the best interest of the public health, safety and general welfare of the citizens of McKinney, Texas, to delete Subsection (4), "Aggregate Cap (Per Year)," of Section 98-84, "Historic Neighborhood Improvement Zone Program," in its entirety and replacing said subsection with a new Subsection (4) that is also titled "Aggregate Cap (Per Year)" to increase the amount of the aggregate cap on exempted ad valorem taxes.

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

Section 1. **FINDINGS**

All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if set forth in their entirety.

Section 2. **AMENDMENT OF CHAPTER 98, ENTITLED "TAXATION," BY DELETING SUBSECTION (4), "AGGREGATE CAP (PER YEAR)," OF SECTION 98-84, HISTORIC NEIGHBORHOOD IMPROVEMENT ZONE PROGRAM," IN ITS ENTIRETY AND REPLACING SAID SUBSECTION WITH A NEW SUBSECTION (4) THAT IS ALSO TITLED "AGGREGATE CAP (PER YEAR)" TO INCREASE THE AMOUNT OF THE AGGREGATE CAP ON EXEMPTED AD VALOREM TAXES**

From and after the effective date of this Ordinance, Chapter 98, entitled "taxation," is hereby amended by deleting Subsection (4), "Aggregate Cap (Per Year)," OF Section 98-84, Historic Neighborhood Improvement Zone Program," in its entirety and replacing said subsection with a new Subsection (4) that is also titled "Aggregate Cap (Per Year)" to read as follows:

"(4) Aggregate Cap (per year): The City Council may impose an aggregate cap on the total amount of ad valorem taxes which would be exempted in any budget year under any or all of the levels set forth in subsections (a) – (c) of this Section. The annual cap

shall be exhausted on a “first come, first served” basis, as determined by the actual date the City receives a completed application. The cap shall be a tool to limit any budgetary concerns based on yearly fluctuations in tax revenues, and as such, the annual cap may be raised or lowered each year by the City Council. For calendar year 2018 and continuing annually thereafter until otherwise adjusted by the City Council, the aggregate cap on exempted ad valorem taxes shall be \$250,000 per year.”

Section 3. **REPEALER CLAUSE**

This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance and such ordinances shall remain intact and are hereby ratified, verified and affirmed.

Section 4. **SEVERABILITY CLAUSE**

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. **RESERVATION OF EXISTING RIGHTS AND REMEDIES**

All rights and remedies of the City of McKinney are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 6. **IMMUNITY**

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of McKinney in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his said duties.

Section 7. **INJUNCTIONS**

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of McKinney in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of McKinney.

Section 8. **PENALTY**

Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the penalty provisions set forth in Chapter 98

of the McKinney Code of Ordinances; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 9.     **PUBLICATION**

The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney following the City Council's adoption hereof as provided by law.

Section 10.   **EFFECTIVE DATE**

This Ordinance shall become effective from and after the date of its final passage and publication as provided by law, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS ON THE 6<sup>th</sup> DAY OF FEBRUARY, 2018.**

CITY OF McKINNEY, TEXAS

\_\_\_\_\_  
GEORGE 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

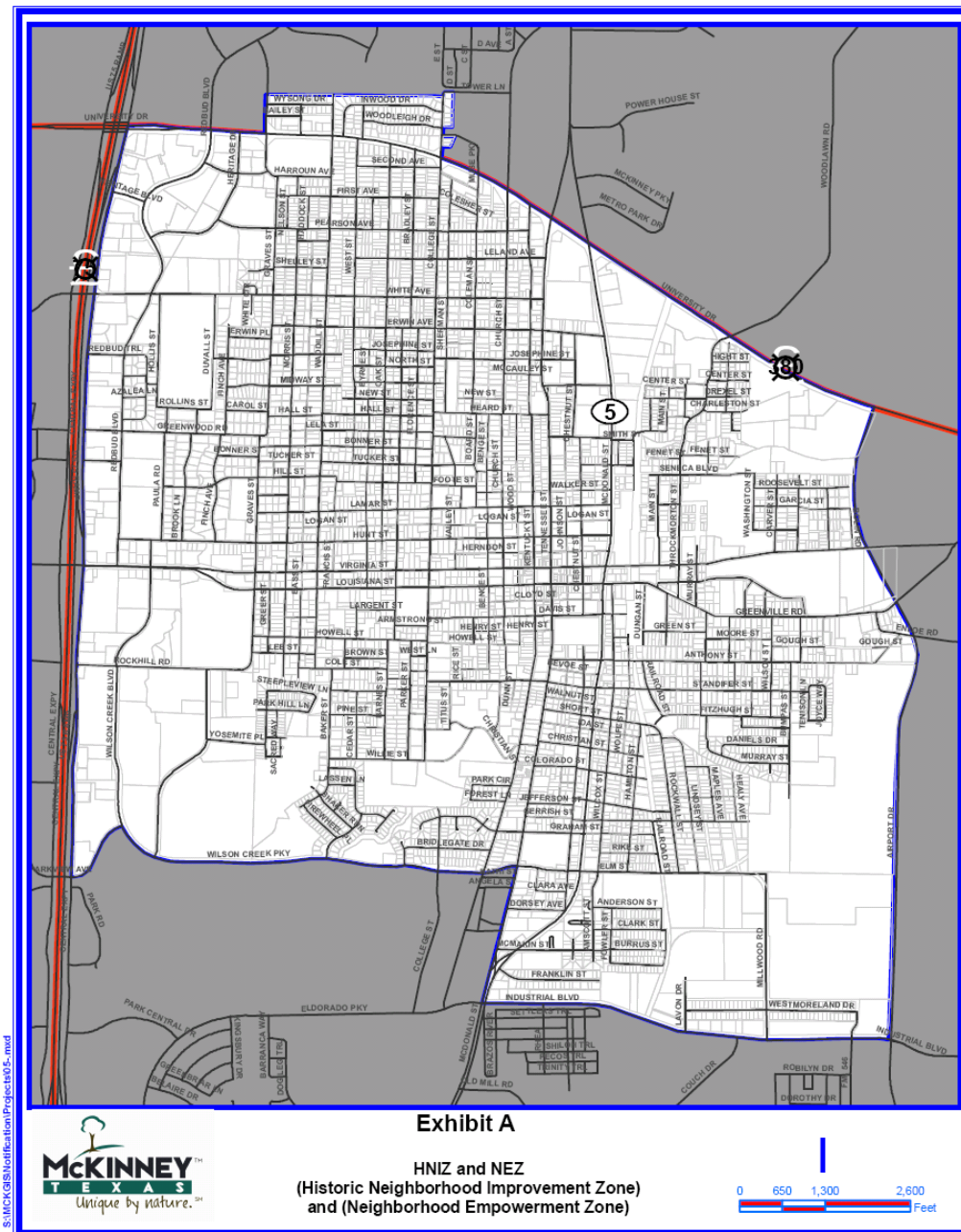


### ARTICLE III. - HISTORIC NEIGHBORHOOD IMPROVEMENT ZONE

Sec. 98-83. - Created.

A Historic Neighborhood Improvement Zone ("HNIZ") is hereby created for the purpose of preserving the city's unique and historic neighborhoods while encouraging property owners to maintain and/or rehabilitate their residences. The HNIZ shall be as shown on the graphic labeled Exhibit A attached hereto.

## Exhibit A Historic Neighborhood Investment Zone Graphic



(Ord. No. 2007-02-014, § 2, 2-6-2007; Ord. No. 2008-04-030, § 2, 4-1-2008)

Sec. 98-84. - Historic Neighborhood Improvement Zone Program.

A Historic Neighborhood Improvement Zone Program ("program") is created wherein owners in the defined geographic HNIZ may receive ad valorem tax exemptions inclusive of land and building improvements based on verified

investment meeting specified criteria. This program consists of three levels of participation and corresponding tax exemptions.

(1) Level 1: Residential properties which have received the designation of the Historic Marker Program by the HPAB prior to November 19, 2013 are eligible to receive a one-time, 100 percent exemption of the city's ad valorem taxes for a period of 15 years. Residential properties which receive the designation of the historic marker program by the HPAB on or after November 19, 2013 are eligible to receive a one-time, 100 percent exemption of the city's ad valorem taxes for a period of seven years. The process and criteria for receiving the historic marker designation are as follows:

Purpose: The purpose of the marker program is to encourage owners of historic properties to become actively involved in the preservation of McKinney's historic past through the recognition of historic events, people, and architecture.

- a. The marker, if awarded, would allow the owner of the building to apply for an ad valorem tax incentive provided the building has been rehabilitated or restored according to the secretary of the interior's standards.
  - b. In order to obtain a marker, the following requirements must be met:
    1. Written documented history.
    2. The building must be a minimum of 50 years of age.
    3. The house must be located within the HNIZ.
    4. Photo documentation of all four elevations using black and white photos with negatives, color slides, and copies of any available historic photographs.
    5. Legal description of the property with a location map.
    6. Site plan of the property.
  - c. The application shall be reviewed by the historic preservation officer (HPO). The HPO may ask for additions or revisions to the documentation if necessary. Once the application is completed, the HPO will send a staff report to the historic preservation advisory board (HPAB) for approval or denial of the historic marker application, with appropriate appeals to the city council.
  - d. If awarded, the owner may purchase and display the marker.
  - e. If the HPAB approves the marker, the applicant may make application to the HPO for a Level 1 tax incentive for consideration by the HPAB, with appropriate appeals to city council, provided the building has architectural integrity and has been properly rehabilitated or restored and maintained. The marker and tax incentive may be sought simultaneously or separately.
- (2) Level 2: Owners shall submit plans for exterior improvements to residential properties to the HPO. The owner may then receive a letter of eligibility if the improvements qualify for the program. Thereafter, owners who make verified



exterior improvements (however limited to comprehensive maintenance and rehabilitation painting, roof, windows, foundation, and siding) consistent with applicable codes, both historic district and building codes, as applicable, in any 12-month period beginning with receipt of a letter of eligibility and having a combined cost in excess of \$10,000.00, during that 12-month period, may receive an exemption of 50 percent of the city's ad valorem taxes for a period of 15 years, as finally determined by applications submitted to the building and standards commission. Owners may submit additional applications under level 2 during any period of exemption. If such applications are approved, the exemption period shall be extended from the date of the last approval. In such event, the exemption periods run concurrently until the earliest approval expires and continues until the latter approval expires.

