

CITY COUNCIL REGULAR MEETING

FEBRUARY 5, 2019

The City Council of the City of McKinney, Texas met in regular session in the McKinney City Hall Council Chambers at 222 N. Tennessee Street, McKinney, Texas, on February 5, 2019 at 6:00 p.m.

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

Council Member Shemwell briefly stepped away from the meeting at 6:30 p.m. returning at 6:32 p.m.

City of McKinney Staff Present: City Manager Paul Grimes, Deputy City Manager Jose Madrigal, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Assistant to the City Manager Trevor Minyard, Executive Director of Development Services Michael Quint, Director of Planning Jennifer Arnold, Facilities Construction Manager Patricia Jackson, Director of Parks & Recreation Michael Kowski, Emergency Management Coordinator Karen Adkins, Assistant Emergency Management Coordinator Randall Gurney, Police Chief Greg Conley, Police Sergeant Matt Baxter, Fire Chief Danny Kistner, Chief Financial Officer Mark Holloway, Housing & Community Development Manager Janay Tieken, President of McKinney Economic Development Corporation Peter Tokar III, President of McKinney Community Development Corporation Cindy Schneible, Video Producer Sidney Diongzon, and City Secretary Empress Drane.

There were approximately 65 guests present.

Mayor Fuller called the meeting to order at 6:00 p.m. after determining a quorum of the Council was present.

Mayor Fuller called for the Invocation and recital of the Pledge of Allegiance. The Invocation given by Pastor Mark Turman of Crosspoint Church, followed by Mayor Fuller leading the Pledge.

Mayor Fuller called the following Information Sharing item:

- 19-0075** McKinney Chamber of Commerce Presentation for Leadership McKinney.
Lisa Hermes, President of the McKinney Chamber of Commerce

announced Mayor Pro Tem Tracy Rath as recipient of the 2019 Leadership McKinney Alumni of the Year Award. Mrs. Hermes noted the significance of the annual award for a graduate of the Leadership McKinney Program who goes on from the program to make meaningful contributions in the community, emphasizing Mayor Pro Tem Rath's record of service to the McKinney Performing Arts Center and City Council and many years of volunteerism. Mayor Pro Tem was described as hardworking and one of the most prepared local leaders; a dedicated advocate and friend; a proud mother and wife who balances many roles; and an excellent Champion of the Community. Mayor Pro Tem Rath received a lengthy standing ovation from the audience, which included nearly 50 Leadership McKinney members, friends and family in attendance for the presentation, greeting the Mayor Pro Tem with balloons and flowers, congratulatory handshakes and hugs, and group photographs. Mayor Pro Tem Rath be presented the award on February 22 at the McKinney Community Awards Celebration.

Mayor Fuller called for Citizen Comments.

Jolie Williams, 3613 Cockrill Drive, McKinney 75072, spoke in support of the Charter Amendment items on the ballot of the upcoming Special Election.

Maria Portillo, 1904 W. White Avenue #1004, McKinney 75069, spoke concerning the potential impact of new development and pavement improvements to Hispanic small businesses in the area of Tennessee Street between downtown and Highway 380.

Keith Fowler, 1109 W. Lamar Street, McKinney 75069, congratulated Mayor Pro Tem on the Leadership McKinney Award and requested Council to discuss each bond issue to be voted on in the upcoming Special Election.

Mayor Fuller called for action on the Consent Agenda. Council unanimously approved the motion by Council Member Elliott, seconded by Council Member Philips, to approve the following Consent Agenda items:

- 19-0076** Minutes of the City Council Work Session of January 15, 2019
- 19-0077** Minutes of the City Council Regular Meeting of January 15, 2019
- 19-0038** Minutes of the Library Advisory Board Meeting of November 15, 2018.

- 19-0029** Minutes of the McKinney Arts Commission Meeting of October 18, 2018
- 19-0043** Minutes of the McKinney Convention & Visitors Bureau Board Meeting of November 13, 2018
- 19-0022** Minutes of the McKinney Economic Development Corporation Joint Meeting of November 5, 2018
- 19-0021** Minutes of the McKinney Economic Development Corporation Meeting of December 18, 2018
- 19-0006MHFC** Minutes of the McKinney Housing Finance Corporation Meeting of September 14, 2018
- 19-0078** Minutes of the McKinney Urban Transit District Board Meeting of September 12, 2018
- 19-0004** Minutes of the Planning and Zoning Commission Regular Meeting of December 11, 2018
- 19-0079** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2018-2019 Annual Budget and Amending the 2019-2023 Capital Improvements Program, to Provide Funds for Park Improvements. Ordinance caption reads as follows:

ORDINANCE NO. 2019-02-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE FISCAL YEAR 2018-2019 ANNUAL BUDGET AND 2019 – 2023 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDS FOR PARK IMPROVEMENTS

- 19-0080** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2018-2019 Annual CIP Budget and Amending the 2019-2023 Capital Improvements Program, to Provide Funds for the Median Landscape Improvements along Collin McKinney Parkway. Ordinance caption reads as follows:

ORDINANCE NO. 2019-02-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2018-19 ANNUAL BUDGET AND THE 2019-2023 CAPITAL IMPROVEMENTS PROGRAM TO PROVIDE FUNDS FOR COLLIN MCKINNEY PARKWAY MEDIAN IMPROVEMENTS PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 19-0081** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract Amendment for a Guaranteed Maximum Price (GMP) to the Design/Build 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. 2019-02-002 (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 COMPLETE DESIGN AND CONSTRUCTION SERVICES RELATED TO THE OLD SETTLER'S RECREATION CENTER RENOVATION PROJECT (PK4398) LOCATED AT 1201 E. LOUISIANA STREET, MCKINNEY, TEXAS 75069

- 19-0082** Consider/Discuss/Act on a Resolution Authorizing an Adjustment to the Solid Waste Contract with Waste Connections Inc. Resolution caption reads as follows:

RESOLUTION NO. 2019-02-003 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING AN ADJUSTMENT TO THE SOLID WASTE CONTRACT WITH WASTE CONNECTIONS INC.

- 19-0083** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Othon, Inc. to Provide Consulting Engineering Services for Traffic Signal and Intersection Improvement Projects at Alma Road and Henneman Way and Pedestrian Crossing Improvements at Alma Road at a Proposed Trail Crossing North of Henneman Way and Authorizing Any Supplemental Agreements. Resolution caption reads as follows:

RESOLUTION NO. 2019-2-004 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$65,290 WITH OTHON, INC. FOR CONSULTING ENGINEERING SERVICES FOR TRAFFIC SIGNAL AND INTERSECTION IMPROVEMENT PROJECTS AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$80,000.

- 19-0084** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Professional Service Industries, Inc. (PSI) for the Construction Materials Testing and Observation Services Related to the Construction of McKinney Fire Station 10 Located at 1150 County Road 228, McKinney, Texas 75071. Resolution caption reads as follows:

RESOLUTION NO. 2019-02-005 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PROFESSIONAL SERVICE INDUSTRIES, INC. (PSI) FOR CONSTRUCTION MATERIALS TESTING SERVICES ASSOCIATED WITH MCKINNEY FIRE STATION 10 LOCATED AT 1150 COUNTY ROAD 228, MCKINNEY, TEXAS 75071

- 19-0085** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with Capco Communications, Inc. of Whitesboro, Texas for the Extension of the City's Wide Area Network (WAN) Fiber Services to the New Fire Station 10 located at 1150 County Road 228, McKinney, Texas 75071. Resolution caption reads as follows:

RESOLUTION NO. 2019-02-006 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH CAPCO COMMUNICATIONS INC (CAPCO) FOR WIDE AREA NETWORK (WAN) FIBER SERVICES ASSOCIATED WITH MCKINNEY FIRE STATION 10 LOCATED AT 1150 COUNTY ROAD 228, MCKINNEY, TEXAS 75071

- 19-0001M2** Consider/Discuss/Act on a Resolution to Accept and File the Semiannual Impact Fee Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees. Resolution caption reads as follows:

RESOLUTION NO. 2019-01-007 (R)

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

- 19-0086** Consider/Discuss/Act on a Resolution Authorizing an Interlocal Agreement with the North Central Texas Council of Governments for the Purchase and Installation of Advance Warning Stations for High Water Crossings; funded

through the Texas Water Development Board. Resolution caption reads as follows:

RESOLUTION NO. 2019-02-008 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR THE PURCHASE AND INSTALLATION OF ADVANCE WARNING STATIONS FOR HIGH WATER CROSSINGS; PARTIALLY FUNDED THROUGH A GRANT BY THE TEXAS WATER DEVELOPMENT BOARD

Mayor Fuller called for the following Regular Agenda Items:

- 19-0019-87** Consider/Discuss/Act on the Acceptance of the Comprehensive Annual Financial Report (CAFR) and the Federal/State Single Audit Reports for the Fiscal Year Ended September 30, 2018

Chief Financial Officer Mark Holloway requested Council to adopt the Reports and introduced David Coleman of auditing firm BDK, LLP to share information regarding the audit and final unmodified opinion of the City of McKinney financial statements. The audit was issued two weeks ahead of schedule compared to the previous year. There were no significant deficiencies or material weaknesses concerning State and Federal compliance. The City is expected to again earn the Government Finance Officers Association Award for Achievement in Financial Reporting, which would be the 35th consecutive year of receiving the honor. Mr. Coleman stated the City of McKinney is well-managed evidenced by the work of the Accounting staff to help produce the audit in a timely manner. Council unanimously approved the motion by Mayor Pro Tem Rath, seconded by Council Member Branch, to approve the Comprehensive Annual Financial Report (CAFR) and the Federal/State Single Audit Reports for the Fiscal Year Ended September 30, 2018.

- 18-0087Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "LI" - Light Industrial District and "C3" - Regional Commercial District, Located on the Southeast

Corner of Couch Drive and FM 546 (Harry McKillop Boulevard), and
Accompanying Ordinance.

Director of Planning Jennifer Arnold stated staff met with applicant concerning the request to rezone the property of approximately 24 acres and supports the request. Additionally, it received favorable recommendation from the Planning & Zoning Commission.

Greg Nelson, on behalf of the property developer Sentinel Capital, stated plans for the area consist of food and service retail and industrial; there are currently no tenants for the property. There were no additional requests to speak during the public hearing. Council unanimously approved the motion by Council Member Rogers, seconded by Council Member Chuck Branch, to close the public hearing and approve the request to Rezone the Subject Property from "AG" - Agricultural District to "LI" - Light Industrial District and "C3" - Regional Commercial District, Located on the Southeast Corner of Couch Drive and FM 546 (Harry McKillop Boulevard), and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-02-011

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 24.48 ACRE PROPERTY, LOCATED ON THE SOUTHEAST CORNER OF COUCH DRIVE AND FM 546 (HARRY MCKILLOP BOULEVARD) , IS REZONED FROM "AG" – AGRICULTURAL DISTRICT TO "LI" – LIGHT INDUSTRIAL DISTRICT AND “C3” REGIONAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 18-** Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for an
0094SP2 Automobile Service and Repair Facility (Porsche McKinney), Located on the Northeast Corner of State Highway 121 (Sam Rayburn Tollway) and Hardin Boulevard

Director of Planning Jennifer Arnold stated this site plan was presented to Council in October 2018 due to the variances requested by the applicant. The variances are related to the orientation and screening of bay doors as

well as overnight parking. While staff can approve the façade plan which was also presented in October 2018, it recommends denial of the site plan variance requests (unchanged from the October 2018 meeting) due to the same concerns related to bay doors in view of public right of way and overnight parking in public view without screening. In consideration of aesthetic appeal, City Ordinance does not allow by right for bay doors or overnight parking to be in public view. Staff is requesting a “living screen” from the approved plant list to block the view of the doors which is consistent with the approach of other auto dealers. A living screen at the Mercedes dealership was noted. Vehicle maintenance service is intended for the facility without body repair work. Grayson Hughes, with Big Red Dog Engineering of Dallas, spoke on behalf of the applicant, stated the applicant will provide ornamental trees and shade trees along street frontages and parking areas and is currently meeting the general landscape requirements excepting the masonry screening requirements for the bay doors and overnight parking. Several Council Members commended the applicant on the second effort to obtain approval for the plan. There were no other requests to speak during the public hearing. Council unanimously approved the motion by Council Member Rogers, seconded by Council Member Branch, to close the public hearing. Council continued discussion on the item including concern for favoring certain businesses over others, ensuring to establish fair expectations applicable to all, deliberation on how much visibility is possible without screening and how much screening should be required, and potential approval with modifications to the request. Council approved the motion by Council Member Rogers, seconded by Council Member Elliott, to approve the Site Plan for an Automobile Service and Repair Facility (Porsche McKinney), Located on the Northeast Corner of State Highway 121 (Sam Rayburn Tollway) and Hardin Boulevard with adherence to staff requirements for living screens, with a vote of 6 to 1, Council Member Shemwell voting against.

- 18-** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit
0019SUP2 (SUP) Request for a Private Street Subdivision (Paradiso Valle), Located Approximately 1,000 Feet South of Gray Branch Road and on the East Side of Ridge Road, and Accompanying Ordinance.

Director of Planning Jennifer Arnold stated the SUP applicant is meeting all the criteria to be considered for a private street subdivision essentially allowing for a gated neighborhood; the surrounding neighborhoods are also gated communities; staff recommends approval along with approval recommended by the Planning & Zoning Commission in January 2019. There were no requests to speak during the public hearing. Council unanimously approved the motion by Mayor Pro Tem Rath, seconded by Council Member Rogers, to Close the public hearing and approve the Specific Use Permit Request for a Private Street Subdivision (Paradiso Valle), Located Approximately 1,000 Feet South of Gray Branch Road and on the East Side of Ridge Road, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-02-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A PRIVATE STREET SUBDIVISION (PARADISO VALLE), APPROXIMATELY 17.64 ACRES, LOCATED APPROXIMATELY 1,000 FEET SOUTH OF GRAY BRANCH ROAD AND ON THE EAST SIDE OF RIDGE ROAD; PROVIDING REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 19-0088** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute, and Amend as Necessary, a Contract with Ai Qui Hopen, Sculptor, for the Fabrication and Installation of Unity Arch at Mitchell Park
- Housing & Community Development Manager Janay Tieken presented an image of the arch sculpture selected to be commissioned and created by renowned and award-winning sculptor Ai Qui Hopen. The artwork was selected by resident votes from among three finalists at the Cultural Arts

District designation celebration in November 2018. The \$40,000 sculpture of hammered copper and steel will be located in the northeast quadrant of Mitchell Park, will be 13 feet tall with a 9-foot opening between the two concrete bases, and is the third piece of City-sponsored public art after the mural near Cadillac Pizza restaurant and the mosaic at the Chestnut Street garage. Former Council Member Don Day was in attendance and received thanks for his family's 50% contribution to the project to satisfy the private fund match required to obtain the Arts Commission grant of public funds. Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Rogers, to approve the Resolution Authorizing the City Manager to Execute, and Amend as Necessary, a Contract with Ai Qui Hopen, Sculptor, for the Fabrication and Installation of Unity Arch at Mitchell Park. Resolution caption reads as follows:

RESOLUTION NO. 2019-02-009 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN AN AMOUNT NOT TO EXCEED \$40,000 FOR THE ARTIST SERVICES OF AI QUI HOPEN TOGETHER WITH A RELATED PLEDGE AGREEMENT FOR THE MITCHELL PARK SCULPTURE

19-0089 Consider/Discuss/Act on an Ordinance Calling for the May 4, 2019 General Election of City Council Members.

City Secretary Empress Drane stated the upcoming General Election ballot for City Council Members will be to elect members to District 2, District 4, and one At Large. The election will be administered by Collin County Elections Administrator Bruce Sherbet. The Notice of Election which will include voting dates, locations and ballot items will be published and posted in both English and Spanish languages according to the notice timeline prescribed by the Texas Election Code. Council unanimously approved the motion by Mayor Pro Tem Rath, seconded by Council Member Branch, to approve the Ordinance Calling for the May 4, 2019 General Election of City Council Members. Ordinance captions read as follows:

(English)

ORDINANCE NO. 2019-02-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CALLING A GENERAL ELECTION FOR MAY 4, 2019, TO ELECT THREE COUNCIL MEMBERS; DESIGNATING POLLING PLACES; APPOINTING THE EARLY VOTING CLERK; AND PROVIDING FOR NOTICE AND PUBLICATION OF THE ELECTION

(Spanish)

ORDENANZA N° 2019-02-008 S

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

19-0090 Consider/Discuss/Act on an Ordinance Calling for the May 4, 2019 Special Bond Election.

Chief Financial Officer Mark Holloway stated the May 4, 2019 Special Bond Election calls for five ballot propositions: Public Safety, Municipal Community Complex, Parks & Recreation, Public Works Facility, and Transportation/Streets; confirming the plan for the debt issued is the standard 20 years and the City is currently rated AAA. Council unanimously approved the motion by Council Member Rogers, seconded by Council Member Shemwell, to approve the Ordinance Calling for the May 4, 2019 Special Bond Election. Ordinance captions read as follows:

ORDINANCE NO. 2019-02-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ORDERING A BOND ELECTION TO BE HELD ON THE 4TH DAY OF MAY, 2019, IN THE CITY OF MCKINNEY, TEXAS, MAKING PROVISIONS FOR THE CONDUCT OF THE BOND ELECTION AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE BOND ELECTION.

ORDENANZA N° 2019-02-009 S

ORDENANZA DEL CONSEJO MUNICIPAL DE LA CIUDAD DE MCKINNEY, TEXAS, POR LA CUAL SE ORDENA LA ELECCIÓN SOBRE BONOS QUE SE LLEVARÁ A CABO EL DÍA 4 DE MAYO DE 2019, EN LA CIUDAD DE MCKINNEY, TEXAS, DISPONIENDO SOBRE LA CELEBRACIÓN DE LA ELECCIÓN SOBRE BONOS Y RESOLVIENDO OTRAS CUESTIONES INCIDENTALES A LA ELECCIÓN MENCIONADA Y RELACIONADAS CON ELLA.

- 19-0091** Consider/Discuss/Act on an Ordinance Calling for the May 4, 2019 Special Charter Election.

City Attorney Mark Houser stated the Special Charter Amendment Election will contain two ballot items relating to Recall Petitions and Recall Elections. Mr. Houser confirmed the order of the ballot will be election of Council Members followed by Bond, then Charter Amendment.

Mayor Fuller recessed the meeting into Executive Session at 7:10 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).

Mayor Fuller reconvened the meeting at 7:18 p.m.

Council continued discussion on the Charter Amendment Election, expressing concern for potentially 2% of the City's population to influence a recall, potentially modifying or extending the petition deadline rather than decreasing the petition signature requirement, the difference between the ability to recall an election versus the requirements for forcing removal from office, aligning the petition requirements with neighboring cities, and encouraging greater voter participation. City Attorney Houser stated the requirement for 1,000 signatures is still greater than most surrounding cities also clarifying the petition is to recall the election and the election to remove a member would still require a majority of citywide vote. Council approved the motion by Mayor Pro Tem Rath, seconded by Council Member Rogers, to approve the Ordinance Calling for the May 4, 2019 Special Charter Election with a vote of 6 to 1, Council Member Shemwell voting against. Ordinance captions read as follows:

ORDINANCE NO. 2019-02-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ORDERING AN ELECTION TO BE HELD IN SAID CITY ON THE 4TH DAY OF MAY, 2019, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF MCKINNEY, TEXAS, CERTAIN PROPOSED AMENDMENTS TO THE

EXISTING CITY CHARTER; DESIGNATING THE PLACES AT WHICH SAID ELECTION IS TO BE HELD; APPOINTING THE EARLY VOTING CLERK; MAKING PROVIDING FOR NOTICE AND PUBLICATION OF THE ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE

ORDENANZA N° 2019-02-010 S

ORDENANZA DEL CONSEJO MUNICIPAL DE LA CIUDAD DE MCKINNEY, TEXAS, EN VIRTUD DE LA CUAL SE ORDENA UNA ELECCIÓN EN DICHA CIUDAD EL DÍA 4 DE MAYO DE 2019, CON LA FINALIDAD DE SOMETER A LOS ELECTORES CUALIFICADOS DE LA CIUDAD DE MCKINNEY, TEXAS, CIERTAS PROPUESTAS DE REFORMAS A LA CARTA ORGÁNICA MUNICIPAL EXISTENTE; DESIGNANDO LOS LUGARES EN DONDE TENDRÁ LUGAR DICHA ELECCIÓN; DESIGNANDO AL SECRETARIO A CARGO DE LA VOTACIÓN ANTICIPADA; DISPONIENDO LA NOTIFICACIÓN Y PUBLICACIÓN DE LA ELECCIÓN; Y DISPONIENDO UNA FECHA DE VIGENCIA

- 19-0092** Consider/Discuss/Act on a Resolution Authorizing a Contract with Collin County Elections Administration to Conduct the May 4, 2019 General Election and Authorizing a Joint Election Agreement with McKinney Independent School District and Collin College.

City Secretary Empress Drane stated the contract for Election Services and Joint Election Agreement will enable a consolidated election administered by Collin County Elections with shared costs among the City of McKinney, McKinney Independent School District and Collin College. The City of McKinney's portion of the shared contracted services is approximately \$24,000 with additional election related expenses projected to be \$6,000. Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Elliott, to approve the Resolution Authorizing a Contract with Collin County Elections Administration to Conduct the May 4, 2019 General Election and Authorizing a Joint Election Agreement with McKinney Independent School District and Collin College. Resolution caption reads as follows:

RESOLUTION NO. 2019-02-010 (R)

A RESOLUTION AUTHORIZING A CONTRACT WITH COLLIN COUNTY ELECTIONS ADMINISTRATOR TO CONDUCT THE MAY 4, 2019 ELECTION AND AUTHORIZING AN JOINT ELECTION AGREEMENT BETWEEN THE CITY OF MCKINNEY, MCKINNEY INDEPENDENT SCHOOL DISTRICT, AND COLLIN COLLEGE

Mayor Fuller called of Citizen Comments.

Nita Horne, 4415 Ridge Road #2901, McKinney 75070 spoke about potholes in the City and thanked the Council for making wonderful decisions for the City.

Mayor Fuller called for Council and Manager Comments.

Council Member Shemwell expressed it's a wonderful time of learning and growing and to live in harmony in the City. Council Member Shemwell extended an invitation to Ms. Portillo to discuss the issues and concerns of the Hispanic small business community and responded to Ms. Horne's concern about potholes, guaranteeing attention to improving them. Council Member Shemwell expressed gratitude for the opportunity to speak freely and work with others to bring an unparalleled quality of life to McKinney alongside phenomenal staff in various departments, and a great City Manager, Mayor and Council; and thanked the members of the audience for attending.

Mayor Pro Tem Rath, and Council Members Philips, Elliott, Rogers, and Branch

City Manager Grimes announced the opening of the new parking garage at the northeast corner of Virginia and Chestnut streets in Historic Downtown McKinney which added 300 parking spaces to the vicinity. Mr. Grimes stated the downtown parking guide can be located online at www.mckinneytexas.org/parking and invited the public to see. The McKinney Public Library System will host free tax assistance every Friday and Saturday through April 13 at Roy & Helen Hall Memorial Library and every Monday through April 15 at Fire Station #7. Photo identification card, Social Security card and tax documents are required for assistance. City Youtube statistics demonstrate significant growth in hours of watch time, total views and more than 1,000 new viewers over the past year. Videos can be viewed at www.youtube.com/mckinneytv.

Mayor Fuller praised Mayor Pro Tem Rath as the Leadership McKinney Alumni of the Year crediting her for being more engaged, more prepared, and more invested in the Community than anyone he's known to served, and the epitome of the servant heart. Mayor Fuller's comments were seconded by Council Member Rogers. Mayor Fuller then commented on the Commissioners Court of Collin County's recent adoption of a resolution supporting Senate Bill 2 (SB2) and House Bill 2 (HB2) companion bills of the 86th Texas Legislature relating to ad valorem taxation. Mayor Fuller opposed the bill at the Commissioners Court and will travel to Austin (TX) to oppose it, expressing the bill does not deliver meaningful tax relief as advertised and State Legislatures must be held

to real reform such as stopping unfunded mandates and reforming school funding. Mayor Fuller added a lower revenue cap will negatively affect the City's AAA bond rating subject to higher interest rates on debt and impact citizens in a negative way.

There was no additional Executive Session.

Council unanimously approved the motion by Mayor Fuller, seconded by Council Member Elliott, to adjourn. Mayor Fuller adjourned the meeting at 7:27 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary