



CITY OF MCKINNEY, TEXAS

Agenda City Council Regular Meeting

Tuesday, April 21, 2020

6:00 PM

Council Chambers
222 N. Tennessee Street
McKinney, TX 75069

WATCH THE BROADCAST LIVE

This meeting will be broadcast live on cable television and through the City's website. Members of the public who wish to watch this meeting may watch the live broadcast on:

Spectrum Channel 16;
AT&T U-Verse Channel 99; and
online at <http://mckinney.legistar.com>

Please note that a quorum of the City Council may not all be present at the same location. Some members may instead participate in this meeting from one or more remote locations in an effort to contain the spread of COVID-19. In addition, there may be occasions when the audio and/or video transmission may not be clear or may be interrupted. In those instances, the meeting will continue so long as a quorum is still present.

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

INFORMATION SHARING

PROCLAMATIONS

20-0320 [Proclamation for National Fair Housing and Community Development Month](#)

Attachments: [Proclamation](#)

20-0321 [Proclamation for Administrative Professionals Week](#)

Attachments: [Proclamation](#)

PUBLIC COMMENTS ON AGENDA ITEMS (For Non-Public Hearing Agenda Items)

Pursuant to Section 551.007 of the Texas Government Code, speakers wishing to address the City Council regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.

Public Comments regarding agenda items, including Public Hearings, may be submitted by email to City Council at contact-citycouncil@mckinneytexas.org. To be included in the meeting record, emails regarding agenda items must be received between the time of this posting and 6:00 p.m. on Tuesday, April 21, 2020.

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

20-0322 [Minutes of the City Council Work Session of April 7, 2020](#)

Attachments: [Minutes](#)

20-0323 [Minutes of the City Council Regular Meeting of April 7, 2020](#)

Attachments: [Minutes](#)

19-0117 [Minutes of the Animal Service Facility Advisory Committee Meeting November 28, 2018](#)

Attachments: [Minutes](#)

19-0719 [Minutes of the Animal Service Facility Advisory Committee Meeting February 13, 2019](#)

Attachments: [Minutes](#)

19-0905 [Minutes of the Animal Service Facility Advisory Committee Meeting August 28, 2019](#)

Attachments: [Minutes](#)

20-0054 [Minutes of the Animal Service Facility Advisory Committee Meeting of October 30, 2019](#)

Attachments: [Minutes](#)

19-0478 [Minutes of the Board of Adjustment Meeting of May 15, 2019](#)
Attachments: [Minutes](#)

19-0523 [Minutes of the Board of Adjustment Meeting of June 12, 2019](#)
Attachments: [Minutes](#)

19-0592 [Minutes of the Board of Adjustment Meeting of June 26, 2019](#)
Attachments: [Minutes](#)

20-0131 [Minutes of the Board of Adjustment Meeting of July 31, 2019](#)
Attachments: [Minutes](#)

ORDINANCES

20-0324 [Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2019-2020 Annual Budget and the 2020-2024 Capital Improvements Program to Provide Funds for the Runway 18-36 Joint Rehabilitation Project \(AI20640-Airfield Pavement Rehabilitation\) at the McKinney National Airport; and Providing an Effective Date](#)
Attachments: [Ordinance](#)

RESOLUTIONS

20-0325 [Consider/Discuss/Act on a Resolution Amending Resolution Number 2020-02-025 \(R\), Authorizing the City Manager to Apply for, Accept, Reject, Alter or Terminate, a Grant from the U. S. Department of Justice, Administered Through the State of Texas, Office of the Governor, for a Victims of Crime Act \(VOCA\) Grant, to Fund a Victim Advocate](#)
Attachments: [Resolution](#)

20-0326 [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with VAI Architects, Inc. \(VAI\) of Addison, Texas for Architectural and Engineering Services Related to the Public Safety Building \(PSB\) Phase 5 Expansion and Renovation Project](#)

Located at 2200 Taylor Burk Drive, McKinney, Texas 75071

Attachments: Resolution
Proposal

20-0327 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Apply for, and Accept if Awarded, a Grant from the Texas Historic Courthouse Preservation Program, in an Amount not to Exceed \$3,000,000, for Preservation and Repairs to the McKinney Performing Arts Center at the Historic Collin County Courthouse

Attachments: Resolution

20-0328 Consider/Discuss/Act on a Resolution Authorizing the 'McKinney Strong' COVID-19 Business Grant Program; and Providing an Effective Date

Attachments: Resolution

20-0329 Consider/Discuss/Act on a Resolution of the City of McKinney, Texas Finding that Oncor Electric Delivery Company LLC's Application for Approval to Amend its Distribution Cost Recovery Factor Pursuant to Increase Distribution Rates Within the City Should be Denied; Authorizing Participation with Oncor Cities Steering Committee; Authorizing the Hiring of Legal Counsel and Consulting Services; Finding that the City's Reasonable Rate Case Expenses Shall be Reimbursed by the Company; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel.

Attachments: Resolution

END OF CONSENT

**PLAT CONSIDERATION UNDER TEXAS LOCAL GOVERNMENT CODE
CHAPTER 212**

The items under this subcategory require separate consideration pursuant to the Texas Local Government Code. The staff recommendation in each item describe the necessary form of action required on each plat. A "Motion to Approve these items in accordance with staff's recommendation" will result in approval, approval with conditions or disapproval as such are contained in § 212.009 of the Texas Local Government Code.

19-0170PF2 [Consider/Discuss/Act on a Preliminary-Final Plat for Trinity Falls Planning Unit 7 South, Located North of County Road 228 and West of County Road 206](#)

Attachments: [Standard Conditions Checklist](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Proposed Preliminary-Final Plat](#)
[Conditions of Approval Summary](#)

20-0035PF2 [Consider/Discuss/Act on a Preliminary-Final Replat for the Danielle at Craig Ranch, Located on the Northeast Corner of Collin McKinney Parkway and Millie Way](#)

Attachments: [Standard Conditions Checklist](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Proposed Preliminary-Final Plat](#)
[Conditions of Approval Summary](#)

REGULAR AGENDA AND PUBLIC HEARINGS

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

20-0330 [Conduct a Public Hearing to Consider/Discuss/Act on a Resolution Regarding the Application of "Kinwood Apartments" to the Texas Department of Housing and Community Affairs \(TDHCA\), for 4% Tax Credits for the Acquisition and Rehabilitation of Multi-Family Units Within the Development](#)

Attachments: [Resolution of No Objection](#)
[Resolution of Opposition](#)
[Resolution of Support](#)
[Zoning Approval](#)
[Draft Site Plan](#)
[Draft Elevations](#)
[Kinwood Apartments Evaluation](#)
[Location Map](#)
[Existing Infrastructure](#)
[Traffic Analysis](#)

20-0331 [Consider/Discuss/Act on an Ordinance of the City Council of the City of McKinney, Texas, Amending and Restating Ordinance No. 2020-03-025 Declaring a Local State of Disaster Due to a Public Health Emergency in Response to the COVID-19 Virus Outbreak, Pursuant to the Texas Disaster Act of 1975, Chapter 418, Texas Government Code and Chapter 122 of the Texas Health and Safety Code; Providing a Penalty; Providing for the Publication of the Caption of this Ordinance; and Providing for an Effective Date](#)

Attachments: [Ordinance \(Proposed\)](#)
[ORD CC 2020-04-025](#)

20-0332 [Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Strongly Urging That All McKinney Landlords and Tenants \(Both Commercial and Residential\) Work Together to Minimize the Adverse Human and Financial Impacts Associated with the Owning and Leasing of Real Property During the COVID-19 Pandemic; and Providing for an Effective Date](#)

Attachments: [Resolution](#)

20-0333 [Consider/Discuss/Act on Appointing a Member to the North Texas Municipal Water District \(NTMWD\) Board of Directors](#)

Attachments: [Appointment Notice](#)
[About NTMWD](#)

CITIZEN COMMENTS ON MATTERS NOT ON THE AGENDA

Speakers shall have a time limit of three (3) minutes. This meeting segment is limited to thirty (30) minutes.

Public Comments regarding non-agenda items may be submitted by email to City Council at contact-citycouncil@mckinneytexas.org. To be included in the meeting record, emails regarding non-agenda items must be received between the time of this posting and 6:00 p.m. on Tuesday, April 21, 2020.

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) Consultations with Attorney on any Work Session, Special Session, or Regular Session agenda item requiring confidential attorney/client advice necessitated by the deliberation or discussion of said items (as needed)

B. Section 551.071 (A) Pending or contemplated litigation

- First Amended Non-Exclusive Revocable License Agreement by and between KLA International Sports Management, LLC and the City of McKinney, Texas

- 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 551.072. Deliberations about Real Property

- Municipal Facilities

D. Section 551.074. Personnel Matters

E. Section 551.087. Deliberation Regarding Economic Development Matters

- Project Pegasus

- McKinney HUB 121

ACTION ON EXECUTIVE SESSION ITEMS**ADJOURN**

Posted in accordance with the Texas Government Code, Chapter 551, on or before the 18th day of April, 2020 at 6:00 p.m.

Empress Drane, City Secretary

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

20-0320



TITLE: Proclamation for National Fair Housing and Community Development Month

SUPPORTING MATERIALS:

[Proclamation](#)



City of McKinney Proclamation

WHEREAS, the City of McKinney values community investment and leverages federal, state and local funding to enhance the quality of life in McKinney; and

WHEREAS, each year the month of April is dedicated to reaffirming our commitment to community development and equality of opportunity in housing; and

WHEREAS, this month of April 2020, marks the 52nd anniversary of the passage of the federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy for fair housing without regard to race, color, national origin, religion, sex, familial status or disability, sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all; and

WHEREAS, through local resources, including the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program, the City of McKinney, Texas demonstrates capacity to partner with the community and administer those resources to identify, prioritize, and address local housing and community development needs, predominately for low-to-moderate income persons; and

WHEREAS, this month outreach in fair housing education and National Community Development Week of April 13-18, 2020, provided voices of support to engage, and reaffirm the value of housing and community development, particularly at this time of national impact amid COVID-19; and

WHEREAS, the month of April is reserved for recognition, appreciation and acknowledgement of commitment as such.

NOW, THEREFORE, I, GEORGE C. FULLER, BY THE POWER VESTED IN ME AS MAYOR OF THE CITY OF MCKINNEY, TEXAS, DO HEREBY PROCLAIM THE MONTH OF APRIL 2020 AS

NATIONAL FAIR HOUSING AND COMMUNITY DEVELOPMENT MONTH

IN MCKINNEY, TEXAS, AND CALL UPON ALL CITIZENS TO JOIN US IN RECOGNIZING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE IMPORTANT ROLE IT PLAYS IN OUR COMMUNITY.

WITNESS MY HAND AND SEAL THIS THE 21st DAY OF APRIL 2020

ATTEST:

Empress Drane, City Secretary

George C. Fuller, Mayor



20-0321



TITLE: Proclamation for Administrative Professionals Week

SUPPORTING MATERIALS:

[Proclamation](#)



City of McKinney

Proclamation

WHEREAS, Administrative Professionals provide essential services to the operation of business, government, education, and other institutions; and

WHEREAS, the work of Administrative Professionals requires progressive knowledge and expertise in many areas such as communication, technology, project management, organization, and customer service; and

WHEREAS, Administrative Professionals Week is observed annually and sponsored by the International Association of Administrative Professionals (IAAP) - workplaces around the world take this time to recognize the important contributions of these staff; and

WHEREAS, there are more than 22 million administrative and office support professionals working in the United States; and

WHEREAS, the City of McKinney proudly recognizes the vital role of administrative professionals in supporting the vision, values, and goals of our great city.

NOW, THEREFORE, I, GEORGE C. FULLER, BY THE POWER VESTED IN ME AS MAYOR OF THE CITY OF MCKINNEY, TEXAS, DO HEREBY PROCLAIM THE WEEK OF APRIL 20-24, 2020 AS

ADMINISTRATIVE PROFESSIONALS WEEK

IN MCKINNEY, TEXAS, ENCOURAGING ALL CITIZENS AND ORGANIZATIONS TO JOIN ME IN ACKNOWLEDGING THOSE WHO CONTRIBUTE TO THE STRENGTH AND GROWTH OF OUR COMMUNITY THROUGH ADMINISTRATIVE SERVICE.

WITNESS MY HAND AND SEAL THIS THE 21st DAY OF APRIL, 2020.


George C. Fuller, Mayor

ATTEST:


Empress Drane, City Secretary



20-0322



TITLE: Minutes of the City Council Work Session of April 7, 2020

SUPPORTING MATERIALS:

[Minutes](#)

CITY COUNCIL WORK SESSION

APRIL 7, 2020

The City Council of the City of McKinney, Texas met in work session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, April 7, 2020 at 4:00 p.m.

The meeting was broadcast live on cable television and through the City's website on Spectrum Channel 16; AT&T U-Verse Channel 99; and <http://mckinney.legistar.com>. Some members chose to participate from remote locations in an effort to contain the spread of COVID-19.

Mayor George C. Fuller called the meeting to order at 4:00 p.m. upon determining a quorum of the Council was present, consisting of himself and the following members: La'Shadian Shemwell.....District 1

(Council Member Shemwell participated remotely by telephone.)

Rainey Rogers, Mayor Pro Tempore.....District 2

Scott ElliottDistrict 3

Rick FranklinDistrict 4

Charlie Philips At Large

Frederick Frazier At Large

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Barry Shelton, Assistant City Manager Kim Flom, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Director of Parks & Recreation Michael Kowski, President of McKinney Community Development Corporation (MCDC) Cindy Schneible, Water Utilities Craig Sherwood, Police Chief Greg Conley, Assistant Director of Engineering Michael Hebert, Capital Improvement Projects Manager Nicholas Ataie, Community Services Administrator Shirletta Best, Director of Planning Jennifer Arnold, Video Producer Joey Barr, Strategic Services Manager Trevor Minyard, and City Secretary Empress Drane

Mayor Fuller called for Public Comments, and read the public comment from Laura Tye, which was submitted to meeting via email. (see Minutes Appendix A – *Public Comments Submitted by Email*)

Mayor Fuller called for discussion of the agenda items for the City Council Regular Meeting to be held on Tuesday, April 7, 2020 at 6:00 p.m. There was no discussion of those agenda items.

Mayor Fuller called for the Work Session item:

20-0267 COVID-19 Business Support and Stimulus Overview

Mayor Fuller called for the Executive Session at 4:46 p.m., in accordance with the Texas Government Code:

A. Section 551.071(2) Consultations with Attorney on any Work Session, Special Session, or Regular Session agenda item requiring confidential attorney/client advice necessitated by the deliberation or discussion of said items (as needed)

B. Section 551.071 (A) Pending or contemplated litigation

- City of McKinney, Texas vs. Westerra Stonebridge, L.P., Newland Real Estate Group, LLC d/b/a Newland Communities, LLC, and ClubCorp Golf of Texas, L.P.

C. Section 551.072. Deliberations about Real Property

- Municipal Facilities

D. Section 551.074. Personnel Matters

E. Section 551.087. Deliberation Regarding Economic Development Matters

- Project Moe

- Project Beppo

Mayor Fuller reconvened the public meeting at 5:38 p.m. with all members present, at which time Council Member Charlie Philips read the public comment from Steven Spainhouer, which was submitted to meeting via email. (see Minutes Appendix A – *Public Comments Submitted by Email*)

Council unanimously approved the motion by Council Member Scott Elliott, seconded by Council Member Rick Franklin, to adjourn at 5:40 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary

Minutes Appendix A – *Public Comments Submitted by Email*

LAURA TYE

From: Laura Tye Photography <lauratyephoto@gmail.com>
Sent: Tuesday, April 7, 2020 4:01 PM
To: George Fuller <gfuller@mckinneytexas.org>
Subject: Statement for council meeting

My name is Laura Tye, I own Laura Tye Photography on the square, which was forced to cease operating under the emergency orders for COVID-19. I am a proud 14 year resident of McKinney.

Although my lease permitted rent to be paid up to the 5th of the month without penalty, my landlord, S Five Partners, locked me out of my studio on April 3rd without notice. S Five Partners did not post on the door the place where rent could be paid and a new access code could be obtained. By locking me out before rent was due without notice and failing to provide the information required by law, S Five Partners illegally denied me the opportunity to secure my tools of the trade -- my photography equipment. S Five Partners to this day continues to deny me access to my equipment or to provide me with a way to pay rent with all penalties and fees and obtain access to the studio.

When I tried to reach Mr. Schwalls to discuss the situation, he refused to speak to me by phone, insisting that all communications be by email. I made at least five phone attempts. I also attempted to text him several times and he also refused to text. I then communicated very timely and thoroughly by email as he instructed. Mr. Schwalls' public statements that I was "unwilling to communicate" with him are simply not true as he was the one who refused to even have a simple telephone conversation. And even then, he offered no real solution to the situation -- he gave no instructions on how to pay rent and regain access. His only "solution" was to give me a 20% discount for this ONE month that I cannot work at all (max two months in the event that Emergency Order is extended for May) but either are ONLY if I signed up a new two-year lease at full market rate. He is aware that even in normal times I do not sign more than 1 year leases.

In light of the COVID-19 pandemic and the uncertainty of the emergency orders, Mr. Schwalls' proposal was unrealistic and, really, made in bad faith. I can't even work until the emergency orders are lifted, so Mr. Schwalls was just "piling it on." In fact, he wrote that he wouldn't help us unless there is something in it for him.

I paid my rent on time every month of the nearly two years I leased from S Five Partners. They acted illegally by locking us out while we were still in our grace period and by not leaving proper instructions as to where to pay rent and obtain an access code. Because S Five Partners has not only failed to show compassion in these difficult times, but they have tried to exploit the pandemic to hurt us, to hurt our tenant neighbors and to hurt the spirit of McKinney.

STEVEN SPAINHOUER

From: Steven Spainhouer <spainhouer@gmail.com>
Sent: Tuesday, April 7, 2020 3:34 PM
To: Contact-City Council
Subject: PUBLIC COMMENTS 4/7/2020_ WORK SESSION AND GENERAL MEETING

Thank you to Paul Grimes for coming up with a solution to help keep the trash off the sidewalks and streets in downtown McKinney. The placement of temporary trash containers helps tremendously.

Steven Spainhouer

20-0323



TITLE: Minutes of the City Council Regular Meeting of April 7, 2020

SUPPORTING MATERIALS:

[Minutes](#)

This record is currently unavailable.

Click link to view

20-0323 Minutes of the City Council Regular Meeting of April 7, 2020

<http://mckinney.legistar.com/View.ashx?M=F&ID=8255549&GUID=D325E753-016A-4A38-B732-33DE4D47F576>

CITY COUNCIL REGULAR MEETING

APRIL 7, 2020

The City Council of the City of McKinney, Texas met in regular session in the McKinney City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, April 7, 2020 at 6:00 p.m.

The meeting was broadcast live on cable television and through the City's website on Spectrum Channel 16; AT&T U-Verse Channel 99; and online at <http://mckinney.legistar.com>. Some members chose to participate from remote locations in an effort to contain the spread of COVID-19.

Mayor George C. Fuller called the meeting to order at 6:00 p.m. upon determining a quorum of the Council was present, consisting of himself and the following members:

- La’Shadion Shemwell.....District 1
(Council Member Shemwell participated remotely by telephone.)
- Rainey Rogers, Mayor Pro Tempore..... District 2
- Scott ElliottDistrict 3
- Rick Franklin District 4
- Charlie Philips At Large
- Frederick Frazier At Large

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Barry Shelton, Assistant City Manager Kim Flom, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Strategic Services Manager Trevor Minyard, Police Officer Bruno Siqueira, Community Services Administrator Shirletta Best, Director of Planning Jennifer Arnold, Capital Improvement Projects Manager Nicholas Ataie, Video Producer Joey Barr, and City Secretary Empress Drane

Mayor Fuller called for the Invocation and recital of the Pledge of Allegiance. The Invocation was given by Council Member Charlie Philips.

Mayor Fuller made Information Sharing announcements:

20-0268 Proclamation for Sexual Assault Awareness and Prevention Month

Mayor Fuller called for Public Comments. Council Member Philips read a comment submitted by email from Steven Spainhouer. (see Minutes Appendix A - Citizen Comments Submitted by Email)

Mayor Fuller called for the Consent Agenda. Agenda item #19-0092PF was pulled from Chapter 212 Plat Consideration, for individual consideration. Council unanimously approved the following Consent and Chapter 212 Plat Consideration items, with the motion by Council member Scott Elliott, seconded by Mayor Pro Tem Rainey Rogers:

- 20-0269** Minutes of the City Council Emergency Meeting of March 27, 2020
- 20-0270** Minutes of the City Council Emergency Meeting of April 3, 2020
- 19-0910** Minutes of the Historic Preservation Advisory Board Meeting of September 5, 2019
- 20-0113** Minutes of the Historic Preservation Advisory Board Regular Meeting of December 5, 2019
- 20-0235** Minutes of the Main Street Board Meeting of January 9, 2020
- 20-0236** Minutes of the Main Street Board Meeting of February 12, 2020
- 20-0262** Minutes of the McKinney Economic Development Corporation Meeting of February 18, 2020
- 20-0234** Minutes of the Planning and Zoning Commission Regular Meeting of February 25, 2020
- 20-0271** Consider/Discuss/Act on an Ordinance Amending Chapter 110, Entitled "Utilities" of the Code of Ordinances of the City of McKinney Texas through the Amendment of Section 110-1, "Definitions," by Adding Definitions Thereto for the Phrases "Extraterritorial Jurisdiction" or "ETJ," "Plumbing Code," "Qualified Licensed Inspector," "Retail Utility Service," and "Service," and through the Amendment of Existing Article II Entitled "Water and Sewer Connections," by Amending Sections 110-21 through 110-23 and 110-32, and Adding New Sections 110-47 through 110-51 as Set Forth Herein below, Repealing All Conflicting Ordinances; Reserving All Existing Rights and Remedies; Providing for Immunity; Providing for Injunctions; Providing a penalty; Providing for the Publication of the Caption of this Ordinance; and Providing for an Effective Date. Ordinance caption reads as follows:

ORDINANCE NO. 2020-04-026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 110, ENTITLED "UTILITIES," OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, THROUGH THE AMENDMENT OF SECTION 110-1, "DEFINITIONS," BY ADDING DEFINITIONS THERETO FOR THE PHRASES "EXTRATERRITORIAL JURISDICTION" OR "ETJ," "PLUMBING CODE," "QUALIFIED LICENSED INSPECTOR," "RETAIL UTILITY SERVICE," AND "SERVICE," AND THROUGH THE AMENDMENT OF EXISTING ARTICLE II, ENTITLED "WATER AND SEWER CONNECTIONS," BY AMENDING SECTIONS 110-21 THROUGH 110-23, AND 110-32, AND ADDING NEW SECTIONS 110-47 THROUGH 110-51 AS SET FORTH HEREIN BELOW; REPEALING ALL CONFLICTING ORDINANCES; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING A PENALTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE

- 20-0272** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2019-2020 Annual Budget and Amending the 2020-2024 Capital Improvements Program, to Provide Funds for the Old Settlers Renovation Project. Ordinance caption reads as follows:

ORDINANCE NO. 2020-04-027

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE FISCAL YEAR 2019-2020 ANNUAL BUDGET AND 2020 – 2024 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDS FOR THE OLD SETTLERS RECREATION CENTER RENOVATION PROJECT (PK4398)

- 20-0273** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Amendment to the Design/Build (D/B) Services Agreement with ScoBilt Contractors, Inc. related to the Old Settler's Recreation Center Renovation Project (PK4398) located at 1201 E. Louisiana Street, McKinney, Texas 75069. Resolution caption reads as follows:

RESOLUTION NO. 2020-04-041 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT TO THE EXISTING DESIGN / BUILD SERVICES AGREEMENT WITH SCOBILT CONTRACTORS, INC. FOR ADDITIONAL DESIGN AND CONSTRUCTION SERVICES RELATED TO THE OLD SETTLER'S RECREATION CENTER RENOVATION PROJECT (PK4398) LOCATED AT 1201 E. LOUISIANA STREET, MCKINNEY, TEXAS 75069

- 20-0274** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute the First Amendment to the Interlocal Agreement with McKinney Municipal Utility District No. 1 of Collin County for Funding the Construction of Trinity Falls Parkway from Laud Howell Parkway to FM 543. Resolution caption reads as follows:

RESOLUTION NO. 2020-04-042 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH MCKINNEY MUNICIPAL UTILITY DISTRICT NO. 1 OF COLLIN COUNTY FOR FUNDING THE CONSTRUCTION OF TRINITY FALLS PARKWAY FROM LAUD HOWELL PARKWAY TO FM 543; AND PROVIDING AN EFFECTIVE DATE

- 20-0275** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Kleinfelder for Materials Testing Services on the Main Replacements & Street Rehab (Northwood Park / Westwood Park Area) Project (CO1902). Resolution caption reads as follows:

RESOLUTION NO. 2020-04-043 (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 \$77,840 WITH KLEINFELDER FOR MATERIAL TESTING SERVICES FOR THE CONSTRUCTION OF THE MAIN REPLACEMENTS & STREET REHAB (NORTHWOOD PARK / WESTWOOD PARK AREA) PROJECT CO1902 AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$89,000

- 20-0276** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with BGE, Inc. for Professional Engineering Design Services for the Eldorado and Custer Intersection / Bridge Improvements Project (ST1838) and Any Necessary Supplemental Agreements. Resolution caption reads as follows:

RESOLUTION NO. 2020-04-044 (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 \$424,224 WITH BGE, INC. FOR ENGINEERING DESIGN SERVICES FOR THE ELDORADO AND CUSTER INTERSECTION / BRIDGE IMPROVEMENTS PROJECT (ST1838) AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$490,000

PLAT CONSIDERATION UNDER TEXAS LOCAL GOVERNMENT CODE CHAPTER
212 (Council approved staff recommendation for these items with the Consent vote)

- 20-** Consider/Discuss/Act on a Preliminary-Final Plat for Lake Forest Phase II,
0011PF2 Located on the East Side of Lake Forest Drive and Approximately 900 Feet
South of McKinney Ranch Parkway
- 19-** Consider/Discuss/Act on a Conveyance Plat for Lots 1 and 2, Block A, of
0210CVP2 Hardin Crossing Addition, Located on the Southwest Corner of Hardin
Boulevard and Virginia Parkway
- 20-** Consider/Discuss/Act on a Conveyance Plat for Lot 2, Block B, of the Parcel
0038CVP 1505 Addition, Located at the North Side of Virginia Parkway and
Approximately 450 Feet West of Independence Parkway

Mayor Fuller called for individual discussion of the following Chapter 212 Plat:

- 19-0092PF** Consider/Discuss/Act on a Preliminary-Final Plat for Princeton Crossing,
Located in the ETJ of McKinney on the Southeast Corner of County Road
412 and County Road 409

Council unanimously approved the motion by Mayor George Fuller, seconded by
Council Member Charlie Philips, to table indefinitely 19-0092PF Consider/Discuss/Act
on a Preliminary-Final Plat for Princeton Crossing, Located in the ETJ of McKinney on
the Southeast Corner of County Road 412 and County Road 409

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

- 20-0005Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone
the Subject Property from "AG" - Agricultural District to "PD" - Planned
Development District, to Allow for Single Family Residential Detached Uses
and Generally to Modify the Development Standards, Located
Approximately 3,075 Feet South of U.S. Highway 380 (University Drive) and
on the West Side of Lake Forest Drive and Accompanying Ordinance

Applicant Aaron Ketchand was present at the meeting in support of the request.
Council unanimously approved the motion by Council Member Charlie Philips, seconded
by Council Member Scott Elliott, to Close the public hearing and approve the Request to

Rezone the Subject Property from "AG" - Agricultural District to "PD" - Planned Development District, to Allow for Single Family Residential Detached Uses and Generally to Modify the Development Standards, Located Approximately 3,075 Feet South of U.S. Highway 380 (University Drive) and on the West Side of Lake Forest Drive and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2020-04-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 4.57 ACRE PROPERTY, LOCATED APPROXIMATELY 3,075 FEET SOUTH OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE) AND ON THE WEST SIDE OF LAKE FOREST DRIVE, IS REZONED FROM "AG" - AGRICULTURAL DISTRICT TO "PD" - PLANNED DEVELOPMENT DISTRICT, TO ALLOW FOR SINGLE FAMILY RESIDENTIAL DETACHED USES AND GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

20-0277 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Douglas Dailey Construction, LLC for the Main Replacements & Street Rehab (Northwood Park / Westwood Park Area) Project (CO1902)

Council unanimously approved the motion by Council Member Scott Elliott, seconded by Council Member Rick Franklin, to approve a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Douglas Dailey Construction, LLC for the Main Replacements & Street Rehab (Northwood Park / Westwood Park Area) Project (CO1902). Resolution caption reads as follows:

RESOLUTION NO. 2020-04-045 (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 \$4,802,993.65 WITH DOUGLAS DAILEY CONSTRUCTION, LLC, FOR THE CONSTRUCTION OF THE MAIN REPLACEMENTS & STREET REHAB (NORTHWOOD PARK / WESTWOOD PARK AREA) PROJECT CO1902, AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$5,520,000

20-0278 Conduct Public Hearing to Consider/Discuss/Act on Substantial Amendments to City of McKinney 2019-2020 Annual Action Plan for the Community Development Block Grant (CDBG)

Council present unanimously approved the motion by Council Member La'Shadion Shemwell, seconded by Council Member Rick Franklin, to close the public and approve Substantial Amendments to the City of McKinney 2019-2020 Annual Action Plan for the Community Development Block Grant (CDBG) carried with a vote of 6-0, None voting against. Council Member Scott Elliott was absent from the vote, having recused himself from a portion of discussion and vote on this item at 6:16 p.m., rejoining the meeting at 6:20 p.m. to participate in the remainder of the meeting.

20-0258 Consider/Discuss/Act on Appointing a Member to the Historic Preservation Advisory Board (HPAB)

Council unanimously approved the motion by Council Member Charlie Philips, seconded by Council Member Scott Elliott, to name Betty Petkovsek to a Regular Member to the Historic Preservation Advisory Board (HPAB) and to name Nina Ringley to HPAB Alternate.

Mayor Fuller called for Council & Manager Comments.

Council Member La'Shadion Shemwell thanked the Council, first responders, and workers for performing their duties during the COVID-19 Disaster.

Mayor Pro Tem Rainey Rogers and Council Member Rick Franklin stated there has been positive feedback regarding the Council decision to keep golf courses open; encouraged the golf operators and players to follow social distancing practices on the golf courses; and praised those working in response to the COVID-19 Disaster.

Council Member Frederick Frazier, Council Charlie Philips, and Council Member Scott Elliott encouraged the public to support local businesses, restaurants, and non-profit organizations.

Mayor George Fuller and City Manager Paul Grimes shared information about the public and private efforts to engage with various levels of government, businesses and organizations in response to COVID-19, to mitigate disaster and create strategies for addressing various aspects of wellness in the city.

Council unanimously approved the motion by Council Member Charlie Philips, seconded by Council Member Scott Elliott, to adjourn the meeting at 6:46 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary

Minutes Appendix A - Citizen Comments Submitted by Email

STEVEN SPAINHOUER

From: Steven Spainhouer <spainhouer@gmail.com>

Sent: Tuesday, April 7, 2020 3:34 PM

To: Contact-City Council

Subject: PUBLIC COMMENTS 4/7/2020_ WORK SESSION AND GENERAL MEETING

Thank you to Paul Grimes for coming up with a solution to help keep the trash off the sidewalks and streets in downtown McKinney. The placement of temporary trash containers helps tremendously.

Steven Spainhouer

19-0117



TITLE: Minutes of the Animal Service Facility Advisory Committee Meeting
November 28, 2018

SUPPORTING MATERIALS:

[Minutes](#)

ANIMAL SERVICES FACILITY ADVISORY BOARD

NOVEMBER 28, 2018

The Animal Services Facility Advisory Board met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas on November 28, 2018 at 12:00 p.m.

Board members Present: Lori Dees, James Bias, Ewa Cissik, Moka Anderson, Bashar Barghouti

Absent: Misty Brown, Larry Hocutt

18-1014 Minutes of the Animal Services Facilities Advisory Committee Meeting
October 24, 2018

Board members unanimously approved the motion by Board member Lori Dees, seconded by Board member James Bias, to approve Minutes of the Animal Services Facilities Advisory Committee Meeting October 24, 2018

18-1015 Discuss Proposed Animal Control Ordinance on Pet Registration
Program

18-1016 Consider Discuss Act on a Meeting Date

Board members unanimously approved the motion by Board member Moka Anderson, seconded by Board member Ewa Cissik, to approve 18-1016 Consider Discuss Act on a Meeting Date

Board approved date of February 13, 2019

ADJOURN

Board members unanimously approved the motion by Board member Moka Anderson, seconded by Board member Ewa Cissik, to Adjourn

The meeting was adjourned at 12:23 p. m.

Moka Anderson
Chairperson



19-0719

TITLE: Minutes of the Animal Service Facility Advisory Committee Meeting February 13, 2019

SUPPORTING MATERIALS:

[Minutes](#)

ANIMAL SERVICES FACILITY ADVISORY BOARD

FEBRUARY 13, 2019

The Animal Services Facility Advisory Board met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas on February 13, 2019 at 12:00 p.m.

Board members Present: Lori Dees, James Bias, Ewa Cissik, Moka Anderson, Bashar Barghouti, Larry Hocutt

Absent: Misty Brown

19-0117 Minutes of the Animal Services Facilities Advisory Committee Meeting
November 28, 2018

Board members unanimously approved the motion by Board member James Bias, seconded by Board member Ewa Cissik, to approve Minutes of the Animal Services Facilities Advisory Committee Meeting November 28, 2018

DISCUSSION ITEMS

19-0118 Discussion on Urban Wildlife by Animal Control Supervisor St. Aubin

19-0119 Consider/Discuss/Act on Next Meeting Date

Next meeting date was voted for April 10, 2019

Board members unanimously approved the motion by Board member Moka Anderson, seconded by Board member Bashar Barghouti, to approve 19-0119 Consider/Discuss/Act on Next Meeting Date

The meeting was adjourned at 12:28 p.m.

Moka Anderson
Chairperson



19-0905

TITLE: Minutes of the Animal Service Facility Advisory Committee Meeting August 28, 2019

SUPPORTING MATERIALS:

[Minutes](#)

ANIMAL SERVICES FACILITY ADVISORY BOARD

AUGUST 28, 2019

The Animal Services Facility Advisory Board met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas on August 28, 2019 at 12:00 p.m.

Board members Present: Lori Dees, Misty Brown, Ewa Cissik, Moka Anderson

Absent: James Bias, Bashar Barghouti, Larry Hocutt

19-0719 Minutes of the Animal Services Facilities Advisory Committee Meeting
February 13, 2019

Board members unanimously approved the motion by Board member Moka Anderson, seconded by Board member Misty Brown, to approve Minutes of the Animal Services Facilities Advisory Committee Meeting February 13, 2019

19-0720 Discussion on Collin County Clear the Shelter Event

19-0721 Consider/Discuss/Act on Next Meeting Date next meeting date is set for
October 30, 2019

Board members unanimously approved the motion by Board member Moka Anderson, seconded by Board member Misty Brown, to Approved 19-0721 Consider/Discuss/Act on Next Meeting Date

Next meeting date is set for October 30, 2019

The meeting was adjourned at 12:36 p.m.

Moka Anderson
Chairperson

20-0054



TITLE: Minutes of the Animal Service Facility Advisory Committee Meeting of
October 30, 2019

SUPPORTING MATERIALS:

[Minutes](#)

ANIMAL SERVICES FACILITY ADVISORY BOARD

OCTOBER 30, 2019

The Animal Services Facility Advisory Board met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas on October 30, 2019 at 12:00 p.m.

PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.002, A QUORUM OF THE CITY COUNCIL MAY BE PRESENT. NO CITY COUNCIL ACTION WILL BE TAKEN.

Board members Present: Lori Dees, Misty Brown, Moka Anderson, Laura Barnett, Ewa Cissik, Sakura Gibson, Larry Hocutt

Absent: Siotha Vest

19-0904 Election of Chairperson and Vice Chairperson

Board members unanimously approved the motion by Lori Dees, seconded by Board member Ewa Cissik, to approve 19-0904 Election of Chairperson and Board members unanimously approved the motion 19-0904 by Ewa Cissik, seconded by Misty Brown to appoint Moka Anderson as Vice Chairperson.

19-0905 Minutes of the Animal Services Facilities Advisory Committee Meeting
August 28, 2019

19-0906 Introduce New Board Members

19-0907 Introduce the Upcoming ASFAC Boarding Meeting Topics to the New
Board Members

19-0908 Consider/Discuss/Act on Next Meeting Date Next Meeting Date is set for
January 22, 2020

The meeting was adjourned at 12:34p.m.

Larry Hocutt
Chairperson



19-0478

TITLE: Minutes of the Board of Adjustment Meeting of May 15, 2019

SUPPORTING MATERIALS:

[Minutes](#)

**BOARD OF ADJUSTMENT REGULAR MEETING
MAY 15, 2019**

The Board of Adjustment met in regular session in the 2nd Floor Conference Room, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, May 15, 2019 at 5:30 p.m.

Board members Present: Betty Petkovsek, Chair, Louise Holubar, Vice Chair, Larry Macy, Eric Roberts, Randall Wilder. Absent: Brian White and David Riche.

City Staff members Present: Rick Herzberger, Chief Building Official and Dee Boardman, Administrative Assistant.

Chair Betty Petkovsek called the meeting to order after determining a quorum was present.

19-0401 Minutes of the Board of Adjustment Meeting of March 13, 2019. Board members unanimously approved the motion by Board member Randall Wilder, seconded by Board member Louise Holubar, to Approve and Referred 19-0401 Minutes of the Board of Adjustment Meeting of March 13, 2019.

19-0402 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owners Kelly and Kathleen Taylor for the consideration of a 4.35' (foot) variance to the rear yard required setback of 20' (feet) for the existing structure being a part of a proposed amended plat for Property Located at 1106 Tucker Street, Lot 2, Block 2 being a re-plat of G.W. Fox Addition, McKinney, Texas. Rick Herzberger, Chief Building Official Rick Herzberger stated the requested property, is in the TMN (Traditional McKinney Neighborhood) overlay district which allows older lots and in certain cases re-plats to have less of a width and depth setback. The TMN reduces the required setback from 25' to 20' thus the requested setback variance is 4.35' instead of 9.35'. Mr. Herzberger stated the Taylors have applied for a conditional amending plat meaning if the board does not find merit in granting the rear setback variance in this case then

the second case is null and void and cannot be heard. Mr. Herzberger then read aloud the Item Summary and Building Official Statement of the agenda for this case. Owner, Kelly Taylor, 1106 Tucker Street, McKinney, Texas 75069 stated in order to amend the plat without a variance, the pool will have to be demolished. A variance request would allow us to keep the pool and spare the expense of demolition and loss of use of the pool. Two letters were received in favor and read by Chair, Betty Perkovsek. Board members unanimously approved the motion by Board member Eric Roberts, seconded by Board member Larry Macy, to Close the public hearing 19-0402 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owners Kelly and Kathleen Taylor for the consideration of a 4.35' (foot) variance to the rear yard required setback of 20' (feet) for the existing structure being a part of a proposed amended plat for Property Located at 1106 Tucker Street, Lot 2, Block 2 being a re-plat of G.W. Fox Addition, McKinney, Texas. Member Macy asked for clarification of where the current lot lines are and where the new lines will be with the amended plat. Member Wilder asked if the house was to be demolished at 1106 Tucker Street once the variance is approved. Mr. Taylor stated once the variance and plat is approved and the new house is built (1203 Bonner Street), he will list the house on 1106 Tucker Street for sale. Chair Petkovsek asked if approved, what will the new lot size will be. Mr. Herzberger stated the lot size will still be 6,000. Board members unanimously approved the motion by Board member Louise Holubar, seconded by Board member Randall Wilder, to Approved 19-0402 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owners Kelly and Kathleen Taylor for the consideration of a 4.35' (foot) variance to the rear yard required setback of 20' (feet) for the existing structure being a part of a proposed amended plat for Property Located at 1106 Tucker Street, Lot 2, Block 2 being a re-plat of G.W. Fox Addition, McKinney, Texas.

19-0403 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owners Kelly and Kathleen Taylor for the consideration of a variance to the zoning ordinance accessory use requirements, to allow the existing swimming pool structure to remain as an accessory use without a main use for a period of 12 months from the date of the proposed amended plat, being a part of a proposed amended plat for Property Located at 1203 Bonner Street, Lot 1, Block 2, being a re-plat of G.W. Fox Addition, McKinney, Texas. Building Official, Rick Herzberger read his statement. The Taylors will have 12 months from the date of the filing of the amended plat to apply for a new residential single family home and a remodel permit for the pool showing how to power up the pool as well as the discharge of the pool without crossing the two property lines once completed. Owner, Kelly Taylor, 1106 Tucker Street, McKinney, Texas 75069 stated once the variances and plat is approved, he will start immediately with the permit application submittal. He has already obtained a home designer and builder. Two letters were received in favor and read by Chair, Betty Perkovsek. Board members unanimously approved the motion by Board member Eric Roberts, seconded by Board member Louise Holubar, to Close the public hearing 19-0403 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owners Kelly and Kathleen Taylor for the consideration of a variance to the zoning ordinance accessory use requirements, to allow the existing swimming pool structure to remain as an accessory use without a main use for a period of 12 months from the date of the proposed amended plat, being a part of a proposed amended plat for Property Located at 1203 Bonner Street, Lot 1, Block 2, being a re-plat of G.W. Fox Addition, McKinney, Texas. Member Macy asked for clarification if the rear property line from the pool was existing and had not changed. Mr. Herzberger stated the pool was in compliance at the time it was built. Member Roberts asked what happens if it takes longer than 12 months to build the house. Mr.

Herzberger stated approval of both variances will be null and void based on the conditions of the amending plat. Planning will act accordingly as well. Board members unanimously approved the motion by Board member Larry Macy, seconded by Board member Eric Roberts, to Approved 19-0403 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owners Kelly and Kathleen Taylor for the consideration of a variance to the zoning ordinance accessory use requirements, to allow the existing swimming pool structure to remain as an accessory use without a main use for a period of 12 months from the date of the proposed amended plat, being a part of a proposed amended plat for Property Located at 1203 Bonner Street, Lot 1, Block 2, being a re-plat of G.W. Fox Addition, McKinney, Texas.

Board members unanimously approved the motion by Board member Louise Holubar, seconded by Board member Larry Macy, to adjourn the meeting at 5:59 p.m.

BRIAN WHITE
Member



19-0523

TITLE: Minutes of the Board of Adjustment Meeting of June 12, 2019

SUPPORTING MATERIALS:

[Minutes](#)

BOARD OF ADJUSTMENT REGULAR MEETING

JUNE 12, 2019

The Board of Adjustment met in regular session in the 2nd Floor Conference Room, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, June 12, 2019 at 5:30 p.m.

Board members Present: Brian White, David Riche, Larry Macy, Eric Roberts and Randall Wilder. Absent: Betty Petkovsek, Chair and Louise Holubar, Vice Chair

City Staff members Present: Rick Herzberger, Chief Building Official and Terra Bierschwale, Permit Technician Supervisor

Member Brian White called the meeting to order after determining a quorum was present.

19-0478 Minutes of the Board of Adjustment Meeting of May 15, 2019. Board members unanimously approved the motion by Board member Randall Wilder, seconded by Board member David Riche, to Approved and Referred 19-0478 Minutes of the Board of Adjustment Meeting of May 15, 2019.

19-0477 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Osiel Salinas for the consideration of a Special Exception to the front yard fence, maximum height of four feet (4') as required by Section 122-176 (b) to allow a front yard fence with a maximum height of six feet (6') for Property Located at 914 Gerrish Street, part of Lots 43, 44, 45, Block 11 of the W.J.S. Russell 4th Addition, McKinney, Texas. Chief Building Official Rick Herzberger read aloud the Item Summary, Sec. 122-178 Special exceptions and Building Official Statement of the agenda for this case. Israel Cardona, 921 Lane Grove Drive, Little Elm, Texas 75068, representing Osiel Salinas. Mr Cardona stated there is no homeowners association in the area and the request is solely for security purposes. Mr. White read one approved notification letter by Hsu Chyan Tai, 1011 Healy Ave, McKinney, Texas, 75069. Board members

unanimously approved the motion by Board member Larry Macy, seconded by Board member Eric Roberts, to Close the public hearing 19-0477 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Osiel Salinas for the consideration of a Special Exception to the front yard fence, maximum height of four feet (4') as required by Section 122-176 (b) to allow a front yard fence with a maximum height of six feet (6') for Property Located at 914 Gerrish Street, part of Lots 43, 44, 45, Block 11 of the W.J.S. Russell 4th Addition, McKinney, Texas. Member Wilder asked if the height will be 6' all around the property or just in the front. Mr. Herzberger confirmed the height will be 6' all around. Member Macy and Member Riche asked if there were any pictures of the existing and surrounding properties. Mr. Herzberger assumes based on the comprehensive plan that the lot next to the property will be part of Commercial Industrial Use in the future. Member Riche asked if there were any other fences in the front yard in the surrounding area. Mr. Herzberger stated he had conducted a visit to the requested address and stated there are some fences but the houses were facing east. There were some side yard fences but no front fences on the other side of the alley. Member White asked if the front of the house will be facing Gerrish Street. Mr. Herzberger stated yes, this will be the first on Gerrish Street that will have a fence in the front. Mr. Herzberger also stated that this request will set a precedence which was the intent of the ordinance. Member Riche stated he doesn't see a hardship with this case and with the fence being a wrought iron, it could still be easily accessible. Member Riche also stated as part of the special exceptions, number 5 (five), it states it has to be consistent with the area. Member Roberts stated with nothing else in the area this will start a precedence versus being the only one. Member Macy stated if there were some 4' fences that are existing then it would be different, but there were none. Member White stated the PD (Planned Development) property is surrounded by

an 8' - 10' chain link fence. Mr. Herzberger stated when looking at the comprehensive plan, he didn't see any plan for collector streets, looked like the tract will be industrial or part of the airport someday which is nearby. Member Wilder stated if you do not allow this request, then the only allowable height will be 4' for all future fence requests which would not be much security especially if you have young children. Member Riche asked if this lot is considered a corner lot. Mr. Herzberger stated the property is a corner lot on an alley which would require a visibility triangle. The wrought iron fence would meet this requirement. If the PD is developed as Commercial use as proposed, then the property owner is responsible for providing a screening fence which would be 8' that divides the residential and commercial properties. Board members approved the motion by Board member Randall Wilder, seconded by Board member Larry Macy, to Approved 19-0477 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Osiel Salinas for the consideration of a Special Exception to the front yard fence, maximum height of four feet (4') as required by Section 122-176 (b) to allow a front yard fence with a maximum height of six feet (6') for Property Located at 914 Gerrish Street, part of Lots 43, 44, 45, Block 11 of the W.J.S. Russell 4th Addition, McKinney, Texas. with a vote of 4 - 1 - 0, David Riche voting no.

Board members unanimously approved the motion by Board member Eric Roberts, seconded by Board member David Riche, to adjourn the meeting at 5:58 p.m.

BETTY PETKOVSEK
Chair



19-0592

TITLE: Minutes of the Board of Adjustment Meeting of June 26, 2019

SUPPORTING MATERIALS:

[Minutes](#)

BOARD OF ADJUSTMENT REGULAR MEETING

JUNE 26, 2019

The Board of Adjustment met in regular session in the 2nd Floor Conference Room, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, June 26, 2019 at 5:30 p.m.

Board members Present: Vice Chair, Louise Holubar, Brian White, David Riche, Larry Macy, Eric Roberts and Randall Wilder. Absent: Chair, Betty Petkovsek

City Staff members Present: Rick Herzberger, Chief Building Official and Dee Boardman, Administrative Assistant.

Vice Chair Louise Holubar called the meeting to order after determining a quorum was present.

19-0523 Minutes of the Board of Adjustment Meeting of June 12, 2019. Board members unanimously approved the motion by Board member Larry Macy, seconded by Board member Eric Roberts, to Approved and Referred 19-0523 Minutes of the Board of Adjustment Meeting of June 12, 2019.

19-0524 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Owners Alexander and Margaret Maxwell for the Consideration of a Variance to the Zoning Ordinance Rear Yard Setback Requirement of 20' to Allow a Rear Lot Setback of 15' for an Attached Patio Cover located at 3301 Smoke Tree Lane, Lot 6, Block H of the Eldorado Heights Section 111, Phase IV, McKinney, Texas. Chief Building Official, Rick Herzberger read aloud the Item Summary, Zoning, Existing Conditions and Building Official Statement of the agenda for this case. Homeowner, Alex Maxwell, 3301 Smoke Tree Lane, McKinney, Texas 75070 stated the patio is existing and was built in line with the house which is at an angle due to the shape of the lot. The stone patio faces west and is in direct sunlight and gets extremely hot as early as 11:00 a.m. A lot of

consideration and exploration went into finding ways to build a cover without encroaching into the build line. There were no notification letters received. Board members unanimously approved the motion by Board member Larry Macy, seconded by Board member David Riche, to Close the public hearing 19-0524 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Owners Alexander and Margaret Maxwell for the Consideration of a Variance to the Zoning Ordinance Rear Yard Setback Requirement of 20' to Allow a Rear Lot Setback of 15' for an Attached Patio Cover located at 3301 Smoke Tree Lane, Lot 6, Block H of the Eldorado Heights Section 111, Phase IV, McKinney, Texas. Member Macy stated due to the irregular size of the lot, he would approve this request. Member Roberts agrees. Member Riche asked how much of the cover will be encroaching into the build line. Mr. Maxwell stated 45 square feet of the patio cover will be encroaching. Member Riche asked if the size of cover can be reduced. Mr. Maxwell stated the posts would be in the middle of the existing patio rather than along the lines of the existing two (2') foot patio wall. Member Macy asked why not cover up to the house. Mr. Maxwell stated because of the pitch notch that was built with the home and the required free draft area for the fire place per the building code as stated by Mr. Herzberger, it could not be done. Board members unanimously approved the motion by Board member Larry Macy, seconded by Board member Brian White, to Approved 19-0524 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Owners Alexander and Margaret Maxwell for the Consideration of a Variance to the Zoning Ordinance Rear Yard Setback Requirement of 20' to Allow a Rear Lot Setback of 15' for an Attached Patio Cover located at 3301 Smoke Tree Lane, Lot 6, Block H of the Eldorado Heights Section 111, Phase IV, McKinney, Texas.

19-0525 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Owner Jim Wilson for the Consideration of a Variance to the Zoning Ordinance Rear Yard Setback Requirement of 20' to Allow a Rear Lot Setback of 10' for the Remodel of an Existing Detached Carport to Allow for the Construction of a Fully Enclosed, Brick Veneer, 2 Vehicle Garage with Living Space Above the Garage, for Property Located at 416 W. Louisiana Street, Lot 524C of the McKinney Outlets (CMC), McKinney, Texas. Chief Building Official read aloud the Item Summary, Zoning, Existing Conditions and Applicant's Basis for Variance and Building Official Statement of this agenda for this case. Mr. Herzberger stated the updated Zoning ordinance allows duplexes and single family. Mr. Herzberger stated in the past, GIS map drawings were presented and used as a reference but reminded the Board when looking at these cases, they must stand on their own merit. Homeowner, Jim Wilson, 416 W Louisiana Street, McKinney, Texas 75069 stated he would like to improve his property by replacing the existing detached carport with a fully enclosed two car garage and living space above. Mr. Wilson stated he would like to attach the new garage to the existing house but in doing so, the setback requirements from a detached to an attach structure changes thus the request for a variance. The access and maneuverability of the driveway will be difficult as well. Four (4) notification letters received. All were in approval of the variance request. Board members unanimously approved the motion by Board member Brian White, seconded by Board member Eric Roberts, to Close the public hearing 19-0525 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Owner Jim Wilson for the Consideration of a Variance to the Zoning Ordinance Rear Yard Setback Requirement of 20' to Allow a Rear Lot Setback of 10' for the Remodel of an Existing Detached Carport to Allow for the Construction of a Fully

Enclosed, Brick Veneer, 2 Vehicle Garage with Living Space Above the Garage, for Property Located at 416 W. Louisiana Street, Lot 524C of the McKinney Outlets (CMC), McKinney, Texas. Member Riche asked if the second story addition will intrude on the privacy of the surrounding neighbors. Mr. Wilson stated the addition will have a bedroom on the south side which will face into the property and a closet with no windows on the north side facing Virginia Street. The east side will have another closet and a bathroom. Mr. Riche asked if this request will have to go through the Historic District for review and approval. Mr. Herzberger stated yes this variance request stemmed from a review with Mr. Guy Giersch from the Historic District and will be part of the review requirements for future Board of Adjustment applications. Board members unanimously approved the motion by Board member Eric Roberts, seconded by Board member David Riche, to Approved 19-0525 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Owner Jim Wilson for the Consideration of a Variance to the Zoning Ordinance Rear Yard Setback Requirement of 20' to Allow a Rear Lot Setback of 10' for the Remodel of an Existing Detached Carport to Allow for the Construction of a Fully Enclosed, Brick Veneer, 2 Vehicle Garage with Living Space Above the Garage, for Property Located at 416 W. Louisiana Street, Lot 524C of the McKinney Outlets (CMC), McKinney, Texas.

Board members unanimously approved the motion by Board member Brian White, seconded by Board member Larry Macy, to adjourn the meeting at 6:11 p.m.

BETTY PETKOVSEK
Chair



20-0131

TITLE: Minutes of the Board of Adjustment Meeting of July 31, 2019

SUPPORTING MATERIALS:

[Minutes](#)

BOARD OF ADJUSTMENT REGULAR MEETING

JULY 31, 2019

The Board of Adjustment met in regular session in the 2ND Floor Conference Room, City Hall, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, July 31, 2019 at 5:31 p.m.

Board members Present: Betty Petkovsek, Chair, Louise Holubar, Vice Chair, Brian White, David Riche, Larry Macy, Eric Roberts, Randall Wilder

Absent: None

City Staff members Present: Rick Herzberger, Chief Building Official and Terra Bierschwale, Permit Technician Supervisor

Chair Betty Petkovsek called the meeting to order after determining a quorum was present.

19-0592 Minutes of the Board of Adjustment Meeting of June 26, 2019. Board members unanimously approved the motion by Board member Larry Macy, seconded by Board member David Riche, to Approved and Referred 19-0592 Minutes of the Board of Adjustment Meeting of June 26, 2019

19-0593 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Danny Thomas for the consideration of a variance to the zoning ordinance front yard setback requirement of 25' to allow a front setback of 20' for the extension of an attached front covered porch, located at 606 North Church Street, Lot 675A and 675C of McKinney Outlots (CMC), McKinney, Texas. Chief Building Official, Rick Herzberger stated that he will start providing a report for each application when presenting to the Board. To research and exhaust all avenues within the code and zoning ordinance requirements to permit the applicant's project prior to going to the Board. Chief Building Official proceeded to read a summary of

request. Item Summary - The applicant/owner desires to extend and slightly enlarge the non-conforming front porch to remain at 20' setback from the front property line. The non-conformity exists due to the zoning ordinance change to a 25' front yard requirement after the porch and house was constructed. The historic preservation officer supports this variance request. Existing Conditions - This is a conforming lot yet the front setback is non-conforming. Building Official Statement - The request has been field validated and I agree that the Board has the implied authority to consider the variance due to the applicant request. Attached is the report on the research conducted by the Building Official to determine if the porch extension could be permitted under the zoning ordinance. The location is one block outside of the MTC, which would have allowed permit. Danny Thomas, 606 North Church Street, McKinney, Texas 75069 Owner stated his designer, Mark McReynolds, 2704 Elmwood Ct, McKinney, Texas, 75071 will speak on his behalf. Mr. McReynolds stated the existing porch they will be extending sits within 5' (feet) in the 25' (feet) front building line. The existing porch looks like it was part of the existing house. The owners would like to keep the same time period as the other houses in the historic district area. Received 3 notification letters. Lucy and Renato Regaldo, 520 N Wood Street, McKinney, Texas 75069, Thomas O Brumett, 612 N Church Street, McKinney, Texas 75069, and James Joor, 611 N Church Street, McKinney, Texas 75069. All notification letters received were approved. Board members unanimously approved the motion by Board member Larry Macy, seconded by Board member Brian White, to Close the public hearing 19-0593 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Danny Thomas for the consideration of a variance to the zoning ordinance front yard setback requirement of 25' to allow a front setback of 20' for the extension of an attached front covered porch, located at 606 North Church Street, Lot 675A and 675C of McKinney

Outlots (CMC), McKinney, Texas. Member Larry Macy stated he would approve this variance because it is a non-conforming lot to begin with and that the porch is existing and they just want to extend the side. Member Riche asked if the Historic Preservation Specialist, Guy Giersch reviewed this case. Mr. Herzberger stated yes. Board members unanimously approved the motion by Vice Chair Louise Holubar, seconded by Board member David Riche, to Approved 19-0593 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Danny Thomas for the consideration of a variance to the zoning ordinance front yard setback requirement of 25' to allow a front setback of 20' for the extension of an attached front covered porch, located at 606 North Church Street, Lot 675A and 675C of McKinney Outlots (CMC), McKinney, Texas.

- 19-0594** Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Tessa Tyler for the consideration of a variance to the zoning ordinance accessory dwelling allowed maximum size requirement of 600 square feet to allow an accessory dwelling of 1146 square feet, located at 1204 West Josephine Street, Blk. A, Lot 1 of the T.M. Tyler Tract Addition, McKinney, Texas. Chief Building Official proceeded to read the item summary of the request. Item Summary - The applicant/owner desires to increase the total size of the permitted 600 square feet size of the accessory dwelling to 1146 square feet – please see her letter. Existing Conditions - The existing survey shows the location of the main house and the accessory dwelling under construction. Building Official Statement - Mr. Herzberger wanted to point out the accessory dwelling front now faces what used to be the street alley/public way which was acquired by the applicant. Mr. Herzberger then referenced Sec. 146-165.

Board of Adjustment, (3) Powers and duties of the board, d. Variances, 2. Authorize upon appeal. The request has been field validated and I agree that the Board has the implied authority to consider the variance and appeal due to the applicants request to consider unusual and practical difficulties or particular hardship or any other condition determined by the Board. Mr. Herzberger also read Sec.146-133 – Accessory buildings and uses (6) Accessory buildings; e. and (7) Accessory dwellings of the Zoning Ordinance. Mr. Herzberger stated Ms. Tyler submitted a request to amend her existing permit to move the interior stairs going up to the attic above the garage to the exterior. Mr. Herzberger also stated it was very important for the Board look at what the applicant provided and what she interpreted as your authority. Tessa Tyler, 1204 W Josephine Street, McKinney, Texas 75069. Ms. Tyler stated the reason for her request is to have her parents live in the garage and the attic would be for a care giver for her parents. Received 2 notification letters. 1 approved by Vicky McAdams, 1008 W Josephine Street and 1 protest based on size by Karen Davis – Harrison, 13522 Summer Villa Lane, Houston, Texas 77044 (1012 Erwin Avenue, McKinney, Texas 75069). Board members unanimously approved the motion by Board member David Riche, seconded by Board member Louise Holubar, to close the public hearing 19-0594 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Tessa Tyler for the consideration of a variance to the zoning ordinance accessory dwelling allowed maximum size requirement of 600 square feet to allow an accessory dwelling of 1146 square feet, located at 1204 West Josephine Street, Blk. A, Lot 1 of the T.M. Tyler Tract Addition, McKinney, Texas. Member White asked Mr. Herzberger how different is this house from everything else on this street based on the comments from the homeowner who lives in Houston. Mr. Herzberger stated it is a unique situation in that you normally see the accessory dwellings behind a large home in this case, Ms. Tyler's is a smaller

home. Member Riche asked Mr. Herzberger if the caregiver is not family and living on the 2nd floor. Mr. Herzberger stated there is nothing in the definition that actually would give that type of interpretation for accessory dwellings. Member Riche stated he doesn't see a hardship based on what the Boards authority and a convenience for the family. Board members unanimously approved the motion by Board member Brian White, seconded by Vice Chair Louise Holubar, to Approved Reopening the Public Hearing 19-0594 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Tessa Tyler for the consideration of a variance to the zoning ordinance accessory dwelling allowed maximum size requirement of 600 square feet to allow an accessory dwelling of 1146 square feet, located at 1204 West Josephine Street, Blk. A, Lot 1 of the T.M. Tyler Tract Addition, McKinney, Texas. Mr. Robert Hemphins, 304 E McDermott Drive, Allen, Texas 75002 stated Member Macy mentioned earlier that the footprint is not changing the request is for living space and not storage space. Board members unanimously approved the motion by Board member Brian White, seconded by Board member David Riche, to Close the public hearing 19-0594 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Tessa Tyler for the consideration of a variance to the zoning ordinance accessory dwelling allowed maximum size requirement of 600 square feet to allow an accessory dwelling of 1146 square feet, located at 1204 West Josephine Street, Blk. A, Lot 1 of the T.M. Tyler Tract Addition, McKinney, Texas. Chair Petkovsek stated not being able to use the attic space as a dwelling space would be considered a hardship. Member Macy stated it would be different if the applicant was requesting to add to the garage however the structure is existing. Board members approved the motion by Vice Chair Louise Holubar, seconded by Board member Larry Macy, to Approved 19-0594 Conduct a Public Hearing to Consider/Discuss/Act on the Request by owner Tessa Tyler for the

consideration of a variance to the zoning ordinance accessory dwelling allowed maximum size requirement of 600 square feet to allow an accessory dwelling of 1146 square feet, located at 1204 West Josephine Street, Blk. A, Lot 1 of the T.M. Tyler Tract Addition, McKinney, Texas. with a vote of 4 - 1 - 0, Member David Riche voting no.

Board members unanimously approved the motion by Board member David Riche, seconded by Board member Louise Holubar, to Adjourn the meeting at 6:25 p.m.

LOUISE HOLUBAR
Vice - Chair



20-0324

TITLE: Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2019-2020 Annual Budget and the 2020-2024 Capital Improvements Program to Provide Funds for the Runway 18-36 Joint Rehabilitation Project (AI2064-Airfield Pavement Rehabilitation) at the McKinney National Airport; and Providing an Effective Date

COUNCIL GOAL: Maximize the Development Potential of the McKinney National Airport
3B: Identify and implement land use regulations and policies with preserve and expand long-term operational excellence.

MEETING DATE: April 21, 2020

DEPARTMENT: Airport

CONTACT: Ken Carley, Airport Director

RECOMMENDED CITY COUNCIL ACTION:

- Approve Ordinance

ITEM SUMMARY:

- This Ordinance amends the Fiscal Year 2019-2020 Annual Budget and the 2020-2024 Capital Improvements Program by appropriating \$198,000 in the Airport Construction Fund for Project AI2064 Airfield Pavement Rehab; and transferring \$242,400 from AI1816 Customs Building Project to AI2064 Airfield Pavement Rehab Project.

BACKGROUND INFORMATION:

- Total Project costs are estimated to be \$432,400.
- TxDOT has programmed \$198,000 in its Aviation Capital Improvement Program to reimburse a portion of the Airfield Pavement Rehabilitation costs, however, the project is required to be completed this fiscal year to be eligible.
- CIP Project AI1816 (CUSTOMS BLDG AT AIRPORT) currently has \$2,569,449

programmed, with an estimated total cost of \$5,500,000. Design and work have not begun for this project while the remaining funding is considered. Staff is recommending to transfer \$234,400 from this project to meet TXDOT's reimbursement eligibility deadline on the Airfield Pavement Rehab project.

- The City will be responsible for administering the project and will seek reimbursement for eligible construction costs, not to exceed \$198,000, upon project completion.

FINANCIAL SUMMARY:

- The financial summary attached to the ordinance details the additional appropriation of \$198,000 in the Airport Construction Fund for AI2064 Airfield Pavement Rehabilitation Project.
- The 2020-2024 Capital Improvements Program shall also be amended by transferring \$234,400 from Project AI1816 Customs Building to Project AI2064 Airfield Pavement Rehab for the Runway 18-36 Joint Rehabilitation.
- Upon approval of this agenda item the total project budget will be \$432,400.

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[Ordinance](#)

ORDINANCE NO. 2020-04-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2019-2020 ANNUAL BUDGET AND THE 2020-2024 CAPITAL IMPROVEMENTS PROGRAM, TO PROVIDE FUNDING FOR THE RUNWAY 18-36 JOINT REHABILITATION PROJECT (AI2064 – AIRFIELD PAVEMENT REHAB); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

WHEREAS, as required by the City Charter, the City Manager has prepared an amendment to certain appropriations and expenditures / expenses in the Fiscal Year 2019-2020 Annual Budget and the 2020-2024 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, a Budget Amendment pertaining to the Fiscal Year 2019-2020 Annual Budget is hereby authorized and approved.
- Section 2. The budget shall be amended by appropriating \$198,000 of grant funds from the Texas Department of Transportation in the Airport Construction Fund for CIP Project AI2064 Airfield Pavement Rehab
- Section 3. The 2020-2024 Capital Improvements Program shall be amended by transferring \$234,400 from Project AI1816 Customs Building to Project AI2064 Airfield Pavement Rehab for the Runway 18-36 Joint Rehabilitation.
- Section 4. 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 21ST DAY OF APRIL, 2020.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:

EMPRESS DRANE
City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

AMENDMENT # 201304					
Airport Runway 18-36 Joint Rehab (AI2064 - Airfield Pavement Rehab)					
Account No.	Project Number	Account Description	Current Budget (Project)	Proposed Budget (Project)	Increase/ (Decrease)
Revenues					
061-0000-331-3101	AI2064	Capital / TxDot (Fed pass thru)	\$ -	\$ 198,000	\$ 198,000
Expenditures					
061-7777-xxx-xxxx	AI2064	Airport Improvements	\$ -	\$ 198,000	\$ 198,000
Fund Balance					
Fund 061 - Airport Construction Fund					\$ -
Net Effect on Fund Balance					\$ -



20-0325

TITLE: Consider/Discuss/Act on a Resolution Amending Resolution Number 2020-02-025 (R), Authorizing the City Manager to Apply for, Accept, Reject, Alter or Terminate, a Grant from the U. S. Department of Justice, Administered Through the State of Texas, Office of the Governor, for a Victims of Crime Act (VOCA) Grant, to Fund a Victim Advocate

COUNCIL GOAL: Safe and Secure Community
(6D: Continually increase operational efficiency in public safety departments)

MEETING DATE: April 21, 2020

DEPARTMENT: Police Department

CONTACT: Greg Conley, Chief of Police
Hilary Jones, Financial Analyst

RECOMMENDED CITY COUNCIL ACTION: Approve Resolution

ITEM SUMMARY:

- Resolution 2020-02-025(R) is being amended at the request of the Office of the Governor to include specific grant required language.
- Grant funds will be used to pay the existing Victim Advocate position in the Police Department for the next year. The Victim Advocate provides social service referrals and advocacy in to mitigate the effects of victimization, including but not limited to psychological, physical, emotional and financial effects.

BACKGROUND INFORMATION:

- The grant is funded through the Department of Justice and administered through the State of Texas, Office of the Governor, Criminal Justice Division.
- Without a Victim Advocate, Detectives, in addition to investigative responsibilities, would have to provide victim-support service duties.

FINANCIAL SUMMARY:

- The total provided by the grant over the next year, October 1, 2020 - September 30, 2021, will be \$68,338.

- The grant will provide \$68,338 over the next year, with a city match of \$17,685 (20%).

□ **SUMMARY OF GRANT BUDGETS** Salary\$ 58,300.75Supplies & Equipment\$ 5,087.00Training & Mileage\$ 3,000.00Printing\$ 450.00Direct Victim Assistance\$ 1500.00□

SUPPORTING MATERIALS:

[Resolution](#)

RESOLUTION NO. 2020-04-XXX (R)

A RESOLUTION TO AMEND RESOLUTION NUMBER 2020-02-025 (R) OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT, IF AWARDED, A GRANT TO THE U.S. DEPARTMENT OF JUSTICE, ADMINISTERED THROUGH THE STATE OF TEXAS, CRIMINAL JUSTICE DIVISION FOR A VICTIMS OF CRIME ACT (VOCA) GRANT

WHEREAS, the City Council of the City of McKinney, Texas, recognizes the need to increase the level of services provided to victims of crime within the City of McKinney; and

WHEREAS, the Victims of Crime Act (VOCA) grant is a federal grant through the U.S. Department of Justice and administered through the State of Texas.

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

- Section 1. The City Council of the City of McKinney, Texas hereby authorizes the City Manager, or designee, to apply for and accept, if awarded, the 2021 Victims of Crime Act (VOCA) grant from the U.S. Department of Justice, administered by the State of Texas, Criminal Justice Division.
- Section 2. The City Council agrees that in the event of loss or misuse of the VOCA funds, the City Council assures that the funds will be returned to the Office of the Governor in full; and
- Section 3. The City Council agrees to provide matching funds in the amount of \$17,685 for the said project as required by the Office of the Governor Victims of Crime Act grant application; and
- Section 4. The City Council authorizes the City Manager, or designee, as the City's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the agreement on behalf of the applicant agency.
- Section 5. 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 21st DAY OF APRIL, 2020.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER, Mayor

ATTEST:

EMPRESS DRANE, City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER, City Attorney



20-0326

TITLE: Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with VAI Architects, Inc. (VAI) of Addison, Texas for Architectural and Engineering Services Related to the Public Safety Building (PSB) Phase 5 Expansion and Renovation Project Located at 2200 Taylor Burk Drive, McKinney, Texas 75071

COUNCIL GOAL: Safe and Secure Community
(6A: Maintain Meaningful Public Safety Performance Measures)

MEETING DATE: April 21, 2020

DEPARTMENT: Police Department
Public Works Department

CONTACT: Greg Conley, Chief of Police
Patricia L. Jackson, PE, Facilities Construction Manager

RECOMMENDED CITY COUNCIL ACTION:

- Approval of the Resolution.

ITEM SUMMARY:

- This Resolution authorizes a professional services contract to provide architectural and engineering (A/E) services related to the PSB Phase 5 Expansion and Renovation Project located at the Public Safety Building, 2200 Taylor Burk Drive, McKinney, Texas 75071.
- The PSB Phase 5 Expansion and Renovation Project includes such items as additional building square footage for a code-mandated F5 tornado rated storm shelter, virtual reality training and fitness areas, locker room areas for increased staffing needs and associated restroom, storage and support areas along with new building entries and emergency exits. This total project also includes updates to the main PSB public entry with a Police and Fire Fallen Officers Memorial, as well as, the expansion of the breakroom, food service and functional areas to support healthy eating options.
- The selected consultant, VAI, has submitted a proposal to provide professional

A/E services for the PSB Phase 5 Expansion and Renovation Project for an amount of \$381,600.

BACKGROUND INFORMATION:

- VAI is a professional architectural & engineering firm based in Addison, Texas and has provided architectural and design services on other successful City of McKinney projects.
- On February 10, 2018, the City of McKinney signed a resolution (2018-02-023R) approving pre-qualified firms to provide architectural and engineering services to the City of McKinney. VAI Architects is one of the five architectural firms chosen to participate in the A/E vendor pool by RFQ 18-16RFQ for A/E Services for Multiple Projects in McKinney.

FINANCIAL SUMMARY:

- The Resolution authorizes a professional services contract for architectural and engineering services, including potential changes to the scope of services, with VAI Architects, Inc. for an amount not to exceed \$419,700 which includes a contingency amount of \$38,100.
- Upon approval of this item, \$382,100 will remain available in FC1729. If 2020 GO Bonds are issued as planned, the remaining balance in the project will be \$2,382,100.

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[Resolution](#)
[Proposal](#)

RESOLUTION NO. 2020-04-_____ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH VAI ARCHITECTS, INC. OF ADDISON, TEXAS, FOR ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE PUBLIC SAFETY BUILDING (PSB) PHASE 5 EXPANSION AND RENOVATION PROJECT

WHEREAS, the City Council of the City of McKinney, Texas, has determined the need for professional architectural and engineering services related to the expansion and renovation of the PSB located at 2200 Taylor Burk Drive, Project McKinney; and,

WHEREAS, the City desires to engage the services of VAI Architects, Inc. for architectural and engineering services related to the expansion and renovation of the PSB (FC1729).

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 accepts the proposal of VAI for professional architectural and engineering consulting services.
- Section 2. The City Manager is authorized to execute a contract for architectural and engineering services, including potential changes to the scope of services, with VAI for an amount not to exceed \$419,700 which includes a contingency amount of \$38,100.
- Section 3. 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 21st DAY OF APRIL, 2020.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary
LISA SEWELL
Deputy City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney



February 20, 2020

Mrs. Patricia Jackson, Facilities Construction Manager
City Of McKinney
1550 S. College St.
Building A
McKinney, TX 75070

Attachment A - 4 pages

via email: pjackson@mckinneytexas.org

RE: PROPOSAL FOR ARCHITECTURAL & ENGINEERING PROFESSIONAL DESIGN SERVICES

City of McKinney Police Department "Fitness Center" Expansion and Renovation
2200 Taylor Burk Drive
McKinney, TX 75071

Dear Mrs. Jackson:

The office of VAI Architects Incorporated (VAI) is pleased to present the following proposal to the City of McKinney (Client) for Architectural/ Engineering services required for the addition and renovation of the McKinney Police Department, as outlined herein.

I. PROJECT DEFINITION

This proposal is for architectural design and engineering services to provide a design for an ADDITION and limited partial interior RENOVATION to the existing McKinney Police Department facility.

1. ADDITION: The scope of the addition, approximately ranging in size from 7,500sf to 10,000sf maximum, is based on preliminary programming and budget per the following:
 - a. Expand the existing men's and women's locker rooms and shower/bathing facilities.
 - b. Provide NEW space for the Fitness & Training Center.
 - c. Allow the new addition to act as their "Emergency Storm Shelter" for the PD facility to comply with IBC 2018 and ICC 500-2014.
2. RENOVATION: The scope of the renovation will encompass the following:
 - a. Expansion, reconfiguration and interior renovation of existing men's and women's locker rooms to provide adequate connection and proper flow of personnel.
 - b. Limited minor interior renovation to prepare the vacated existing matt room and gym area to house other program to be generally scoped as an "Add Alternate".

II. PROJECT TEAM

The proposed design team and their respective areas of responsibility are as follows:

VAI Architects, Inc.:	Architect
Halff & Associates:	Civil
	Landscape – Limited scope to meet City of McKinney minimal requirements.
	Structural Engineer
	MEP Engineer
	Fire Protection
	IT/AV/Security
Ward Architecture	3 rd Party Storm Shelter Review
Pogue Construction	Cost Estimation Services (provided By Owner)

III. SCOPE OF SERVICES

The following is a brief summary of the Services will be provided under the Basic Services Agreement references above:

1. **Field Verification** - VAI team will visit the site to verify existing conditions to develop base background documents for the development of detailed design work and construction documentation. Site investigations will be visual and non-destructive in nature.
2. **Programming** – Based on information provided by Client, VAI will evaluate the spatial and functional requirements, confirmation of Owner existing manufacturer and equipment, including lockers, gym equipment, and hardware/keying, for the new addition; and develop a written program. We will participate in two (2) planning meetings with the Client throughout the Programming phase. The final program will be presented in a report identifying the major space requirements of the building facilities.
3. **Schematic Design Documents** - VAI shall prepare Schematic Design documents based on the mutually agreed-upon program, (2-3) design concepts, project schedule and budget for the work. The VAI Project Manager will participate in regularly scheduled design meetings with the project team. VAI will be responsible for producing and distributing the meeting minutes. We anticipate three (3) meetings with the Client during this phase. Cost estimate to determine scope and budget alignment will be provided by Pogue Construction.
4. **Design Development Documents** - VAI shall provide Design Development documents for its part of the work based on the Client approved Schematic Design, project schedule and updated budget for the work. The Design Development documents shall refine the Schematic Design, further establishing the project scope, relationships, forms, size and appearance of the project by means of plans, elevations and sections, typical construction details, and equipment layouts as appropriate. The VAI Project Manager will participate in scheduled design meeting with the project team. VAI will be responsible for producing and distributing the meeting minutes. We anticipate three (3) meetings with the Client during this phase. Cost estimate at the end of this phase will be provided by Pogue Construction.
5. **Construction Documents** - VAI shall produce Construction Documents for its part of the work based on the Client approved Design Development documents and in accordance with the project schedule and updated budget for the work. The Construction Documents shall set forth and describe in detail the requirements for construction of the project. VAI's Project Manager will participate in scheduled design meetings with the project team. VAI will be responsible for producing and distributing the meeting minutes. We anticipate three (3) meetings with the Client during this phase. Cost estimate at 50% Construction Documents will be provided by Pogue Construction.
6. **Bidding/Negotiation** – Bidding/Negotiation Phase services provided by VAI will be available to the Client to include coordination with Pogue Construction, answering RFI questions and providing clarifications to the design documents, reviewing costs, and issuing addendums, if necessary.
7. **Construction Phase Services** - CA Phase services to include participation in a pre-construction meeting, periodic site visits including attendance at regular Owner, Architect, Contractor meetings, construction phase clarifications, review of contractor submittals, review and response process of RFI's, provision of drawing clarifications as needed, assistance with any necessary change orders, punch-list reviews, etc.
8. **Post –Construction Services** – Review Project record closeout documents prepared by the contractor for completeness. Schedule a one-year walk- through ten (10) months following substantial completion.

IV. PROJECT SCHEDULE

VAI will be able to start the project approximately one (1) week from the time we receive a signed proposal, or a written "Notice To Proceed" from the Client, whichever comes first. We estimate the design and construction schedule as follows:

Field Verification / Programming / SD	6 weeks
Design Development	6 weeks
Construction Documents	8 weeks
Bid / Procurement Phase	1 month
Construction Administration Svcs.	8 months – (estimated Build Time)

V. BASIS OF COMPENSATION

A. Anticipated Total Project Budget

For the purpose of this proposal we understand the total project budget cap to be **\$4,500,000**.

B. Professional Services

The proposed professional fee for the design services for the scope of Professional Design Services described above is calculated on a lump sum in the amount of **\$375,000.00** (*Three Hundred Seventy Five Thousand Dollars, and No Cents*), based on the following Progress and Billing Milestone Schedule, invoiced monthly, and based on percentage of completion per phase of work:

Schematic Design (DD)	18%
Design Development (DD)	25%
Construction Documents (CD)	35%
BID/Negotiation	2%
Construction Administration Svcs (CA)	20%
TOTAL	100%

Additional services:

Third party "Storm Shelter Peer Review" - \$6,600.00: Scope of work includes the Architectural, Structural, and MEP peer reviews as required for storm shelters for Tornado per ICC500-2014 section 106.1.1 Chapters 3,5,6, and 7.

Excluded Services:

The items listed below are NOT INCLUDED in the services covered under this proposal; however, VAI Architects would be pleased to submit a proposal for these items as an Additional Service upon your request.

1. Professionally built architectural models and renderings
2. Special drawings or reports for approvals by statutory agencies
3. Out-Of-Phase revisions to previously approved work
4. Revisions to the Project Description, Scope of Services or Schedule
5. Additional meetings or presentations beyond those identified in our proposal
6. Design of storm water detention facilities
7. Design of any off site paving improvements, street extensions or widening

C. Reimbursable Expenses:

Reimbursable expenses are included in the lump sum number and include reproduction of documents for design review, printing, TAS Review, and project related travel. We estimate these expenses will **NOT TO EXCEED \$3,000**.

D. Hourly Rates and Payment Provisions

For additional services provided by VAI that are not included in this proposal, the following billable hourly rates will apply:

Principal-In-Charge	\$283.50	Project Coordinator	\$136.00
Project Manager	\$186.50	Designer Technician	\$103.00
Sr. Architect	\$198.00	CAD Technician	\$85.00
Project Architect	\$155.00	Clerical	\$72.00

Other additional consulting services not included in the scope of this proposal shall be reimbursed at one and one-tenth (1.1) times the amount expended by VAI in the interest of the project.

Payment by the Client shall be made to VAI within thirty (30) days of monthly invoicing, based on percentages of completion of each stage of services.

VI. SPECIAL PROVISIONS

Please note that our office has made the following assumptions with respect to this proposal:

1. Preparation of drawings will utilize AutoCAD, Revit and /or SketchUp, at our discretion. Digital files of the work will be made available to the Client in PDF format. The project design remains the property of the Architect.
2. If required, environmental assessments/reports, and materials testing will be provided by Client.
3. Any required asbestos abatement will be handled by the Client, and is not the responsibility of VAI design team.
4. It is understood that LEED design services are not necessary for this project and are therefore excluded from the scope of this proposal however, we will utilize sustainable design approaches the project in keeping with the new facility.
5. A single point of contact will be designated by the Client and shall be the primary source of Client information and approval.
6. VAI will utilize existing survey information and will coordinate with the CMaR contractor for spot grades and existing utility verification.
7. VAI assumes that existing utility services are readily available and adequate for the planned new addition.
8. VAI will utilize existing Geotechnical Investigation as prepared for the original Police building for foundation and paving design.
9. The Client's GC will prepare the required SWPPP plans for this project.

We look forward to working with you on this very important project. Please do not hesitate to contact me should you have any questions or if additional information is required.

Sincerely,



Barton Drake, AIA, NCARB
Principal
VAI Architects



20-0327

TITLE: Consider/Discuss/Act on a Resolution Authorizing the City Manager to Apply for, and Accept if Awarded, a Grant from the Texas Historic Courthouse Preservation Program, in an Amount not to Exceed \$3,000,000, for Preservation and Repairs to the McKinney Performing Arts Center at the Historic Collin County Courthouse

COUNCIL GOAL: Enhance the quality of life in McKinney

MEETING DATE: April 21, 2020

DEPARTMENT: MPAC / McKinney Main Street

CONTACT: Amy Rosenthal, MPAC / McKinney Main Street Director

RECOMMENDED CITY COUNCIL ACTION: Approve the Resolution

ITEM SUMMARY:

- McKinney Performing Arts Center at the Historic Collin County Courthouse is eligible for a grant from the Texas Historic Commission's Texas Historic Courthouse Preservation Program Round XI grant application.
- MPAC's Master Plan Update, conducted by Architexas, identifies several critical updates to the facility in support of preservation.
- This grant opportunity will not be available again until 2022 and a reduction of future grant funding potential is anticipated.

BACKGROUND INFORMATION:

- In May 2019, ownership of the Historic Collin County Courthouse was transferred from Collin County to the City of McKinney.
- McKinney Performing Arts Center is working with Architexas to update the Historic Collin County Courthouse Master Plan.
- Historic Courthouses with updated master plans are eligible to apply for grants from a fund of \$35,000,000 offered by the Texas Historic Commission through the Texas Historic Courthouse Preservation Program.

FINANCIAL SUMMARY:

- MPAC's application to the Texas Historic Courthouse Preservation Program is not to exceed \$3,000,000.
- The grant program requires a 15% match from courthouse managing entity. At a \$3,000,000 grant request, the match is not to exceed \$450,000.
- Staff is exploring various options to accommodate the match. If awarded, the budget will be amended accordingly.

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Resolution](#)

RESOLUTION NO. 2020-04-___ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, SUPPORTING THE CITY OF MCKINNEY TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT FROM THE TEXAS HISTORIC COURTHOUSE PRESERVATION PROGRAM, IN AN AMOUNT NOT TO EXCEED \$3,000,000, FOR PRESERVATION AND REPAIRS TO THE MCKINNEY PERFORMING ARTS CENTER AT THE HISTORIC COLLIN COUNTY COURTHOUSE.

WHEREAS, the City Council of the City of McKinney, Texas, is committed to the preservation and maintenance of the Collin County Historic Courthouse as a public facility serving the community as the McKinney Performing Arts Center to enhance the quality of life in McKinney.

WHEREAS, the City Council of the City of McKinney, Texas, recognizes that MPAC is the centerpiece of the Historic Downtown McKinney Cultural District.

WHEREAS, the City Council of the City of McKinney, Texas, acknowledges MPAC's economic impact on Historic Downtown McKinney as an active facility serving the community with programming that incorporates day, night and weekend use.

WHEREAS, the City Council of the City of McKinney, Texas, recognizes the need to preserve the historic courthouse.

WHEREAS, the City of McKinney prepared a master plan update for the historic courthouse as part of the requirements for participation in the Texas Historical Commission's Texas Historic Courthouse Preservation Program.

WHEREAS, the City of McKinney prepared the master plan for use in ongoing preservation of the courthouse; and

WHEREAS, the City Council of the City of McKinney, Texas, recognizes that MPAC is in critical needs of repairs.

WHEREAS, the City Council of the City of McKinney, Texas, acknowledges that terms of the Texas Historic Courthouse Preservation Program Round XI grant require the recipient to commit 15% matching funds.

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 issues support to the City Manager to apply for, and accept if awarded, a grant from the Texas Courthouse Preservation Program, a division of the Texas Historic Commission, in an amount not to exceed \$3,000,000 with a commitment of matching funds not to exceed \$450,000.

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

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 21st DAY OF MAY, 2019.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney



20-0328

TITLE: Consider/Discuss/Act on a Resolution Authorizing the 'McKinney Strong' COVID-19 Business Grant Program; and Providing an Effective Date

COUNCIL GOAL: Direction for Strategic & Economic Growth

MEETING DATE: April 21, 2020

DEPARTMENT: City Manager's Office

CONTACT: Kim Flom, Assistant City Manager

RECOMMENDED CITY COUNCIL ACTION:

- Approval of the resolution.

ITEM SUMMARY:

- The McKinney Community Development Corporation (MCDC) and the City of McKinney propose a grant program to promote the city for the purpose of business development and supplement other relief efforts.

BACKGROUND INFORMATION:

- The Council directed the Business Support and Stimulus Team, comprised of staff from the City and MCDC, to explore a local business support program during the April 7, 2020 City Council Work Session.
- The proposed program would provide a one-time reimbursement grant of up to \$1,500 to small businesses and small nonprofit organizations that have experienced financial hardship due to the COVID-19 pandemic.
- \$500,000 is proposed for the program, which could provide maximum grants to over 330 businesses and nonprofits.

FINANCIAL SUMMARY:

- The program is proposed to be funded using unallocated MCDC promotional funds, subject to approval by MCDC.

BOARD OR COMMISSION RECOMMENDATION:

- On April 23, 2020, the McKinney Community Development Corporation will

consider approving and funding this program in an amount not to exceed \$500,000.

SUPPORTING MATERIALS:

[Resolution](#)

RESOLUTION NO. 2020-04- [REDACTED] (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE 'MCKINNEY STRONG' COVID-19 BUSINESS GRANT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of McKinney, Texas, has adopted Ordinance 2020-04-25 which incorporates the Governor's Orders regarding essential services and activities and further provides for the regulation of McKinney businesses during the declared Local State of Disaster Due to Public Health Emergency in response to the COVID-19 pandemic; and

WHEREAS, the necessary regulations and orders issued incident to the COVID-19 pandemic have resulted in numerous McKinney businesses enduring financial hardship; and

WHEREAS, the City Council has concluded and hereby finds that a locally-funded and administered small business grant program is needed to support economic development and promote business recovery and ensure the economic health of businesses in the City of McKinney.

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 creation of the 'McKinney Strong' COVID-19 Small Business Grant Program, subject to its management, funding and authorization by the McKinney Community Development Corporation ("MCDC") in an aggregate amount not to exceed \$500,000.
- Section 2. The COVID-19 Small Business Grant Program shall be open to small businesses and non-profit entities with a commercial business address and location in the City of McKinney. Home-based businesses shall not be eligible.
- (a) A small business shall be defined as a for-profit entity or non-profit entity employing fifty (50) or fewer FTEs (full-time equivalents) as of March 16, 2020.
 - (b) Approved grants shall not exceed One Thousand Five Hundred and No/100 Dollars (\$1,500.00) in the aggregate, per entity, and each grant shall only be used to reimburse the following verified, eligible business expenses incurred in April and May 2020:
 - a. Rent
 - b. Utilities (water, gas, electric, trash)
 - c. Communication (internet, phone)
- Section 3. The Council authorizes the MCDC, in conjunction with City staff, to develop guidelines for the review and approval of qualified applications.
- Section 4. The MCDC, through the City's Finance Department, shall process payment to eligible grant recipients.
- Section 5. The MCDC, through the City's Finance Department, shall process payment to Zoom Grants in the amount of \$2,000 in order to acquire the online module and associated technical support.
- Section 6. This Resolution shall take effect immediately from and after the date of passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 21ST DAY OF APRIL 2020.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER, Mayor

ATTEST:

EMPRESS DRANE, City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER, City Attorney



20-0329

TITLE: Consider/Discuss/Act on a Resolution of the City of McKinney, Texas Finding that Oncor Electric Delivery Company LLC's Application for Approval to Amend its Distribution Cost Recovery Factor Pursuant to Increase Distribution Rates Within the City Should be Denied; Authorizing Participation with Oncor Cities Steering Committee; Authorizing the Hiring of Legal Counsel and Consulting Services; Finding that the City's Reasonable Rate Case Expenses Shall be Reimbursed by the Company; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel.

COUNCIL GOAL: Financially Sound Government & Operational Excellence

MEETING DATE: April 21, 2020

DEPARTMENT: City Manager's Office

CONTACT: Trevor Minyard, Strategic Services Manager

RECOMMENDED CITY COUNCIL ACTION:

- Staff recommends approval of this resolution.

ITEM SUMMARY:

- The City, along with over 100 other cities served by Oncor Electric Delivery Company LLC ("Oncor" or "Company") is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee").
- Accordingly, the Steering Committee's attorneys recommend that all members adopt the Resolution denying Application for Approval to Amend its Distribution Cost Recover Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area.
- A description of the various sections of the attached resolution are below:
 1. This section authorizes the city to participate with OCSC as a party in the Company's DCRF filing in PUC Docket No. 50734.
 2. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make

recommendations to the City regarding reasonable rates. It also authorizes OCSC to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the Commission.

3. This paragraph finds that the Company's application is unreasonable and should be denied.
4. This section states that the Company's current rates shall not be changed.
5. The Company will reimburse OCSC for its reasonable rate case expenses. Legal counsel and consultants approved by OCSC will submit monthly invoices that will be forwarded to Oncor for reimbursement.
6. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
7. This section provides Oncor and counsel for OCSC will be notified of the City's action by sending a copy of the approved and signed resolution to counsel.

BACKGROUND INFORMATION:

- On April 3, 2020, Oncor filed an Application to Amend its Distribution Cost Recovery Factor ("DCRF") with each of the cities retaining original jurisdiction and with the Commission in Docket No. 50734. In the filing, the Company sought to increase distribution rates by \$75.9 million annually (an approximately \$0.88 increase to the average residential customer's bill).
- The resolution authorizes the City to join with OCSC to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

FINANCIAL SUMMARY:

- Residential customers of Oncor throughout McKinney could see increased bills based on individual usage.

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[Resolution](#)

RESOLUTION NO. 2020-04-XXX (R)

A RESOLUTION OF THE CITY OF THE CITY OF MCKINNEY, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH ONCOR CITIES STEERING COMMITTEE; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

WHEREAS, the City Council of the City of McKinney, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the Oncor Cities Steering Committee ("OCSC") is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area in matters before the Public Utility Commission ("Commission") and the courts; and

WHEREAS, on or about April 3, 2020, Oncor filed with the Commission an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), Commission Docket No. 50734, seeking to increase distribution rates by \$75.9 million annually (an approximately \$0.88 increase to the average residential customer's bill); and

WHEREAS, the City of McKinney, Texas will cooperate with OCSC in coordinating their review of Oncor's DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation, to resolve issues in the Company's filing; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, working with the OCSC to review the rates charged by Oncor allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, OCSC's members and attorneys recommend that members deny Oncor's DCRF.

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

Section 1. That the City is authorized to participate with OCSC in Commission Docket No. 50734.

Section 2. That, subject to the right to terminate employment at any time, the City of MCKinney, Texas hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal Oncor's DCRF application.

- Section 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.
- Section 4. That the Company shall continue to charge its existing rates to customers within the City.
- Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.
- Section 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.
- Section 7. That a copy of this Resolution shall be sent to Tab Urbantke, Attorney for Oncor, at Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202, and to Thomas Brocato, General Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767 1725, or tbrocato@lglawfirm.com.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 21st DAY OF April, 2020.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney



19-0170PF2

TITLE: Consider/Discuss/Act on a Preliminary-Final Plat for Trinity Falls Planning Unit 7 South, Located North of County Road 228 and West of County Road 206

COUNCIL GOAL: Direction for Strategic and Economic Growth
(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential, and open space)

MEETING DATE: April 21, 2020

DEPARTMENT: Development Services, Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Kaitlin Gibbon, Planner I

APPLICATION SUBMITTAL DATE: September 16, 2019 (Original Application)
April 8, 2020 (Revised Submittal)

RECOMMENDED CITY COUNCIL ACTION: Staff recommends approval of the proposed preliminary-final plat with the following conditions:

1. The items currently marked as "not met" on the attached Conditions of Approval Summary be satisfied prior to issuing final approval.
2. The applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat Approval Checklist, attached, prior to the issuance of any necessary permits.

ITEM SUMMARY: The applicant is proposing to subdivide approximately 75.108 acres into 315 lots and 53 common areas for single family residential uses.

The proposed plat was previously considered for disapproval at the October 8, 2019 Planning and Zoning Commission meeting. Since that time, the applicant has worked with staff to address the noted plat deficiencies and staff is now recommending approval of the proposed preliminary-final plat.

Per the provisions of the City's Subdivision Ordinance, the proposed plat shall satisfy all requirements for a preliminary-final plat. Items currently not satisfied for the proposed preliminary-final plat are shown on the attachment to this report titled "Conditions of Approval Summary."

APPROVAL PROCESS: City Council will be the final approval authority for the proposed preliminary-final plat.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has not received any comments either in opposition to or in support of the proposed preliminary-final plat

SUPPORTING MATERIALS:

[Standard Conditions Checklist](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Proposed Preliminary-Final Plat](#)

[Conditions of Approval Summary](#)

Standard Conditions for Preliminary-Final Plat/Replat Approval Checklist

The conditions listed below marked with a “☒” need to be satisfied by the applicant, prior to issuance of a permit:

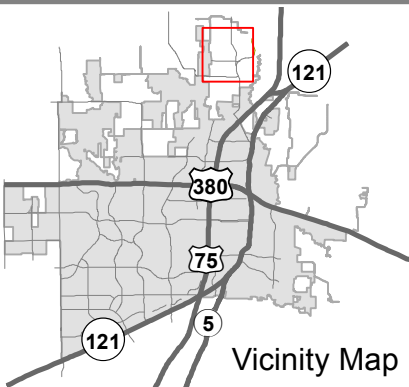
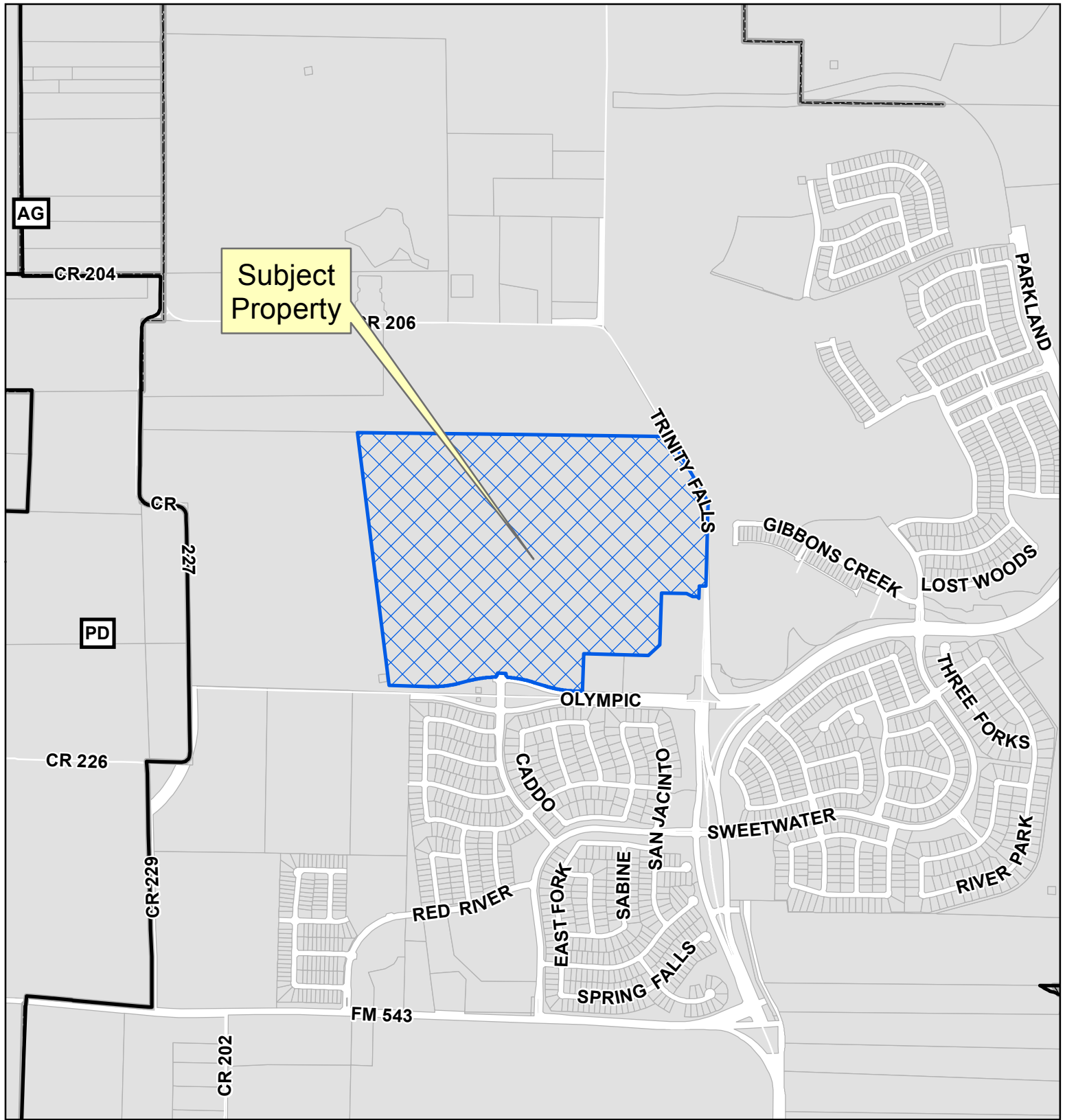
- ☒ Submit a record plat or plats conforming to the approved preliminary-final plat, subject to review and approval by Staff. For residential uses, the record plat(s) must be filed before a building permit is issued, and for non-residential uses, the record plat(s) must be approved before a permit is issued.
- ☒ Approval of screening and buffering plans, including irrigation, in accordance with Section 142-106 of the Subdivision Ordinance, and as amended, by the Director of Planning, and approval of final screening and buffering plans, including irrigation, by the Director of Planning, by prior to installation of materials.
- ☒ Approval of public improvement construction plans, including location of any required sidewalks, Hike and Bike Trails, and fire hydrants, by the City Engineer.
- ☒ Approval of utility construction plans by the City Engineer.
- ☒ Approval of grading and drainage plans by the City Engineer.
- ☒ Approval of the proposed street names within this development by the City Engineer.
- ☒ The applicant comply with the requirements of the Tree Preservation Ordinance and obtain any necessary tree permits within the time frames specified within the Ordinance, subject to review and approval by the City Arborist.

The conditions listed below marked with a “☒” need to be satisfied by the applicant, prior to filing a record plat for record:

- ☒ Acceptance of all required public improvements by the City Engineer, unless otherwise specified within an approved facilities agreement.
- ☒ The applicant provide any additional easements as determined necessary by the City Engineer.
- ☒ Approval of annexation documentation, and filing thereof, incorporating the proposed development into the homeowners' association for the proposed development, including the dedication of common areas, and its maintenance responsibilities, and be subject to review and approval by the City Attorney, and filed for record. *(In accordance with [Sec. 142-107 Common Areas & Homeowners Associations](#) of the City's Subdivision Regulations.)*
- ☒ The applicant satisfy park land dedication obligations, in accordance with Article VI of the Subdivision Ordinance, subject to review and approval by the Director of Parks and Recreation.
- ☐ Payment of median landscaping fees for medians within divided roadways, in lieu of the applicant landscaping and irrigating the medians, in the amount of \$25.50 per linear foot for the distance parallel to the subject property.

Prior to issuance of a building permit:

- ☒ Payment of impact fees in accordance with Ordinances 2013-11-109 and 2013-12-118 (utilities) and 2013-11-108 (roadway), or as specified within an approved facilities agreement or development agreement.



Location Map

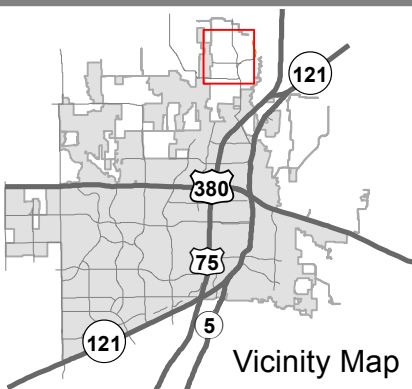
PLAT2019-0170



0 620 1,240 Feet

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.





Location Map

PLAT2019-0170



0 620 1,240 Feet

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.





September 9, 2019

Jennifer Arnold
City of McKinney Planning Dept.
221 N. Tennessee St.
McKinney, TX 75069

**RE: *Letter of Intent Preliminary Final Plat for Trinity Falls Planning Unit 7
McKinney, TX***

Dear Ms. Arnold,

Please find attached the Preliminary-Final Plat for Trinity Falls Planning Unit 7, a single family residential development. The subject property is located northwest of the Trinity Falls Parkway (CR 206) and Olympic Crossing (CR 228) intersection in the City of McKinney Extraterritorial Jurisdiction. The site is +/- 149.8 acres in size, contains 536 residential lots and 67 common areas for screening, buffering, and drainage purposes.

Please contact me at (972) 335-3580 or russell.kennedy@kimley-horn.com should you have any questions.

Sincerely,



Russell L. Kennedy, P.E.
Project Manager



TIPS FOR SUBMITTAL

- Each submittal item above should be an individual file to upload through CSS and/or eReviews. For example: a multiple page site plan can be consolidated into a single file but a site plan and landscape plan should be two separate files.
- The plans' files sizes should be as small as possible to allow for easy downloading and viewing from the internet.

REQUIRED CSS ATTACHMENTS (when uploading, please name all files as listed below):

- ☒ LETTER OF INTENT
- ☒ PLANNING APPLICATION must be completely filled out and signed by owner (*separate letters of authorization will not be accepted*)
- ☒ PLAT EXHIBIT formatted and scaled to a 24" x 36" page size
- ☒ PRELIMINARY ENGINEERING PLANS formatted and scaled to a 24" x 36" page size
- ☒ SETBACK EXHIBIT formatted and scaled to a 24" x 36" page size (for residential plats)
- ☒ ^{NA} TREE SURVEY (formatted and scaled to a 24" x 36" page size) OR AFFIDAVIT OF NO TREES

DUE TO HIGH SUBMITTAL VOLUMES AND STATE LAW REQUIREMENTS, CHANGES, MODIFICATIONS, AND REVISIONS PRIOR TO ACTION BY STAFF, P&Z COMMISSION, OR CITY ARE UNABLE TO BE ACCEPTED.

PRELIMINARY-FINAL PLAT
FOR
TRINITY FALLS PLANNING UNIT 7 SOUTH
CITY OF MCKINNEY ETJ, COLLIN COUNTY, TEXAS



ENGINEER



6160 WARREN PARKWAY SUITE 210
FRISCO, TEXAS 75034
PH. (972) 335-3580
CONTACT: RUSSELL KENNEDY, P.E.

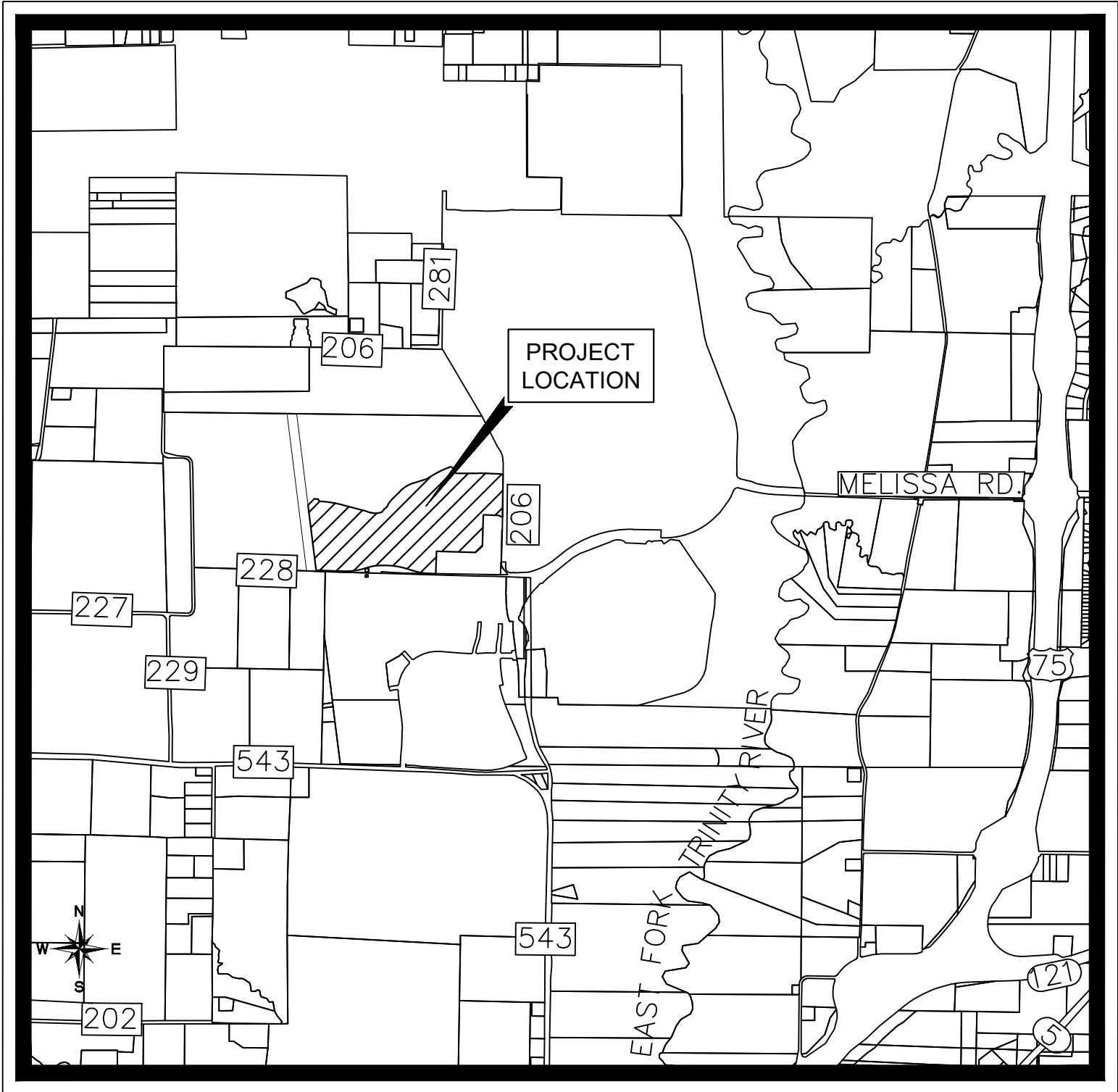
STATE OF TEXAS
REGISTRATION NO. F-928

MUNICIPAL UTILITY DISTRICT

MCKINNEY MUNICIPAL UTILITY DISTRICT NO. 1 OF COLLIN COUNTY
16380 ADDISON ROAD
ADDISON, TX 75001
CONTACT: RYAN A. ROSA
(972) 380-5900

OWNER/DEVELOPER

TRINITY FALLS HOLDINGS LP
1575 HERITAGE DRIVE, SUITE 300
MCKINNEY, TX 75009
CONTACT: ROBERT DITTHARDT
(713) 960-9977



VICINITY MAP
NTS

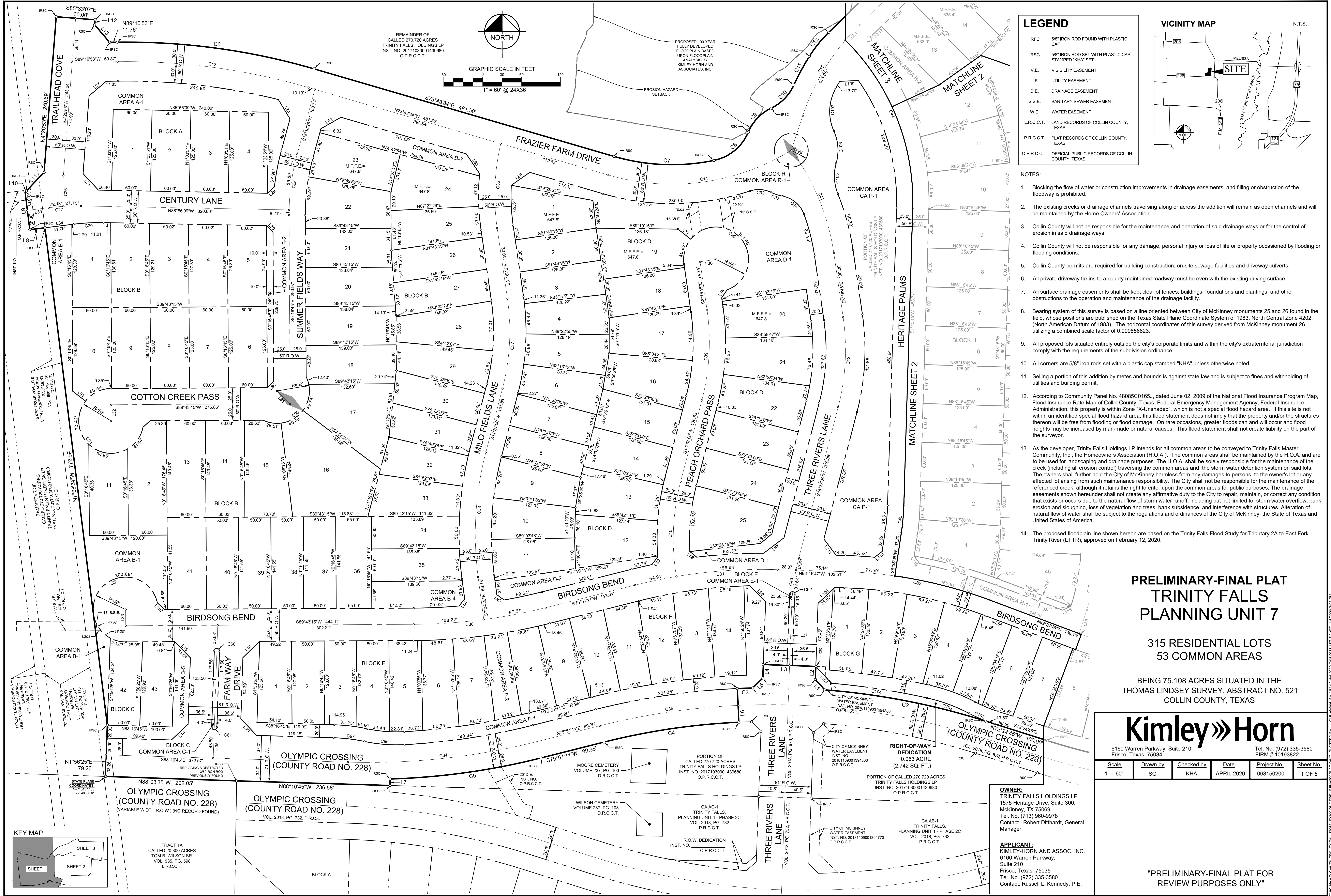
APRIL 2020

PRELIMINARY-FINAL PLAT FOR REVIEW PURPOSES ONLY

SHEET INDEX

Sheet Number	Sheet Title
C-1	COVER SHEET
P-1	PRELIMINARY - FINAL PLAT
P-2	PRELIMINARY - FINAL PLAT
P-3	PRELIMINARY - FINAL PLAT
P-4	PRELIMINARY - FINAL PLAT
P-5	PRELIMINARY - FINAL PLAT

NOTE: ALL PROPOSED LOTS SITUATED ENTIRELY
OUTSIDE THE CITY'S CORPORATE LIMITS AND WITHIN
THE CITY'S EXTRATERRITORIAL JURISDICTION
COMPLY WITH THE SUBDIVISION ORDINANCE



LEGEND

IRFC 5/8" IRON ROD FOUND WITH PLASTIC CAP

IRSC 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "KHA" SET

V.E. VISIBILITY EASEMENT

U.E. UTILITY EASEMENT

D.E. DRAINAGE EASEMENT

S.S.E. SANITARY SEWER EASEMENT

W.E. WATER EASEMENT

L.R.C.C.T. LAND RECORDS OF COLLIN COUNTY, TEXAS

P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY, TEXAS

O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS

- NOTES:**
- Blocking the flow of water or construction improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
 - The existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the Home Owners' Association.
 - Collin County will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion in said drainage ways.
 - Collin County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.
 - Collin County permits are required for building construction, on-site sewage facilities and driveway culverts.
 - All private driveway tie-ins to a county maintained roadway must be even with the existing driving surface.
 - All surface drainage easements shall be kept clear of fences, buildings, foundations and plantings, and other obstructions to the operation and maintenance of the drainage facility.
 - Bearing system of this survey is based on a line oriented between City of McKinney monuments 25 and 26 found in the field, whose positions are published on the Texas State Plane Coordinate System of 1983, North Central Zone 4202 (North American Datum of 1983). The horizontal coordinates of this survey derived from McKinney monument 26 utilizing a combined scale factor of 0.999856823.
 - All proposed lots situated entirely outside the city's corporate limits and within the city's extraterritorial jurisdiction comply with the requirements of the subdivision ordinance.
 - All corners are 5/8" iron rods set with a plastic cap stamped "KHA" unless otherwise noted.
 - Selling a portion of this addition by metes and bounds is against state law and is subject to fines and withholding of utilities and building permit.
 - According to Community Panel No. 48085C01651, dated June 02, 2009 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is within Zone "X-Unshaded", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
 - As the developer, Trinity Falls Holdings LP intends for all common areas to be conveyed to Trinity Falls Master Community, Inc., the Homeowners Association (H.O.A.). The common areas shall be maintained by the H.O.A. and are to be used for landscaping and drainage purposes. The H.O.A. shall be solely responsible for the maintenance of the creek (including all erosion control) traversing the common areas and the storm water detention system on said lots. The owners shall further hold the City of McKinney harmless from any damages to persons, to the owner's lot or any affected lot arising from such maintenance responsibility. The City shall not be responsible for the maintenance of the referenced creek, although it retains the right to enter upon the common areas for public purposes. The drainage easements shown hereunder shall not create any affirmative duty to the City to repair, maintain, or correct any condition that exists or occurs due to the natural flow of storm water runoff, including but not limited to, storm water overflow, bank erosion and sloughing, loss of vegetation and trees, bank subsidence, and interference with structures. Alteration of natural flow of water shall be subject to the regulations and ordinances of the City of McKinney, the State of Texas and United States of America.
 - The proposed floodplain line shown hereon are based on the Trinity Falls Flood Study for Tributary 2A to East Fork Trinity River (EFTR), approved on February 12, 2020.

**PRELIMINARY-FINAL PLAT
TRINITY FALLS
PLANNING UNIT 7**

**315 RESIDENTIAL LOTS
53 COMMON AREAS**

BEING 75.108 ACRES SITUATED IN THE
THOMAS LINDSEY SURVEY, ABSTRACT NO. 521
COLLIN COUNTY, TEXAS

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034

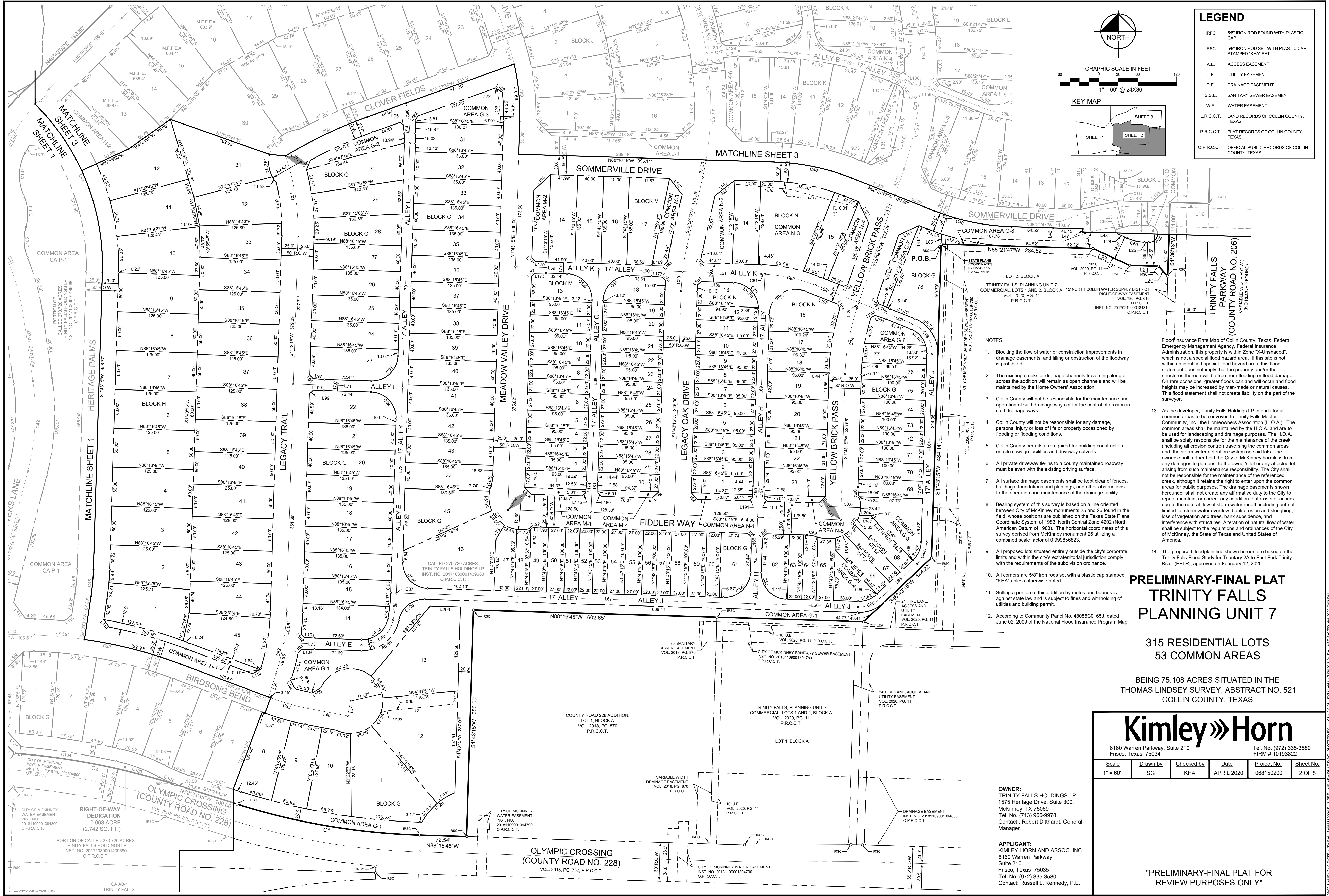
Tel. No. (972) 335-3580
FIRM # 10193822

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SG	KHA	APRIL 2020	068150200	1 OF 5

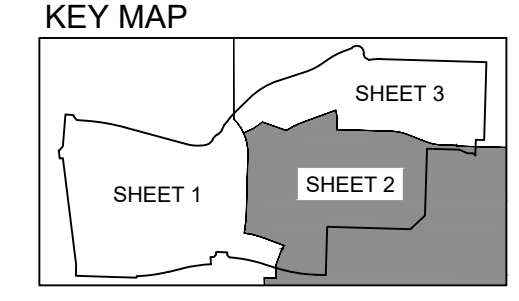
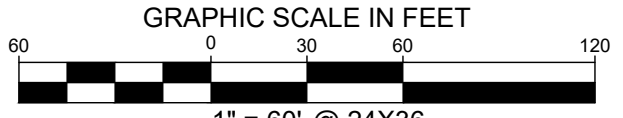
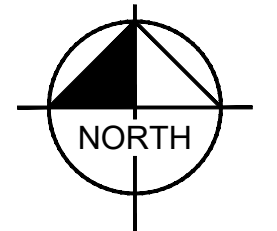
OWNER:
TRINITY FALLS HOLDINGS LP
1575 Heritage Drive, Suite 300,
McKinney, TX 75069
Tel. No. (713) 960-9978
Contact : Robert Ditthardt, General
Manager

APPLICANT:
KIMLEY-HORN AND ASSOC. INC.
6160 Warren Parkway,
Suite 210
Frisco, Texas 75035
Tel. No. (972) 335-3580
Contact: Russell L. Kennedy, P.E.

"PRELIMINARY-FINAL PLAT FOR
REVIEW PURPOSES ONLY"



LEGEND	
IRFC	5/8" IRON ROD FOUND WITH PLASTIC CAP
IRSC	5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "KHA" SET
A.E.	ACCESS EASEMENT
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
W.E.	WATER EASEMENT
L.R.C.C.T.	LAND RECORDS OF COLLIN COUNTY, TEXAS
P.R.C.C.T.	PLAT RECORDS OF COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS



NOTES:

- Blocking the flow of water or construction improvements in drainage easements, or filling or obstruction of the floodway is prohibited.
 - The existing creeks or drainage channels traversing along or across the addition will remain open channels and will be maintained by the Home Owners' Association.
 - Collin County will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion in said drainage ways.
 - Collin County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.
 - Collin County permits are required for building construction, on-site sewage facilities and driveway culverts.
 - All private driveway lie-ins to a county maintained roadway must be even with the existing driving surface.
 - All surface drainage easements shall be kept clear of fences, buildings, foundations and plantings, and other obstructions to the operation and maintenance of the drainage facility.
 - Bearing system of this survey is based on a line oriented between City of McKinney monuments 25 and 26 found in the field, whose positions are published on the Texas State Plane Coordinate System of 1983, North Central Zone 4202 (North American Datum of 1983). The horizontal coordinates of this survey derived from McKinney monument 25 utilizing a combined scale factor of 0.999856823.
 - All proposed lots situated entirely outside the city's corporate limits and within the city's extraterritorial jurisdiction comply with the requirements of the subdivision ordinance.
 - All corners are 5/8" iron rods set with a plastic cap stamped "KHA" unless otherwise noted.
 - Selling a portion of this addition by metes and bounds is against state law and is subject to fines and withholding of utilities and building permit.
 - According to Community Panel No. 48085C0165J, dated June 02, 2009 of the National Flood Insurance Program Map,
- Flood Insurance Rate Map of Collin County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is within Zone "X-Unshaded", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
- As the developer, Trinity Falls Holdings LP intends for all common areas to be conveyed to Trinity Falls Master Community, Inc., the Homeowners Association (H.O.A.). The common areas shall be maintained by the H.O.A. and are to be used for landscaping and drainage purposes. The H.O.A. shall be solely responsible for the maintenance of the creek (including all erosion control) traversing the common areas and the storm water detention system on said lots. The owners shall further hold the City of McKinney harmless from any damages to persons, to the owner's lot or any affected lot arising from such maintenance responsibility. The City shall not be responsible for the maintenance of the referenced creek, although it retains the right to enter upon the common areas for public purposes. The drainage easements shown hereunder shall not create any affirmative duty to the City to repair, maintain, or correct any condition that exists or occurs due to the natural flow of storm water runoff, including but not limited to, storm water overflow, bank erosion and sloughing, loss of vegetation and trees, bank subsidence, and interference with structures. Alteration of natural flow of water shall be subject to the regulations and ordinances of the City of McKinney, the State of Texas and United States of America.
- The proposed floodplain line shown hereon are based on the Trinity Falls Flood Study for Tributary 2A to East Fork Trinity River (EFTR), approved on February 12, 2020.

PRELIMINARY-FINAL PLAT
TRINITY FALLS
PLANNING UNIT 7

315 RESIDENTIAL LOTS
53 COMMON AREAS

BEING 75.108 ACRES SITUATED IN THE
THOMAS LINDSEY SURVEY, ABSTRACT NO. 521
COLLIN COUNTY, TEXAS

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
Tel. No. (972) 335-3580
FIRM # 10153822

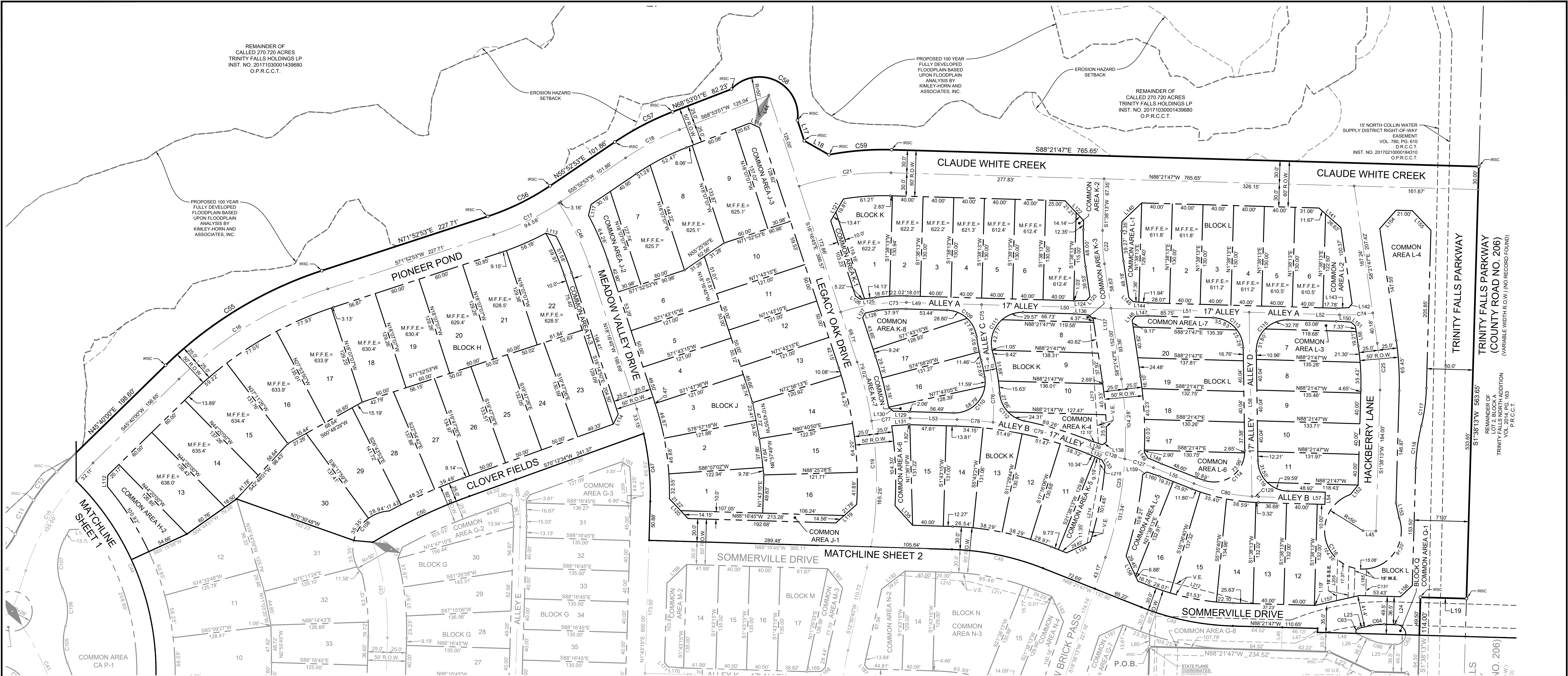
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
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1" = 60' SG KHA APRIL 2020 068150200 2 OF 5

OWNER:
TRINITY FALLS HOLDINGS LP
1575 Heritage Drive, Suite 300,
McKinney, TX 75069
Tel. No. (713) 960-9978
Contact : Robert Dithardt, General Manager

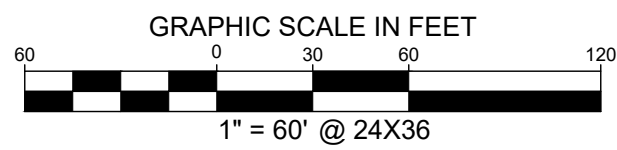
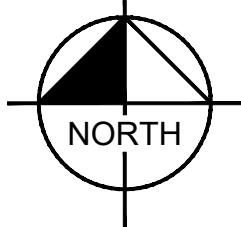
APPLICANT:
KIMLEY-HORN AND ASSOC. INC.
6160 Warren Parkway,
Suite 210
Frisco, Texas 75035
Tel. No. (972) 335-3580
Contact: Russell L. Kennedy, P.E.

"PRELIMINARY-FINAL PLAT FOR
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NOTES:

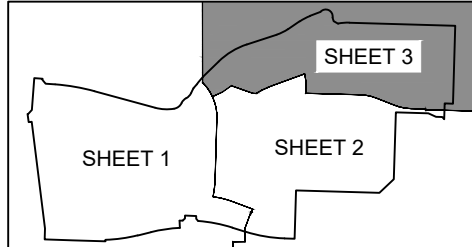
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LEGEND

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U.E.	UTILITY EASEMENT
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KEY MAP



PRELIMINARY-FINAL PLAT
TRINITY FALLS
PLANNING UNIT 7

315 RESIDENTIAL LOTS
53 COMMON AREAS

BEING 75.108 ACRES SITUATED IN THE
THOMAS LINDSEY SURVEY, ABSTRACT NO. 521
COLLIN COUNTY, TEXAS

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034

Tel. No. (972) 335-3580
FIRM # 10193822

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SG	KHA	APRIL 2020	068150200	3 OF 5

OWNER:
TRINITY FALLS HOLDINGS LP
1575 Heritage Drive, Suite 300,
McKinney, TX 75069
Tel. No. (713) 960-9978
Contact : Robert Dithardt, General Manager

APPLICANT:
KIMLEY-HORN AND ASSOC. INC.
6160 Warren Parkway,
Suite 210
Frisco, Texas 75035
Tel. No. (972) 335-3580
Contact: Russell L. Kennedy, P.E.

"PRELIMINARY-FINAL PLAT FOR
REVIEW PURPOSES ONLY"

LINE TABLE				LINE TABLE				LINE TABLE				LINE TABLE				LINE TABLE				LINE TABLE				LINE TABLE			
NO.	BEARING	LENGTH		NO.	BEARING	LENGTH		NO.	BEARING	LENGTH		NO.	BEARING	LENGTH		NO.	BEARING	LENGTH		NO.	BEARING	LENGTH		NO.	BEARING	LENGTH	
L1	S41°58'47"E	21.57'		L32	S00°16'45"E	25.00'		L63	N88°21'47"W	89.01'		L94	S22°52'39"W	15.76'		L125	S83°06'48"W	19.35'		L156	N46°38'13"E	21.21'		L187	N39°09'27"W	6.54'	
L2	N02°02'28"E	20.15'		L33	N00°16'45"W	25.00'		L64	N01°43'15"E	290.74'		L95	N58°16'59"W	6.23'		L126	N57°25'39"W	7.74'		L157	S77°25'39"W	59.07'		L188	S47°50'02"W	17.21'	
L3	S87°57'32"E	81.00'		L34	N82°53'56"E	44.54'		L65	N46°43'15"E	77.20'		L96	S06°50'32"E	14.62'		L127	S29°33'16"W	6.71'		L158	N25°00'00"W	36.33'		L189	N88°16'45"W	49.85'	
L4	S02°02'28"W	20.92'		L35	S01°56'25"W	205.00'		L66	S88°16'45"E	158.91'		L97	S85°25'00"E	17.59'		L128	S77°23'16"W	15.86'		L159	S56°49'18"W	6.40'		L190	S04°35'00"W	17.59'	
L5	N45°31°10"E	21.77'		L36	S81°43'15"W	25.00'		L67	S88°16'45"E	554.00'		L98	N41°50'52"W	7.25'		L129	N88°14'30"W	20.17'		L160	N71°48'50"W	17.31'		L191	S48°09'08"W	7.25'	
L6	N02°37'57"W	52.00'		L37	S02°02'28"W	90.29'		L68	S01°43'15"W	375.62'		L99	S45°17'23"W	7.25'		L130	S49°21'36"E	7.78'		L161	S65°08'13"W	34.42'		L192	N43°16'45"W	14.14'	
L7	N01°43'15"E	10.00'		L38	S69°08'49"E	25.59'		L69	N01°43'15"E	375.54'		L100	N88°51'31"E	17.59'		L131	S86°01'58"W	21.84'		L162	N34°32'47"E	8.12'		L193	S68°21'47"E	55.06'	
L8	S82°53'56"W	22.60'		L39	S17°35'15"W	38.20'		L70	S01°43'15"W	377.10'		L101	S85°25'00"E	16.48'		L132	S66°25'28"E	19.53'		L163	S68°22'39"E	12.47'		L194	S25°21'23"E	7.31'	
L9	S07°06'04"E	60.00'		L40	N79°14'29"W	62.13'		L71	N88°16'45"W	168.50'		L102	N39°06'19"W	6.91'		L133	S31°01'11"E	8.63'		L164	S44°42'37"E	7.25'		L195	N46°43'15"E	14.14'	
L10	S82°53'56"W	2.24'		L41	S10°45'31"W	23.24'		L72	S01°43'15"W	317.47'		L103	S49°53'57"W	7.78'		L134	S64°56'44"W	34.27'		L165	S01°08'29"E	17.59'		L196	S44°42'37"E	7.25'	
L11	S43°40'24"W	39.53'		L42	N46°43'15"E	28.28'		L73	N88°16'45"W	120.47'		L104	S88°51'31"W	18.97'		L135	S41°48'21"E	34.43'		L166	N46°43'15"E	35.36'		L197	N01°08'29"W	17.59'	
L12	S04°26'53"W	7.79'		L43	N43°16'45"W	28.28'		L74	N01°43'15"E	133.50'		L105	S28°08'13"E	13.96'		L136	S85°30'02"E	19.31'		L167	S37°43'03"E	31.76'		L198	N23°25'55"W	7.42'	
L13	N40°33'07"W	35.51'		L44	S25°18'08"W	29.01'		L75	S42°57'47"E	34.74'		L106	N59°40'21"E	15.05'		L137	S46°55'55"E	7.82'		L168	N48°29'18"E	7.62'		L199	S65°30'02"E	18.10'	
L14	S46°49'50"W	35.42'		L45	N88°21'47"W	17.00'		L76	S33°48'46"W	14.82'		L107	S42°46'50"E	35.42'		L138	S55°02'13"W	6.20'		L169	N88°51'31"E	18.48'		L200	S63°20'18"W	7.02'	
L15	S44°10°10"E	34.66'		L46	N01°38'13"E	30.00'		L77	S51°29'54"E	25.00'		L108	N46°52'50"E	35.45'		L139	S71°16°04"E	17.55'		L170	N85°25'00"W	17.59'		L201	N71°13'32"W	17.08'	
L16	N84°31'51"E	100.04'		L47	N01°38'13"E	5.00'		L78	N31°14'55"E	26.85'		L109	N87°50'52"E	28.75'		L140	N46°38'13"E	35.36'		L171	N41°08'29"W	7.25'		L202	S04°35'00"W	17.59'	
L17	N18°16'45"W	28.01'		L48	N88°21'47"W	132.87'		L79	S44°36'27"E	14.31'		L110	S52°09'19"W	14.49'		L141	S48°21'47"E	38.30'		L172	S45°17'23"W	7.25'		L203	S48°09'08"W	7.25'	
L18	N60°26'45"W	37.05'		L49	N88°21'47"W	98.15'		L80	N44°43'15"E	14.14'		L111	S36°49'54"E	31.16'		L142	N39°26'14"E	6.72'		L173	S88°51'31"W	17.59'		L204	N88°16'45"W	17.72'	
L19	N88°21'47"W	60.00'		L50	N88°21'47"W	168.84'		L81	N52°20'44"W	14.61'		L112	S02°07'58"W	14.61'		L143	N87°14'15"E	15.98'		L174	N04°35'00"E	17.59'		L205	N01°38'13"E	53.73'	
L20	S43°21'47"E	21.21'		L51	N88°21'47"W	180.12'		L82	N60°15'34"E	35.55'		L113	S73°33'36"E	14.07'		L144	N85°30'02"W	19.31'		L175	S48°09'08"W	7.25'		L206	N88°16'45"W	46.87'	
L21	N88°21'47"W	44.43'		L52	N88°21'47"W	117.68'		L83	S34°12'13"E	36.75'		L114	N26°18'03"E	14.41'		L145	N46°55'55"W	7.82'		L176	N43°16'45"W	14.14'		L207	S48°01'55"E	14.87'	
L22	N65°13'54"W	62.37'		L53	S88°16'45"E	61.42'		L84	S38°28'04"W	13.77'		L115	S68°05'15"E	10.94'		L146	S40°30'12"E	6.62'		L177	N89°43'15"W	16.95'		L208	S89°43'15"W	8.58'	
L23	N77°25'39"E	16.97'		L54	S01°38'13"W	16.00'		L85	S01°43'15"W	15.60'		L116	S35°28'23"E	14.37'		L147	S88°46'28"W	15.91'		L178	S40°30'31"E	7.08'		L209	N06°06'10"W	80.22'	
L24	S88°21'47"E	15.55'		L55	S68°32'06"E	56.61'		L86	N65°07'05"E	34.84'		L117	S13°30'38"W	14.78'		L148	N66°45'12"W	19.41'		L179	S46°43'15"W	14.14'		L210	N84°40'12"W	93.07'	
L25	N88°21'47"W	7.03'		L56	N08°21'47"W	26.54'		L87	S52°49'22"W	39.29'		L118	S61°56'46"E	13.79'		L149	N33°56'46"E	8.76'		L180	S44°42'37"E	7.25'		L211	N75°06'14"W	114.39'	
L26	N65°13'54"W	16.57'		L57	S88°21'47"E	86.68'		L88	S50°49'26"E	13.76'		L119	N48°21'22"E	36.35'		L150	S87°03'07"E	19.24'		L181	N01°08'29"W	17.59'		L212	S75°39'44"E	163.00'	
L27	N49°26'53"E	34.72'		L58	N00°51'47"W	240.23'		L89	S36°44'47"W	14.93'		L120	N43°18'19"W	35.37'		L151	S47°42'27"E	7.73'		L182	N52°16'57"E	38.62'		L213	N03°52'15"W	166.78'	
L28	S31°03'48"E	34.86'		L59	N88°16'45"W	128.50'		L90	S53°36'50"E	13.88'		L121	N30°04'20"E	33.22'		L152	S39°07'55"W	15.85'		L183	S24°51'47"E	36.25'		L214	N10°01'50"E	97.81'	
L29	S48°21'29"W	14.70'		L60	N88°16'45"W	129.76'		L91	S45°49'50"W	36.03'		L122	S43°21'47"E	35.36'		L153	S11°55'00"W	19.43'		L184	N65°08'13"E	6.88'		L215	N03°52'15"W	13.76'	
L30	S82°53'56"W	33.32'		L61	N88°16'45"W	121.02'		L92	S44°12'22"E	34.58'		L123	N40°12'21"E	6.62'		L154	S41°38'13"W	13.47'		L185	N01°38'13"E	21.96'					
L31	N45°16'45"W	28.28'		L62	N88°21'47"W	71.69'		L93	S43°10°10"E	35.29'		L124	N88°46'28"E	15.91'		L155	N43°21'47"W	35.36'		L186	N88°16'45"W	23.16'					

CURVE TABLE						CURVE TABLE						CURVE TABLE						CURVE TABLE											
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD						
C1	15°52'00"	1036.00'	286.89'	S80°20'45"E	285.98'	C31	15°52'02"	800.00'	221.55'	S83°47'12"W	220.84'	C61	180°00'00"	4.00'	12.57'	S88°03'35"E	8.00'	C91	258°27'46"	50.00'	225.55'	S39°30'39"E	77.46'	C121	126°23'23"	50.00'	110.30'	S43°16'45"E	89.25'
C2	13°11'51"	1100.00'	253.37'	N79°04'40"W	252.81'	C32	18°52'02"	700.00'	230.51'	N78°50'46"W	229.47'	C62	180°00'00"	4.00'	12.57'	N84°45'14"W	8.00'	C92	44°09'04"	43.50'	33.52'	N86°19'48"W	32.70'	C122	181°11'42"	50.00'	15.88'	S82°37'25"W	15.81'
C3	11°14'23"	1100.00'	23.80'	S87°59'15"W	23.80'	C33	9°49'44"	350.00'	60.04'	S74°19'37"E	59.97'	C63	142°39'33"	4.00'	9.96'	S06°05'53"W	7.58'	C93	15°07'10"	72.00'	19.00'	S71°48'51"E	18.94'	C123	90°00'00"	40.00'	62.83'	N46°43'15"E	56.57'
C4	11°30'52"	1048.00'	210.61'	S61°36'37"W	210.26'	C34	15°52'04"	1062.00'	294.12'	N83°47'13"E	293.16'	C64	14°12'34"	70.00'	17.36'	S84°31'56"W	17.32'	C94	59°11'50"	43.50'	44.94'	N49°46'31"W	42.97'	C124	90°00'00"	40.00'	62.83'	S43°16'45"E	56.57'
C5	12°23'37"	1088.00'	235.35'	N82°03'00"E	234.89'	C35	11°30'52"	1074.00'	215.84'	S81°36'37"W	215.47'	C65	180°00'00"	13.00'	40.84'	N01°38'13"E	26.00'	C95	258°32'27"	50.00'	225.62'	N59°00'31"W	77.42'	C125	90°00'00"	40.00'	62.83'	N43°16'45"W	56.57'
C6	17°05'33"	1030.00'	307.27'	N82°16'20"W	306.13'	C36	21°27'18"	350.00'	131.06'	S02°26'54"W	130.30'	C66	23°07'53"	70.00'	28.26'	S76°47'50"E	28.07'	C96	15°11'29"	236.00'	62.57'	S85°29'57"E	62.39'	C126	39°51'01"	100.00'	69.55'	S48°08'15"W	68.16'
C7	27°55'05"	320.00'	155.92'	S87°41'08"E	154.39'	C37	22°53'45"	350.00'	139.86'	N03°10'07"E	138.93'	C67	258°27'47"	50.00'	225.55'	S38°57'08"W	77.46'	C97	10°22'32"	264.00'	47.81'	N83°05'29"W	47.74'	C127	8°58'18"	250.00'	39.15'	N73°01'15"W	39.11'
C8	55°33'35"	73.50'	71.27'	N50°34'34"E	68.51'	C38	22°11'26"	500.00'	193.65'	S03°31'17"W	192.44'	C68	18°11'42"	50.00'	15.88'	S07°22'36"E	15.81'	C98	90°00'00"	40.00'	62.83'	N46°43'15"E	56.57'	C128	9°59'45"	250.00'	43.62'	S72°24'56"E	43.56'
C9	41°38'42"	72.00'	52.33'	N43°37'07"W	51.19'	C39	22°53'45"	350.00'	139.86'	N03°10'07"E	138.93'	C69	18°11'42"	50.00'	15.88'	N79°10'54"W	15.81'	C99	90°00'00"	40.00'	62.83'	N43°16'45"W	56.57'	C129	1°59'26"	250.00'	8.69'	S87°22'04"E	8.68'
C10	39°54'48"	73.50'	51.20'	N44°29'04"E	50.17'	C40	24°07'56"	350.00'	147.41'	S02°33'02"W	146.33'	C70	90°00'00"	40.00'	62.83'	N43°16'45"W	56.57'	C100	81°04'58"	40.00'	56.61'	S51°10'46"W	52.00'	C130	12°22'02"	90.00'	19.43'	S78°20'50"W	19.39'
C11	7°32'43"	380.00'	50.04'	S28°18'02"W	50.01'	C41	28°21'49"	350.00'	173.26'	N22°27'39"W	171.50'	C71	109°54'58"	40.00'	76.74'	S56°40'44"W	65.50'	C101	271°45'52"	50.00'	237.16'	N19°53'07"W	69.61'	C131	3°16'33"	227.50'	13.01'	N03°16'29"E	13.00'
C12	13°35'36"	201.50'	47.81'	S38°52'12"W	47.69'	C42	22°53'45"	350.00'	139.86'	N03°10'07"E	138.93'	C72	126°23'23"	50.00'	110.30'	N46°43'15"E	89.25'	C102	10°05'58"	236.50'	41.69'	S67°21'46"E	41.63'						
C13	17°05'33"	1000.00'	298.32'	N82°16'20"W	297.22'	C43	12°34'32"	350.00'	76.82'	S08°19'44"W	76.67'	C73	19°54'58"	250.00'	86.90'	S81°40'44"W	86.46'	C103	15°07'14"	263.50'	69.54'	S69°52'24"W	69.34'						
C14	47°58'07"	350.00'	293.02'	N81°17'23"E	284.54'	C44	47°04'43"	350.00'	287.59'	N21°49'06"W	279.56'	C74	10°00'00"	250.00'	43.63'	N86°38'13"E	43.58'	C104	74°10'42"	1111.00'	148.99'	N81°16'32"W	148.88'						
C15	27°12'26"	350.00'	167.12'	S31°59'16"W	165.53'	C45	6°52'20"	350.00'	41.98'	N05°09'25"E	41.96'	C75	16°20'43"	250.00'	71.32'	S80°17'46"E	71.08'	C105	37°45'35"	73.50'	48.44'	N03°00'54"E	47.57'						
C16	26°12'53"	500.00'	228.77'	S58°46'26"W	226.78'	C46	15°07'31"	350.00'	92.39'	N25°50'30"W	92.13'	C76	19°09'07"	250.00'	83.57'	N04°53'34"W	83.18'	C106	40°05'37"	72.00'	50.38'	N04°10'55"W	49.36'						
C17	16°00'00"	350.00'	97.74'	N63°52'53"E	97.42'	C47	20°00'00"	350.00'	122.17'	N08°16'45"W	121.55'	C77	11°32'07"	250.00'	50.33'	S85°57'12"W	50.25'	C107	52°29'22"	73.50'	67.33'	S02°00'57"W	65.00'						
C18	13°00'09"	350.00'	79.43'	S62°22'57"W	79.26'	C48	19°54'58"	350.00'	121.66'	N78°19'16"W	121.05'	C78	5°22'16"	250.00'	46.87'	N85°35'37"W	46.85'	C108	127°26'41"	50.00'	111.22'	S23°08'11"W	89.67'						
C19	31°07'24"	500.00'	271.60'	N02°43'03"W	268.28'	C49	20°00'00"	350.00'	122.17'	S78°21'47"E	121.55'	C79	15°29'26"	500.00'	135.18'	N75°09'46"W	134.77'	C109	80°51'09"	40.00'	56.45'	N47°56'13"W	51.68'						
C20	11°07'24"	350.00'	67.95'	S07°16'57"W	67.84'	C50	11°25'18"	700.00'	139.54'	S64°29'55"W	139.30'	C80	17°50'15"	250.00'	77.83'	S77°27'14"E	77.52'	C110	100°48'19"	40.00'	70.38'	N41°19'06"E	61.64'						
C21	19°54'58"	350.00'	121.66'	S81°40'44"W	121.05'	C51	20°44'56"	350.00'	126.75'	N08°39'13"W	126.61'	C81	1°25'37"	250.00'	6.23'	N87°33'56"W	6.23'	C111	103°37'18"	40.00'	72.34'	S39°49'34"W	62.88'						
C22	10°00'00"	250.00'	43.63'	S03°21'47"E	43.58'	C52	15°52'00"	350.00'	96.92'	N09°39'15"E	96.61'	C82	18°29'20"	250.00'	80.67'	N77°36'27"W	80.32'	C112	74°26'47"	40.00'	51.97'	S41°10'15"E	48.39'						
C23	27°00'00"	500.00'	235.62'	N05°08'13"E	233.45'	C53	90°00'00"	40.00'	62.83'	S43°16'45"E	96.57'	C83	70°05'02"	48.50'	59.33'	N33°19'16"W	55.70'	C113	87°30'00"	40.00'	61.09'	N44°36'47"W	55.32'						
C24	16°54'58"	350.00'	103.33'	S10°10'44"W	102.96'	C54	90°00'00"	40.00'	62.83'	S46°43'15"E	96.57'	C84	45°00'00"	48.50'	38.09'	N24°13'15"E	37.12'	C114	109°44'42"	40.00'	76.62'	N54°00'34"E	65.43'						
C25	10°00'00"	350.00'	61.09'	N03°21'47"W	61.01'	C55	26°12'53"	525.00'	240.20'	S58°46'26"W	238.12'	C85	45°00'00"	48.50'	38.09'	N69°13'15"E	37.12'	C115	92°29'57"	40.00'	64.58'	S45°23'11"W	57.79'						
C26	7°50'02"	350.00'	47.85'	S00°31'52"W	47.82'	C56	16°00'00"	325.00'	90.76'	N63°52'53"E	90.46'	C86	14°16'47"	250.00'	62.45'	N05°26'08"W	62.25'	C116	270°44'05"	50.00'	236.26'	S64°23'47"E	70.26'						
C27	8°09'55"	350.00'	49.88'	S86°58'53"W	49.84'	C57	13°00'09"	375.00'	85.10'	S62°22'57"W	84.92'	C87	0°02'05"	250.00'	0.15'	N01°44'18"E	0.15'	C117	12°02'26"	236.00'	49.59'	S07°39'25"E	49.50'						
C28	15°33'11"	350.00'	95.01'	S07°29'51"W	94.72'	C58	144°31'16"	50.00'	126.12'	N64°41'52"W	95.25'	C88	9°34'08"	250.00'	41.75'	N06°32'24"E	41.70'	C118	12°02'26"	264.00'	55.48'	S07°39'26"W	55.38'						
C29	8°09'55"	325.00'	46.32'	S86°58'53"W	46.28'	C59	12°22'28"	380.00'	82.07'	S85°26'59"W	81.91'	C89	80°23'47"	48.50'	68.05'	N51°31'22"E	62.61'	C119	87°30'00"	40.00'	61.09'	S44°36'47"E	55.32'						
C30	13°52'04"	800.00'	205.73'	N82°47'13"E	205.23'	C60	180°00'00"	4.00'	12.57'	N88°03'35"W	8.00'	C90	141°41'02"	50.00'	123.64'	N44°43'15"E	94.46'	C120	18°11'42"	50.00'	15.88'	N10°49'06"E	15.81'						

FIRE DEPARTMENT – CONDITIONS OF APPROVAL SUMMARY	
PLAT2019-0170	
Not Met	Item Description
X	IFC Appendix B and C Additional hydrant is needed for the homes in the cul-de-sac of the street labeled Cotton Creek Pass
X	Fire Variance Approval A portion of Alley K shall be dedicated and striped as a fire lane per the variance request approval.



20-0035PF2

TITLE: Consider/Discuss/Act on a Preliminary-Final Replat for the Danielle at Craig Ranch, Located on the Northeast Corner of Collin McKinney Parkway and Millie Way

COUNCIL GOAL: Direction for Strategic and Economic Growth
(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential, and open space)

MEETING DATE: April 21, 2020

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Joe Moss, Planner I

APPLICATION SUBMITTAL DATE: March 2, 2020 (Original Application)
April 13, 2020 (Revised Submittal)

STAFF RECOMMENDATION: Staff recommends approval of the proposed preliminary-final replat with the following conditions:

1. The items currently marked as "not met" on the attached Conditions of Approval Summary be satisfied prior to issuing final approval.
2. The applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Replat Approval Checklist, attached, prior to the issuance of any necessary permits.

ITEM SUMMARY: The applicant is proposing to subdivide approximately 6.01 acres into 64 lots and one common area for single family residential uses.

The proposed plat was previously considered for disapproval at the March 24, 2020 City Council meeting. Since that time, the applicant has worked with staff to address the noted plat deficiencies and staff is now recommending approval with the conditions included in the attached summary.

Per the provisions of the City's Subdivision Ordinance, the proposed plat shall satisfy all requirements for a preliminary-final replat. Items currently not satisfied for the proposed preliminary-final replat are shown on the attachment to this report titled "Conditions of Approval Summary."

APPROVAL PROCESS: City Council will be the final approval authority for the proposed preliminary-final replat.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments in support of or opposition to the proposed preliminary-final replat.

SUPPORTING MATERIALS:

[Standard Conditions Checklist](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Proposed Preliminary-Final Plat](#)

[Conditions of Approval Summary](#)

Standard Conditions for Preliminary-Final Plat/Replat Approval Checklist

The conditions listed below marked with a "☒" need to be satisfied by the applicant, prior to issuance of a permit:

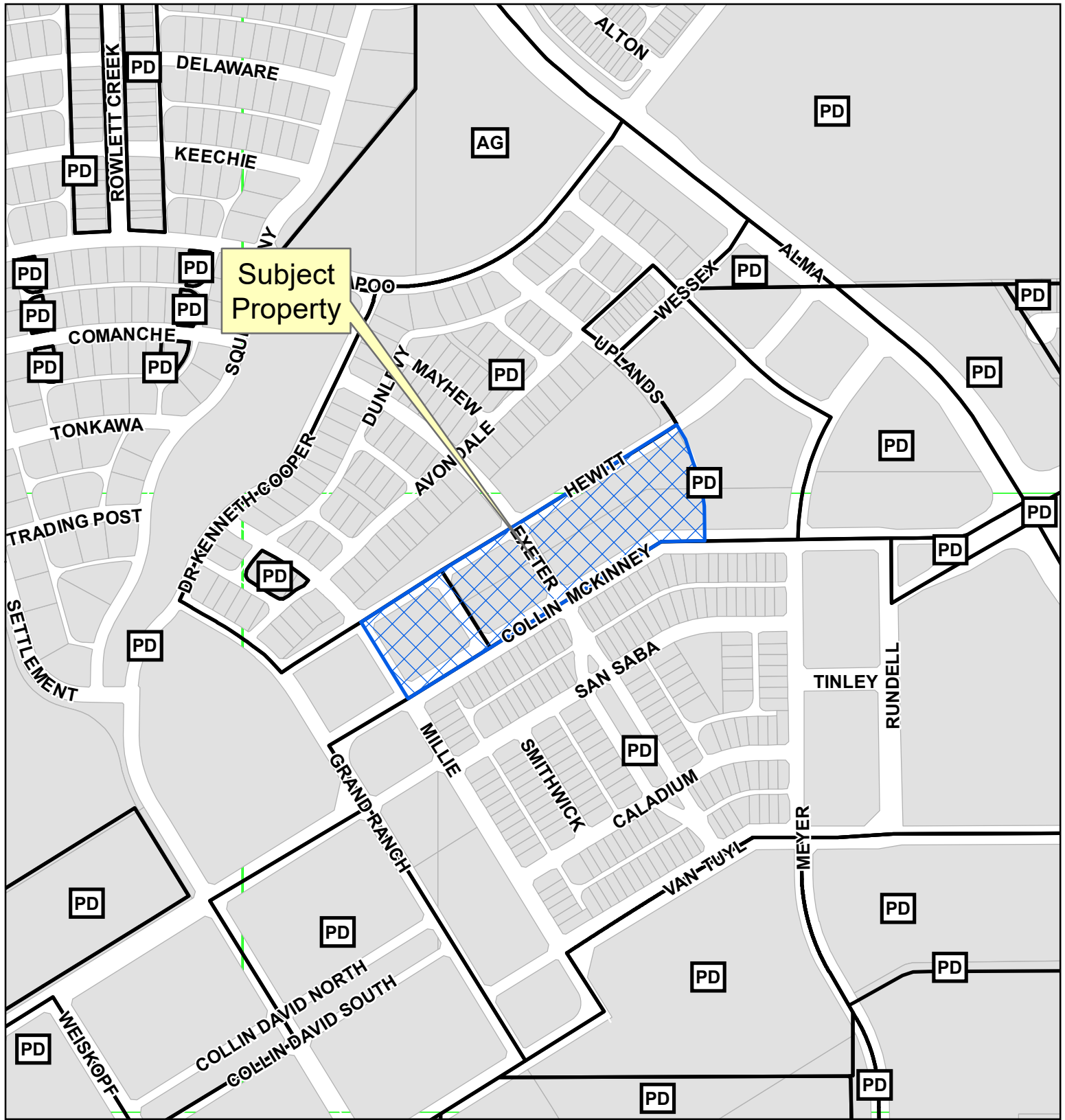
- ☒ Submit a record plat or plats conforming to the approved preliminary-final plat, subject to review and approval by Staff. For residential uses, the record plat(s) must be filed before a building permit is issued, and for non-residential uses, the record plat(s) must be approved before a permit is issued.
- ☒ Approval of screening and buffering plans, including irrigation, in accordance with Section 142-106 of the Subdivision Ordinance, and as amended, by the Director of Planning, and approval of final screening and buffering plans, including irrigation, by the Director of Planning, by prior to installation of materials.
- ☒ Approval of public improvement construction plans, including location of any required sidewalks, Hike and Bike Trails, and fire hydrants, by the City Engineer.
- ☒ Approval of utility construction plans by the City Engineer.
- ☒ Approval of grading and drainage plans by the City Engineer.
- ☒ Approval of the proposed street names within this development by the City Engineer.
- ☒ The applicant comply with the requirements of the Tree Preservation Ordinance and obtain any necessary tree permits within the time frames specified within the Ordinance, subject to review and approval by the City Arborist.

The conditions listed below marked with a "☒" need to be satisfied by the applicant, prior to filing a record plat for record:

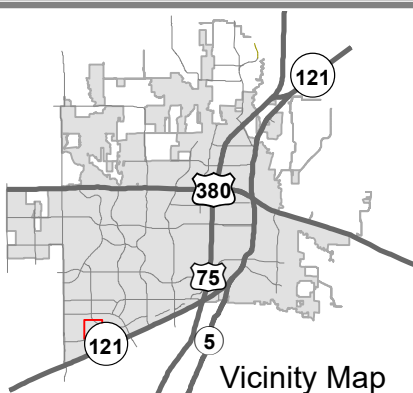
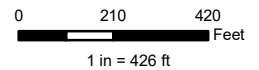
- ☒ Acceptance of all required public improvements by the City Engineer, unless otherwise specified within an approved facilities agreement.
- ☒ The applicant provide any additional easements as determined necessary by the City Engineer.
- ☒ Approval of annexation documentation, and filing thereof, incorporating the proposed development into the homeowners' association for the proposed development, including the dedication of common areas, and its maintenance responsibilities, and be subject to review and approval by the City Attorney, and filed for record. *(In accordance with [Sec. 142-107 Common Areas & Homeowners Associations](#) of the City's Subdivision Regulations.)*
- ☒ The applicant satisfy park land dedication obligations, in accordance with Article VI of the Subdivision Ordinance, subject to review and approval by the Director of Parks and Recreation.
- ☒ Payment of median landscaping fees for medians within divided roadways, in lieu of the applicant landscaping and irrigating the medians, in the amount of \$25.50 per linear foot for the distance parallel to the subject property.

Prior to issuance of a building permit:

- ☒ Payment of impact fees in accordance with Ordinances 2013-11-109 and 2013-12-118 (utilities) and 2013-11-108 (roadway), or as specified within an approved facilities agreement or development agreement.



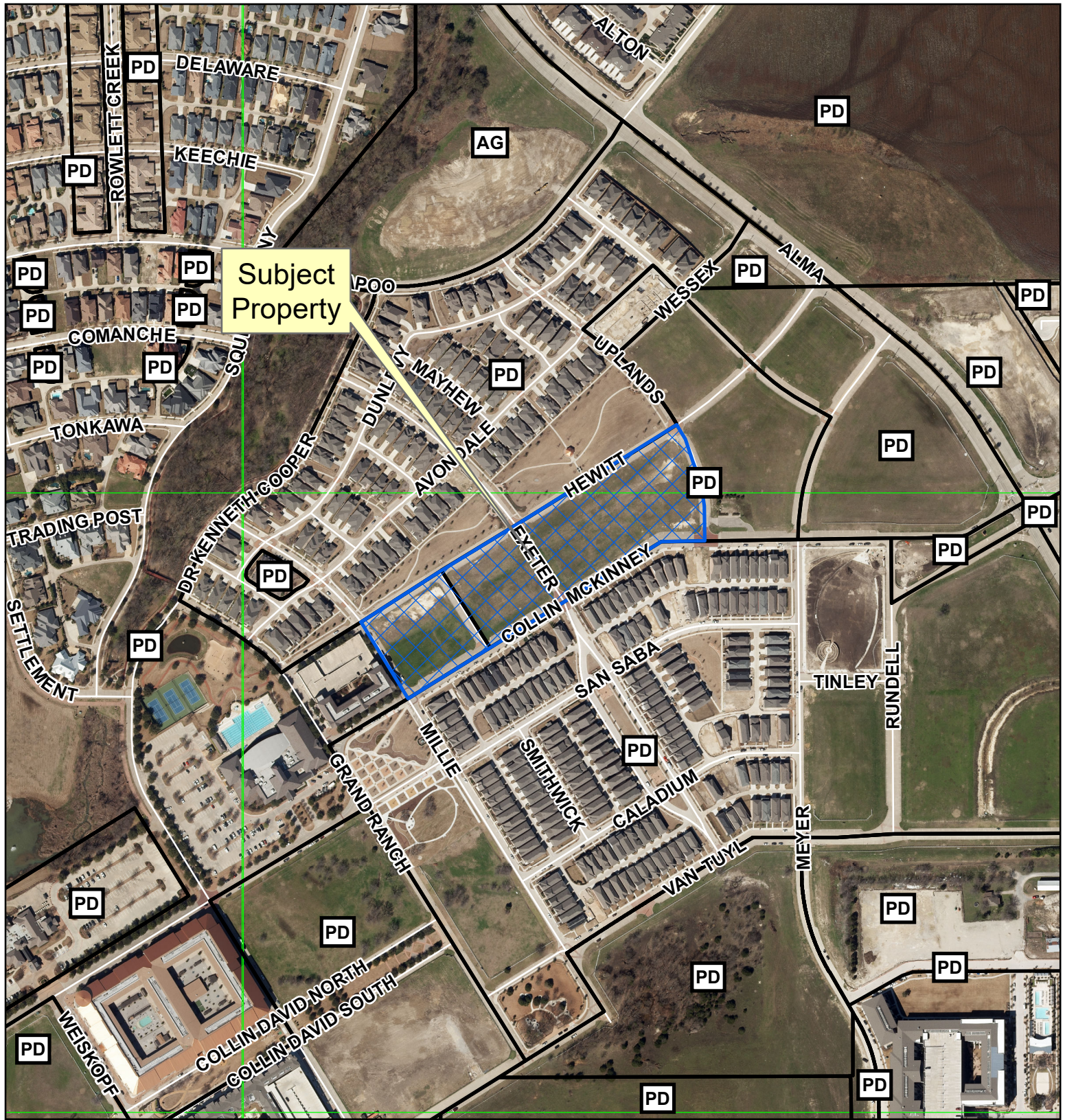
Location Map PLAT2020-0035



Vicinity Map

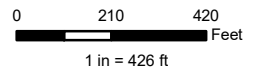
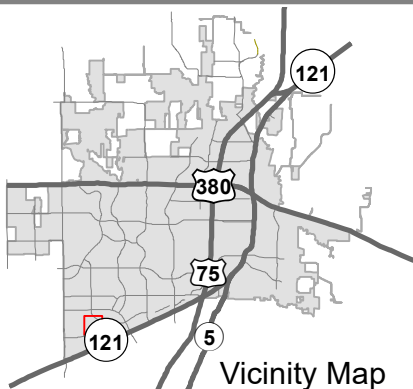
DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.





Location Map

PLAT2020-0035



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.





February 28, 2020

Jennifer Arnold
Director of Planning
221 N. Tennessee St.
McKinney, TX 75069
jarnold@mckinneytexas.org

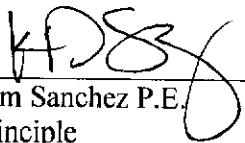
RE: Letter of Intent – Preliminary Final Plat
Approximately 6.0 Acres
Northeast corner of Millie Way and Collin McKinney Parkway
McKinney, Texas

Mrs. Arnold:

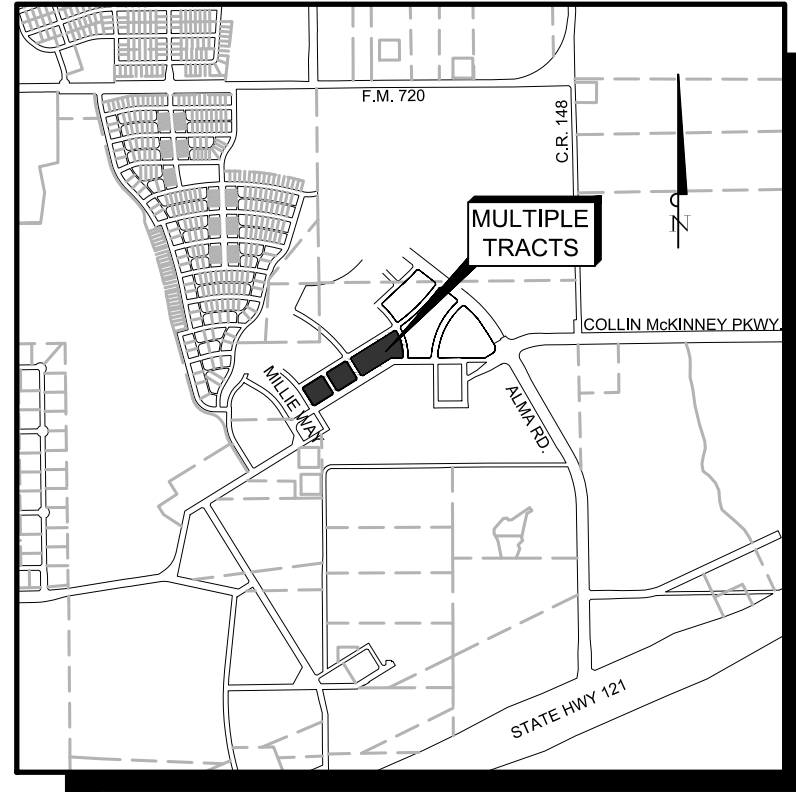
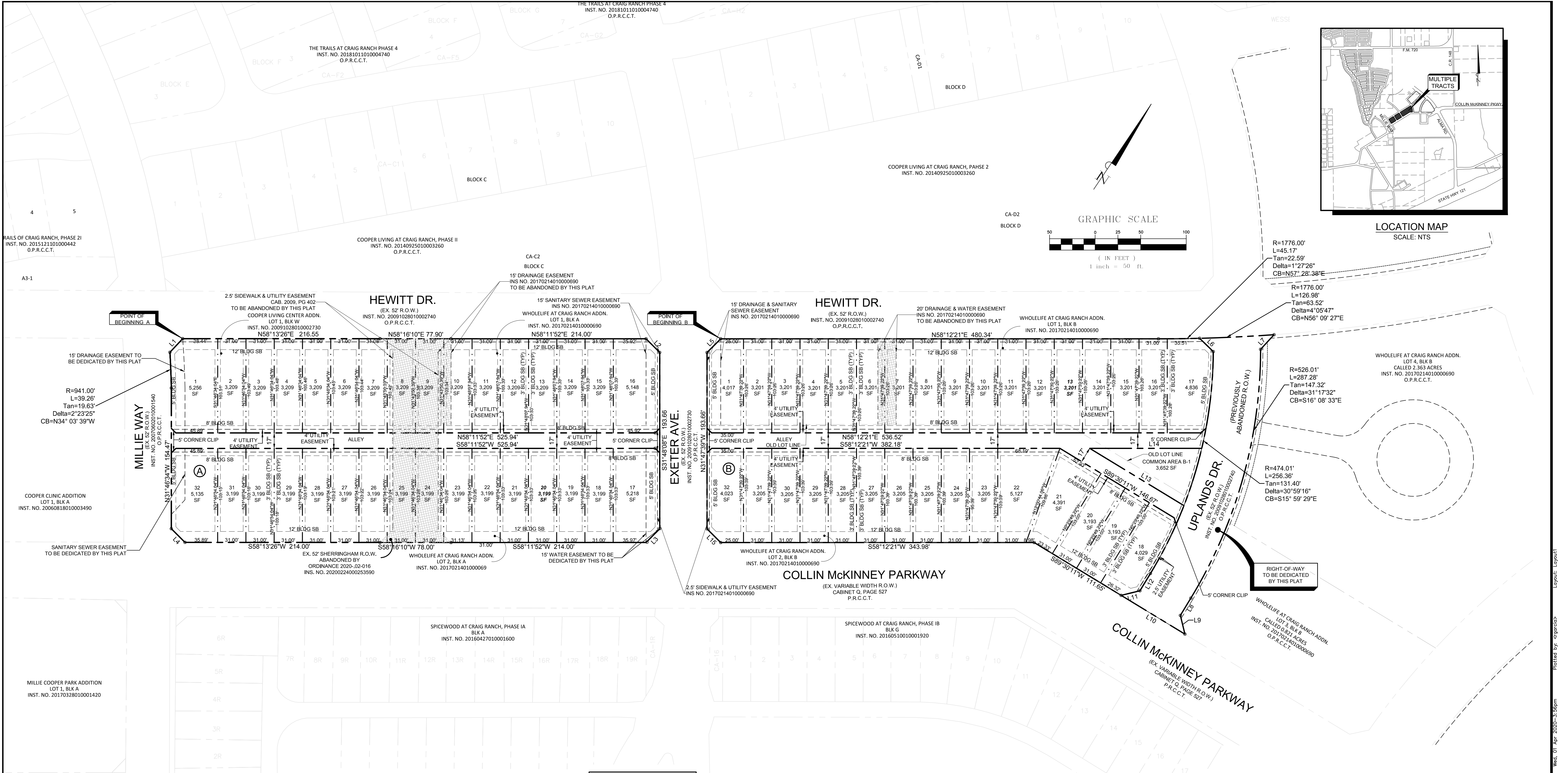
Please accept this Letter of Intent for the submittal of a Preliminary Final Plat for the above referenced property. This plat is for the The Dannielle At Craig Ranch which is within the W.H. Holiday Survey, Abst No. 0385-Thomas Phillips Survey, Abst No. 0717-George Lucas Survey, Abst No. 0540 City of McKinney, Collin County, Texas. Our client intends to develop 64 Single-Family lots, according to PD 2020-02-015.

If you require any additional information or have questions on this submittal, please contact me at 469-424-5900 or email me at Kim.Sanchez@TheSanchezGroup.biz if that is more convenient.

Regards,



Kim Sanchez P.E.
Principle
Project Manager



LOCATION MAP
SCALE: NTS

Line Table		
Line #	Direction	Length
L1	N11° 20' 38"E	20.50'
L2	S76° 48' 08"E	21.21'
L3	S13° 11' 52"W	21.21'
L4	N76° 46' 34"W	21.21'
L5	N13° 12' 21"E	21.21'
L6	S77° 37' 51"E	20.89'
L7	S10° 52' 21"W	21.80'
L8	S0° 29' 46"E	22.20'
L9	S45° 30' 55"E	21.14'
L10	S89° 30' 11"W	81.90'
L11	S44° 30' 11"W	21.21'
L12	S0° 29' 49"E	22.20'
L13	S89° 30' 11"W	121.01'
L14	N58° 12' 21"E	122.92'
L15	N76° 47' 39"W	21.21'

APPROVED

PLANNING AND ZONING COMMISSION CHAIRMAN
CITY OF MCKINNEY, TEXAS

DATE:

ATTEST

PLANNING AND ZONING COMMISSION CHAIRMAN
CITY OF MCKINNEY, TEXAS

DATE:

LEGEND OF SYMBOLS & ABBREVIATIONS

5/8" CIRF = 5/8" CAPPED IRON ROD FOUND
5/8" CIRB = 5/8" CAPPED IRON ROD SET
5/8" IRF = 5/8" IRON ROD FOUND
1/2" IRF = 1/2" IRON ROD FOUND
D.R.C.C.T. = DEED RECORDS COLLIN COUNTY TEXAS
P.R.C.C.T. = PLAT RECORDS COLLIN COUNTY TEXAS
C.C.F.# = COLLIN COUNTY FILING #
O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
DNG = DRAINAGE EASEMENT
S.S. = SANITARY SEWER EASEMENT
WTR. = WATER EASEMENT
V.E. = VISIBILITY EASEMENT
INS. NO. = INSTRUMENT NUMBER

OWNER:
MAHANTRAJ CR LLC
1981 N. CENTRAL EXPRESS WAY
RICHARDSON, TX 75080
(817) 944-9151
ATTN: ANANT PATEL

ENGINEER:
SANCHEZ AND ASSOCIATES, LLC.
2000 N. McDONALD STREET, STE 100
MCKINNEY, TEXAS 75071
(469) 424-5900
ATTN: KIMBERLY D. SANCHEZ, PE

APPLICANT:
SANCHEZ AND ASSOCIATES, LLC.
2000 N. McDONALD STREET, STE 100
MCKINNEY, TEXAS 75071
(469) 424-5900
ATTN: KIMBERLY D. SANCHEZ, PE
03/26/2020

PRELIMINARY FINAL REPLAT
THE DANIELLE AT CRAIG RANCH
64 RESIDENTIAL LOTS
1 COMMON AREA
6.01 ACRES

BEING A REPLAT OF LOT 1, BLOCK W OF COOPER LIVING CENTER ADDITION AS RECORDED IN INSTRUMENT NO. 20060818010003490 LOTS 1-2, BLOCK A & LOTS 1-2, BLOCK B, AND PARTIAL OF LOT 3, & 4 OF WHOLELIFE AT CRAIG RANCH ADDITION A RECORDED IN INSTRUMENT NO. 20170214010000690 AND LOTS 1, BLOCK W COOPER LIVING CENTER ADDITION RECORDED IN INSTRUMENT NO. 20091028010002730 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS IN THE W.H. HOLIDAY SURVEY, ABSTRACT NO. 0385 THOMAS PHILLIPS SURVEY, ABSTRACT NO. 0717 GEORGE LUCAS SURVEY, ABSTRACT NO. 0540 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

OWNERS DEDICATION

STATE OF TEXAS)

COUNTY OF COLLIN)

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT, Mahantraj CR LLC, do hereby adopts this final replat designating the herein above described property as Lots 1 through 32 of Block A and Lots 1 through 32 of Block B and Common Area B-1 of the THE DANIELLE AT CRAIG RANCH, being a Replat of Lot 1, Block W of the Wholelife At Craig Ranch an addition to the City of McKinney, Collin County, Texas recorded in deed by Instrument Number 20091028010002730 Official Public Records of Collin County, Texas (O.P.R.C.C.T.), Lots 1, and 2 of Block A, Lots 1, 2, and partial of Lots 3, 4, of Block B of the Wholelife At Craig Ranch an Addition to the City of McKinney, Collin County, Texas recorded in deed by Instrument Number 2017021410000690 (O.P.R.C.C.T.) and do hereby dedicate to public use forever, their streets, alleys, and public use area shown hereon, the easements, as shown, for mutual use and accommodation of the City of McKinney and all public utilities desiring to use of using same. All and any public utility and the City of McKinney shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in anyway may interfere with the construction, maintenance, or efficiency of it's respective systems on said Easements, and the City of McKinney and all public utilities constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or parts of it's respective systems, without the necessity, at anytime, or procuring the permission of anyone.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of McKinney, Texas.

WITNESS MY HAND at _____, Texas, this ____ day of _____, 2020.

Anant Patel
Mahantraj CR LLC

STATE OF TEXAS)

COUNTY OF COLLIN)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Roy Oliver, known to me to be the person's name that is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2020.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

I, _____, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying.

Dated this the ____ day of _____, 2019.

Print Name:

Texas Registered Professional Land Surveyor No. 6233

STATE OF TEXAS)

COUNTY OF DALLAS)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person's name that is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2020.

Notary Public in and for the Sate of Texas

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE 4202, GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON THE GROUND.
2. ALL CORNERS ARE A 5/8 INCH IRON ROD WITH CAP STAMPED "SANCHEZ & ASSOC TBPLS 10194352" UNLESS OTHERWISE NOTED ON SAID SURVEY.
3. ACCORDING TO MAP NO. 48085C0265 J, DATED JUNE 2, 2009 OF THE NATIONAL FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGE
4. MENT AGENCY, THIS PROPERTY IS IN ZONE "X" THIS PROPERTY DOES NOT APPEAR TO LIE WITHIN A 100 YEAR FLOOD PLAIN. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
5. ALL PROPOSED LOTS SITUATED IN WHOLE OR IN PART WITHIN THE CITY'S CORPORATE LIMITS COMPLY WITH THE MINIMUM SIZE REQUIREMENTS OF THE GOVERNING ZONING DISTRICT AND REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

NOTES

1. ALL PROPOSED LOTS SITUATED IN WHOLE OR IN PART WITHIN THE CITY'S CORPORATE LIMITS COMPLY WITH THE MINIMUM SIZE REQUIREMENTS OF THE GOVERNING ZONING DISTRICT AND REQUIREMENTS OF THE SUBDIVISION ORDINANCE.
2. THIS PROPERTY IS SUBJECT TO A PROPERTY ASSOCIATION AGREEMENT. DATED 7/8/2009 (INST. NO. 20090708000855710).
3. THE OWNERS OF BLOCK B, LOT 2 OF THIS PLAT SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF THE STORM WATER DETENTION SYSTEM. THE OWNER SHALL FURTHER HOLD THE CITY OF MCKINNEY HARMLESS FROM ANY DAMAGES TO PERSONS, TO THE OWNER'S LOT OR ANY AFFECTED LOT ARISING FROM SUCH MAINTENANCE RESPONSIBILITY. THE CITY SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF THE REFERENCED SYSTEM, ALTHOUGH IT RETAINS THE RIGHT TO ENTER UPON THE EASEMENT FOR PUBLIC PURPOSES.

OWNER:
MAHANTRAJ CR LLC
1981 N. CENTRAL EXPRESS WAY
RICHARDSON, TX 75080
(817) 944-9151
ATTN: ANANT PATEL

ENGINEER:
SANCHEZ AND ASSOCIATES, LLC.
2000 N. McDONALD STREET, STE 100
MCKINNEY, TEXAS 75071
(469) 424-5900
ATTN: KIMBERLY SANCHEZ, PE

APPLICANT:
SANCHEZ AND ASSOCIATES, LLC.
2000 N. McDONALD STREET, STE 100
MCKINNEY, TEXAS 75071
(469) 424-5900
ATTN: KIMBERLY SANCHEZ, PE
04/01/2020

PRELIMINARY FINAL REPLAT
THE DANIELLE AT CRAIG RANCH
64 RESIDENTIAL LOTS
1 COMMON AREA
6.01 ACRES

BEING A REPLAT OF LOT 1, BLOCK W OF COOPER LIVING CENTER ADDITION AS RECORDED IN INSTRUMENT NO. 20060818010003490 AND LOTS 1-2, BLOCK A & LOTS 1-2, AND PARTIAL OF LOTS 3, 4, BLOCK B OF WHOLELIFE AT CRAIG RANCH ADDITION A RECORDED IN INSTRUMENT NO. 20170214010000690 AND LOTS 1, BLOCK W COOPER LIVING CENTER ADDITION RECORDED IN INSTRUMENT NO. 20091028010002730 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS IN THE W.H. HOLIDAY SURVEY, ABSTRACT NO. 0385 THOMAS PHILLIPS SURVEY, ABSTRACT NO. 0717 GEORGE LUCAS SURVEY, ABSTRACT NO. 0540 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

CONDITIONS OF APPROVAL SUMMARY (PLAT2020-0035)

PLANNING DEPARTMENT: CONDITIONS OF APPROVAL CHECKLIST	
PRELIMINARY-FINAL REPLAT (Sec. 142-75)	
Not Met	Item Description
x	Sec. 142-75 (b) (1) Purpose Statement
x	Sec. 142-75 (b) (2) Title Block with: <ul style="list-style-type: none"> • “Preliminary-Final Replat” • Proposed Addition Name, then Lot(s) and Block(s) <u>OR</u> Number of Lots and Common Areas (Residential Development only) • Previous Plat Information • Acreage • Survey Name and Abstract • City of McKinney, Collin County, Texas • Total Number of Lots and Designation and Amounts of Proposed Uses
x	Sec. 142-75 (b) via Sec. 142-74 (b) (4) New Features inside the Subject Property showing: <ul style="list-style-type: none"> • Defined Boundary Line of the Subject Property being Subdivided with Accurate Bearings and Distances • Streets and Alleys with Names and Dimensions • Easements with Names and Dimensions • Lots designating Lot Numbers and Blocks and Dimensions • Common Areas (should be defined as “CA-XX” where “XX” is the block and number) • Proposed Street Names • Mutual Access and Fire Lane Easements for Any Lot(s) that do not have Direct Access to a Public Street
x	Sec. 142-75 (b) (3) or (4) Property within City Limits includes the following notes on each page: <ul style="list-style-type: none"> • “PRELIMINARY-FINAL REPLAT: FOR REVIEW PURPOSES ONLY” • “All proposed lots situated in whole or in part within the City’s corporate limits comply with the minimum size requirements of the governing zoning district and the requirements of the subdivision ordinance” <u>OR</u> • “All proposed lots situated entirely outside the City’s corporate limits and within the City’s extraterritorial jurisdiction comply with the requirements of the subdivision ordinance”
x	Sec. 142-75 (b) via Sec. 142-74 (b) (7) Two (2) Points tied to State Plane Coordinate System, Texas North Central
x	Sec. 142-75 (c) (6) Separate Table of All Lot Sizes, including the Mean and Median Lot Sizes (for single family residential)

ENGINEERING DEPARTMENT PLAT CHECKLIST		
Not Met	Item Description	
<input checked="" type="checkbox"/>	SUB 142-103	Easements
<input checked="" type="checkbox"/>	EDM 5.1.G	All proposed water or wastewater facilities that are outside of ROW or existing easements, shall be provided with permanent water or wastewater easement.
<input checked="" type="checkbox"/>	EDM 5.1.G.1	Water and wastewater easements shall have a minimum width of 15 feet.



20-0330

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on a Resolution Regarding the Application of “Kinwood Apartments” to the Texas Department of Housing and Community Affairs (TDHCA), for 4% Tax Credits for the Acquisition and Rehabilitation of Multi-Family Units Within the Development

COUNCIL GOAL: Enhance the Quality of Life McKinney
(5F: Maximize partnerships between the City of McKinney and private industry)

MEETING DATE: April 21, 2020

DEPARTMENT: Housing & Community Development Department

CONTACT: Janay Tieken, Housing and Community Development
Cristel Todd, Affordable Housing Administrator

RECOMMENDED CITY COUNCIL ACTION:

- Approve one of the Resolutions

ITEM SUMMARY:

- McKinney Leased Housing Associates Owner 1, LLC is applying to TDHCA for 4% tax credits for the acquisition and rehabilitation of Kinwood Apartments.
- No new units will be created. The tax credits will support the rehabilitation of the existing 200 units and common areas.
- McKinney Leased Housing Associates Owner 1, LLC is requesting a Resolution of No Objection from the City Council.

BACKGROUND INFORMATION:

- Founded in 1972, Dominion (parent company of McKinney Leased Housing Associates Owner 1, LLC) is the 2nd largest affordable apartment development and management company in the nation. The company has grown from 3,000 apartments units to a company that now owns over 25,000 apartment units.
- Dominion has developed a reputation of excellence among the industry.
- The DOMINIUM Difference begins with commitment to performance.

- The Kinwood apartment development includes 200 units and were constructed in 2002.
- The apartments are located at 3300 N McDonald, McKinney, TX.
- The MHFC previously approved an inducement resolution for the bonds this project.

FINANCIAL SUMMARY:

- The estimated total cost of the project is approximately \$40.6 million. Tax credits make up approximately \$11 million, tax exempt bonds make up approximately \$30 million.
- The developer is not asking for any additional contribution or fee waivers from the City.

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Resolution of No Objection](#)
[Resolution of Opposition](#)
[Resolution of Support](#)
[Zoning Approval](#)
[Draft Site Plan](#)
[Draft Elevations](#)
[Kinwood Apartments Evaluation](#)
[Location Map](#)
[Existing Infrastructure](#)
[Traffic Analysis](#)

RESOLUTION NO. 2019-04-XXX (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, OF NO OBJECTION TO THE APPLICATION BY MCKINNEY LEASED HOUSING ASSOCIATES OWNER 1, LLC TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR THE NON-COMPETITIVE 4% HOUSING TAX CREDITS PROGRAM FOR THE ACQUISITION AND REHABILITATION OF KINWOOD APARTMENTS, A 200-UNIT MULTI-FAMILY RENTAL HOUSING DEVELOPMENT LOCATED AT 3300 N MCDONALD STREET; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the McKinney Leased Housing Associates Owner 1, LLC is proposing to acquire and rehabilitate Kinwood Apartments, located at 3300 N McDonald Street (the "Project") in the City of McKinney, Collin County, Texas (the "City"); and

WHEREAS, McKinney Leased Housing Associates Owner 1, LLC has provided notice to the City in accordance with Chapter 2306 of the Texas Government Code of its intent to file its application with the Texas Department of Housing and Community Affairs (the "TDHCA") for 4% tax credits for the acquisition and rehabilitation of the Project and has requested from the City issuance of a Resolution of No Objection for the Project as part of McKinney Leased Housing Associates Owner 1, LLC's application to TDHCA; and

WHEREAS, City staff has reviewed the Project in accordance with the City of McKinney Low Income Housing Tax Credits Resolution Policy; and

WHEREAS, the City has had sufficient opportunity to obtain a response from McKinney Leased Housing Associates Owner 1, LLC regarding any questions or concerns about the Project; and

WHEREAS, the City conducted a public hearing in accordance with Chapter 2306 of the Texas Government Code so that public comment may be made on the Project; and

WHEREAS, the City of McKinney understands the importance of the low income housing tax credits program and the ability of developers to invest in and construct low income housing.

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

Section 1. The foregoing premises are incorporated herein by reference.

Section 2. After due consideration of the information provided by McKinney Leased Housing Associates Owner 1, LLC and public comment, the City of McKinney, acting through its governing body, does not object to the application submitted to the TDHCA for the Project and its proposed location within the City of McKinney.

Section 3. The City of McKinney's non-objection to the Project is based on the following legislative findings: that the project does satisfy the City Council's evaluation criteria for low income housing tax credits.

Section 4. The City Manager or his designee is hereby authorized to forward a copy of this Resolution to McKinney Leased Housing Associates Owner 1, LLC and the TDHCA.

Section 5. This Resolution shall take effect from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

**MCKINNEY, COLLIN COUNTY, TEXAS, ON THIS THE 21ST DAY OF APRIL,
2020.**

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:

EMPRESS DRANE,
City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

RESOLUTION NO. 2020-04_____ (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN OPPOSITION TO THE APPLICATION BY MCKINNEY LEASED HOUSING ASSOCIATES OWNER 1, LLC, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR KINWOOD APARTMENTS LOCATED AT 3300 N MCDONALD STREET; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

- WHEREAS,** the McKinney Leased Housing Associates Owner 1, LLC, is proposing to acquire and rehabilitate Kinwood Apartments, an affordable, multifamily development, consisting of 200 affordable units, located at 3300 N McDonald Street, (the "Project") in the City of McKinney, Collin County, Texas (the "City"); and
- WHEREAS,** McKinney Leased Housing Associates Owner 1, LLC, has provided notice to the City in accordance with Chapter 2306 of the Texas Government Code of its intent to file its application with the Texas Department of Housing and Community Affairs (the "TDHCA") for 4% tax credits for the development of the Project and has requested from the City issuance of a Resolution of No Objection in support of the Project as part of McKinney Leased Housing Associates Owner 1, LLC's application to TDHCA; and
- WHEREAS,** City staff has reviewed the Project in accordance with the City of McKinney Low Income Housing Tax Credits Resolution Policy; and
- WHEREAS,** the City has had sufficient opportunity to obtain a response from McKinney Leased Housing Associates Owner 1, LLC, regarding any questions or concerns about the Project; and
- WHEREAS,** the City conducted a public hearing in accordance with Chapter 2306 of the Texas Government Code so that public comment may be made on the Project; and
- WHEREAS,** the City of McKinney understands the importance of the low income housing tax credits program and the ability of developers to invest in and construct affordable housing.

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

- Section 1. The foregoing premises are incorporated herein by reference.
- Section 2. After due consideration of the information provided by McKinney Leased Housing Associates Owner 1, LLC, and public comment, the City of McKinney, acting through its governing body, is opposed to the application submitted to the TDHCA for the Project and its proposed location within the City of McKinney.
- Section 3. The City of McKinney's objection to the Project is based on the following legislative finding: that the project does not sufficiently satisfy the City Council's evaluation criteria for low income housing tax credits.
- Section 4. The City Manager or his designee is hereby authorized to forward a copy of this Resolution to McKinney Leased Housing Associates Owner 1, LLC, and the TDHCA.
- Section 5. This Resolution shall take effect from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, ON THIS THE 21st DAY OF APRIL, 2020.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
MAYOR

CORRECTLY ENROLLED:

EMPRESS DRANE
City Secretary
LISA SEWELL
Deputy City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

RESOLUTION NO. 2020-04-_____(R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN SUPPORT OF THE APPLICATION BY MCKINNEY LEASED HOUSING ASSOCIATES OWNER 1, LLC, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR KINWOOD APARTMENTS, LOCATED AT 3300 N MCDONALD, MCKINNEY, TX 75071; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the McKinney Leased Housing Associates Owner 1, LLC, is proposing Acquisition and Rehabilitation of Kinwood Apartments, an existing affordable, multifamily development, consisting of 200 affordable units, located at 3300 N McDonald, McKinney, TX 75071, (the “Project”) in the City of McKinney, Collin County, Texas (the “City”); and

WHEREAS, McKinney Leased Housing Associates Owner 1, LLC, has provided notice to the City in accordance with Chapter 2306 of the Texas Government Code of its intent to file its application with the Texas Department of Housing and Community Affairs (the “TDHCA”) for 4% tax credits for the development of the Project and has requested from the City issuance of a Resolution of Support of the Project as part of McKinney Leased Housing Associates Owner 1, LLC’s application to TDHCA; and

WHEREAS, City staff has reviewed the Project in accordance with the City of McKinney Low Income Housing Tax Credits Resolution Policy; and

WHEREAS, the City has had sufficient opportunity to obtain a response from McKinney Leased Housing Associates Owner 1, LLC, regarding any questions or concerns about the Project; and

WHEREAS, the City conducted a public hearing in accordance with Chapter 2306 of the Texas Government Code so that public comment may be made on the Project; and

WHEREAS, the City of McKinney understands the importance of the low income housing tax credits program and the ability of developers to invest in and construct affordable housing.

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

Section 1. The foregoing premises are incorporated herein by reference.

Section 2. After due consideration of the information provided by McKinney Leased Housing Associates Owner 1, LLC, and public comment, the City of McKinney, acting through its governing body, supports the application submitted to the TDHCA for the Project and its proposed location within the City of McKinney.

Section 3. The City of McKinney’s support to the Project is based on the following legislative finding: that the project sufficiently satisfies the City Council’s evaluation criteria for low income housing tax credits.

Section 4. The City Manager or his designee is hereby authorized to forward a copy of this Resolution to McKinney Leased Housing Associates Owner 1, LLC, and the TDHCA.

Section 5. This Resolution shall take effect from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, ON THIS THE 21th DAY OF APRIL, 2020.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
MAYOR

CORRECTLY ENROLLED:

EMPRESS DRANE
City Secretary
LISA SEWELL
Deputy Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

AN ORDINANCE OF THE CITY OF MCKINNEY, TEXAS, AMENDING PLANNED DEVELOPMENT ORDINANCE NO. 1533 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS SO THAT 27.344 ACRES OF LAND LOCATED ON THE EAST SIDE OF HIGHWAY 5 ACROSS FROM WILMETH ROAD IS ZONED "PD" - PLANNED DEVELOPMENT DISTRICT FOR "RG-18" - GENERAL RESIDENCE DISTRICT AND "RS-45" SINGLE FAMILY RESIDENCE DISTRICT; PROVIDING REGULATIONS; PROVIDING FOR SITE AND LANDSCAPE PLAN APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the owner of 27.344 acres of land located on the east side of Highway 5 across from Wilmeth Road, in the City of McKinney, Collin County, Texas, has petitioned the City of McKinney to zone such parcel of land "PD" - Planned Development District for "RG-18" - General Residence District (25.2434 acres) and "RS-45" Single Family Residence District (2.1005 acres), a complete legal description of such property being attached hereto and marked Exhibit "A," and made a part hereof for all purposes; and

WHEREAS, after due notice of the requested zoning as required by law and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that said zoning change should be made.

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

Section 1. Planned Development Ordinance Number 1533 in the City of McKinney, is hereby amended so that 27.344 acres of land located on the east side of Highway 5 across from Wilmeth Road, in the City of McKinney, Collin County, Texas, which is more fully depicted on Exhibit "B" attached hereto is hereby rezoned from its present classification of Planned Development District Ordinance No. 1533 (including Retail, Office, and Single-Family Districts) to "RG-18" - General Residence District (25.2434 acres) and "RS-45" Single-Family Residential District (2.1005 acres).

Section 2. Development of subject 25.2434 acres of "RG-18" as reflected on Exhibit "B" shall be governed specifically by Section 3.10 of Ordinance No. 1270 with the following exceptions:

- (1) The minimum lot area per dwelling unit shall be 2700 square feet;
- (2) The maximum density is 16 dwelling units/acre; and
- (3) A maximum of 407 multiple family dwelling units shall be allowed.

Section 3. Development of the subject 2.1005 acres of "RS-45" as reflected on Exhibit "B," shall be governed specifically by Section 3.07.5 of Ordinance No. 1270.

Section 4. A complete site and landscape plan shall be submitted and approved by the Planning and Zoning Commission and City Council for the "RG-18" - General Residence District prior to development.

Section 5. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

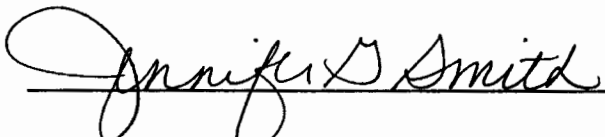
Section 6. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefor, shall be fined any sum not exceeding \$200.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

Section 7. No developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development, or specific regulations contained herein. The Ordinance and the subsequent site plan and regulations may be amended or repealed by the City Council of the City of McKinney, Texas in the manner provided by law.

Section 8. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 18th DAY OF April, 1995.

CORRECTLY ENROLLED:



JENNIFER G. SMITH, City Secretary

PROPERTY DESCRIPTION
Tract A--RG-18

BEING a tract of land in the John Duncan Survey, Abstract No. 259 and the Tola Dunn Survey, Abstract No. 284, situated in the City of McKinney, Collin County, Texas, and being a part of that certain 75.5397 acre tract of land conveyed to Roger Sefzik by deed filed in County Clerk File No. 92-0084375 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at the most Southerly Southwest corner of said 75.5397 acre tract, said point being on the East right-of-way line of State Highway No. 5;

THENCE along said East right-of-way line of State Highway No. 5 as follows:

North 8°04' East, 200.0 feet;
North 17°18' East, 837.5 feet;

THENCE North 89°45' East, 1292.57 feet;

THENCE South 32°02'22" East, 73.40 feet to a point on the center of a creek;

THENCE along the center of said creek as follows:

South 12°57'22" West, 124.64 feet;
South 65°25'26" West, 117.69 feet;
South 21°56'04" West, 31.58 feet;
South 49°49'23" West, 38.42 feet;
South 34°37'43" East, 54.92 feet;
South 17°27'45" East, 36.40 feet;
South 29°15'41" West, 79.79 feet;
South 59°11'29" West, 56.87 feet;
South 39°18'54" West, 112.57 feet;
South 63°35'56" West, 40.09 feet;
South 38°51'20" West, 65.50 feet;
South 24°57'45" West, 29.15 feet;
South 47°11'55" West, 92.13 feet;

THENCE North 88°00' West, 351.43 feet to a point on the West line of the John Duncan Survey;

THENCE along said West line of the Duncan Survey as follows:

South 0°59" West, 84.21 feet;
South 2°16' West, 99.6 feet;
South 3°39' West, 89.67 feet to the most Southerly Southwest corner of said 75.5397 acre tract;

THENCE along the South line of said 75.5397 acre tract as follows:

South 89°00' West, 254.26 feet;
South 89°43' West, 254.81 feet;
North 86°52" West, 110.55 feet;
South 79°38" West, 179.79 feet to the **PLACE OF BEGINNING**, and containing 25.2434 acre of land, more or less.

PROPERTY DESCRIPTION
Tract B--RS-45

BEING a tract of land in the John Duncan Survey, Abstract No. 259 and the Tola Dunn Survey, Abstract No. 284, situated in the City of McKinney, Collin County, Texas, and being a part of that certain 75.5397 acre tract of land conveyed to Roger Sefzik by deed filed in County Clerk File No. 92-0084375 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

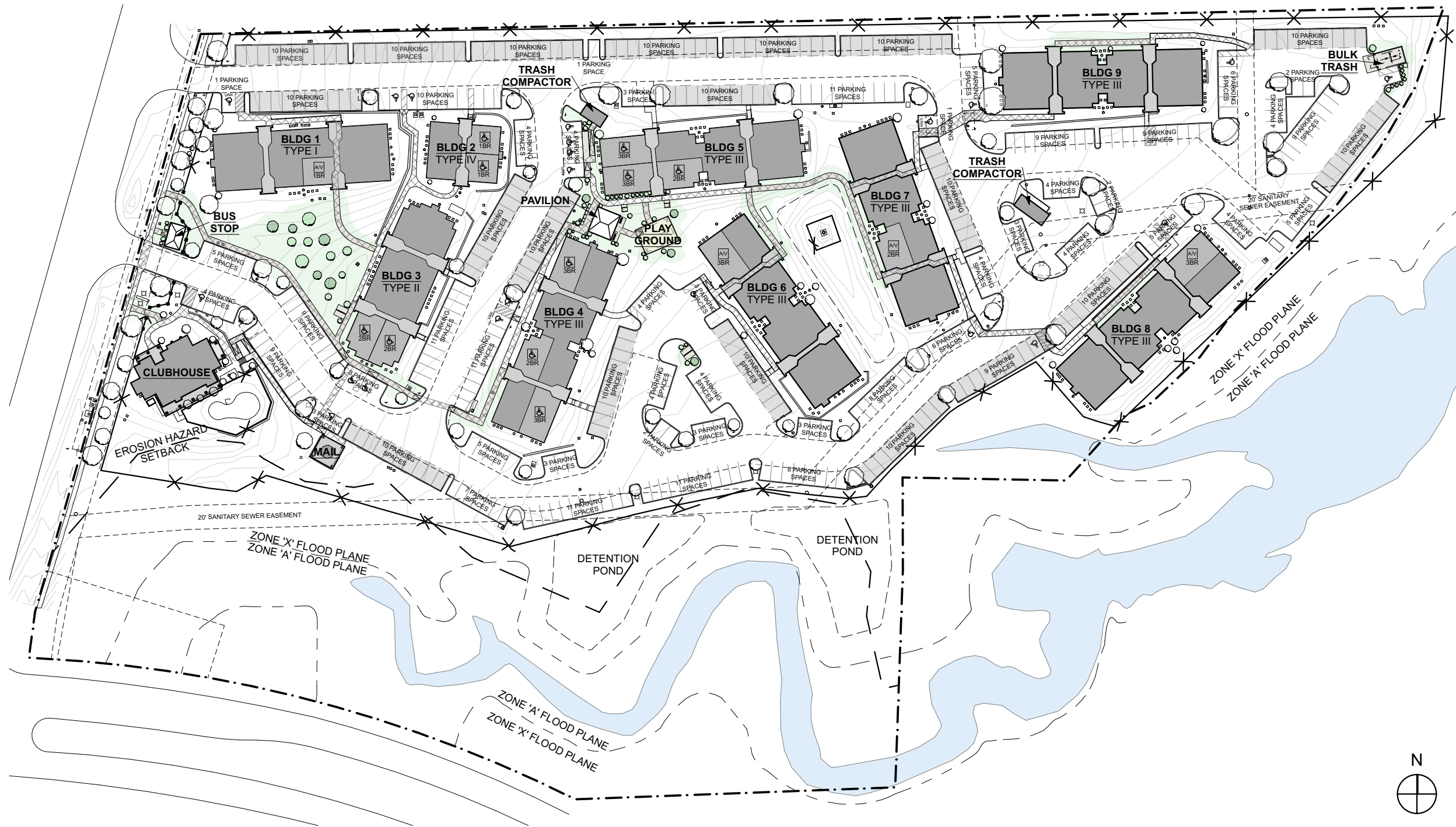
BEGINNING at a point on the East right-of-way line of State Highway No. 5, said point being North 8°04' East, 200.0 feet and North 17°18' East 837.5 feet from the most Southerly Southwest corner of said 75.5397 acre tract;

THENCE North 17°18' East along said East right-of-way line of State Highway No.5, 283.18 feet;

THENCE North 89°45' East 300.0 feet;

THENCE South 1°22' West, 270.11 feet;

THENCE South 89°45' West, 377.77 feet to the **PLACE OF BEGINNING**, and containing 2.1005 acres of land, more or less.



NOTES:

- A) PROVIDE ACCESSIBLE BUS STOP.
- B) PROVIDE COVERED PAVILION THAT INCLUDES BARBECUE GRILLS AND ACCESSIBLE TABLES.
- C) PROVIDE HORSE SHOE PITS NEAR NEW PLAYGROUND AND PAVILION.
- D) PROVIDE A CHILDREN'S PLAYScape EQUIPPED FOR 5-12 YEAR OLDS.
- E) PROVIDE BICYCLE PARKING WITHIN REASONABLE PROXIMITY TO EACH RESIDENTIAL BUILDING THAT ALLOWS FOR BICYCLES TO BE SECURED WITH LOCK.
- F) PROVIDE COMMUNITY KITCHENETTE AND COMMUNITY ROOM WITH SEATING.
- G) PROVIDE NEW ACCESSIBLE BULK TRASH ENCLOSURE.
- H) PROVIDE SUPPORTIVE SERVICE COORDINATOR OFFICE IN ADDITION TO LEASING OFFICE.

FLOOD NOTES:

THE PROPERTY DOES NOT LIE WITHIN A FLOOD ZONE AND NO MITIGATION IS REQUIRED.

PIPELINE NOTES:

NO PIPELINES EXIST ON THIS PROPERTY AND NO EXTRA CONSIDERATION IS REQUIRED.

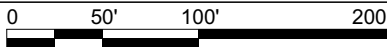
SITE SQUARE FOOTAGE:

13.199 ACRES = 574,989 SF

1

OVERALL SITE PLAN

SCALE: 1" = 100'



PARKING REQUIREMENTS:

1.5 SPACES PER 1 BED UNIT
2.0 SPACES PER 2 BED UNIT
2.5 SPACES PER 3 BED UNIT

(424) REQUIRED PARKING SPACES

NOTE: 50% OF UNITS SHALL HAVE AN ENCLOSED PARKING SPACE

PARKING SPACES:

(21) ACCESSIBLE PARKING STALLS
(228) STANDARD PARKING STALLS
(249) TOTAL SURFACE PARKING

(188) CARPORT STALLS

(437) TOTAL PROVIDED PARKING

LEGEND:

- ACCESSIBLE UNIT
- AUDIO/VISUAL IMPAIRED UNIT
- ACCESSIBLE ROUTE

NOTE:

ALL ACCESSIBLE UNITS AND AUDIO/VISUAL UNITS ARE ON THE FIRST FLOOR OF THE LOCATION SPECIFIED ON THIS PLAN.

DEVELOPER 3/3/20

DOMINIUM

2905 NORTHWEST BLVD
PLYMOUTH, MN 55441
P 763.452.3174

AS100

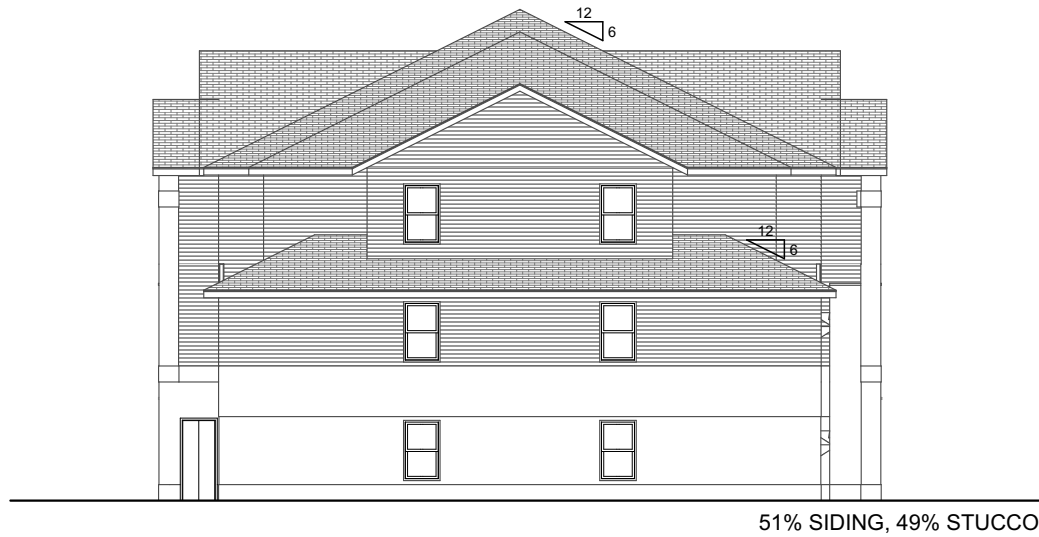
KINWOOD APARTMENTS

3300 N MCDONALD STREET
MCKINNEY, TX 75071

TDHCA APPLICATION

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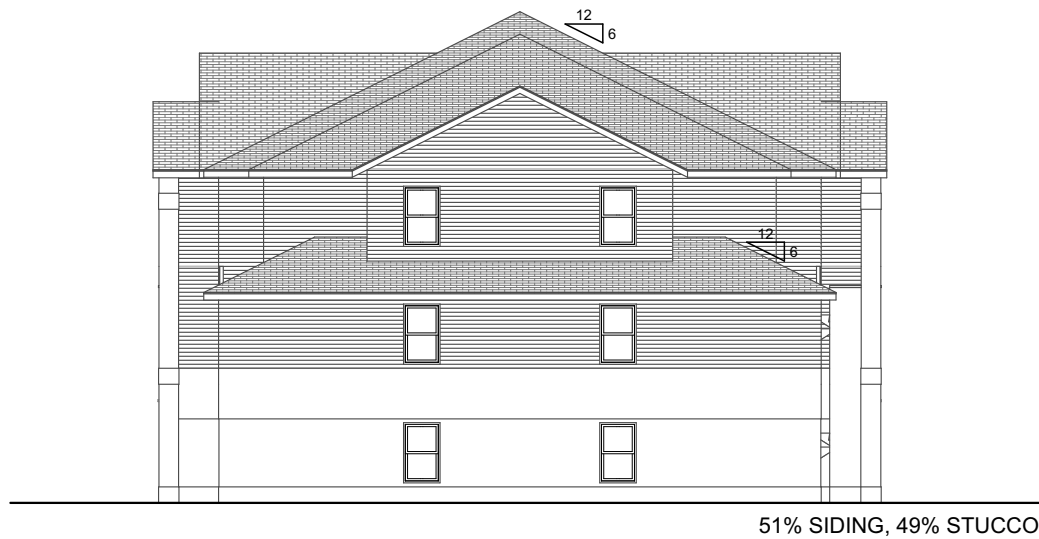




4 BLDG I RIGHT ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'



3 BLDG I REAR ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'



2 BLDG I LEFT ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'



1 BLDG I FRONT ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'

NOTES:

- A) PROVIDE NEW HANDRAILS AND GUARDRAILS AT BREEZEWAY STAIRCASES.
- B) PROVIDE NEW UNIT ENTRY DOORS.
- C) PROVIDE NEW EXTERIOR LIGHT FIXTURES.

DEVELOPER 3/3/20

DOMINIUM

2905 NORTHWEST BLVD
PLYMOUTH, MN 55441
P 763.452.3174

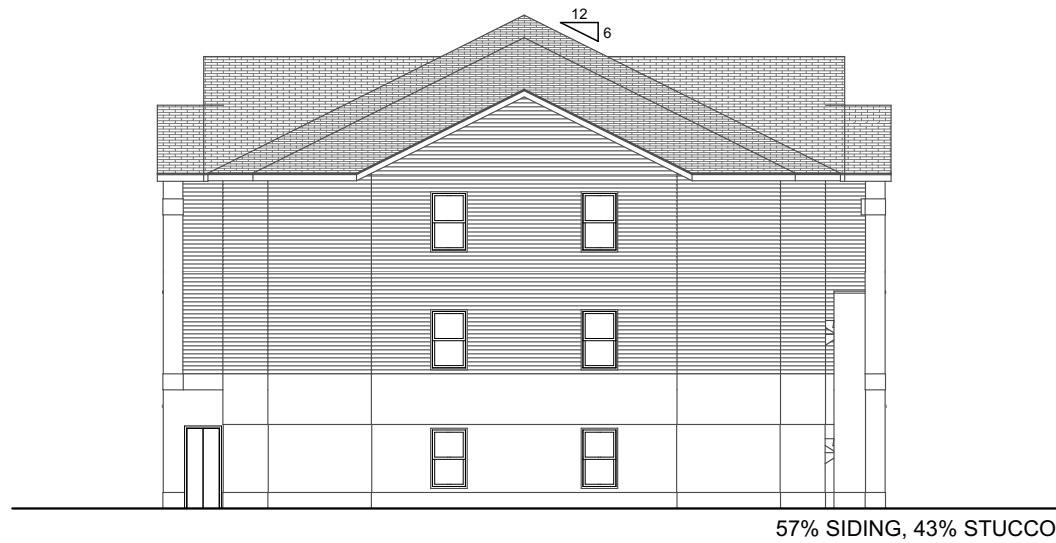
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KINWOOD APARTMENTS

3300 N MCDONALD STREET
MCKINNEY, TX 75071

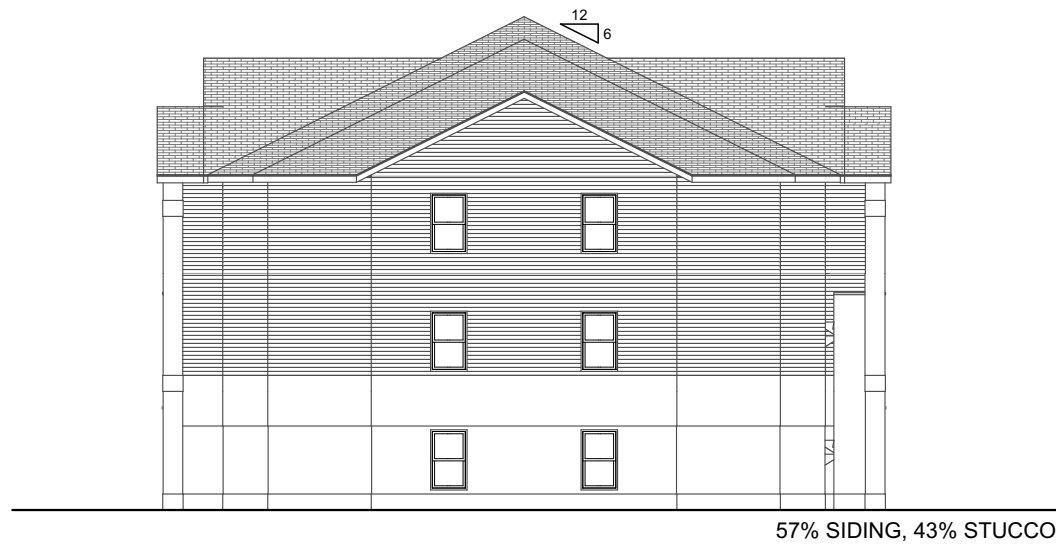
TDHCA APPLICATION

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4 BLDG II RIGHT ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'

3 BLDG II REAR ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'



2 BLDG II LEFT ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'

1 BLDG II FRONT ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'

NOTES:

- A) PROVIDE NEW HANDRAILS AND GUARDRAILS AT BREEZEWAY STAIRCASES.
- B) PROVIDE NEW UNIT ENTRY DOORS.
- C) PROVIDE NEW EXTERIOR LIGHT FIXTURES.

DEVELOPER 3/3/20

DOMINIUM

2905 NORTHWEST BLVD
PLYMOUTH, MN 55441
P 763.452.3174

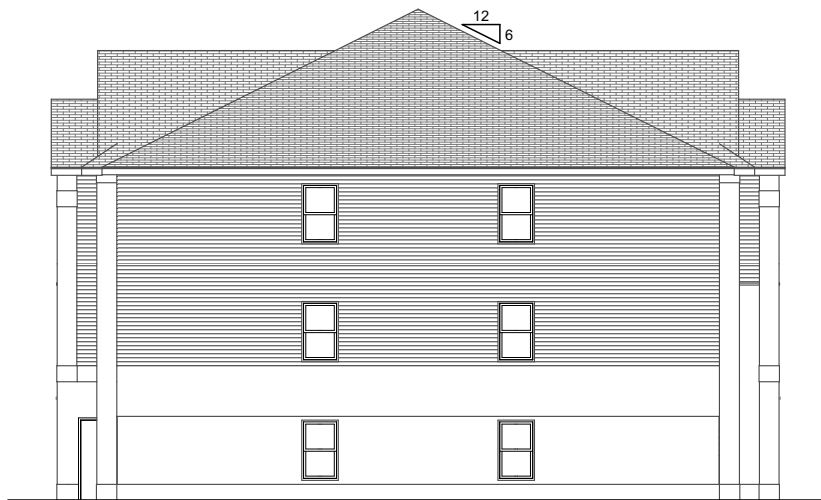
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KINWOOD APARTMENTS

3300 N MCDONALD STREET
MCKINNEY, TX 75071

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50% SIDING, 50% STUCCO



49% SIDING, 51% STUCCO

4

BLDG III RIGHT ELEV.

SCALE: 1/16" = 1'-0" 0 8' 16' 32'

3

BLDG III REAR ELEVATION

SCALE: 1/16" = 1'-0" 0 8' 16' 32'



50% SIDING, 50% STUCCO



49% SIDING, 51% STUCCO

2

BLDG III LEFT ELEV.

SCALE: 1/16" = 1'-0" 0 8' 16' 32'

1

BLDG III FRONT ELEVATION

SCALE: 1/16" = 1'-0" 0 8' 16' 32'

NOTES:

- A) PROVIDE NEW HANDRAILS AND GUARDRAILS AT BREEZEWAY STAIRCASES.
- B) PROVIDE NEW UNIT ENTRY DOORS.
- C) PROVIDE NEW EXTERIOR LIGHT FIXTURES.

DEVELOPER 3/3/20

DOMINIUM

2905 NORTHWEST BLVD
PLYMOUTH, MN 55441
P 763.452.3174

A402

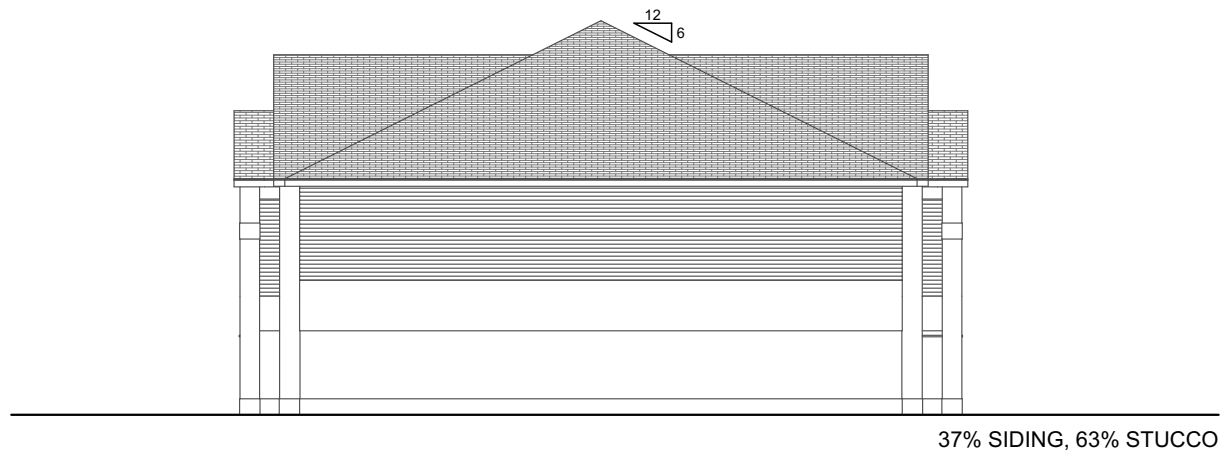
KINWOOD APARTMENTS

3300 N MCDONALD STREET
MCKINNEY, TX 75071

TDHCA APPLICATION

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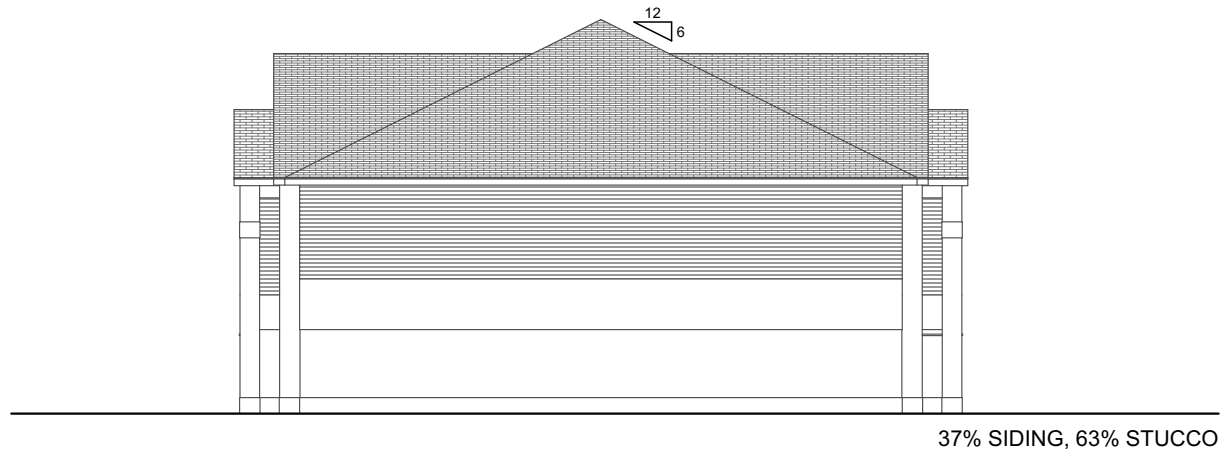




4 BLDG IV RIGHT ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'



3 BLDG IV REAR ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'



2 BLDG IV LEFT ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'



1 BLDG IV FRONT ELEVATION
SCALE: 1/16" = 1'-0"
0 8' 16' 32'

NOTES:

- A) PROVIDE NEW HANDRAILS AND GUARDRAILS AT BREEZEWAY STAIRCASES.
- B) PROVIDE NEW UNIT ENTRY DOORS.
- C) PROVIDE NEW EXTERIOR LIGHT FIXTURES.

DEVELOPER 3/3/20
DOMINIUM
2905 NORTHWEST BLVD
PLYMOUTH, MN 55441
P 763.452.3174

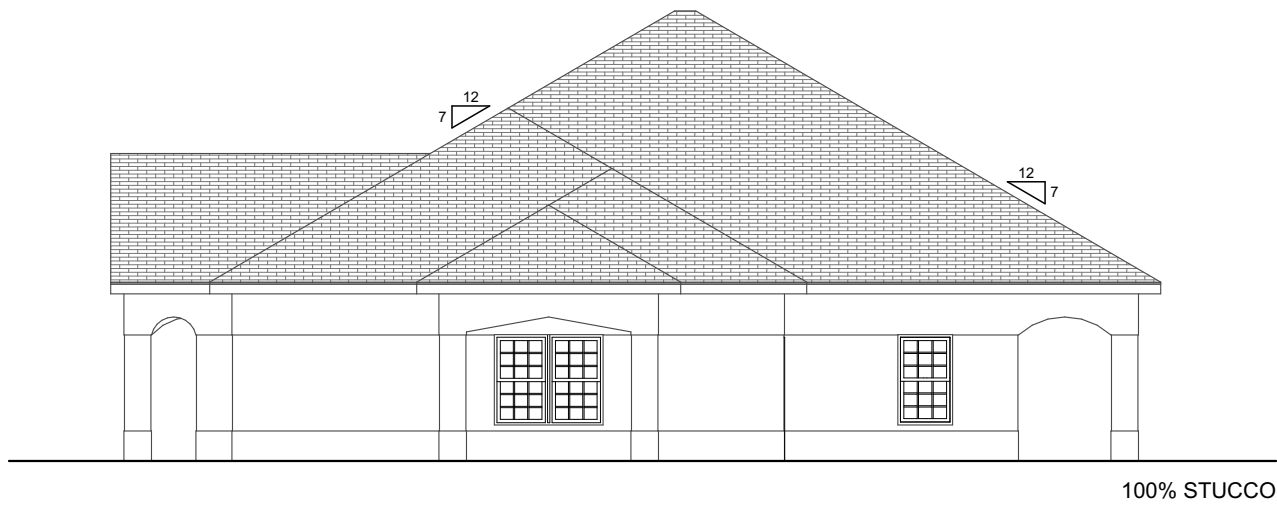


KINWOOD APARTMENTS

3300 N MCDONALD STREET
MCKINNEY, TX 75071

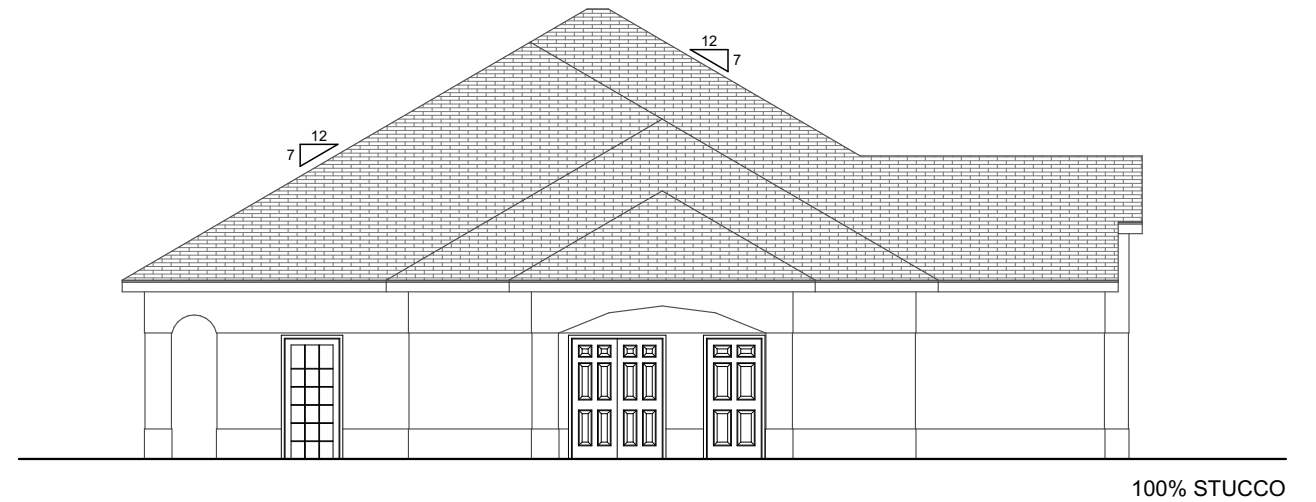
TDHCA APPLICATION

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4 CLUBHOUSE WEST ELEVATION
SCALE: 3/32" = 1'-0"
0 8' 16' 24'

3 CLUBHOUSE SOUTH ELEVATION
SCALE: 3/32" = 1'-0"
0 8' 16' 24'



2 CLUBHOUSE NORTH ELEVATION
SCALE: 3/32" = 1'-0"
0 8' 16' 24'

1 CLUBHOUSE EAST ELEVATION
SCALE: 3/32" = 1'-0"
0 8' 16' 24'

NOTES:

- A) PROVIDE NEW STOREFRONT WINDOWS PER PLAN.
- B) PROVIDE EXTERIOR PAINT.
- C) PROVIDE NEW EXTERIOR LIGHT FIXTURES.

A404

DEVELOPER 3/3/20

DOMINIUM

2905 NORTHWEST BLVD
PLYMOUTH, MN 55441
P 763.452.3174

e+a

KINWOOD APARTMENTS

3300 N MCDONALD STREET
MCKINNEY, TX 75071

TDHCA APPLICATION

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Kinwood Apartments/4% tax credit
Housing & Community Development

TO: Paul Grimes, City Manager
FROM: Cristel Todd, Affordable Housing Administrator
DATE: 21 April 2020
SUBJECT: Kinwood Apartments

1. *Project location, including whether the project is located one linear mile or less from a development that serves the same type of household as the new development;*

Kinwood Apartments is an existing 200 unit, affordable multifamily development, located at 3300 N McDonald Street, McKinney, Texas, 75071. The site is located in Council District #1. The project is not located less than one (1) linear mile from existing tax credit developments serving the same type of household.

2. *Housing needs characteristics;*

With a 2019 estimated city population of 187,802, there are currently 2,128 multifamily, tax credit units in McKinney or 1 unit for every 88 people. Based on a 2020 projected population of 190,027, to maintain an historical number of tax credit units of 1.25% of the city's population (or 1 unit for every 80 people), 2,375 tax credit units will be needed. This is an additional 247 units of tax credit units needed by 2020. (McKinney Planning Department; American FactFinder)

3. *Project characteristics, including whether the project includes the use of existing housing as part of a community revitalization plan;*

Program and Owner Data:

Project Name: Kinwood Apartments

Location: 3300 N McDonald Street, McKinney, TX 75071

Finance Structure: 4% Non-Competitive Tax Credits and Tax Exempt Bonds

Program Year: 2002 (year 18)

Partnership Name: McKinney Leased Housing Associates Owner, I, LLC

General Partner Owner: McKinney Leased Housing Associates GP, I, LLC

Project and Site Data

Census Tract: 480580309

Site Acreage: 13.199 acres

Density: 15.15 units/acre

Allowable density per zoning: 16.0 units/acre

Max units per zoning: 211 units

Building Data:

Total Net Rentable Square Footage: 176,376 SF

Total Overall Square Footage: 190,219 SF

	<u>1 BR</u>	<u>2 BR</u>	<u>3 BR</u>	<u>TOTAL</u>
<u>60% AMI</u>	32	88	80	200
	\$886	\$1,060	\$1,225	
TOTAL	32	88	80	200

4. *Sponsor/developer characteristics and experience, and list the name, including company name, of the contact person, with address and telephone number, and the identification of those persons providing developmental or operational services to the development, including: (a) development owner (b) architect (c) attorney (d) tax professional (e) property management consultant (f) consultant (g) market analyst (h) tenant services provider (i) syndicator (j) real estate broker or agent or a person receiving a fee in connection with services usually provided by a real estate broker or agent (k) the owners of the property on which the development is located (l) developer (m) the builder or general contractor;*

- a) Development Owner: McKinney Leased Housing Associates I, Limited Partnership, Neal Route, 2905 Northwest Blvd Ste 150, Plymouth, MN 55441, 763-354-5640
- b) Architect: E + A Architecture, Justin Robben, 1214 Washington Ave, Saint Louis, MO 63103, 314-900-1491
- c) Attorney: Winthrop & Weinstine, Scott Jahnke, 225 South 6th St, Minneapolis, MN 55402, 612-604-6497
- d) Tax Professional: N/A
- e) Property Management: Dominion Texas Management Services, LLC, Jack Sipes, 2905 Northwest Blvd Ste 150, Plymouth, MN 55402, 763-354-5620
- f) Consultant: N/A
- g) Market Analyst: Apartment Market Data, Jack Darrell, 20540 Hwy 46 West, Ste 115, Spring Branch, TX 78070
- h) Tenant Services Provider: Portfolio Resident Services, Melinda Frazer, 2500 S Watson Rd, Arlington, TX 76014, 713-526-6634
- i) Syndicator: TBD
- j) Real Estate Broker: LIHTC Advisors, Jeff Irish, 6225 N Meeker Pl, Ste 210, Boise, ID 83713, 800-840-3021
- k) Developer: McKinney Leased Housing Development I, LLC, Neal Route, 2905 Northwest Blvd Ste 150, Plymouth, MN 55441, 763-354-5640
- l) General Contractor: TBD

5. *Whether the anticipated tenant population includes individuals with special housing needs;*

The anticipated tenant population may include, but does not specify, persons with special housing needs. All ground floor units will be reconfigured to allow for wheelchair accessibility, furthermore, 5% of the units will be brought up to ADA compliance for mobility impaired residents, and 2% will be set aside for hearing and visually impaired residents.

6. *McKinney Housing Authority (“MHA”) waiting lists, and whether the development is supported by MHA;*

The McKinney Housing Authority, in accordance with its mission to provide decent, safe and affordable housing solutions for the residents of McKinney, supports affordable development. Due to current time constraints this project didn't make in onto a MHA board agenda. The MHA waiting list currently consists of:

Public Housing: 1009 persons

Housing Choice Voucher (Section 8): 508 persons

7. *Whether the anticipated tenant population includes individuals with children;*

The development currently includes 532 residents. Total number of kids 18 and under is 207. Many of the amenity improvements are being done with children in mind. Replacing the existing playground with a new sun shaded playground. Also, adding a horseshoe pit and a covered school bus stop.

8. *Whether the project is intended for eventual tenant ownership;*

No. The project is a Developer-owned, rental development and must remain so through the end of the TDHCA compliance period – at least 15 years.

9. *The energy efficiency of the project;*

The development contains water and energy conserving features.

10. *The historic nature of the project, including an evaluation of anticipated impact of the development on City historical areas, sites, buildings, or other structures;*

The site is not a historic site and is not adjacent to any historic sites.

11. *Whether at the time of application the City had more than twice the State average of units per capita supported by housing tax credits or private activity bonds, unless the applicant: (a) has obtained prior approval of the development from City Council, and (b) has included with the development application a written statement of support from the City Council referencing Texas Government Code §2306.6703 and authorizing an allocation of housing tax credits for the development;*

The State average is .00972 units per capita. At the time of the application, the City did not have more than twice (2.0 x) the state average of units per capita supported by housing tax credits and private activity bonds. With an estimated 2020 population of 195,342 there are 2128 tax credit units for a total of .01089 units per capita. The City has 1.12 x the State average.

12. *Whether the applicant has notified the following entities about the filing of the application: (a) any neighborhood organizations on the record with the State or Collin County; (b) the superintendent and the presiding officer of the board of trustees of the applicable independent school district (c) the Mayor and City Councilmembers of the City Council (d) the Collin County Commissioner's Court and County Judge; and (e) the State senator and State representative of the district containing the development, including whether the City has received any input from such persons or entities;*

Notifications: (a) McKinney Area Newcomers Club, McKinney Area Democratic Club, Volunteer McKinney, Community Food Pantry of McKinney, Clothe A Child have been notified. (b) Superintendent and the presiding officer of the board of trustees of MISD have been notified (c) the Mayor and Councilmembers have been notified (d) the Collin County Commissioners and the County Judge have been notified (e) the state Senator and state Representative have been notified.

13. *Whether the development is: (a) permitted under the City's zoning ordinance provisions; and (b) consistent with the City's Comprehensive Plan and housing priorities:*

The current zoning of the property constitutes an approved land use. This is an existing development that is being purchased and Rehabilitated. The development is consistent with the City of McKinney's Comprehensive Plan and housing priorities.

14. *Whether the applicant is in the process of seeking the appropriate zoning from the City and has signed and provided to the City a release agreeing to hold the City and all other parties harmless in the event that the appropriate zoning is denied;*

Appropriate zoning is in place.

15. *Whether the development is financed through a private activity bond program, including private activity bonds issued by the TDHCA, the Texas State Affordable Housing Corporation, or a local issuer, such as the McKinney Housing Finance Corporation ("MHFC"), and if so, review of any staff or City Council requested financial analysis provided by an issuer related to the applicant's financing;*

The development is financed through private activity bonds issued by the McKinney Housing Finance Corporation.

16. *Whether the development complies with accessibility standards required under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); 24 C.F.R. Part 8, Subpart C; and related authorities concerning accessibility standards;*

The development complies with accessibility standards required under Section 504 of the Rehabilitation Act of 1973.

17. *An evaluation of the anticipated impact of the development on City services and related infrastructure, including but not limited to, police and fire services; water, sanitary sewer, and stormwater capacities and facilities; traffic patterns; and any environmental issues;*

Police: The proposed development is consistent with the anticipated growth of the City. The McKinney Police Department has a multi-year plan to meet the demands of future City growth. The McKinney Police Department has sufficient current capacity to absorb the development's anticipated service demands.

Fire: Multi-family developments typically increase demand for EMS. New buildings are built within existing codes and standards including active fire protection features. The overall impact to fire suppression should be minimal under normal circumstances. An additional inspection(s) requirement is created for the Fire Marshal Office.

An evaluation of existing infrastructure, as well as a traffic analysis, are attached.

18. *An evaluation of compliance with City health and safety codes.*

The development will comply with health and safety codes.



0 1,000 2,000
1 in = 2,000 ft

Kinwood Apartments

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.





April 13, 2020

Cristel Todd
City of McKinney
406 N. Tennessee St.
McKinney, TX 75069
(972)-547-751

**RE: Utility Verification Letter
Creek Point Addition, Block A, Lot 1
3300 N McDonald St.**

Dear Ms. Todd,

The City of McKinney maintains the following public sanitary sewer line, and water lines that may be used to serve the proposed development described above.

- 12" water line along the west side of McDonald Street
- 8" water line within the subject tract
- 15" sanitary sewer running south along the subject tract

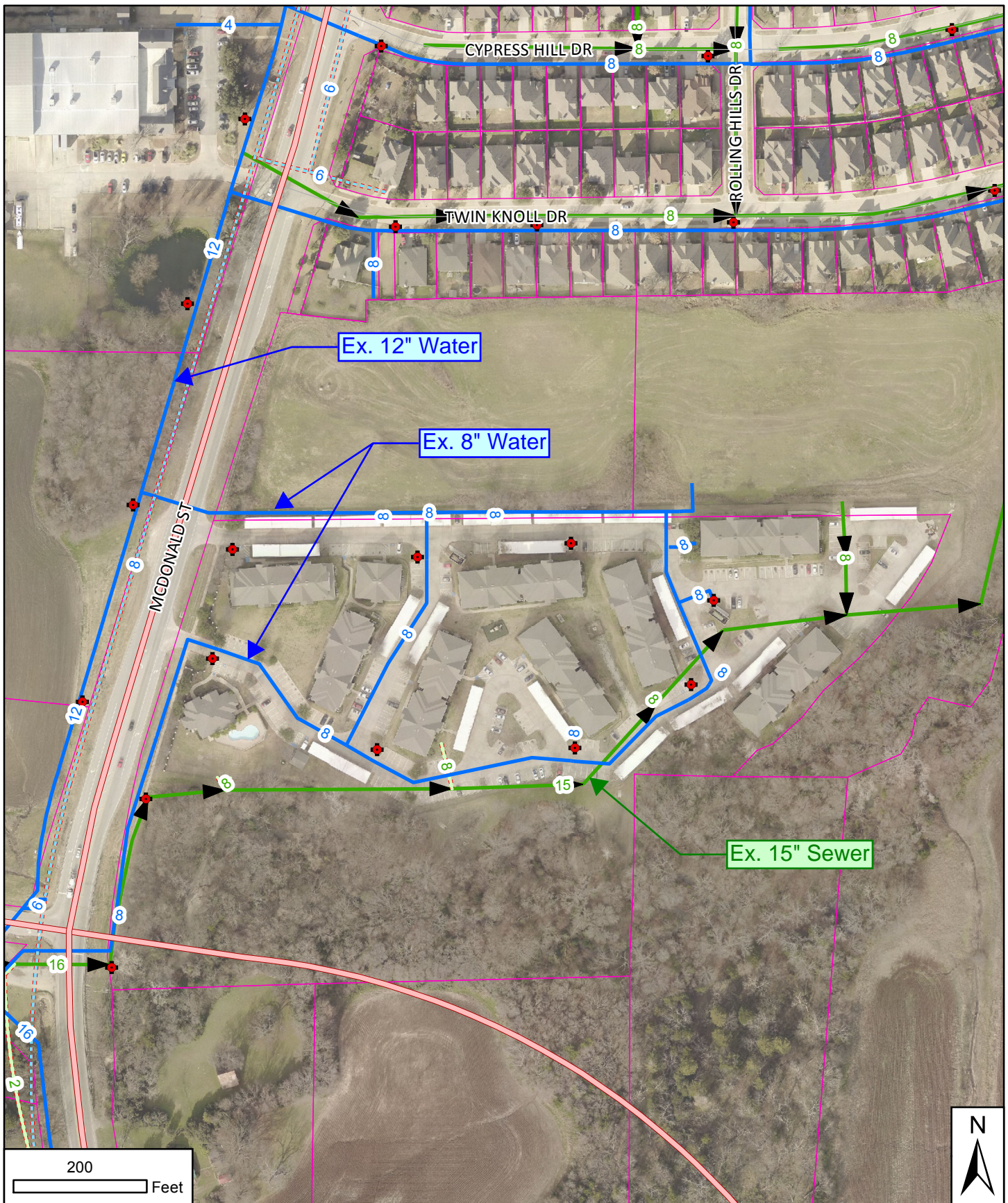
It will be the responsibility of the property owner to extend services to these public mains as necessary to serve the property and to satisfy any property specific development requirements. The property owner shall also be responsible for obtaining all required easements and/or permits to extend said utilities to the property. Upon submittal and approval of a site plan, the capacity of the City of McKinney's infrastructure will be evaluated. All design and construction shall conform to the City's standard specifications.

Sincerely,

Taylor Schauwecker, P.E.
Development Services
E-Mail: tschauwecker@mcKinneytexas.org
Phone: 972.547.7431

enc: Utility Verification Map

3300 N McDonald St Infrastructure Map



Date: 4/13/2020

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ITE TRIP GENERATION (10th Edition) FOR MULTI-FAMILY DEVELOPMENTS (KINWOOD APARTMENTS - 3300 N McDONALD ST, MCKINNEY, TEXAS)													
Multi-Family Development	Location	Land Use	Number of Units	DAILY Trips			AM PEAK Trips			PM PEAK Trips			Comments/Note
				Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	
					50%	50%		27%	73%		60%	40%	
Kinwood Apartment	3300 N McDonald Street (McKinney, Texas)	221 - Multifamily Housing (mid-rise) 3-10 levels	200	1088	544	544	64	17	47	82	49	33	Multi-Family (3-10 levels) 200 Dwelling Units
Total			200	1088	544	544	64	17	47	82	49	33	



20-0331

TITLE: Consider/Discuss/Act on an Ordinance of the City Council of the City of McKinney, Texas, Amending and Restating Ordinance No. 2020-03-025 Declaring a Local State of Disaster Due to a Public Health Emergency in Response to the COVID-19 Virus Outbreak, Pursuant to the Texas Disaster Act of 1975, Chapter 418, Texas Government Code and Chapter 122 of the Texas Health and Safety Code; Providing a Penalty; Providing for the Publication of the Caption of this Ordinance; and Providing for an Effective Date

COUNCIL GOAL: Direction for Strategic & Economic Growth

MEETING DATE: April 21, 2020

DEPARTMENT: City Council

CONTACT: Mayor George Fuller

ITEM SUMMARY:

- Pursuant to Chapter 418 of the Texas Government Code, the Mayor may declare a local state of disaster for a period not to exceed seven (7) days from the effective date of the declaration; however, for a mayoral disaster declaration to continue beyond the initial seven (7) days, it must be continued or renewed by the governing body.
- Under the ordinance, the City Council adopts and incorporates the Third Revised Mayoral Disaster Declaration issued on March 25, 2020 and extends it accordingly.
-

BACKGROUND INFORMATION:

- The COVID-19 virus has spread throughout the world and has now been declared a global pandemic by the World Health Organization.
- In response to the spread of the COVID-19 virus, the President of the United States declared a national health emergency beginning on March 1, 2020, Governor Greg Abbott declared a state of disaster for all counties in Texas on March 13, 2020, Collin County Judge Chris Hill declared a state of disaster for Collin County on March 16, 2020, and Mayor George Fuller declared a local

state of disaster for the City of McKinney commencing on March 17, 2020, which was later revised, culminating in the Third Revised Mayoral Disaster Declaration issued on March 25, 2020.

- To help stop the spread of the COVID-19 virus, health experts have recommended that local officials enact shelter in place regulations for persons and further enact regulations governing the operation of businesses to those which are essential.
- On March 27, 2020, the City Council adopted McKinney Ordinance No. 2020-03-024, ratifying and continuing the Third Revised Mayoral Declaration through April 3, 2020 at 11:59 p.m.
- On April 3, 2020, the City Council adopted McKinney Ordinance No. 2020-04-025, ratifying and continuing the Third Revised Mayoral Declaration through April 30, 2020 at 11:59 p.m.
- On April 17th, 2020, Texas Governor Greg Abbott released Executive Order GA 17, Relating to the establishment of the Governor's Strike Force to Open Texas.
- The Ordinance is similar to several orders, ordinances and declarations which exist in the Metroplex, including regulations enacted in Dallas, Tarrant and Denton counties.

FINANCIAL SUMMARY: N/A

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Ordinance \(Proposed\)](#)
[ORD CC 2020-04-025](#)

ORDINANCE NO. 2020-04-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING AND RESTATING ORDINANCE NO. 2020-04-025 DECLARING A LOCAL STATE OF DISASTER DUE TO A PUBLIC HEALTH EMERGENCY IN RESPONSE TO THE COVID-19 VIRUS OUTBREAK, PURSUANT TO THE TEXAS DISASTER ACT OF 1975, CHAPTER 418, TEXAS GOVERNMENT CODE AND CHAPTER 122 OF THE TEXAS HEALTH AND SAFETY CODE; PROVIDING A PENALTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

- WHEREAS,** beginning in December 2019, a novel coronavirus, now designated COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and
- WHEREAS,** symptoms of COVID-19 include fever, coughing and shortness of breath, and in some cases, the virus has caused death; and
- WHEREAS,** the COVID-19 virus may be spread between people in close contact with one another through respiratory droplets produced by an infected person; and
- WHEREAS,** prudence dictates that extraordinary measures must continue to be taken to contain COVID-19 and prevent its spread throughout the City of McKinney, including the quarantine of individuals, groups of individuals and occupied structures and, additionally, including compelling individuals, groups of individuals, or occupied structures to undergo additional health measures that prevent or control the spread of the virus; and
- WHEREAS,** on January 31, 2020, the United States Secretary of Health and Human Services declared a public health emergency in response to COVID-19; and
- WHEREAS,** on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national health emergency beginning on March 1, 2020; and
- WHEREAS,** on March 13, 2020, the Governor of the State of Texas declared a state of disaster for all counties in Texas in response to the COVID-19 outbreak; and
- WHEREAS,** the Texas Disaster Act of 1975 (the “Disaster Act”) authorizes the presiding officer of a political subdivision to declare a local state of disaster for up to seven (7) days; and
- WHEREAS,** on March 16, 2020, the Mayor of the City of McKinney declared a local state of disaster for the City of McKinney commencing on March 17, 2020 (the “Mayoral Disaster Declaration”), and
- WHEREAS,** on March 17, 2020, the Mayor issued a further revised disaster declaration (the “Second Revised Mayoral Disaster Declaration”) effective immediately prohibiting dine-in service at restaurants and bars beginning March 20, 2020; and
- WHEREAS,** on March 19, 2020, the Governor of the State of Texas issued Executive Order No. GA-08 relating to COVID-19 preparedness and mitigation; and
- WHEREAS,** on March 24, 2020, the McKinney City Council convened and provided Mayor Fuller input for managing the health and welfare of McKinney citizens during this local disaster through a mayoral declaration issued pursuant to Texas law; and

WHEREAS, on March 25, 2020, the Mayor issued a revised disaster declaration (the “Third Revised Mayoral Disaster Declaration”) directing McKinney residents to shelter in place with certain exceptions, and requiring certain businesses operating in McKinney to cease activities while allowing other Essential Businesses to operate, beginning March 26, 2020; and

WHEREAS, the Disaster Act authorizes the governing body of the City of McKinney to continue or renew a declared local state of emergency for a period of more than seven (7) days; and

WHEREAS, on March 27, 2020, the McKinney City Council enacted Ordinance No. 2020-03-024 incorporating Mayor Fuller’s Third Revised Mayoral Disaster Declaration into a valid and binding home rule ordinance under Section 122.006 of the Texas Health and Safety Code, the Texas Constitution, and other applicable state law, to preserve the health and welfare of McKinney citizens during this local disaster through a mayoral declaration issued pursuant to Texas law; and

WHEREAS, on March 31, 2020, the Governor of the State of Texas issued Executive Order No. GA-14 (hereinafter “GA-14”) relating to statewide continuity of essential services and activities during the COVID-19 disaster; and

WHEREAS, on April 3, 2020, the McKinney City Council enacted Ordinance No. 2020-04-025 extending Ordinance 2020-03-04 through April 30, 2020 and incorporating Mayor Fuller’s Third Revised Mayoral Disaster Declaration under Section 122.006 of the Texas Health and Safety Code, the Texas Constitution, the Disaster Act and other applicable state law; and

WHEREAS, on April 17, 2020, the Governor of the State of Texas issued Executive Order No. GA-16 (hereinafter “GA-16”) superseding GA-14 and relating to statewide reopening of certain aspects of the Texas economy during the COVID-19 disaster; and

WHEREAS, the City Council finds that it is in the best interest of the City of McKinney to amend and restate Ordinance No. 2020-04-025 by this ordinance to incorporate the Governor’s Order No. GA-16 in response to the COVID-19 virus outbreak pursuant to its Home Rule Charter, Section 122.006 of the Texas Health and Safety Code, the Texas Constitution, the Disaster Act, and other applicable state law.

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

Section 1. On March 16, 2020, the Mayor of the City of McKinney, Texas declared a local state of disaster due to a public health emergency in response to the COVID-19 outbreak for the City of McKinney, Texas effective on March 17, 2020 (the “Mayoral Disaster Declaration”), which was later amended on March 16, 2020 (the “Revised Mayoral Disaster Declaration”) further amended on March 17, 2020 (the “Second Revised Mayoral Disaster Declaration”) and thereafter amended on March 25, 2020 (the “Third Revised Mayoral Disaster Declaration”), pursuant to section 418.108(a) of the Texas Government Code. On April 3, 2020, the City Council adopted Ordinance No. 2020-04-025.

Section 2. Ordinance No. 2020-04-025 was valid until April 30, 2020 at 11:59 p.m.

Section 3. Ordinance No. 2020-04-025 was published in accordance with the McKinney Home Rule Charter and state law.

Section 4. Ordinance No. 2020-04-025 may be amended and restated under state law and the Disaster Act.

Section 5. Pursuant to section 418.108(d) of the Texas Government Code, the Third Revised Mayoral Disaster Declaration activated the City of McKinney Emergency Management Plan under McKinney Ordinance 2008-02-013.

Section 6. The City Council hereby amends and restates Ordinance No. 2020-04-025 authorizing the City to take any actions necessary to promote health and suppress the virus, including, but not limited to the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, and insuring compliance for those who do not comply with the City's rules, pursuant to section 122.006 of the Texas Health and Safety Code which provides, as follows:

POWERS OF HOME-RULE MUNICIPALITIES. A home-rule municipality may: (1) adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and (2) provide for the establishment of quarantine stations, emergency hospitals, and other hospitals.

Section 7. The City Council of the City of McKinney, the MEDC board of directors, and the MCDC board of directors and their essential and necessary attendees shall be exempt from this Ordinance for scheduled in-person public meetings, whether a regular, work session, special or emergency meeting. The stated exempt entities shall use best efforts to provide adequate social distancing for members and attendees during any scheduled meetings, including their closed sessions. Whenever possible, teleconferencing shall be utilized for meetings held under this Section. All other City of McKinney boards and commissions may hold regular meetings by teleconferencing or videoconferencing, if capability therefor exists.

Section 8. Beginning upon the passage of this Ordinance:

- A. Subject to GA-16, all individuals currently living within McKinney are ordered to shelter at their place of residence. For the purposes of this Ordinance, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in this Section 8.
- B. Subject to GA-16, all businesses operating within McKinney, except Essential Businesses as defined in below in this Section 8, are required to cease all activities at facilities located within McKinney. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six-foot social distancing for both employees and the general public.
- C. All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Ordinance prohibits the gathering of members of a household or living unit.

- D. Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
- E. If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President of the CDC by practicing good hygiene, environmental cleanliness, and sanitation, and by implementing social distancing to prevent the spread of COVID-19. Funerals are allowed with appropriate social distancing.
- F. Definitions:
 - (1) For purposes of this Ordinance, individuals may leave their residence only to perform any of the following “Essential Activities”:
 - (a) To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication or visiting a health care professional).
 - (b) To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - (c) To engage in outdoor activities, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, running, and other exercise activities). Children shall not use playground equipment or any other public recreational structures.
 - (d) To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - (e) To care for a family member or pet in another household.
 - (2) For purposes of this Ordinance, “Essential Businesses” means:
 - (a) **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities.

- (b) **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Government Functions.” All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.
- (c) **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, elimination of hazardous materials, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached.
- (d) **Essential Retail.** Food service providers, including grocery stores, warehouse stores, bodegas, liquor stores, gas stations and convenience stores, farmers’ markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto, bicycle repair and essential business equipment suppliers, hardware stores, and related facilities. Businesses that supply products needed for people to work from home. **Essential Retail businesses shall post entry signage instructing patrons of the need to limit patron visits to necessary purchases only and to maintain social distancing. Essential Retail businesses shall provide a sanitation station as a required first stop for patron entering the business.**
- (e) **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

- (f) **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other Essential Businesses with support or supplies needed to operate, including real estate services.
 - (g) **News Media.** Newspapers, television, radio, and other media services.
 - (h) **Childcare Services.** Childcare facilities providing services that enable employees exempted in this Ordinance to work as permitted.
- G. Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators may apply for an “Essential Business” exemption under this Ordinance.
- H. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Ordinance hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in McKinney for the duration of this Ordinance.
- I. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in McKinney are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.
- J. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.
- K. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
- L. Public and private schools and institutions of higher education are instructed by this Ordinance to provide a safety plan to the appropriate Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.

- M. Additionally, this Ordinance instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in McKinney can use their paid sick leave when they are sick or to care for sick family members.
- N. The owner, manager, or operator of any facility that is likely to be impacted by this Ordinance is strongly encouraged to post a copy of this Ordinance onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Ordinance.

Section 9. The following are approved Social Distancing Recommendations:

A. Vulnerable Populations: Limit Outings

- (1) Vulnerable populations include people who are:
 - (a) 60 years old and older.
 - (b) People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- (2) For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

B. Workplace and Businesses: Minimize Exposure

- (1) Suspend nonessential employee travel.
- (2) Ensure employees practice social distancing and do not work within six feet of one another.
- (3) Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- (4) Do not require a doctor's note for employees who are sick.
- (5) Maximize telecommuting options.
- (6) Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

C. Cancel Non-essential Events

- (1) Cancel non-essential events.
- (2) Do not attend any essential or non-essential events or gatherings, if sick.
- (3) For events that meet the Recommendations herein and which aren't cancelled, we recommend:

- (a) Having hand washing capabilities, hand sanitizers and tissues available.
- (b) Frequently cleaning high touch surface areas like counter tops and handrails.
- (c) Finding ways to implement social distancing.

D. Schools: Safety First

- (1) Do not have your child attend school if sick.
- (2) If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- (3) Schools should equip all classrooms with hand sanitizers and tissues.
- (4) Recommend rescheduling or cancelling events that are not essential.
- (5) Explore remote teaching and online options to continue learning.
- (6) Schools should develop a plan for citywide school closures, and families should prepare for further closures.

E. Transit: Cleaning and Protection

- (1) Increase cleaning of vehicles and high touch surface areas.
- (2) Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- (3) Ensure social distancing practices are implemented to the full extent possible.

F. Health Care Settings: Avoid as possible, protect the vulnerable

- (1) Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- (2) Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- (3) The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- (4) If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- (5) Do not visit emergency rooms unless it is essential.
- (6) Follow guidance and directions of all facilities.

G. Everyone: Do your part

- (1) The best way for all McKinney residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:
 - (a) Wash hands with soap and water for at least 20 seconds.
 - (b) Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
 - (c) Stay home if you are sick.
 - (d) Avoid touching your face.
 - (e) Try alternatives to shaking hands, like an elbow bump or wave.
 - (f) If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
 - (g) There is no recommendation to wear masks at this time to prevent yourself from getting sick.
- (2) You can also prepare for the disruption caused by an outbreak. Preparedness actions include:
 - (a) Prepare to work from home if that is possible for your job, and your employer.
 - (b) Make sure you have a supply of all essential medications for your family.
 - (c) Prepare a childcare plan if you or a caregiver are sick.
 - (d) Make arrangements about how your family will manage school closures.
 - (e) Plan for how you can care for a sick family member without getting sick yourself.
 - (f) Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
 - (g) Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.

Section 10. This Ordinance hereby incorporates the Governor's Executive Order No. GA-16 relating to the safe, strategic reopening of select services as the first step to Open Texas in response to the COVID-19 disaster for the duration of this Ordinance. Notwithstanding the foregoing and in accordance with GA-16, this Ordinance provides additional local restrictions that are consistent with GA-16. The provisions of GA-16 shall govern in the event of a conflict between the provisions of GA-16 and this Ordinance.

Section 11. This Ordinance hereby authorizes the use of all lawfully available enforcement tools.

Section 12. Any person, firm or corporation violating any of the provisions of this Ordinance commits an offense, punishable by a fine up to \$1000.00, and each and every day such violation shall continue shall be deemed to constitute a separate, municipal offense within the jurisdiction of the Municipal Court of the City of McKinney.

Section 13. This Ordinance shall take effect immediately upon its passage and shall remain in effect until April 30, 2020 at 11:59 p.m.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 21st DAY OF APRIL, 2020.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:

EMPRESS DRANE
City Secretary

DATE: _____

APPROVED AS TO FORM

MARK S. HOUSER
City Attorney

ORDINANCE NO. 2020-04-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING, CONTINUING AND RENEWING ORDINANCE NO. 2020-03-024 DECLARING A LOCAL STATE OF DISASTER DUE TO A PUBLIC HEALTH EMERGENCY IN RESPONSE TO THE COVID-19 VIRUS OUTBREAK, PURSUANT TO THE TEXAS DISASTER ACT OF 1975, CHAPTER 418, TEXAS GOVERNMENT CODE AND CHAPTER 122 OF THE TEXAS HEALTH AND SAFETY CODE; PROVIDING A PENALTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

- WHEREAS,** beginning in December 2019, a novel coronavirus, now designated COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and
- WHEREAS,** symptoms of COVID-19 include fever, coughing and shortness of breath, and in some cases, the virus has caused death; and
- WHEREAS,** the COVID-19 virus may be spread between people in close contact with one another through respiratory droplets produced by an infected person; and
- WHEREAS,** prudence dictates that extraordinary measures must continue to be taken to contain COVID-19 and prevent its spread throughout the City of McKinney, including the quarantine of individuals, groups of individuals and occupied structures and, additionally, including compelling individuals, groups of individuals, or occupied structures to undergo additional health measures that prevent or control the spread of the virus; and
- WHEREAS,** on January 31, 2020, the United States Secretary of Health and Human Services declared a public health emergency in response to COVID-19; and
- WHEREAS,** on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national health emergency beginning on March 1, 2020; and
- WHEREAS,** on March 13, 2020, the Governor of the State of Texas declared a state of disaster for all counties in Texas in response to the COVID-19 outbreak; and
- WHEREAS,** the Texas Disaster Act of 1975 (the "Disaster Act") authorizes the presiding officer of a political subdivision to declare a local state of disaster for up to seven (7) days; and
- WHEREAS,** on March 16, 2020, the Mayor of the City of McKinney declared a local state of disaster for the City of McKinney commencing on March 17, 2020 (the "Mayoral Disaster Declaration"), and
- WHEREAS,** on March 17, 2020, the Mayor issued a further revised disaster declaration (the "Second Revised Mayoral Disaster Declaration") effective immediately prohibiting dine-in service at restaurants and bars beginning March 20, 2020; and
- WHEREAS,** on March 19, 2020, the Governor of the State of Texas issued Executive Order No. GA-08 relating to COVID-19 preparedness and mitigation; and
- WHEREAS,** on March 24, 2020, the McKinney City Council convened and provided Mayor Fuller input for managing the health and welfare of McKinney citizens during this local disaster through a mayoral declaration issued pursuant to Texas law; and

WHEREAS, on March 25, 2020, the Mayor issued a revised disaster declaration (the "Third Revised Mayoral Disaster Declaration") directing McKinney residents to shelter in place with certain exceptions, and requiring certain businesses operating in McKinney to cease activities while allowing other Essential Businesses to operate, beginning March 26, 2020; and

WHEREAS, the Disaster Act authorizes the governing body of the City of McKinney to continue or renew a declared local state of emergency for a period of more than seven (7) days; and

WHEREAS, on March 27, 2020, the McKinney City Council enacted Ordinance No. 2020-03-024 incorporating Mayor Fuller's Third Revised Mayoral Disaster Declaration into a valid and binding home rule ordinance under Section 122.006 of the Texas Health and Safety Code, the Texas Constitution, and other applicable state law, to preserve the health and welfare of McKinney citizens during this local disaster through a mayoral declaration issued pursuant to Texas law; and

WHEREAS, on March 31, 2020, the Governor of the State of Texas issued Executive Order No. GA-14 (hereinafter "GA-14") relating to statewide continuity of essential services and activities during the COVID-19 disaster; and

WHEREAS, the City Council finds that it is in the best interest of the City of McKinney to amend in part, continue and renew Ordinance No. 2020-03-024 by this ordinance in response to the COVID-19 virus outbreak pursuant to its Home Rule Charter, Section 122.006 of the Texas Health and Safety Code, the Texas Constitution, the Disaster Act, and other applicable state law.

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

Section 1. On March 16, 2020, the Mayor of the City of McKinney, Texas declared a local state of disaster due to a public health emergency in response to the COVID-19 outbreak for the City of McKinney, Texas effective on March 17, 2020 (the "Mayoral Disaster Declaration"), which was later amended on March 16, 2020 (the "Revised Mayoral Disaster Declaration") further amended on March 17, 2020 (the "Second Revised Mayoral Disaster Declaration") and thereafter amended on March 25, 2020 (the "Third Revised Mayoral Disaster Declaration"), pursuant to section 418.108(a) of the Texas Government Code. On March 27, 2020, the City Council adopted Ordinance No. 2020-03-024 incorporating the substantive provisions of the Third Revised Mayoral Disaster Declaration.

Section 2. Ordinance No. 2020-03-024 was valid until April 3, 2020 at 11:59 p.m.

Section 3. Ordinance No. 2020-03-024 was published in accordance with the McKinney Home Rule Charter and state law.

Section 4. Ordinance No. 2020-03-024 may be amended, continued or renewed under state law and the Disaster Act.

Section 5. Pursuant to section 418.108(d) of the Texas Government Code, the Third Revised Mayoral Disaster Declaration activated the City of McKinney Emergency Management Plan under McKinney Ordinance 2008-02-013.

Section 6. The City Council hereby amends, continues and renews Ordinance No. 2020-03-024 authorizing the City to take any actions necessary to promote health and suppress the virus, including, but not limited to the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, and insuring compliance for those who do not

comply with the City's rules, pursuant to section 122.006 of the Texas Health and Safety Code which provides, as follows:

POWERS OF HOME-RULE MUNICIPALITIES. A home-rule municipality may: (1) adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and (2) provide for the establishment of quarantine stations, emergency hospitals, and other hospitals.

Section 7. The City Council of the City of McKinney, the MEDC board of directors, and the MCDC board of directors and their essential and necessary attendees shall be exempt from this Ordinance for scheduled in-person public meetings, whether a regular, work session, special or emergency meeting. The stated exempt entities shall use best efforts to provide adequate social distancing for members and attendees during any scheduled meetings, including their closed sessions. Whenever possible, teleconferencing shall be utilized for meetings held under this Section. All other City of McKinney boards and commissions may hold regular meetings by teleconferencing or videoconferencing, if capability therefor exists.

Section 8. Beginning upon the passage of this Ordinance:

- A. All individuals currently living within McKinney are ordered to shelter at their place of residence. For the purposes of this Ordinance, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in this Section 8.
- B. All businesses operating within McKinney, except Essential Businesses as defined below in this Section 8, are required to cease all activities at facilities located within McKinney. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six-foot social distancing for both employees and the general public.
- C. All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Ordinance prohibits the gathering of members of a household or living unit.
- D. Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
- E. If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President of the CDC by practicing good hygiene, environmental cleanliness, and sanitation, and by implementing social distancing to prevent the spread of COVID-19. Funerals are allowed with appropriate social distancing.

F. Definitions:

(1) For purposes of this Ordinance, individuals may leave their residence only to perform any of the following "Essential Activities":

- (a) To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication or visiting a health care professional).
- (b) To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences).
- (c) To engage in outdoor activities, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, running, and other exercise activities). Children shall not use playground equipment or any other public recreational structures.
- (d) To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
- (e) To care for a family member or pet in another household.

(2) For purposes of this Ordinance, "Essential Businesses" means:

- (a) **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities.
- (b) **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Government Functions." All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.
- (c) **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National

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- (c) **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National

Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, elimination of hazardous materials, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached.

- (d) **Essential Retail.** Food service providers, including grocery stores, warehouse stores, bodegas, liquor stores, gas stations and convenience stores, farmers' markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto, bicycle repair and essential business equipment suppliers, hardware stores, and related facilities. Businesses that supply products needed for people to work from home. **Essential Retail businesses shall post entry signage instructing patrons of the need to limit patron visits to necessary purchases only and to maintain social distancing. Essential Retail businesses shall provide a sanitation station as a required first stop for patron entering the business.**
- (e) **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- (f) **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or

accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other Essential Businesses with support or supplies needed to operate, including real estate services.

(g) **News Media**. Newspapers, television, radio, and other media services.

(h) **Childcare Services**. Childcare facilities providing services that enable employees exempted in this Ordinance to work as permitted.

- G. Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators may apply for an "Essential Business" exemption under this Ordinance.
- H. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Ordinance hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in McKinney for the duration of this Ordinance.
- I. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in McKinney are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.
- J. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.
- K. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
- L. Public and private schools and institutions of higher education are instructed by this Ordinance to provide a safety plan to the appropriate Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
- M. Additionally, this Ordinance instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in McKinney can use their paid sick leave when they are sick or to care for sick family members.
- N. The owner, manager, or operator of any facility that is likely to be impacted by this Ordinance is strongly encouraged to post a copy of this Ordinance onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then

such decision will not affect the validity of the remaining portions or applications of this Ordinance.

Section 9. The following are approved Social Distancing Recommendations:

A. Vulnerable Populations: Limit Outings

- (1) Vulnerable populations include people who are:
 - (a) 60 years old and older.
 - (b) People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- (2) For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

B. Workplace and Businesses: Minimize Exposure

- (1) Suspend nonessential employee travel.
- (2) Ensure employees practice social distancing and do not work within six feet of one another.
- (3) Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- (4) Do not require a doctor's note for employees who are sick.
- (5) Maximize telecommuting options.
- (6) Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

C. Cancel Non-essential Events

- (1) Cancel non-essential events.
- (2) Do not attend any essential or non-essential events or gatherings, if sick.
- (3) For events that meet the Recommendations herein and which aren't cancelled, we recommend:
 - (a) Having hand washing capabilities, hand sanitizers and tissues available.
 - (b) Frequently cleaning high touch surface areas like counter tops and handrails.
 - (c) Finding ways to implement social distancing.

D. Schools: Safety First

- (1) Do not have your child attend school if sick.
- (2) If you have a child with chronic health conditions, consult the child's doctor about school attendance.

- (3) Schools should equip all classrooms with hand sanitizers and tissues.
- (4) Recommend rescheduling or cancelling events that are not essential.
- (5) Explore remote teaching and online options to continue learning.
- (6) Schools should develop a plan for citywide school closures, and families should prepare for further closures.

E. Transit: Cleaning and Protection

- (1) Increase cleaning of vehicles and high touch surface areas.
- (2) Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- (3) Ensure social distancing practices are implemented to the full extent possible.

F. Health Care Settings: Avoid as possible, protect the vulnerable

- (1) Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- (2) Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- (3) The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- (4) If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- (5) Do not visit emergency rooms unless it is essential.
- (6) Follow guidance and directions of all facilities.

G. Everyone: Do your part

- (1) The best way for all McKinney residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:
 - (a) Wash hands with soap and water for at least 20 seconds.
 - (b) Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
 - (c) Stay home if you are sick.
 - (d) Avoid touching your face.

- (e) Try alternatives to shaking hands, like an elbow bump or wave.
 - (f) If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
 - (g) There is no recommendation to wear masks at this time to prevent yourself from getting sick.
- (2) You can also prepare for the disruption caused by an outbreak. Preparedness actions include:
- (a) Prepare to work from home if that is possible for your job, and your employer.
 - (b) Make sure you have a supply of all essential medications for your family.
 - (c) Prepare a childcare plan if you or a caregiver are sick.
 - (d) Make arrangements about how your family will manage school closures.
 - (e) Plan for how you can care for a sick family member without getting sick yourself.
 - (f) Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
 - (g) Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.

Section 10. This Ordinance hereby incorporates the Governor's Executive Order No. GA-14 relating to statewide continuity of essential services and activities for the duration of this Ordinance. Notwithstanding the foregoing and in accordance with GA-14 (on page 3 thereof), this Ordinance provides additional local restrictions that are consistent with GA-14. The provisions of GA-14 shall govern in the event of a conflict between the provisions of GA-14 and this Ordinance.

Section 11. This Ordinance hereby authorizes the use of all lawfully available enforcement tools.

Section 12. Any person, firm or corporation violating any of the provisions of this Ordinance commits an offense, punishable by a fine up to \$1000.00, and each and every day such violation shall continue shall be deemed to constitute a separate, municipal offense within the jurisdiction of the Municipal Court of the City of McKinney.

Section 13. This Ordinance shall take effect immediately upon its passage and shall remain in effect until April 30, 2020 at 11:59 p.m.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
MCKINNEY, TEXAS, ON THE 3rd DAY OF APRIL, 2020.

CITY OF MCKINNEY, TEXAS



GEORGE C. FULLER
Mayor

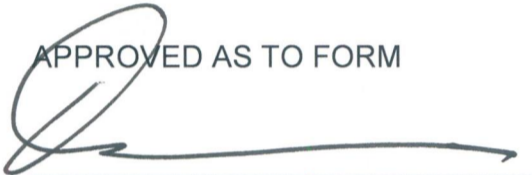
CORRECTLY ENROLLED:



EMPRESS DRANE
City Secretary
LISA SEWELL
Deputy City Secretary

DATE: APRIL 3, 2020

APPROVED AS TO FORM



MARK S. HOUSER
City Attorney



20-0332

TITLE: Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Strongly Urging That All McKinney Landlords and Tenants (Both Commercial and Residential) Work Together to Minimize the Adverse Human and Financial Impacts Associated with the Owning and Leasing of Real Property During the COVID-19 Pandemic; and Providing for an Effective Date

COUNCIL GOAL: Direction for Strategic & Economic Growth

MEETING DATE: April 21, 2020

DEPARTMENT: City Council

COUNCIL SPONSOR: Mayor George Fuller

CO-SPONSOR: Mayor Pro Tem Rainey Rogers

ITEM SUMMARY:

- The Resolution is intended to serve as guidance regarding the cooperation of landlords and tenants during their mutual response to the COVID-19 pandemic.

BACKGROUND INFORMATION:

- Beginning in December 2019, a novel coronavirus, now designated COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization.
- In response, the City of McKinney issued Ordinance No. 2020-04-025 that requires all individuals currently living within McKinney to shelter at their place of residence, and that such persons may leave their residence only for “Essential Activities”, or to provide or perform “Essential Governmental Functions”, or to operate “Essential Businesses” as those terms are defined in said Ordinance.
- Many residents of the City of McKinney have been laid off or furloughed from their jobs and are unable to find new or supplemental employment, as a sole result of the COVID-19 pandemic and through no fault of their own, to generate the income necessary to pay rent, utilities, insurance, taxes, and other fees associated with their residential lease(s).

- The eviction of a tenant from a residence interferes with the tenant's ability to shelter at their place of residence and minimize the spread of COVID-19 as required by the Orders and Ordinances adopted to address the COVID-19 pandemic.

FINANCIAL SUMMARY: N/A

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Resolution](#)

RESOLUTION NO. 2020-02-_____ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, STRONGLY URGING THAT ALL MCKINNEY LANDLORDS AND TENANTS (BOTH COMMERCIAL AND RESIDENTIAL) WORK TOGETHER TO MINIMIZE THE ADVERSE HUMAN AND FINANCIAL IMPACTS ASSOCIATED WITH THE OWNING AND LEASING OF REAL PROPERTY DURING THE COVID-19 PANDEMIC; AND PROVIDING FOR AN EFFECTIVE DATE

- WHEREAS,** beginning in December 2019, a novel coronavirus, now designated COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and
- WHEREAS,** symptoms of COVID-19 include fever, coughing and shortness of breath, and in some cases, the virus has caused death; and
- WHEREAS,** the COVID-19 virus may be spread between people in close contact with one another through respiratory droplets produced by an infected person; and
- WHEREAS,** the President of the United States has declared the COVID-19 outbreak a national health emergency, and issued strict guidelines limiting people's interactions including a prohibition on gathering in groups of more than 10 people; and
- WHEREAS,** the Governor of the State of Texas has declared a state of disaster for all counties in Texas in response to the COVID-19 outbreak; and
- WHEREAS,** the Governor of the State of Texas issued Executive Order No. GA-14 (hereinafter "GA-14") essentially requiring residents of the State of Texas to stay at home except where necessary to provide or obtain essential services, as defined by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0; and
- WHEREAS,** GA-14 also requires that "all services should be provided through remote telework from home unless they are essential services that cannot be provided through remote telework" effectively closing the doors of all businesses that are not engaged in providing essential services during the COVID-19 disaster; and
- WHEREAS,** the City of McKinney issued Ordinance No. 2020-04-025 that requires all individuals currently living within McKinney to shelter at their place of residence, and that such persons may leave their residence only for "Essential Activities", or to provide or perform "Essential Governmental Functions", or to operate "Essential Businesses" as those terms are defined in said Ordinance; and
- WHEREAS,** many businesses are unable, as a sole result of the COVID-19 pandemic and through no fault of their own, to open their establishments and generate the income necessary to pay their employees, operate their facilities, and pay rent, utilities, insurance, taxes, and other fees associated with their commercial lease(s); and
- WHEREAS,** many residents of the City of McKinney have been laid off or furloughed from their jobs and are unable to find new or supplemental employment, as a sole result of the COVID-19 pandemic and through no fault of their own, to generate the income necessary to pay rent, utilities, insurance, taxes, and other fees associated with their residential lease(s); and

WHEREAS, the Texas Supreme Court has entered two Emergency Orders delaying proceedings in residential evictions to recover possession of the residential property, except to address an imminent threat of physical harm or criminal activity, in light of the COVID-19 pandemic; and

WHEREAS, the COVID-19 pandemic has impacted many McKinney residents financially, mentally and socially, regardless of their status as a landlord or tenant; and

WHEREAS, the eviction of a tenant from a residence interferes with the tenant's ability to shelter at their place of residence and minimize the spread of COVID-19 as required by the Orders and Ordinances adopted to address the COVID-19 pandemic; and

WHEREAS, the eviction of a tenant from a commercial property interferes with the tenant's ability to sustain its business and livelihood while its waits to reopen after the threats under COVID-19 have subsided; and

WHEREAS, the interests of residential and commercial landlords are better served through this reasoned approach aimed at preserving financial stability by maintaining mutually beneficial landlord/tenant relationships during the COVID-19 pandemic, and thereafter when our community returns to its strong economic status; and

WHEREAS, the City Council of the City believes it is the best interest of all residents of the City and owners of property located in the City to work together to overcome the negative impacts of the COVID-19 pandemic.

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

- Section 1. The foregoing recitals are hereby found to be true and correct and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.
- Section 2. The City Council of the City of McKinney strongly urges tenants and landlords, both commercial and residential, to work together during the COVID-19 pandemic to minimize the human and financial impacts associated with owning and leasing real property, particularly those impacts arising out of a tenant's failure to timely pay rents.
- Section 3. The City Council of the City of McKinney strongly urges that tenants and landlords, both commercial and residential, err on the side of compassion and understanding when faced with difficult decisions or disputes involving the owning and leasing of real property.
- Section 4. The City Council of the City of McKinney further finds that following the foregoing will allow all residents the ability to shelter in their residence and avoid engaging in personal activities and business activities that are inconsistent with, and violative of, the requirements of GA-14 and City of McKinney Ordinance No. 2020-04-025.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE ____ DAY OF _____ 2020.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST

EMPRESS DRANE
City Secretary

APPROVED AS TO FORM

MARK S. HOUSER
City Attorney



20-0333

TITLE: Consider/Discuss/Act on Appointing a Member to the North Texas Municipal Water District (NTMWD) Board of Directors

COUNCIL GOAL: Direction for Strategic & Economic Growth

MEETING DATE: April 21, 2020

DEPARTMENT: City Secretary

CONTACT: Empress Drane, City Secretary

RECOMMENDED CITY COUNCIL ACTION: Appoint a member to the NTMWD Board

ITEM SUMMARY:

- The term for sitting Board Director Charles McKissick will expire May 31, 2020. City Council can re-appoint Charles McKissick or name a new member to serve June 1, 2020 to May 31, 2022

BACKGROUND INFORMATION:

- North Texas Municipal Water District (NTMWD) was established in 1951 and provides water for 13 Member cities: Original ten cities of Farmersville, Forney, Garland, McKinney, Mesquite, Princeton, Plano, Rockwall, Royse City, and Wylie; and Richardson (1973), Allen (1998), and Frisco (2001)
- Cities with a population greater than 5,000 appoint two members to the board; Cities with populations less than 5,000 appoint one member
- Board appointments are two years in length
- McKinney Directors are:
 - Charles McKissick is serving in his 10th term, first appointed in 2001
 - Joe Joplin is serving in his 9th term, first appointed in 2003
- Mr. McKissick has served on the NTMWD Board since 2001 in many capacities including President, Vice President and Secretary, and currently serves on the Solid Waste Committee and Finance/Audit Committee
- Information about the NTMWD is available online at <https://www.ntmwd.com>

FINANCIAL SUMMARY: N/A

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Appointment Notice](#)

[About NTMWD](#)



NORTH TEXAS MUNICIPAL WATER DISTRICT

Regional Service Through Unity

March 9, 2020

Mr. Paul Grimes, City Manager
City of McKinney
P. O. Box 517
McKinney, Texas 75069

RE: NTMWD BOARD MEMBER APPOINTMENT

Dear Mr. Grimes:

The current term of office for some of the Directors of the North Texas Municipal Water District (NTMWD) Board will end in May. Please accept this as your official notification that Mr. Charles McKissick's current term as an NTMWD Board Director will expire on May 31, 2020. The City Council has the option to either reappoint Mr. McKissick or appoint a new Director to serve the term from June 1, 2020, to May 31, 2022.

The NTMWD appreciates the service Mr. McKissick has provided to the NTMWD. He was appointed by the City of McKinney in 2001 and has been a leader on the Board serving as President, Vice President, and Secretary. Mr. McKissick currently serves on the Solid Waste Committee and Finance/Audit Committees.

In accordance with the statute creating the District (Article 8280-141), the qualifications of a Director include the following: "No person shall be appointed a Director unless he resides in and owns taxable property in the city from which he is appointed. No member of a governing body of a city, and no employee of a city, shall be appointed as a Director." Under other state law, no other public official that receives compensation could be appointed. A list of roles and responsibilities of an NTMWD Board member is enclosed for reference.

Please notify my office in writing once the City Council has appointed a Director for the new term. Should you have any questions or need additional information, please do not hesitate to contact my office.

Sincerely,

THOMAS W. KULA
Executive Director

TWK/mcf

Enclosure

cc: Mr. Charles McKissick
✓ Ms. Empress Drane, City Secretary



NTMWD BOARD OF DIRECTORS ROLES AND RESPONSIBILITIES

The North Texas Municipal Water District (NTMWD) Board of Directors serves as the governing body of NTMWD. The Board of Directors guides the NTMWD towards a sustainable future by adopting sound governance and financial management policies and ensuring adequate resources to meet the region's needs. The Board has a responsibility to provide guidance to management and staff and ensure operations run smoothly and in accordance with the law. Some specific responsibilities of the Board of Directors include:

- Establish and support the NTMWD mission and purpose
- Select and evaluate the Executive Director/General Manager
- Set policies and ensure effective planning
- Ensure adequate financial resources
- Monitor and strengthen essential programs and services
- Protect assets and provide proper financial oversight
- Ensure legal and ethical integrity
- Enhance the organization's public standing

The Board of Directors meets monthly – generally on the 4th Thursday of each month. This schedule may be adjusted due to holidays. Some Directors will meet mid-month as well depending on their Committee assignment.

The Board of Directors also meets in Special Workshops semi-annually for long-term planning as well as on an as-needed basis for other purposes.

Each Board member serves on at least two standing Committees, such as:

- Water
- Wastewater
- Solid Waste
- Finance/Audit
- Personnel
- Insurance

Directors may also serve on the Legislative Committee, Special Purposes Committees as needed, and the Chairman of each Committee serves on the Policy Committee.

LEGACY OF SERVICE

Meeting Our Region's Needs Today and Tomorrow