- (3) Level 3: Owners shall submit plans for improvements to residential properties to the HPO and to the building permits department. The owner may receive a letter of eligibility, if the improvements qualify for the program. Owners who make verified exterior improvements (however limited to comprehensive maintenance and rehabilitation painting, roof, windows, foundation, and siding) consistent with applicable codes, both historic district and building codes, as applicable, or who make verified interior improvements to upgrade interior systems to current building codes (however limited to sanitary sewer lines, fire, HVAC, insulation, electrical, plumbing, or a combination of interior or exterior improvements) in any 12-month period beginning with receipt of a letter of eligibility and having a combined cost in excess of \$5,000.00, during that 12-month period may receive an exemption of 30 percent of the city's ad valorem taxes for a period of 15 years, as finally determined by applications submitted to the building and standards commission. If an owner submits plans for additional improvements under level 2 or level 3 during any period of exemption previously granted under level 3, such owner, upon approval of the building and standards commission, shall receive an exemption of 50 percent of the ad valorem taxes for a period of 15 years from the date of such approval.
- (4) Aggregate cap (per year): The city council may impose an aggregate cap on the total amount of ad valorem taxes which would be exempted in any budget year under any or all of the levels set forth in subsections (a)—(c) of this section. The annual cap shall be exhausted on a "first come, first served" basis, as determined by the actual date the city receives a completed application. The cap shall be a tool to limit any budgetary concerns based on yearly fluctuations in tax revenues, and as such, the annual cap may be raised or lowered each year by the city council. For calendar year ~~2016~~ 2018 and continuing annually thereafter until otherwise adjusted by the city council, the aggregate cap on exempted ad valorem taxes shall be ~~\$150,000~~ \$250,000 per year.
- (5) Program suspension: The city council may suspend the program at any time.
- (6) Implementation: The city shall set up an application process providing for the review of applications based upon administrative guidelines promulgated by the HPO, verification of improvements and certification of the exemptions. The



administrative guidelines shall be consistent with this ordinance yet provide flexibility in reviewing, granting and processing exemptions. The exemption may continue and be transferable upon sale of the property. Code inspection and periodic checks on annual owner certifications for previously-constructed exterior improvements shall be a key element to verification of new construction, maintenance of improvements and overall maintenance of the property.

- (7) Suspension of tax exemption: The city may suspend a level 1, level 2, or level 3 tax exemption of any property at any time should the overall maintenance of the property, including but not limited to eligible exterior improvements, fall into a state of disrepair and no longer promote the intent and philosophy of the program. Should the HPO find that a property is in a state of disrepair and does not meet the intent and philosophy of the program, the owner shall be notified of the specific deficiencies in writing and shall have one year to cure the deficiencies from the date of such written notification. If the deficiencies are not remedied within one year, the city council may suspend the tax exemption.
- (8) Neighborhood empowerment zone (NEZ) overlay under Local Government Code Chapter 378: The neighborhood empowerment zone overlay (NEZ) shall be geographically coexistent with the HNIZ. The NEZ is created wherein development projects in the defined geographic area may receive impact fee waivers based on specified criteria.
  - a. Single family: Within the NEZ, new single family residential construction commencing on a lot of record is eligible to receive residential roadway, water, and wastewater impact fee waivers, provided that the design and completion of the new construction is generally compatible with the massing, size, scale, and architectural features of the surrounding neighborhood. Prior to construction, an application shall be made to the HPO, who shall determine whether the proposed construction is eligible for the waiver of impact fees. Impact fees shall be collected at the time of building permit issuance and remitted to the owner upon completion and final inspection of compliant construction. The HPO shall make a determination of eligibility for impact fee waivers based, in part, on the "Guidelines for New Construction in the NEZ" attached hereto as exhibit B and made a part hereof for all purposes. Appeals of the HPO's determination of eligibility for impact fee waivers shall be made to the city council.
  - b. Multi-family: Within the NEZ, new multi-family construction, being three or more dwelling units on a single lot and commencing on a lot of record, is eligible to receive roadway impact fee waivers only, provided that the design and completion of the new construction is generally compatible with the massing, size, scale, and architectural features of the surrounding neighborhood. Prior to construction, an application shall be made to the HPO, who will present an eligibility determination for roadway impact fee waivers to the city council for approval or denial based on the proposed construction. The city council shall determine eligibility for impact fee waivers based, in part, on the "Guidelines for New Construction in the NEZ" attached hereto as exhibit B and made a part

hereof for all purposes. All impact fees shall be collected at the time of building permit issuance and remitted to the owner upon completion and final inspection of compliant construction.

- c. Non-residential: Within the NEZ, new non-residential or vertically-integrated mixed-use (non-residential and residential uses in a single structure) construction commencing on a lot of record, is eligible to receive roadway impact fee waivers only provided that the completion of the construction and development project meets at least three of the following criteria:
  - 1. Compatibility. Construction is generally compatible with the massing, size, scale, and architectural features of the surrounding buildings and environment;
  - 2. Amenities. Construction includes enhanced pedestrian and/or streetscape amenities;
  - 3. Town Center Master Plan. Development project is consistent with, and promotes the Town Center Master Plan;
  - 4. Investment. New construction on a vacant site includes a minimum capital investment of \$75,000.00. Rehabilitation of an existing building in accordance with the secretary of the interior standards includes a minimum capital investment of \$75,000.00 or 30 percent of the present building value as appraised by the Collin Central Appraisal District, whichever is greater;
  - 5. Mixed-use. Construction includes vertical integration of residential and non-residential uses in the same structure with non-residential uses on the entire ground floor;
  - 6. Job creation. Development project creates one new, full-time job (or correlative FTE) per 200 square feet of gross floor area; or
  - 7. Vacant/underutilized site/building. Construction occurs within the vacant/underutilized sites/buildings improvement area as designated in the Tax Increment Reinvestment Zone Number 1 Project Plan.

Prior to construction, an application shall be made to the HPO that includes supporting documentation of the project's ability to meet the eligibility criteria established for the waiver of roadway impact fees. For projects where roadway impact fees exceed \$50,000.00, the HPO shall make a determination of eligibility for roadway impact fee waivers and present a recommendation to the city council for approval or denial. The HPO determination of eligibility shall be based on the merits of the owner's application and documentation received read in conjunction with the criteria above. For projects with roadway impact fees that are equal to or less than \$50,000.00, the HPO shall have the authority to determine whether the proposed project is eligible for the waiver of roadway impact fees, with appropriate appeals to the city council. All roadway impact fees shall be collected at the time of building permit issuance and remitted to the owner upon completion and final inspection of the compliant construction. Upon completion and final inspection, the HPO shall have the authority to waive 100 percent of roadway impact fees up

to and including \$50,000.00 or in accordance with the eligibility determination made by the city council after its consideration of an owner's eligibility.

## EXHIBIT B

### GUIDELINES FOR NEW CONSTRUCTION IN THE NEIGHBORHOOD EMPOWERMENT ZONE

New construction in the Neighborhood Empowerment Zone (NEZ) should be compatible with the massing, size, scale, and architectural features of the surrounding homes. New construction in the NEZ should not attempt to recreate or replicate a past architectural style in its entirety but should take cues from the architectural and design elements of surrounding historic structures. No specific architectural style shall be required for new construction in the NEZ.

The following aspects of new construction in the NEZ should be visually compatible with the buildings and environment with which the new construction is related. These include but are not limited to: height, proportion between width and height of façade, proportion and relationship between doors and windows, rhythm of solids and voids created by openings in the façade, materials, textures, colors, patterns, trims, and design of the roof. New construction in the NEZ should also preserve the existing rhythm created by existing building masses in the neighborhood.

**Height:** All new construction in the NEZ should take into consideration the general height of the buildings in the neighborhood and shall also comply with the regulating zoning district.

**Proportion of the buildings front façade:** The relationship of the width to height of a building creates a proportion that should be taken into consideration (such as tall and narrow, low and squat, or square). This proportional relationship should reflect the dominant character of the neighborhood.

**Proportion of openings within the façade:** This is a relationship of the width to height of windows and doors. For example, a window may be one unit wide and three units high, thus creating a proportional relationship of 1:3. If the majority of the buildings within a neighborhood have this 1:3 relationship, then new design should reflect this proportion as well. Large picture windows or horizontal bands of windows should be avoided. Modern interpretations of historic windows are acceptable if they retain the historic size ratios and pattern of placement on the façade. Doors should also be compatible in proportion. (See Illustration 1)

### Illustration 1

Window Proportion:  
The proportional relationship of the width to the height of the windows combined with the high pitch of the roof creates a tall elevated feeling.



Rhythm of solids to voids: Rhythm is an ordered recurrent alternation of wall to openings as well as spacing between buildings. This rhythm creates a feel as one moves past a building or group of buildings. The design of a new structure in the NEZ should respect the rhythm of the surrounding neighborhood in terms of its size, distance between buildings on either side, and the spacing of windows and doors. (See Illustration 2)

### Illustration 2

Rhythms:  
The grouping of windows creates a rhythm.



Relationship of materials: New designs in the NEZ should use materials that are compatible with the neighborhood and should seek to reflect the predominant materials found in the neighborhood. If the majority of existing buildings are brick, then the proposed building should be brick. If the predominant material is lap siding, then the proposed material should be lap siding. The texture and color of the materials should be considered as well and be compatible with the surrounding buildings.

Relationship to roof shapes: Roof shape includes the type and pitch of the roof (such as hip, gable, mansard, or shed). The treatment of the eaves, rafter tails, soffits, bargeboards, and fascia are important considerations when designing any new construction in the NEZ. For example, if the majority of the existing houses in a neighborhood have a gabled roof, then the proposed new construction should have a gabled roof. Additionally, if the existing buildings in a neighborhood have boxed eaves,

then the new construction should seek to either incorporate the same or similar design element.

**Relationships to architectural details:** Architectural details include features such as cornices, brackets, columns, lintels, arches, roof crests, quoins, balustrades, doors, windows, and chimneys. New construction in the NEZ should be compatible with the predominant architectural details on surrounding buildings. These details do not need to be copied in the new construction, but they should be reflected in some manner. For example, if the majority of houses in the neighborhood have pediments above the windows, then the new construction should reflect pediment-like features above the windows as well. Additionally, chimneys that are not constructed of historical materials (brick or stone) should be located to the rear of the building in order to reduce the visibility of the modern chimney covering from the public right-of-way.

**Scale:** Scale is created by the architectural detailing that relates to the size of a human and by the building mass as it relates to open space. A large building on a small lot has a different appearance when compared to a large building on a large lot. This relationship should be considered when designing for a particular neighborhood. New construction in the NEZ should observe the scale of surrounding and nearby structures. The window and door lines should be similar to neighboring structures. The detailing should be consistent with the size of the building. For example, a small house should not have massive or oversized details and decorations.

**Massing:** The term massing refers to how the basic shapes of the building are fit together. Massing can be very simple, such as a single rectangular shape, be more complex with an L-shape, or have a combination of shapes. Additional massing elements are also found among the different architectural styles. For example, in Victorian architecture, elements such as bays, towers, and turrets add to the basic massing of the house. Massing patterns of the neighborhood structures should be considered and reflected in the design of new construction in the NEZ. New construction in the NEZ shall also comply with the floor-area- ratios dictated by the regulating zoning district.

**Directional expression of the front elevation:** The use of architectural details and the proportion of the width to height ratio create structural shape. The structural shape will be expressed either vertically or horizontally. A building with a ratio of 1:5 will have a vertical appearance while a ratio of 5:1 would have a horizontal appearance. Tall narrow windows give a vertical appearance while wide windows tend to create a horizontal feel. New construction in the NEZ should observe the predominant feel of the surrounding area.

**Rhythm of spacing and setbacks:** It is important that new construction in the NEZ be consistent with adjacent structures in spacing and setback, which sets a rhythm for the block and neighborhood and is a part of the historic character. The setback of new construction in the NEZ should generally be within 10 percent of the setback lines of the adjacent structures. Setbacks for new construction in the NEZ should maintain the existing pattern of setbacks in the block if at all possible. New construction in the NEZ shall also comply with the setbacks dictated by the regulating zoning district. (See Illustration 3)

### Illustration 3

Aligned Setbacks and  
Rhythm of Spacing



Variation of styles: If groupings of two or more new homes are being built in the same area, then the new construction should reflect a variation in the styles of homes. It is not appropriate to build the same home or simply change the position of the front porch or the type of window or front door to comply with these criteria.

(Ord. No. 2007-02-014, § 2, 2-6-2007; Ord. No. 2008-04-030, § 2, 4-1-2008; Ord. No. 2013-11-110, § 2, 11-19-2013)

Sec. 98-85. - Neighborhood empowerment zone.

A neighborhood empowerment zone (NEZ) as set forth in V.T.C.A., Local Government Code ch. 378, as amended, is hereby created to promote the rehabilitation of affordable housing in the NEZ. The NEZ shall be geographically coexistent with the HNIZ.

(Ord. No. 2007-02-014, § 2, 2-6-2007)

Secs. 98-86—98-113. - Reserved.



18-119

**TITLE:** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 1B & 1D, Block 49, Shorts Addition, City of McKinney, Collin County, Texas

**COUNCIL GOAL:** Operational Excellence

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** Housing and Community Development

**CONTACT:** Cristel Todd, Affordable Housing Administrator

**RECOMMENDED CITY COUNCIL ACTION:**

- Approve Resolution

**ITEM SUMMARY:**

- This Resolution authorizes the City Manager to execute a Special Warranty Deed in the disposition of tax-delinquent vacant residential property held by all taxing entities being Lot 1B & 1D, Block 49, Shorts Addition, City of McKinney, Collin County, Texas.
- The City of McKinney has received an offer from Robert Wakefield to purchase property being Lot 1B & 1D, Block 49, Shorts Addition, City of McKinney, Collin County, Texas.
- A Special Warranty Deed prepared by City tax attorneys Gay, McCall, Isaacks & Roberts, P.C., begins the process for disposition of tax-delinquent property held by all taxing entities.
- This offer has been accepted by MISD.

**BACKGROUND INFORMATION:**

- The property was acquired having been "struck off" to the taxing entities subsequent to a Sheriff's sale.

**FINANCIAL SUMMARY:**

- The Housing and Community Development Department agrees to participate in the sale of the above mentioned property at a price not less than the combination of court costs, Constable fees, and cost of publication notices which total \$1,206.66 and an amount not greater than \$7,000.00.

**BOARD OR COMMISSION RECOMMENDATION:** N/A

**SUPPORTING MATERIALS:**

[Resolution](#)

[Special Warranty Deed](#)

[Distribution of Proceeds](#)

[Location Map](#)



**RESOLUTION NO. 2018-02-\_\_\_\_ (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 1B & 1D, BLOCK 49, SHORTS 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**

**WHEREAS**, the City of McKinney, McKinney ISD, Collin County and the Collin County Community College District have acquired the property being Lot 1B & 1D, Block 49, Shorts Addition, City of McKinney, Collin County, Texas; and

**WHEREAS**, the property was acquired as the result of a tax foreclosure sheriff's sale; and

**WHEREAS**, the City of McKinney has received an offer from Robert Wakefield.

**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 agrees to participate in the sale of the above mentioned property at a price of not less than the court costs and costs of sale amount and not greater than \$7,000.00.

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

**DULY PASSED AND APPROVED BY CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 6<sup>th</sup> DAY OF FEBRUARY, 2018.**

CITY OF MCKINNEY, TEXAS

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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

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

**DEED WITHOUT WARRANTY  
(TAX FORECLOSED PROPERTY RESALE)**

Date: \_\_\_\_\_, 2017

Grantor: McKINNEY INDEPENDENT SCHOOL DISTRICT, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT, and CITY OF McKINNEY

Grantor's Mailing Address (including county):

P.O. Box 517  
McKinney, Texas 75070  
Collin County

Grantee: Robert Wakefiled

Grantee's Mailing Address (including county):

1105 Mallard Lakes Dr.,  
McKinney, TX 75070  
Collin County

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

Property (including any improvements):

Property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part hereof.
5. Any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.
6. All oil, gas, and other minerals reserved by prior grantors.

By acceptance of this Deed, Grantee acknowledges and agrees that the Property is being purchased and conveyed "AS IS" with all faults and defects whether patent or latent as of the closing. Grantors, on behalf of themselves and the other taxing entities on whose behalf it holds title to the Property, specifically negates and disclaims any representations, warranties or guaranties of any kind or character, whether express or implied, oral or written, past, present, future or otherwise, of, as to, concerning or with respect to the Property, including without limitation (i) the nature and condition of the Property and the suitability thereof for any and all activities and uses which Grantee may elect to conduct thereon, (ii) the nature and extent of any right-of-way, lease,

possession, lien, encumbrance, license, reservation, condition or any other matter relating in any way to the Property, (iii) the compliance of the Property or its operation with any laws, ordinances or regulations of any government or other authority or body, (iv) the existence of any toxic or hazardous substance or waste in, on, under the surface of or about the Property, (v) geological conditions, including, without limitation, subsidence, subsurface conditions, water table, underground water reservoirs, limitations regarding the withdrawal of water and faulting, (vi) whether or not and to the extent to which the Property or any portion thereof is affected by any stream (surface or underground), body of water, flood prone area, floodplain, floodway or special flood hazard, (vii) drainage, (viii) zoning or land use restrictions rules and regulations to which the Property or any portion thereof may be subject, (ix) the availability of any utilities to the Property or any portion thereof including, without limitation, water, sewage, gas and electric and including the utility availability capacities allocated to the Property by the relevant governmental or regulatory authority, (x) usages of adjoining property, (xi) access to the Property or any portion thereof, (xii) the value, compliance with the plans and specifications, size, location, age, use, design, quality, description, durability, structural integrity, operation, leasing, title to, or physical or financial condition of the Property or any portion thereof, or any income, expenses, charges, liens, encumbrances, rights or claims on or affecting or pertaining to the Property or any part thereof, (xiii) the potential for further development of the Property, or (xiv) the merchantability of the Property or fitness of the Property for any particular purpose (Grantee affirming that Grantee has not relied on Grantors' skill or judgment to select or furnish the Property for any particular purpose, and that Grantor makes no warranty that the Property is fit for any particular purpose).

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's successors, or assigns forever WITHOUT WARRANTY.

The intent of this Deed Without Warranty is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. 219-131-06 in the 219th Judicial District Court, Collin County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

McKINNEY INDEPENDENT SCHOOL DISTRICT

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

          This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,

\_\_\_\_\_ of the McKinney Independent School District as  
the act and deed of said McKinney Independent School District.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

COLLIN COUNTY, TEXAS

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

        This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,

\_\_\_\_\_ of Collin County, Texas as the act and deed of  
said Collin County, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

          This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,

\_\_\_\_\_ of the Collin County Community College District as the act and  
deed of said Collin County Community College District.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

CITY OF MCKINNEY

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

        This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,  
\_\_\_\_\_ of the City of McKinney as the act and deed of  
said City of McKinney.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

EXHIBIT A

BEING LOT 1B & 1D, BLOCK 49, SHORTS ADDITION, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 1884, PAGE 730, OF THE COLLIN COUNTY DEED RECORDS.



## Distribution of Proceeds

Wolfe St./908 Hamilton, McKinney, Texas  
R0941049001B1

Cause no.: 219-131-06  
Judgment date: May 18, 2006  
Sheriff's sale: April 11, 2008

Taxes in Judgment:	MISD	\$4,310.51
	City	1,959.29
	County	868.10
	CCCCD	<u>340.96</u>
	Total	<u>\$7,478.86</u>

Other Judgment Amounts:	District Clerk Fees	\$426.00
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Minimum Bid at Sale:	\$10,507.93
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Current Appraised Value:	\$15,000.00
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Resale price:	\$7,000.00
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Settlement Costs:	
Constable Fee	591.06
Publication Fee	189.60
District Clerk Fees	426.00

Proceeds to be Distributed:	<u>\$5,793.34</u>
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Percentage of Judgment Taxes:

Distributed to Collin County Tax Assessor on Behalf of:

MISD	\$3,339.04
City	1,517.72
County	672.46
CCCCD	<u>264.12</u>
Total	<u>\$5,793.34</u>





0 340 680  
Feet  
1 in = 676 ft

## LOCATION MAP

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.







18-120

**TITLE:** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 876, Outlots Addition, aka 605 Howard Street, Being the Same Property Previously Known as 604 Washington Avenue, City of McKinney, Collin County, Texas

**COUNCIL GOAL:** Operational Excellence

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** Housing and Community Development

**CONTACT:** Cristel Todd, Affordable Housing Administrator

**RECOMMENDED CITY COUNCIL ACTION:**

- Approve Resolution

**ITEM SUMMARY:**

- This Resolution authorizes the City Manager to execute a Special Warranty Deed in the disposition of tax-delinquent vacant residential property held by all taxing entities being Lot 876, Outlots Addition, aka 605 Howard Street, Being the Same Property Previously Known as 604 Washington Avenue, City of McKinney, Collin County, Texas.
- The City of McKinney has received an offer from Robert Wakefield to purchase property being Lot 876, Outlots Addition, aka 605 Howard Street, Being the Same Property Previously Known as 604 Washington Avenue, City of McKinney, Collin County, Texas.
- A Special Warranty Deed prepared by City tax attorneys Gay, McCall, Isaacks & Roberts, P.C., begins the process for disposition of tax-delinquent property held by all taxing entities.
- This offer has been accepted by MISD.

**BACKGROUND INFORMATION:**

- The property was acquired having been “struck off” to the taxing entities subsequent to a Sheriff’s sale.

**FINANCIAL SUMMARY:**

- The Housing and Community Development Department agrees to participate in the sale of the above mentioned property at a price not less than the combination of court costs, Constable fees, and cost of publication notices which total \$7,338.92 and an amount not greater than \$16,000.00.

**BOARD OR COMMISSION RECOMMENDATION:** N/A

**SUPPORTING MATERIALS:**

[Resolution](#)

[Special Warranty Deed](#)

[Distribution of Proceeds](#)

[Location Map](#)

**RESOLUTION NO. 2018-02-\_\_\_\_ (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 876, OUTLOTS ADDITION, AKA 605 HOWARD 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**

**WHEREAS**, the City of McKinney, McKinney ISD, Collin County and the Collin County Community College District have acquired the property being Lot 876, Outlots Addition, aka 605 Howard Street, City of McKinney, Collin County, Texas; and

**WHEREAS**, the property was acquired as the result of a tax foreclosure sheriff's sale; and

**WHEREAS**, the City of McKinney has received an offer from Robert Wakefield.

**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 agrees to participate in the sale of the above mentioned property at a price of not less than the court costs and costs of sale amount and not greater than \$16,000.00

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

**DULY PASSED AND APPROVED BY CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 6<sup>th</sup> DAY OF FEBRUARY, 2018.**

CITY OF MCKINNEY, TEXAS

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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

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

**DEED WITHOUT WARRANTY  
(TAX FORECLOSED PROPERTY RESALE)**

Date: \_\_\_\_\_, 2017

Grantor: McKINNEY INDEPENDENT SCHOOL DISTRICT, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT, and CITY OF McKINNEY

Grantor's Mailing Address (including county):

P.O. Box 517  
McKinney, Texas 75070  
Collin County

Grantee: Robert Wakefiled

Grantee's Mailing Address (including county):

1105 Mallard Lakes Dr.,  
McKinney, TX 75070  
Collin County

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

Property (including any improvements):

Property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part hereof.
5. Any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.
6. All oil, gas, and other minerals reserved by prior grantors.

By acceptance of this Deed, Grantee acknowledges and agrees that the Property is being purchased and conveyed "AS IS" with all faults and defects whether patent or latent as of the closing. Grantors, on behalf of themselves and the other taxing entities on whose behalf it holds title to the Property, specifically negates and disclaims any representations, warranties or guaranties of any kind or character, whether express or implied, oral or written, past, present, future or otherwise, of, as to, concerning or with respect to the Property, including without limitation (i) the nature and condition of the Property and the suitability thereof for any and all activities and uses which Grantee may elect to conduct thereon, (ii) the nature and extent of any right-of-way, lease,

possession, lien, encumbrance, license, reservation, condition or any other matter relating in any way to the Property, (iii) the compliance of the Property or its operation with any laws, ordinances or regulations of any government or other authority or body, (iv) the existence of any toxic or hazardous substance or waste in, on, under the surface of or about the Property, (v) geological conditions, including, without limitation, subsidence, subsurface conditions, water table, underground water reservoirs, limitations regarding the withdrawal of water and faulting, (vi) whether or not and to the extent to which the Property or any portion thereof is affected by any stream (surface or underground), body of water, flood prone area, floodplain, floodway or special flood hazard, (vii) drainage, (viii) zoning or land use restrictions rules and regulations to which the Property or any portion thereof may be subject, (ix) the availability of any utilities to the Property or any portion thereof including, without limitation, water, sewage, gas and electric and including the utility availability capacities allocated to the Property by the relevant governmental or regulatory authority, (x) usages of adjoining property, (xi) access to the Property or any portion thereof, (xii) the value, compliance with the plans and specifications, size, location, age, use, design, quality, description, durability, structural integrity, operation, leasing, title to, or physical or financial condition of the Property or any portion thereof, or any income, expenses, charges, liens, encumbrances, rights or claims on or affecting or pertaining to the Property or any part thereof, (xiii) the potential for further development of the Property, or (xiv) the merchantability of the Property or fitness of the Property for any particular purpose (Grantee affirming that Grantee has not relied on Grantors' skill or judgment to select or furnish the Property for any particular purpose, and that Grantor makes no warranty that the Property is fit for any particular purpose).

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's successors, or assigns forever WITHOUT WARRANTY.

The intent of this Deed Without Warranty is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. 219-131-06 in the 219th Judicial District Court, Collin County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

McKINNEY INDEPENDENT SCHOOL DISTRICT

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

          This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,

\_\_\_\_\_ of the McKinney Independent School District as  
the act and deed of said McKinney Independent School District.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_



COLLIN COUNTY, TEXAS

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

      This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,

\_\_\_\_\_ of Collin County, Texas as the act and deed of  
said Collin County, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,

\_\_\_\_\_ of the Collin County Community College District as the act and  
deed of said Collin County Community College District.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

CITY OF MCKINNEY

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

        This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,  
\_\_\_\_\_ of the City of McKinney as the act and deed of  
said City of McKinney.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

EXHIBIT A

BEING LOT 1B & 1D, BLOCK 49, SHORTS ADDITION, CITY OF McKINNEY, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 1884, PAGE 730, OF THE COLLIN COUNTY DEED RECORDS.

## Distribution of Proceeds

605 Howard aka 604 Washington, McKinney, Texas  
R092600087601

Cause no.: 296-00135-08

Judgment date: 40287

Sheriff's sale: 41429

Taxes in Judgment:	MISD	\$2,918.24
	City	\$866.29
	County	\$372.81
	CCCCD	<u>\$133.08</u>
	Total	<u>\$4,290.42</u>

Other Judgment Amounts:	District Clerk Fees	\$6,576.62
	Demolition Lien	3,074.50

Post Judgment Taxes/Costs:	\$16,000.00
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Minimum Bid at Sale:	\$21,190.89
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Current Appraised Value:	\$31,500.00
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Resale price:	\$16,000.00
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Settlement Costs:	
Constable Fee	\$126.00
Publication Fee	\$636.30
District Clerk Fees	\$6,576.62
Demolition Lien	\$3,074.50
Lien Release Fee	<u>\$125.00</u>
Total Costs:	<u>\$10,538.42</u>

Proceeds to be Distributed:	<u>\$5,461.58</u>
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Percentage of Judgment Taxes:	127%
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Distributed to Collin County Tax Assessor on Behalf of:

MISD	\$3,714.83
City	\$1,102.76
County	\$474.58
CCCCD	<u>\$169.41</u>
Total	<u>\$5,461.58</u>





0 340 680  
Feet  
1 in = 676 ft

## LOCATION MAP

Document Path:  
Y:\GIS\GISWork\IPJones\MapProjects\MHA\_Properties\_Map\MHA\_Properties.mxd

Source: City of McKinney GIS  
Date: 1/30/2018

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.







18-121

**TITLE:** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 5B, Block 3, Russell #1 Addition, aka 805 ½ E. Standifer Street, City of McKinney, Collin County, Texas

**COUNCIL GOAL:** Operational Excellence

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** Housing and Community Development

**CONTACT:** Cristel Todd, Affordable Housing Administrator

**RECOMMENDED CITY COUNCIL ACTION:**

- Approve Resolution

**ITEM SUMMARY:**

- This Resolution authorizes the City Manager to execute a Special Warranty Deed in the disposition of tax-delinquent vacant residential property held by all taxing entities being Lot 5B, Block 3, Russell #1 Addition, aka 805 ½ E. Standifer Street, City of McKinney, Collin County, Texas.
- The City of McKinney has received an offer from Woolard LLC to purchase property being Lot 5B, Block 3, Russell #1 Addition, aka 805 ½ E. Standifer Street, City of McKinney, Collin County, Texas.
- A Special Warranty Deed prepared by City tax attorneys Gay, McCall, Isaacks & Roberts, P.C., begins the process for disposition of tax-delinquent property held by all taxing entities.
- This offer has been accepted by MISD and Collin County. As the offer is for more than the minimum bid at the Sheriff's Sale, all amounts due under the judgment will be paid.

**BACKGROUND INFORMATION:**

- The property was acquired having been “struck off” to the taxing entities subsequent to a Sheriff’s sale.

**FINANCIAL SUMMARY:**

- The Housing and Community Development Department agrees to participate in the sale of the above mentioned property at a price not less than the combination of court costs, Constable fees, and cost of publication notices which total \$2,171.90 and an amount not greater than \$15,000.00.

**BOARD OR COMMISSION RECOMMENDATION:** N/A

**SUPPORTING MATERIALS:**

[Resolution](#)

[Special Warranty Deed](#)

[Distribution of Proceeds](#)

[Location Map](#)



**RESOLUTION NO. 2018-02-\_\_\_\_ (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 5B, BLOCK 3, RUSSELL #1 ADDITION, AKA 805 1/2 E 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**

**WHEREAS**, the City of McKinney, McKinney ISD, Collin County and the Collin County Community College District have acquired the property being Lot 5B, Block 3, Russell #1 Addition, City of McKinney, Collin County, Texas; and

**WHEREAS**, the property was acquired as the result of a tax foreclosure sheriff's sale; and

**WHEREAS**, the City of McKinney has received an offer from Woolard LLC.

**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 agrees to participate in the sale of the above mentioned property at a price of not less than the court costs and costs of sale amount and not greater than \$15,000.00.
- Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

**DULY PASSED AND APPROVED BY CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 6<sup>th</sup> DAY OF FEBRUARY, 2018.**

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

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

**DEED WITHOUT WARRANTY  
(TAX FORECLOSED PROPERTY RESALE)**

Date: \_\_\_\_\_, 2017

Grantor: MCKINNEY INDEPENDENT SCHOOL DISTRICT, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT, and CITY OF MCKINNEY

Grantor's Mailing Address (including county):

P.O. Box 517  
McKinney, Texas 75070  
Collin County

Grantee: Woolard LLC

Grantee's Mailing Address (including county):

5274 N McDonald  
Melissa, TX 75069  
Collin County

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

Property (including any improvements):

Property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part hereof.
5. Any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.
6. All oil, gas, and other minerals reserved by prior grantors.

By acceptance of this Deed, Grantee acknowledges and agrees that the Property is being purchased and conveyed "AS IS" with all faults and defects whether patent or latent as of the closing. Grantors, on behalf of themselves and the other taxing entities on whose behalf it holds title to the Property, specifically negates and disclaims any representations, warranties or guaranties of any kind or character, whether express or implied, oral or written, past, present, future or otherwise, of, as to, concerning or with respect to the Property, including

without limitation (i) the nature and condition of the Property and the suitability thereof for any and all activities and uses which Grantee may elect to conduct thereon, (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or any other matter relating in any way to the Property, (iii) the compliance of the Property or its operation with any laws, ordinances or regulations of any government or other authority or body, (iv) the existence of any toxic or hazardous substance or waste in, on, under the surface of or about the Property, (v) geological conditions, including, without limitation, subsidence, subsurface conditions, water table, underground water reservoirs, limitations regarding the withdrawal of water and faulting, (vi) whether or not and to the extent to which the Property or any portion thereof is affected by any stream (surface or underground), body of water, flood prone area, floodplain, floodway or special flood hazard, (vii) drainage, (viii) zoning or land use restrictions rules and regulations to which the Property or any portion thereof may be subject, (ix) the availability of any utilities to the Property or any portion thereof including, without limitation, water, sewage, gas and electric and including the utility availability capacities allocated to the Property by the relevant governmental or regulatory authority, (x) usages of adjoining property, (xi) access to the Property or any portion thereof, (xii) the value, compliance with the plans and specifications, size, location, age, use, design, quality, description, durability, structural integrity, operation, leasing, title to, or physical or financial condition of the Property or any portion thereof, or any income, expenses, charges, liens, encumbrances, rights or claims on or affecting or pertaining to the Property or any part thereof, (xiii) the potential for further development of the Property, or (xiv) the merchantability of the Property or fitness of the Property for any particular purpose (Grantee affirming that Grantee has not relied on Grantors' skill or judgment to select or furnish the Property for any particular purpose, and that Grantor makes no warranty that the Property is fit for any particular purpose).

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's successors, or assigns forever WITHOUT WARRANTY.

The intent of this Deed Without Warranty is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. 219-02893-2012 in the 219th Judicial District Court, Collin County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

McKINNEY INDEPENDENT SCHOOL DISTRICT

By: *Curtis Rippee* - Board President

Title: *Stephanie O'Neil* - Board Secretary

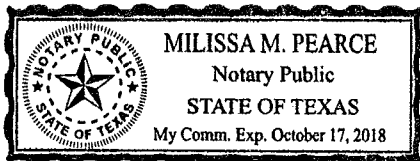
ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the 19<sup>th</sup> day of  
January, 2017, by *Curtis Rippee*,  
Board President of the McKinney Independent School District as  
the act and deed of said McKinney Independent School District.



*Milissa M. Pearce*  
Notary Public, State of Texas  
Notary's name, (printed): Milissa M. Pearce  
Notary's commission expires: 10/17/18

COLLIN COUNTY, TEXAS

By: *Keith Self*

Title: County Judge

ATTEST:

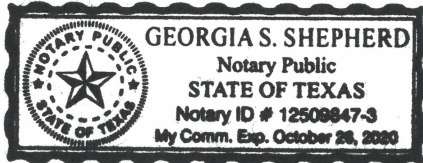
*Jessie Mercer*

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the 2nd day of  
January, 2017, by *Keith Self*,  
County Judge of Collin County, Texas as the act and deed of  
said Collin County, Texas.



*Georgia S. Shepherd*  
Notary Public, State of Texas  
Notary's name, (printed): Georgia S. Shepherd  
Notary's commission expires: 10/26/2020

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

          This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,

\_\_\_\_\_ of the Collin County Community College District as the act and  
deed of said Collin County Community College District.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

CITY OF MCKINNEY

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

      This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,  
\_\_\_\_\_ of the City of McKinney as the act and deed of  
said City of McKinney.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

EXHIBIT A

BEING LOT 5B, BLOCK 3, OF THE RUSSELL #1 SUBDIVISION, aka 805 1/2 E. STANDIFER STREET,  
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 3793, PAGE 52 OF THE  
COLLIN COUNTY DEED RECORDS, COLLIN COUNTY TEXAS



## Distribution of Proceeds

805 1/2 E. Standifer St., McKinney, Texas  
R0937003005B1

Cause no.: 219-02893-2012

Judgment date: August 26, 2013

Sheriff's sale: January 7, 2014

Taxes in Judgment:	MISD	\$5,347.74
	City	2,471.64
	County	946.42
	CCCCD	<u>345.15</u>
	Total	<u>\$9,110.95</u>

Other Judgment Amounts:		
	District Clerk Fees	\$781.00

Post Judgment Taxes/Costs:	1,889.86
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Minimum Bid at Sale:	\$11,781.81
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Current Appraised Value:	\$24,000.00
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Resale price:	\$15,000.00
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Settlement Costs:	
Constable Fee	140.00
Publication Fee	375.90
District Clerk Fees	781.00
Maintenance Fee	875.00

Total Costs:	<u>2,171.90</u>
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Proceeds to be Distributed:	<u>\$12,828.10</u>
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Percentage of Judgment Taxes:	141%
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Distributed to Collin County Tax Assessor on Behalf of:

MISD	\$7,529.54
City	3,480.04
County	1,332.55
CCCCD	<u>485.97</u>
Total	<u>\$12,828.10</u>





0 340 680  
Feet  
1 in = 676 ft

## LOCATION MAP

Document Path:  
Y:\GIS\GISWork\IPJones\MapProjects\MHA\_Properties\_Map\MHA\_Properties.mxd

Source: City of McKinney GIS  
Date: 1/30/2018

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.







18-122

**TITLE:** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Participate in Execution of Special Warranty Deed for Property Being Lot 32, Block 6, Russell #4 Addition, City of McKinney, Collin County, Texas

**COUNCIL GOAL:** Operational Excellence

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** Housing and Community Development

**CONTACT:** Cristel Todd, Affordable Housing Administrator

**RECOMMENDED CITY COUNCIL ACTION:**

- Approve Resolution

**ITEM SUMMARY:**

- This Resolution authorizes the City Manager to execute a Special Warranty Deed in the disposition of tax-delinquent vacant residential property held by all taxing entities being Lot 32, Block 6, Russell #4 Addition, City of McKinney, Collin County, Texas.
- The City of McKinney has received an offer from Ismail Guynedas to purchase property being Lot 32, Block 6, Russell #4 Addition, City of McKinney, Collin County, Texas.
- A Special Warranty Deed prepared by City tax attorneys Gay, McCall, Isaacks & Roberts, P.C., begins the process for disposition of tax-delinquent property held by all taxing entities.
- This offer has been accepted by MISD, Collin College and Collin County. As the offer is for more than the minimum bid at the Sheriff's Sale, all amounts due under the judgment will be paid.

**BACKGROUND INFORMATION:**

- The property was acquired having been “struck off” to the taxing entities subsequent to a Sheriff’s sale.

**FINANCIAL SUMMARY:**

- The Housing and Community Development Department agrees to participate in the sale of the above mentioned property at a price not less than the combination of court costs, Constable fees, and cost of publication notices which total \$3,027.66 and an amount not greater than \$3,899.83

**BOARD OR COMMISSION RECOMMENDATION:** N/A

**SUPPORTING MATERIALS:**

[Resolution](#)

[Special Warranty Deed](#)

[Distribution of Proceeds](#)

[Location Map](#)

**RESOLUTION NO. 2018-02-\_\_\_\_ (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 32, BLOCK 6, RUSSELL #4 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**

**WHEREAS**, the City of McKinney, McKinney ISD, Collin County and the Collin County Community College District have acquired the property being Lot 32, Block 6, Russell #4 Addition, City of McKinney, Collin County, Texas; and

**WHEREAS**, the property was acquired as the result of a tax foreclosure sheriff's sale; and

**WHEREAS**, the City of McKinney has received an offer from Ismail Guynedas.

**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 agrees to participate in the sale of the above mentioned property at a price of not less than the court costs and costs of sale amount and not greater than \$3,899.83.

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

**DULY PASSED AND APPROVED BY CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 6<sup>th</sup> DAY OF FEBRUARY, 2018.**

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

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

**DEED WITHOUT WARRANTY  
(TAX FORECLOSED PROPERTY RESALE)**

Date: \_\_\_\_\_, 2017

Grantor: MCKINNEY INDEPENDENT SCHOOL DISTRICT, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT, and CITY OF MCKINNEY

Grantor's Mailing Address (including county):

P.O. Box 517  
McKinney, Texas 75070  
Collin County

Grantee: Ismail Guynedas

Grantee's Mailing Address (including county):

13078 Sellaronda Way  
Frisco, Texas 75035  
Collin County

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

Property (including any improvements):

Property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part hereof.
5. Any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.
6. All oil, gas, and other minerals reserved by prior grantors.

By acceptance of this Deed, Grantee acknowledges and agrees that the Property is being purchased and conveyed "AS IS" with all faults and defects whether patent or latent as of the closing. Grantors, on behalf of themselves and the other taxing entities on whose behalf it holds title to the Property, specifically negates and disclaims any representations, warranties or guaranties of any kind or character, whether express or implied, oral or written, past, present, future or otherwise, of, as to, concerning or with respect to the Property,

including without limitation (i) the nature and condition of the Property and the suitability thereof for any and all activities and uses which Grantee may elect to conduct thereon, (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or any other matter relating in any way to the Property, (iii) the compliance of the Property or its operation with any laws, ordinances or regulations of any government or other authority or body, (iv) the existence of any toxic or hazardous substance or waste in, on, under the surface of or about the Property, (v) geological conditions, including, without limitation, subsidence, subsurface conditions, water table, underground water reservoirs, limitations regarding the withdrawal of water and faulting, (vi) whether or not and to the extent to which the Property or any portion thereof is affected by any stream (surface or underground), body of water, flood prone area, floodplain, floodway or special flood hazard, (vii) drainage, (viii) zoning or land use restrictions rules and regulations to which the Property or any portion thereof may be subject, (ix) the availability of any utilities to the Property or any portion thereof including, without limitation, water, sewage, gas and electric and including the utility availability capacities allocated to the Property by the relevant governmental or regulatory authority, (x) usages of adjoining property, (xi) access to the Property or any portion thereof, (xii) the value, compliance with the plans and specifications, size, location, age, use, design, quality, description, durability, structural integrity, operation, leasing, title to, or physical or financial condition of the Property or any portion thereof, or any income, expenses, charges, liens, encumbrances, rights or claims on or affecting or pertaining to the Property or any part thereof, (xiii) the potential for further development of the Property, or (xiv) the merchantability of the Property or fitness of the Property for any particular purpose (Grantee affirming that Grantee has not relied on Grantors' skill or judgment to select or furnish the Property for any particular purpose, and that Grantor makes no warranty that the Property is fit for any particular purpose).

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's successors, or assigns forever WITHOUT WARRANTY.

The intent of this Deed Without Warranty is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. 219-01467-2008 in the 219TH Judicial District Court, Collin County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

McKINNEY INDEPENDENT SCHOOL DISTRICT

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

      This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,  
\_\_\_\_\_ of the McKinney Independent School District as  
the act and deed of said McKinney Independent School District.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_



COLLIN COUNTY, TEXAS

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

      This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,  
\_\_\_\_\_ of Collin County, Texas as the act and deed of  
said Collin County, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,

\_\_\_\_\_ of the Collin County Community College District as the act and  
deed of said Collin County Community College District.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

CITY OF MCKINNEY

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS                   §

COUNTY OF COLLIN                   §

        This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017, by \_\_\_\_\_,  
\_\_\_\_\_ of the City of McKinney as the act and deed of  
said City of McKinney.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

EXHIBIT A

BEING LOT 32, BLOCK 6, RUSSELL #04 ADDITION, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 3035, PAGE 413 OF THE COLLIN COUNTY DEED RECORDS.

## Distribution of Proceeds

Russell Addition, Lot 32, McKinney, Texas  
R094000603201

Cause no.: 219-01467-2008

Judgment date: July 27, 2010

Sheriff's sale: July 5, 2011

Taxes in Judgment:	MISD	\$544.70
	City	209.47
	County	86.99
	CCCCD	<u>31.01</u>
	Total	<u>\$872.17</u>

Other Judgment Amounts:		
	District Clerk Fees	\$2,045.00

Post Judgment Taxes/Costs:	982.66
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Minimum Bid at Sale:	\$3,899.83
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Current Appraised Value:	\$6,050.00
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Resale price:	\$3,899.83
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Settlement Costs:	
Constable Fee	556.06
Publication Fee	426.60
District Clerk Fees	<u>2,045.00</u>
 Total Costs:	 <u>3,027.66</u>

Proceeds to be Distributed:	<u>\$872.17</u>
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Percentage of Judgment Taxes:	100%
-------------------------------	------

### Distributed to Collin County Tax Assessor on Behalf of:

MISD	\$544.70
City	209.47
County	86.99
CCCCD	<u>31.01</u>
 Total	 <u>\$872.17</u>





0 340 680  
Feet  
1 in = 676 ft

## LOCATION MAP

Document Path:  
Y:\GIS\GISWork\IPJones\MapProjects\MHA\_Properties\_Map\MHA\_Properties.mxd

Source: City of McKinney GIS  
Date: 1/30/2018

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.







18-123

**TITLE:** Consider/Discuss/Act on a Resolution Ratifying the Authorization of the City Manager to Apply for and Accept, If Awarded, a Selective Traffic Enforcement Program (STEP) Grant for Fiscal Year 2019 from the Texas Department of Transportation For Overtime Traffic Safety Enforcement

**COUNCIL GOAL:** Safe and Secure Community

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** Police Department

**CONTACT:** Matt Baxter, Police Patrol Sergeant  
Janay Tieken, Housing and Community Development Manager

**RECOMMENDED CITY COUNCIL ACTION:**

- Approval of Resolution ratifying the authorization for the City Manager to apply for and accept, if awarded, the FY19 TXDOT Comprehensive STEP Grant.

**ITEM SUMMARY:**

- The FY19 STEP Grant application was due January 11, 2018.
- The STEP Grant program pays 80% of the overtime cost for traffic officers to increase enforcement and adjudication of traffic related safety laws.
- The City is applying for grant funding to pay the cost of 1,560 hours of overtime for traffic enforcement and 70 hours of administration and public education.

**BACKGROUND INFORMATION:**

- The grant is funded by the Texas Department of Transportation (TXDOT).

**FINANCIAL SUMMARY:**

- The total amount of the program is approximately \$141,920. The grant application for \$102,232 will cover the cost of the overtime and the match is approximately \$39,687.50, which is the value of the benefits provided to the officers by the City.
- The following accounts will be impacted by the additional OT benefits:
  - 001-3119-421-8020 FICA (OT x \$0.0765)

- 001-3119-421-8021 TMRS (OT x \$0.1543)

**BOARD OR COMMISSION RECOMMENDATION:**

- N/A

**SUPPORTING MATERIALS:**

[Resolution](#)

[Grant Worksheet](#)



**RESOLUTION NO. 2018-02-\_\_\_ (R)**

**CONSIDER/DISCUSS/ACT ON A RESOLUTION RATIFYING THE AUTHORIZATION OF THE CITY MANAGER TO APPLY FOR AND ACCEPT, IF AWARDED, A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT FOR FISCAL YEAR 2019 FROM THE TEXAS DEPARTMENT OF TRANSPORTATION FOR OVERTIME TRAFFIC SAFETY ENFORCEMENT**

**WHEREAS,** the City Council of the City of McKinney, Texas, designates the City Manager or designee, as the City's Authorized Official. The Authorized Official is given the authority to apply for, accept, reject, alter or terminate the agreement on behalf of the City; and

**WHEREAS,** the City of McKinney will provide all required matching funds; and

**WHEREAS,** the City Council agrees that in the event of loss or misuse of the Department of Transportation funds, the City Council assures that the funds will be returned to the Texas Department of Transportation in full.

**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 the Resolution ratifying the authorization of the City Manager to apply for and accept, if awarded, a Selective Traffic Enforcement Program (STEP) grant for Fiscal Year 2019 from the Texas Department of Transportation for overtime traffic safety enforcement.

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 6th DAY OF FEBRUARY, 2018.**

CITY OF MCKINNEY, TEXAS

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GEORGE C. FULLER  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney

## Worksheet for Identifying Funding Program Information

1. Grant title:

Selective Traffic Enforcement Program (STEP) grant

2. Federal/State program name:

Selective Traffic Enforcement Program (STEP) grant

3. Award number:

2019-McKinney-S-1YG-00108

3. Agency:

Texas Department of Transportation

4. *Catalog of Federal Domestic Assistance* (CFDA) ([www.cfda.gov](http://www.cfda.gov)) and Award number

n/a

5. Award period (indicate if the award is multi-year):

9/1/18 – 8/30/19

6. Have there been any extensions (e.g. no-cost) or amendments to this grant? If so, please describe:

No

7. Is this grant for research and development programs? If so, identify major subdivision of Agency:

No

8. Name of pass-through entity (if applicable):

9. Pass-through entity's identifying number (if applicable):

10. Amount awarded: \$102,232.50

## Grant Worksheet for Identifying Funding Program Information

11. Is the Federal award noncash assistance? Yes \_\_\_\_\_ No **x** \_\_\_\_\_
12. Is this a loan or loan guarantee program? Yes \_\_\_\_\_ No **x** \_\_\_\_\_
13. What basis does the grant permit cash draws? Advance \_\_\_\_\_ **Reimbursement X** \_\_\_\_\_

If Advance, grantees on the Advance basis (per the grant) may elect to draw funds on the Reimbursement basis. What is the policy for actually drawing funds?

Advance \_\_\_\_\_ or Reimbursement \_\_\_\_\_

If Advance, are grantees required to pay interest on Advance amount? If yes, how is interest calculated?\_

14. Has the federal agency or the pass-through entity requested that this program be audited as major under the provisions of the Office of Management and Budget Circular 101 (over \$750,000)?

Yes \_\_\_\_\_ No **x** \_\_\_\_\_

If yes, please provide additional information (e.g. agency requestor, program name, CFDA number, documentation of request):

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15. Is FFATA Reporting Required? Yes \_\_\_\_\_ **No x** \_\_\_\_\_



## Grant Worksheet for Identifying Funding Program Information

18. Check the compliance requirements identified in Appendix XI in the most current edition of the OMB Circular 2 CFR 200 Uniform Grant Guidance applicable to the program and identify personnel responsible for compliance:

<u>Type of Compliance Requirement</u>	<u>Person(s) Responsible</u>
<input type="checkbox"/> A. Activities allowed or unallowed	
<input type="checkbox"/> B. Allowable costs/cost principles	
<input type="checkbox"/> C. Cash management	
<input type="checkbox"/> D. Davis-Bacon Act	
<input type="checkbox"/> E. Eligibility	
<input type="checkbox"/> F. Equipment & real property management	
<input type="checkbox"/> G. Matching, level of effort, & earmarking	
<input type="checkbox"/> H. Period of availability of federal funds	
<input type="checkbox"/> I. Procurement and suspension & debarment	
<input type="checkbox"/> J. Program income	
<input type="checkbox"/> K. Real property acquisition & relocation assistance	
<input type="checkbox"/> L. Reporting	
<input type="checkbox"/> M. Subrecipient monitoring	
<input type="checkbox"/> N. Special tests and provisions	

Please identify other relevant information.

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Prepared by Janay Tieken \_\_\_\_\_ Date 1/25/18



18-124

**TITLE:** Consider/Discus/Act on a Resolution Establishing a McKinney Community Internship Program and Authorizing the City Manager to Enter Into Agreements with the McKinney Business Community

**COUNCIL GOAL:** Operational Excellence

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** City Manager's Office

**CONTACT:** Trevor Minyard, Assistant to the City Manager

**RECOMMENDED CITY COUNCIL ACTION:** Approve Resolution

**ITEM SUMMARY:**

- Over the previous year, the City of McKinney has had initial discussion with community members about the potential of developing an internship program in concert with the McKinney Independent School District.
- Two cities in the region (Plano and Dallas) offer "Mayoral Internship" programs that have been successful in their respective communities.
- City and MISD staff updated Council on the potential program in December of 2017.
- Staff updated City Council on moving forward with pursuing the development of a McKinney Community Internship program as directed in a December 2017 Work Session and a February 2018 Work Session.

**BACKGROUND INFORMATION:**

- City staff has reviewed and discussed the make-up of the regional programs similar in the City of Plano.
- City staff has met with MISD staff to gain understanding regarding student internship opportunities and receive input from one another on student programs.
- Staff has gained commitments from seven departments to host an intern pending Council's approval of the program.
- If approved, MISD will host an information session on the program during the

next available teacher in-service event.

- Council directed Staff to bring the item to a regular meeting for action during the February 5<sup>th</sup>, 2018 Work Session.

**FINANCIAL SUMMARY:**

- Program anticipated to cost between \$9,600 - 18,500 depending on total number of interns in the program. Costs are anticipated to be absorbed in the regular operational costs of the hosting departments and/or addressed through contingency.

**BOARD OR COMMISSION RECOMMENDATION:**

- N/A

**SUPPORTING MATERIALS:**

[Resolution](#)

[Internship Agreement](#)

**RESOLUTION NO. 2018-02-\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ESTABLISHMENT OF A COMMUNITY INTERNSHIP PROGRAM AND AUTHORIZING THE CITY MANAGER TO ENTER INTO INTERNSHIP AGREEMENTS WITH THE MCKINNEY BUSINESS COMMUNITY**

**WHEREAS**, the City Council of the City of McKinney, Texas, seeks to establish an internship program within the community; and,

**WHEREAS**, two cities in the region (Plano and Dallas) offer “Mayoral Internship” programs that have been successful in their respective communities; and,

**WHEREAS**, the City Council of the City of McKinney, Texas would like to offer internship opportunities within the City and in partnership with the McKinney Business Community.

**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 establishment of a Community Internship Program and authorizes the City Manager to enter into internship agreements with the McKinney Business Community.

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 6th DAY OF FEBRUARY, 2018.**

CITY OF MCKINNEY, TEXAS

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GEORGE C. FULLER  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney

## MASTER INTERNSHIP AGREEMENT

THIS MASTER INTERNSHIP AGREEMENT ("Agreement") is by and between the City of McKinney Texas, a Texas home rule municipality ("City") and \_\_\_\_\_ ("Company").

### RECITALS

WHEREAS, the Community Internship Program ("Program") is a joint effort between the City and the McKinney Independent School District ("MISD") in collaboration with community partners in business and industry to introduce selected MISD students ("Interns") to future careers and professional employment opportunities in the City; and

WHEREAS, the goal of the Program is to introduce Interns to valuable skills available outside the traditional classroom that will provide them with life-changing, real work experiences that will serve to enrich their education and that they can apply to achieving their future educational and professional goals; and

WHEREAS, the Company desires to participate in the inaugural year of the Program by providing one or more Interns with meaningful work experiences during a paid, summer internship;

NOW, THEREFORE, in consideration of the foregoing recitals (all of which are hereby adopted as an integral part of this Agreement), the mutual promises, covenants, and conditions contained herein, the parties hereby agree as follows:

1. Number of Interns. The City and Company will coordinate to determine the specific number of Interns to be employed by the Company based on a variety of factors, including the size of the Company, its current staff, available space, and the number of eligible Interns who desire to intern with the Company.

2. City's Obligations. The City, in coordination with the MISD, will be solely responsible for organizing the recruitment, interviewing, and hiring of all Interns as well as other Program-related events and will provide the Company with notice of any such events.

3. Company's Obligations.

A. Offer of Internship. The Company agrees to recruit, interview, and make an offer of an internship directly to selected Intern(s) in accordance with this Agreement. The Company also agrees that the internship will be limited to a maximum duration of ten (10) weeks.

B. Compensation. The Company agrees to pay each Intern performing services under this Agreement a minimum hourly rate of \$8.00 per hour, and will not permit any Intern to work more than twenty (20) hours during any week.



C. Training and Supervision. The Company will be solely responsible for providing the information, instruction, training, and supervision necessary for the Interns to perform those tasks assigned by the Company.

D. Communication. The Company agrees to communicate with the City on an on-going basis to ensure understanding of the expectations and roles of both parties in maximizing the experience for the Interns.

E. Program Events. During the course of the Program, the City anticipates holding several training events and ceremonies for all Interns participating in the Program. The Company agrees that it will allow its Interns to attend those events. In addition, the Company acknowledges any time spent by the Interns attending those events will be compensated by the Company and count towards the twenty (20) hour per week limit.

4. Term of Agreement. The term of this Agreement will begin on the date it is executed by the City, and will continue through the duration of the ten (10) week period of the Program. The Agreement may be renewed at the option of the City for future years of the Program.

5. Termination. Either party may terminate this Agreement for its convenience upon providing thirty (30) days prior written notice to the other party. In the event that there is any Intern currently participating in the Program, termination pursuant to this paragraph will not become effective until the Intern completes all the requirements of the Program unless the Intern is removed from the Program pursuant to this Agreement.

6. No Discrimination. The Company will not discriminate on the basis of age, race, color, gender, religion, national origin, disability or any other legally protected status with regard to its participation in the Program or in the administration of its policies, programs, or activities.

7. Removal. The Company acknowledges and agrees that the City, in its sole and absolute discretion, will have the right to remove any Intern from the Company or the Program if the City determines such removal is in the best interest of the City or the Intern.

8. No Employment. The Company acknowledges and agrees that the Interns employed by the Company will not be considered an employee of the City for any purpose, nor will they have any authority to act on behalf of the City or as the City's agent. The Company also agrees that it will not receive any payment or compensation for this Agreement or its participation in the Program.

9. RELEASE. IN CONSIDERATION FOR THE CITY ALLOWING THE COMPANY TO PARTICIPATE IN THE PROGRAM, THE COMPANY VOLUNTARILY ASSUMES ALL RISKS OF ACCIDENTS, INJURY, AND DAMAGE TO AN INTERN AND HIS OR HER PROPERTY AND HEREBY RELEASES AND DISCHARGES THE CITY AND ITS EMPLOYEES, AGENTS, OFFICERS, ELECTED AND APPOINTED OFFICIALS, AND VOLUNTEERS (COLLECTIVELY, "INDEMNIFIED PARTIES") FROM EVERY CLAIM, LIABILITY, AND DEMAND OF ANY KIND.

10. INDEMNIFICATION. THE COMPANY WILL DEFEND AT ITS SOLE EXPENSE, PAY ON BEHALF OF, HOLD HARMLESS, AND INDEMNIFY THE INDEMNIFIED PARTIES FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, LIENS, LIABILITIES, PENALTIES, FINES, FEES, JUDGMENTS, LOSSES, AND DAMAGES (COLLECTIVELY, "CLAIMS"), WHETHER OR NOT A LAWSUIT IS FILED, INCLUDING BUT NOT LIMITED TO COSTS, EXPENSES, AND ATTORNEY AND EXPERT FEES AT TRIAL AND ON APPEAL AND CLAIMS FOR DAMAGE TO PROPERTY OR BODILY OR PERSONAL INJURIES, INCLUDING DEATH, SUSTAINED BY ANY PERSONS OR ENTITIES, WHICH CLAIMS ARE ALLEGED TO HAVE ARISEN OUT OF OR IN CONNECTION WITH, IN WHOLE OR IN PART (I) THE PERFORMANCE OF THIS AGREEMENT (INCLUDING ANY AMENDMENTS THERETO) BY THE COMPANY, ITS EMPLOYEES, AGENTS, REPRESENTATIVES; (II) THE FAILURE OF COMPANY, ITS EMPLOYEES, AGENTS, REPRESENTATIVES, OR ANY INTERN TO COMPLY AND CONFORM WITH APPLICABLE LAWS; (III) ANY NEGLIGENT ACT OR OMISSION OF THE COMPANY, ITS EMPLOYEES, AGENTS, REPRESENTATIVES, OR ANY INTERN, WHETHER OR NOT SUCH NEGLIGENCE IS CLAIMED TO BE EITHER SOLELY THAT OF THE COMPANY, ITS EMPLOYEES, AGENTS, REPRESENTATIVES, OR ANY INTERN, OR TO BE IN CONJUNCTION WITH THE CLAIMED NEGLIGENCE OF OTHERS, INCLUDING THAT OF ANY OF THE INDEMNIFIED PARTIES; OR (IV) ANY RECKLESS OR INTENTIONAL WRONGFUL ACT OR OMISSION OF THE COMPANY, ITS EMPLOYEES, AGENTS, REPRESENTATIVES, OR ANY INTERN.

11. Insurance.

A. The Company will carry the following minimum types and amounts of insurance at its own expense during the term of this Agreement:

- 1) Commercial general liability insurance in an amount of at least One Million Dollars (\$1,000,000) per occurrence, Two Million Dollars (\$2,000,000) aggregate in occurrences form. This policy will include coverage for (i) personal injury or death or property damage or destruction; (ii) business interruption; (iii) fire legal liability in the minimum amount of One Hundred Thousand Dollars (\$100,000); and (iv) contractual liability under this Agreement.
- 2) Workers' Compensation insurance as required by Texas law and Employers' Liability insurance in an amount of at least \$100,000 each accident, \$100,000 per employee, and \$500,000 for all diseases.

B. The Company will also obtain and carry the following additional types and amounts of insurance at its own expense:

- 1) Commercial Auto Liability with minimum limits of \$1,000,000 Combined Single Limit covering any auto including any owned or hired auto.
- 2) Professional Liability insurance with minimum limits of \$1,000,000.
- 3) Sexual Molestation Insurance with minimum limits of \$1,000,000.

C. Each of the Company's insurance policies, except Workers' Compensation, will name the Indemnified Parties as additional insureds. All policies will provide that the City will be provided notice at least thirty (30) days prior to any cancellation, reduction, or material change in coverage. The Company will provide the City with Certificates of Insurance on a standard ACORD form reflecting all required coverage. At the City's request, the Company will provide copies of current policies with all applicable endorsements. All insurance required will be provided by responsible insurers licensed in the State of Texas and rated at least A- in the then current edition of Best's Insurance Guide.

D. The Company hereby waives all subrogation rights of its insurance carriers in favor of the Indemnified Parties. This provision is intended to waive fully, and for the benefit of the Indemnified Parties, any rights or claims which might give rise to a right of subrogation in favor of any insurance carrier.

E. The City will have the right to reasonably increase the amount or expand the scope of insurance to be maintained by the Company hereunder from time to time.

12. Compliance with Laws. The Company agrees to comply with all current and future applicable federal, state, and local laws, ordinances, rules, and regulations ("Laws"), including but not limited to the Fair Labor Standards Act and the Americans with Disabilities Act. In addition, the Company agrees to provide a safe work environment for each Intern, and ensure that no Intern is directed or instructed to violate any applicable Laws.

13. Independent Entities. Nothing contained in this Agreement will be deemed or construed by the parties, or by any third party, as creating the relationship of principal and agent or of partnership or of joint venture between the parties, it being understood and agreed that nothing contained in this Agreement, nor any acts of the parties, will be deemed to create any relationship between the parties other than that of independent contractor and principal.

14. Funding Out. The Program is contingent upon annual appropriation of sufficient funds by the McKinney City Council. In the event sufficient funds are not appropriated for the Program or previously appropriated amounts are eliminated or reduced, the City may terminate the Agreement without penalty, charge, or sanction.

15. Due Authority. By execution of this Agreement, Company's signatory warrants and represents that he or she has the requisite authority to execute this Agreement and bind the Company.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement.

17. Amendment. No alteration of or amendment to this Agreement will be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

18. Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Texas and all applicable federal laws.

19. Venue. The Company agrees to submit to the jurisdiction of the courts of Collin County, Texas, and that venue is proper in Collin County, Texas.

20. Headings. Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.

21. Notice. All notices required to be given under this Agreement must be given in writing and will be effective when actually delivered or deposited in the United States mail, first class, postage prepaid, and addressed to the party to whom the notice is to be given at the address shown below. Any party may change its address for notices under this Agreement by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address.

CITY:

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COMPANY:

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22. Severability. If a court of competent jurisdiction finds any provision of this Agreement to be invalid or unenforceable as to any person or circumstance, such finding will not render that provision invalid or unenforceable as to any other persons or circumstances. If feasible, any such offending provision will be deemed to be modified to be within the limits of enforceability or validity; provided, however, if the offending provision cannot be so modified, it will be stricken and all other provisions of this Agreement in all other respects will remain valid and enforceable.

23. Attorney Fees and Costs. In the event of any action at law or in equity between the parties to enforce any of the provisions hereof and to the extent allowed by law, any unsuccessful party to such litigation will pay to the successful party all costs and expenses, including reasonable attorney fees (including costs and expenses incurred in connection with all appeals) incurred by the successful party, and these costs, expenses, and attorney fees may be included in and as part of the judgment. A successful party will be any party who is entitled to recover its costs of suit, whether or not the suit proceeds to final judgment.

24. Counterparts. This Agreement may be executed in counterparts, and such counterparts together will constitute but one original of this Agreement. Each counterpart will be equally admissible in evidence, and each original will fully bind each party who has executed it.

25. Assignment. The Company may not assign any of its rights, duties, or obligations under this Agreement without the City's prior written consent, which consent may be withheld by the City in its sole and absolute discretion.

26. No Third Party Beneficiaries. No persons other than the Company and City and their successors and assigns will have any rights whatsoever under this Agreement.

27. No Waiver. No provision of this Agreement will be deemed waived by either party unless expressly waived in writing signed by the waiving party. No waiver will be implied by

delay or any other act or omission of either party. No waiver by either party of any provision of this Agreement will be deemed a waiver of such provision with respect to any subsequent matter relating to such provision, and the City's consent respecting any action by the Company will not constitute a waiver of the requirement for obtaining the City's consent respecting any subsequent action.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the date executed by the City.

CITY OF MCKINNEY, TEXAS

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

[NAME OF COMPANY]:

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



18-125

**TITLE:** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract in the Amount of \$85,200 with Berry Dunn, McNeil and Parker, LLC for a Contract Award for an Enterprise Resource Planning (ERP) RFP Specifications Development, Distribution, Evaluation and Award of an ERP Application Vendor and Authorizes all Necessary Change Orders Under Said Contract to an Aggregated Contract Amount Not to Exceed \$97,980

**COUNCIL GOAL:** Operational Excellence

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** Information Technology

**CONTACT:** Sid Hudson, Chief Information Officer

**RECOMMENDED CITY COUNCIL ACTION:**

- Approval of Resolution

**ITEM SUMMARY:**

- This Resolution authorizes a contract award with Berry Dunn, McNeil and Parker, LLC for development of Enterprise Resource Planning (ERP) Request for Proposals regarding specifications development, distribution, evaluation and award of an ERP Application vendor.

**BACKGROUND INFORMATION:**

- The City of McKinney's current ERP system is Superior NaviLine, operating on an IBM iSeries platform. This ERP system has been in place since 1995 and includes modules that focus on core financial transactions (general ledger, accounts payable, accounts receivable, utility billing, and payroll) as well as a few modules that focus on operation systems (human resources, business license, permits, work orders). The integration of these modules are a great strength of this system, however its inability to integrate with external databases and accommodate a more mobile and e-government environment are weaknesses of the system. Due to the limitations of the system, City

departments have looked to develop alternatives. Departments have turned to independent software applications (over 10 in total) that are not integrated with the core application as departmental operating processes and procedures have changed during the past 20 years, in keeping up with technology and customer demands.

- Additional Superion modules in use include: Cash Receipts, Fixed Assets, GMBA (General Ledger, Accounts Payable, Budget, and Procurement Card), Accounts Receivable, Payroll, Purchasing/Inventory, Business Licenses, Building Permits, Code Enforcement, Work Orders, Court, Utility (water/sewer) Billing.
- The City had ten (10) respondents to our RFP of which we short listed three (3) consulting firms. Interviews were conducted by a committee that was selected from a variety of departments within the organization covering I.T., Finance, Utility Billing, Public Works, Purchasing and the City Managers Office. After the interviews were complete and scoring was tabulated, Berry Dunn was the top selection of all committee members.
- It is anticipated that this contract will be Phase I of a two Phase process. Upon selection of an ERP system, it is likely that staff will be recommending a consultant firm to assist the City with the Multi-Year implementation process.

**FINANCIAL SUMMARY:**

- This Resolution authorizes a contract with Berry Dunn, McNeil and Parker, LLC for an amount not to exceed \$97,980.
- Funding for this project is available in the Technology Improvement Fund budget, project IT1007-ERP Implementation.

**BOARD OR COMMISSION RECOMMENDATION:**

- N/A

**SUPPORTING MATERIALS:**

[Resolution](#)

**RESOLUTION NO. 2018-02-\_\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR AN ENTERPRISE RESOURCE PLANNING (ERP) RFP SPECIFICATIONS DEVELOPMENT, DISTRIBUTION, EVALUATION AND AWARD OF AN ERP APPLICATION VENDOR IN THE AMOUNT OF \$85,200 WITH AN AGGREGATED CONTRACT AMOUNT NOT TO EXCEED \$97,980**

**WHEREAS,** the City Council of the City of McKinney, Texas, determined a need for an Enterprise Resource Planning software system; and

**WHEREAS,** the procurement, integration and implementation of this system requires the services of an application vendor with explicit experience in enterprise resource planning systems; and

**WHEREAS,** Berry Dunn, McNeil and Parker, LLC was identified through a qualifications based selection process as the most qualified firm; and

**WHEREAS,** Berry Dunn, McNeil and Parker, LLC agreed to enter into a contract for the required services.

**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 Berry Dunn, McNeil and Parker, LLC for \$85,200 for RFP specifications development, distribution, evaluation and award of an Enterprise Resource Planning Software System, not to exceed the aggregated amount of \$97,980.

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 6<sup>th</sup> DAY OF FEBRUARY, 2018.**

CITY OF MCKINNEY, TEXAS

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GEORGE C. FULLER  
Mayor



ATTEST:

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

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney



18-126

**TITLE:** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2017-2018 Annual Budget and the 2018 - 2022 Capital Improvement Program to Provide Funding for the Airport Land Acquisition Project (AI1801)

**COUNCIL GOAL:** Maximize the Development Potential of the McKinney National Airport

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** Finance

**CONTACT:** Mark Holloway, Chief Financial Officer

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends approval of the ordinance.

**ITEM SUMMARY:**

- This Ordinance amends the Fiscal Year 2017-2018 Annual Budget and the 2018 - 2022 Capital Improvement Program to provide funding for the Airport Land Acquisition Project (AI1801).
- The budget will be amended as follows:
  - \$8,000,000 - General Fund
  - \$4,500,000 - Risk/Insurance
  - \$7,000,000 - Facilities Construction Fund
  - \$3,000,000 - TIRZ 2-Airport Fund
  - A total of \$22,500,000 will be transferred to the Airport Construction Fund, which will be appropriated in the project.

**BACKGROUND INFORMATION:**

- At the City Council meeting on December 19, 2017, Council approved to authorize the City Manager to execute a purchase and sales agreement with BTCR LP, Prairie Flight LP, and MADMT LP collectively, for approximately 190 acres conditioned on certain modifications discussed in Executive Session.

**FINANCIAL SUMMARY:**

- This Ordinance amends the Fiscal Year 2017-2018 Annual Budget and the 2018 - 2022 Capital Improvement Program to provide funding for the Airport Land Acquisition Project (AI1801).
- The budget will be amended as follows:
  - \$8,000,000 - General Fund
  - \$4,500,000 - Risk/Insurance
  - \$7,000,000 - Facilities Construction Fund
  - \$3,000,000 - TIRZ 2-Airport Fund
  - A total of \$22,500,000 will be transferred to the Airport Construction Fund, which will be appropriated in the project.

**BOARD OR COMMISSION RECOMMENDATION:**

- N/A

**SUPPORTING MATERIALS:**

[Ordinance](#)

**ORDINANCE NO. 2018-02-\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2017-2018 BUDGET AND 2018 - 2022 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDING FOR THE AIRPORT LAND ACQUISITION PROJECT (AI1801); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**WHEREAS**, the Board of Directors of Tax Increment Financing Reinvestment Zone Number Two have recommended to the McKinney City Council that the fiscal year 2017-18 budget for the Tax Increment Reinvestment Zone Number Two be amended by appropriating \$3,000,000 from the fund balance for funding airport land acquisition in an amount of up to \$3,000,000, and,

**WHEREAS**, as required by the City Charter, the City Manager has prepared an amendment to certain appropriations and expenditures / expenses in the 2017-2018 Budget and the 2018 - 2022 Capital Improvement Program and submitted same to the City Council for its approval and a true and correct copy is attached.

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

- Section 1. Pursuant to the City Charter requirements of the City of McKinney, Texas, the fiscal year 2017-2018 Budget Amendment as attached is hereby authorized and approved.
- Section 2. The budget shall be amended by appropriating \$8,000,000 from the General Fund balance and transferring it to the Airport Construction Fund.
- Section 3. The budget shall be amended by appropriating \$4,500,000 from the Risk/Insurance Fund balance and transferring it to the Airport Construction Fund.
- Section 4. The budget shall be amended by appropriating \$7,000,000 from the Facilities Construction Fund balance and transferring it to the Airport Construction Fund.
- Section 5. The budget shall be amended by appropriating \$3,000,000 from the TIRZ 2 – Airport Fund balance and transferring it to the Airport Construction Fund.
- Section 6. The budget shall be amended by appropriating \$22,500,000 in the Airport Construction Fund for CIP Project AI1801 – Airport Land Acquisition.
- Section 7. This Ordinance shall become effective from and after its adoption and is so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 6th DAY OF FEBRUARY, 2018.**

CITY OF MCKINNEY, TEXAS

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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

AMENDMENT # 81202					
Airport Land Purchase					
Account No.	Project Number	Account Description	Current Budget (Project)	Proposed Budget (Project)	Increase/ (Decrease)
<b>Revenues</b>					
061-0000-391-0100	AI1801	Transfers In / General Fund	\$ -	\$ 8,000,000	\$ 8,000,000
061-0000-391-1500	AI1801	Transfers In / Risk/Insurance Fund	\$ -	\$ 4,500,000	\$ 4,500,000
061-0000-391-2600	AI1801	Transfers In / Facilities Construction Fund	\$ -	\$ 7,000,000	\$ 7,000,000
061-0000-391-7700	AI1801	Transfers In / TIRZ 2 Fund	\$ -	\$ 3,000,000	\$ 3,000,000
<b>Expenditures</b>					
001-9999-403-8861		Transfer / Airport Construction Fund	\$ -	\$ 8,000,000	\$ 8,000,000
015-9999-403-8861		Transfer / Airport Construction Fund	\$ -	\$ 4,500,000	\$ 4,500,000
026-9999-493-8861		Transfer / Airport Construction Fund	\$ -	\$ 7,000,000	\$ 7,000,000
061-7777-4xx-xxxx	AI1801	Airport Improvements	\$ -	\$ 22,500,000	\$ 22,500,000
077-9999-403-8861		Transfer / Airport Construction Fund	\$ -	\$ 3,000,000	\$ 3,000,000
<b>Fund Balance</b>					
Fund 1 - General Fund					\$ (8,000,000)
Fund 15 - Risk/Insurance Fund					\$ (4,500,000)
Fund 26 - Facilities Construction Fund					\$ (7,000,000)
Fund 61 - Airport Construction Fund					\$ -
Fund 77 - TIRZ 2 Fund					\$ (3,000,000)
<b>Net Effect</b>					<b>\$ (22,500,000)</b>



18-127

**TITLE:** Consider/Discuss/Act on a Resolution Supporting Independent Bank's Development of a Federally Qualified Health Center

**COUNCIL GOAL:** Direction for Strategic and Economic Growth  
Enhance the Quality of Life in McKinney

**MEETING DATE:** February 6, 2018

**DEPARTMENT:** City Manager's Office

**CONTACT:** Barry Shelton, AICP, Assistant City Manager

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends approval of the resolution supporting Independent Bank's development of a Federally Qualified Health Center.

**ITEM SUMMARY:**

- Independent Bank has been leading an effort to provide primary healthcare services in underserved areas of McKinney.
- The Family Health Center at Virginia Parkway has opened a 6,800 square foot clinic in the Wysong Hospital Campus at the corner of Central Expressway (Highway 75) and Virginia Parkway.
- The health center is looking to construct a permanent home along Highway 5 and is looking to partner with the City of McKinney in this effort.
- The proposed resolution expresses the Council's support for the project.

**BACKGROUND INFORMATION:**

- Federally Qualified Health Centers are community based health care providers that receive funds from the federal Health Resources & Services Administration (HRSA) to provide primary care services in underserved areas. They must meet a stringent set of requirements, including providing care on a sliding fee scale based on ability to pay.
- Federally Qualified Health Centers provide comprehensive services, including:
  - Preventative health services
  - Dental Services

- Mental health and substance abuse services
- Transportation services necessary for adequate patient care

**FINANCIAL SUMMARY:**

- The proposed resolution indicates the City's support of the effort, but does not obligate any financial participation.
- Any potential requests for a public-private partnership, including any request for financial support, will be brought to the council in the future for consideration.

**BOARD OR COMMISSION RECOMMENDATION:**

- N/A

**SUPPORTING MATERIALS:**

[Resolution](#)



**RESOLUTION NO. 2018-02-\_\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY,  
TEXAS, SUPPORTING INDEPENDENT BANK IN THEIR EFFORTS TO  
CONSTRUCT A FEDERALLY QUALIFIED HEALTH CENTER**

**WHEREAS,** Independent Bank has called McKinney home for the past 30 years; and

**WHEREAS,** the Community Reinvestment Act (CRA) encourages regulated financial institutions to provide loans, services, and investments across their geographic markets, including lower-income communities; and

**WHEREAS,** Independent Bank is looking to create lasting, positive change in McKinney by developing a Federally Qualified Health Center to provide comprehensive, high-quality healthcare services to underserved populations; and

**WHEREAS,** research indicates that health centers improve health outcomes and reduce costs for the communities and residents they serve by providing preventative care and management of patients' chronic conditions; and

**WHEREAS,** the City Council believes that the health center will provide needed health services to McKinney residents; and

**WHEREAS,** the City Council recognizes the value of public-private partnerships to achieve community goals;

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

Section 1. The City of McKinney is supportive of Independent Bank's efforts to construct a Federally Qualified Health Center in McKinney, and will consider a public-private partnership at a suitable location to serve as a catalyst for redevelopment.

Section 2. Furthermore, the city council authorizes staff to continue to work with Independent Bank and related parties to identify suitable locations that maximize the redevelopment for the city and discuss business terms of a public-private partnership for consideration by the city council.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
MCKINNEY, TEXAS, ON THE 6<sup>th</sup> DAY OF FEBRUARY, 2018.**

CITY OF MCKINNEY, TEXAS

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GEORGE C. FULLER  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney