

CITY COUNCIL REGULAR MEETING

NOVEMBER 7, 2023

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, November 7, 2023 at 6:00 p.m.

The meeting was broadcast live on cable television Spectrum Channel 16 and AT&T U-Verse Channel 99; and online at <https://mckinneytx.new.swagit.com/views/130>. A video recording of the meeting is available to members of the public through the City of McKinney meeting archive.

Mayor Fuller called the regular meeting to order at 6:03 p.m. upon determining a quorum of the City Council consisting of himself and the following members were present: Mayor Pro Tem Charlie Philips; and Councilmembers Justin Beller, Rick Franklin, Patrick Cloutier, Geré Feltus and Michael Jones.

The following City of McKinney staff were present: City Manager Paul Grimes; Assistant City Managers Kim Flom, Barry Shelton and Steve Tilton; City Attorney, Mark Houser; City Secretary, Empress Drane; Chief Financial Officer, Mark Holloway; Director of Engineering, Gary Graham; Police Chief, Joe Ellenburg; Police Officer, Jessica Jones; Director of Housing and Community Development, Janay Tieken; Deputy City Secretary, Tenitrus Bethel; Investment and Treasury Manager, Kelvin Bryant; Community Services Administrator, Shirletta Best; Housing Service Coordinator, Rebecca Salinas; and McKinney Police Department Personnel.

There were approximately 30 (thirty) members of the public in attendance.

Mayor Fuller called for the invocation given by Leroy Armstrong Jr., Police Chief Community Advisory Board. Following the invocation, those in attendance recited the Pledge of Allegiance.

Mayor Fuller called for the following Information Sharing Items.

23-0899 Police Department Officer Recognition Program

23-0900 Proclamation for Hunger and Homelessness Awareness Week

Mayor Fuller called for Public Comments on agenda items for Non-Public Hearing Items.

The following individuals expressed their opposition to the issuance of Certificates of Obligation for the McKinney National Airport.

Michael Cochran, 4508 Moonlight Dr, McKinney, TX..

Tammy Warren, 3109 Westview Dr, McKinney, TX.

The following individual spoke to the issue of homelessness.

Paul Ballesteros, 6508 Marvin Gardens, McKinney, TX.

Mayor Fuller called for the Consent Agenda.

Council unanimously approved the motion by Councilmember Patrick Cloutier, seconded by Councilmember Rick Franklin, to approve the Consent Agenda.

Consent MINUTES

- 23-0901** Minutes of the City Council Work Session of October 17, 2023
- 23-0902** Minutes of the City Council Regular Meeting of October 17, 2023
- 23-0815** Minutes of the Board of Adjustment Meeting of May 24, 2023
- 23-0766** Minutes of the Community Grants Advisory Commission Meeting of June 1, 2023
- 23-0817** Minutes of the McKinney Armed Services Memorial Board Meeting of September 13, 2023
- 23-0845** Minutes of the McKinney Arts Commission Meeting of August 17, 2023
- 23-0877** Minutes of the McKinney Community Development Corporation Meeting of September 28, 2023
- 23-0727** Minutes of the McKinney Main Street Meeting of August 10, 2023
- 23-0825** Minutes of the McKinney Main Street Board Meeting of September 14, 2023
- 23-0836** Minutes of the McKinney Housing Finance Corporation Meeting of July 14, 2023

- 23-0833** Minutes of the Planning and Zoning Commission Regular Meeting of September 26, 2023
- 23-0873** Minutes of the Planning and Zoning Commission Work Session of October 10, 2023
- 23-0874** Minutes of the Planning and Zoning Commission Regular Meeting of October 10, 2023
- 23-0769** Minutes of the Visit McKinney Board Meeting of July 25, 2023
- 23-0885** Minutes of the Visit McKinney Board Meeting of September 26, 2023

Consent ORDINANCES

- 23-0903** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2023-2024 Annual Budget and the 2024-2028 Capital Improvements Program to Provide Funds for Project AI2455, Access Taxilane A4; caption reads as follows:

ORDINANCE NO. 2023-11-074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2023-2024 ANNUAL BUDGET AND THE 2024-2028 CAPITAL IMPROVEMENTS PROGRAM, TO PROVIDE FUNDING FOR PROJECT AI2455, ACCESS TAXILANE A4; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 23-0904** Consider/Discuss/Act on an Ordinance Modifying Chapter 46 (Food Establishment Regulations) of the Code of Ordinances; caption reads as follows:

ORDINANCE NO. 2023-11-075

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 46, "FOOD ESTABLISHMENT REGULATIONS"; PROVIDING FOR THE ADOPTION OF THE CURRENT TEXAS FOOD ESTABLISHMENT RULES; PROVIDING FOR THE REQUIREMENT OF CERTAIN PERMITS FOR FOOD ESTABLISHMENTS; PROVIDING FOR INSPECTIONS OF FOOD ESTABLISHMENTS; PROVIDING FOR COMPETENCY OF INSPECTORS; PROVIDING FOR CERTIFIED FOOD PROTECTION MANAGER AND FOOD HANDLER REQUIREMENTS; PROVIDING FOR PLUMBING SYSTEM REQUIREMENTS; PROVIDING FOR HAIR

RESTRAINTS REQUIREMENTS; PROVIDING FOR PHYSICAL FACILITIES REQUIREMENTS; PROVIDING FOR REQUIREMENTS OF OUTDOOR AREAS; PROVIDING FOR SUSPENSION OF A FOOD ESTABLISHMENT PERMIT; PROVIDING FOR THE REVOCATION OF A FOOD ESTABLISHMENT PERMIT; PROVIDING FOR THE EXAMINATION AND CONDEMNATION OF FOOD; PROVIDING FOR HEARINGS; PROVIDING FOR NOTICE OF HEARINGS; PROVIDING FOR A FEE SCHEDULE; AMENDING APPENDIX A, "SCHEDULE OF FEES"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; ESTABLISHING GOVERNING LAW; PROVIDING FOR A PENALTY FOR THE VIOLATION HEREOF; AND PROVIDING AN EFFECTIVE DATE

Consent RESOLUTIONS

- 23-0905** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Durable Specialties, Inc. of Grand Prairie, Texas for Traffic Signal and Miscellaneous Traffic Construction; caption reads as follows:

RESOLUTION NO. 2023-11-149 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 \$1,889,313.50 WITH DURABLE SPECIALTIES, INC., OF GRAND PRAIRIE, TEXAS FOR THE TRAFFIC SIGNAL AND MISCELLANEOUS TRAFFIC CONSTRUCTION PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$2,079,313.50

- 23-0906** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Lockwood, Andrews & Newnam, Inc. for Professional Engineering Design Services for the White Avenue Sidewalk and Accessibility Improvements (Redbud Boulevard to Tennessee Street) Project and Authorizing Any Necessary Supplemental Agreements; caption reads as follows:

RESOLUTION NO. 2023-11-150 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 \$169,834 WITH LOCKWOOD, ANDREWS & NEWNAM, INC. FOR ENGINEERING DESIGN SERVICES FOR THE WHITE AVENUE SIDEWALK AND ACCESSIBILITY IMPROVEMENTS (REDBUD BOULEVARD TO TENNESSEE STREET) PROJECT AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$190,000

- 23-0907** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with The Letco Group, LLC dba Living Earth for Organic Waste Processing Services; caption reads as follows:

RESOLUTION NO. 2023-11-151 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH LETCO GROUP, LLC DBA LIVING EARTH FOR ORGANIC WASTE PROCESSING SERVICES

- 23-0908** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with WSP USA Inc. for Professional Engineering Services for the State Highway 5 Illumination Phase 2 Project (TR2356) and Authorizing Any Necessary Supplemental Agreements; caption reads as follows:

RESOLUTION NO. 2023-11-152 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 \$130,167.93 WITH WSP USA INC. FOR ENGINEERING DESIGN SERVICES FOR THE STATE HIGHWAY 5 ILLUMINATION PHASE 2 PROJECT (TR2356) AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$150,000

- 23-0909** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between North Texas Municipal Water District, Cities of Allen, Frisco, McKinney, Plano, and Richardson Regarding Amended and Restated Regional Composting Interlocal Agreement; caption reads as follows:

RESOLUTION NO. 2023-11-153 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE NORTH TEXAS MUNICIPAL WATER DISTRICT AND THE CITIES OF ALLEN, FRISCO, MCKINNEY, PLANO AND RICHARDSON REGARDING AN AMENDED AND RESTATED REGIONAL COMPOSTING PROGRAM INTERLOCAL AGREEMENT

- 23-021DA** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Pre-Annexation Agreement Between the City of McKinney,

Texas, Hijo, Ltd., and Sutton Field Investments, LLC, Generally to Establish Use and Development Standards, Parkland Dedication, Infrastructure Requirements, and Proportionality/Impact Fees for Residential Uses Prior to Annexation of the Subject Property, Generally Located North of FM 1461 and Approximately 3,800 feet East of FM 2478; caption reads as follows:

RESOLUTION NO. 2023-11-154 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PREANNEXATION AGREEMENT BETWEEN THE CITY OF MCKINNEY, TEXAS, AND HIJO, LTD., AND SUTTON FIELD INVESTMENTS, LLC, GENERALLY TO ESTABLISH USE AND DEVELOPMENT STANDARDS, PARKLAND DEDICATION, INFRASTRUCTURE REQUIREMENTS, AND PROPORTIONALITY/IMPACT FEES FOR RESIDENTIAL USES PRIOR TO THE ANNEXATION OF THE SUBJECT PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF MCKINNEY, GENERALLY LOCATED NORTH OF FM 1461 AND APPROXIMATELY 3,800 FEET EAST OF FM 2478

- 23-0910** Consider/Discuss/Act on a Resolution Authorizing the Formal Rejection of all Bids under Solicitation 24-06CC FY23 Street Rehabilitation; caption reads as follows:

RESOLUTION NO. 2023-11-155 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE FORMAL REJECTION OF ALL BIDS RECEIVED UNDER SOLICITATION 24-06CC FY23 STREET REHABILITATION

- 23-0911** Consider/Discuss/Act on a Resolution Awarding a Contract to Aglaea Enterprises, Inc dba Speedpro Richardson of Richardson, Texas, Signarama of McKinney, LLC. of McKinney, Texas and ARC Document Solutions, LLC. of Walnut Creek, California to Provide Fabrication and Installation of Custom Signs & Banners to the City on an As Needed Basis; caption reads as follows:

RESOLUTION NO. 2023-11-156 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING AWARD OF CONTRACT WITH AGLAEA ENTERPRISES, INC. DBA SPEEDPRO RICHARDSON, SIGNARAMA OF MCKINNEY, LLC AND ARC DOCUMENT SOLUTIONS, LLC TO PROVIDE FABRICATION AND INSTALLATION OF CUSTOM SIGNS AND BANNERS

Consent MISCELLANEOUS

- 23-** Consider/Discuss/Act on a Site Plan for Retail Sales, Located at 1880 Bray
0083SP2 Central Drive

Mayor Fuller called for Citizen Comments on Matters not on the Agenda.

James Bollington, 6612 Adobe Cr, addressed the council regarding development issues.

Mayor Fuller called for Regular Agenda and Public Hearing Items.

- 23-0912** Consider/Discuss/Act on All Matters Incident and Related to the Issuance and Sale of "City of McKinney, Texas, Tax and Limited Pledge Airport Revenue Certificates of Obligation, Taxable Series 2023", Including the Adoption of an Ordinance Authorizing the Issuance of Such Certificates of Obligation, Establishing Parameters for the Sale and Issuance of Such Certificates of Obligation

Representatives with Estrada Hinojosa Investment Bankers and Norton Rose Fulbright Law Firm were in attendance but did not come forward to speak.

Council unanimously approved the motion by Councilmember Cloutier, seconded by Mayor Fuller, to approve All Matters Incident and Related to the Issuance and Sale of "City of McKinney, Texas, Tax and Limited Pledge Airport Revenue Certificates of Obligation, Taxable Series 2023", Including the Adoption of an Ordinance Authorizing the Issuance of Such Certificates of Obligation, Establishing Parameters for the Sale and Issuance of Such Certificates of Obligation; ordinance caption reads as follows:

ORDINANCE NO. 2023-11-076

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF MCKINNEY, TEXAS, TAX AND LIMITED PLEDGE AIRPORT REVENUE CERTIFICATES OF OBLIGATION, TAXABLE SERIES 2023"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND A LIMITED PLEDGE OF NET REVENUES FROM THE CITY'S MUNICIPAL AIRPORT FACILITIES; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES OF OBLIGATION; DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID CERTIFICATES TO AN AUTHORIZED CITY OFFICIAL; ENACTING PROVISIONS INCIDENT AND RELATED TO THE PURPOSES AND SUBJECT OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

- 23-0913** Consider/Discuss/Act on an Ordinance Authorizing the Issuance of "City of McKinney, Texas, General Obligation Bonds, Series 2023A", and Delegating Matters Relating to the Sale and Issuance of Said Bonds to an Authorized City Official(s)

Council unanimously approved the motion by Councilmember Feltus, seconded by Councilmember Jones, to approve an Ordinance Authorizing the Issuance of "City of McKinney, Texas, General Obligation Bonds, Series 2023A", and Delegating Matters Relating to the Sale and Issuance of Said Bonds to an Authorized City Official(s); the caption reads as follows:

ORDINANCE NO. 2023-11-077

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF MCKINNEY, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2023A"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED CITY OFFICIAL; ENACTING PROVISIONS INCIDENT AND RELATED TO THE PURPOSES AND SUBJECT OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

- 23-0914** Consider/Discuss/Act on an Ordinance Authorizing the Issuance of "City of McKinney, Texas, General Obligation Bonds, Taxable Series 2023B", and Delegating Matters Relating to the Sale and Issuance of Said Bonds to an Authorized City Official(s)

Council unanimously approved the motion by Councilmember Franklin, seconded by Councilmember Feltus, to approve an Ordinance Authorizing the Issuance of "City of McKinney, Texas, General Obligation Bonds, Taxable Series 2023B", and Delegating Matters Relating to the Sale and Issuance of Said Bonds to an Authorized City Official(s); caption reads as follows:

ORDINANCE NO. 2023-11-078

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF MCKINNEY, TEXAS, GENERAL OBLIGATION BONDS, TAXABLE SERIES 2023B"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID

BONDS TO AN AUTHORIZED CITY OFFICIAL; ENACTING PROVISIONS INCIDENT AND RELATED TO THE PURPOSES AND SUBJECT OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

23-0915 Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line & Sanitary Sewer Line Easement and a Temporary Construction Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located at the Northwest Corner of S. McDonald Street and Eldorado Parkway and Authorizing the City Manager to Establish Procedures for Acquiring the Easements on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions

Council unanimously approved the motion by Mayor Pro Tem Philips, seconded by Councilmember Franklin, to approve a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line & Sanitary Sewer Line Easement and a Temporary Construction Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located at the Northwest Corner of S. McDonald Street and Eldorado Parkway and Authorizing the City Manager to Establish Procedures for Acquiring the Easements on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions; with the following declaration and roll call vote:

“I move that the City of McKinney, Texas, City Council approve this item as written and adopt the Resolution described in this agenda item and authorize the use of the power of eminent domain to acquire for public use all necessary property interests from RaceTrac Petroleum, Inc., identified as owner of record by the Collin Central Appraisal District, and any other persons or entities claiming an interest to the property depicted on and described by metes and bounds attached to said Resolution, said depictions and descriptions being incorporated in their entirety into this motion for all purposes including the construction, access and maintenance of infrastructure improvements located at the northwest corner of S. McDonald Street and Eldorado Parkway associated with the SH 5 Utility Relocation Project (WA1633 & WW1633).”

Mayor FullerAye
Mayor Pro Tem PhilipsAye
Councilmember JonesAye
Councilmember FeltusAye
Councilmember FranklinAye

Councilmember CloutierAye

Councilmember BellerAye

Resolution caption reads as follows:

RESOLUTION NO. 2023-11-157 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE PROPERTY EASEMENT RIGHTS FOR PUBLIC USE BY EMINENT DOMAIN FOR A WATER LINE & SANITARY SEWER LINE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT ASSOCIATED WITH THE SH 5 UTILITY RELOCATION PROJECT (WA1633 & WW1633); AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING SAID EASEMENTS, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS

23-0916 Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement and a Temporary Construction Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located on the East Side of S. McDonald Street North of Spur 399 and Authorizing the City Manager to Establish Procedures for Acquiring the Easements on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions

Council unanimously approved the motion by Mayor Pro Tem Philips, seconded by Councilmember Jones, to approve a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement and a Temporary Construction Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located on the East Side of S. McDonald Street North of Spur 399 and Authorizing the City Manager to Establish Procedures for Acquiring the Easements on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions; with the following declaration and roll call vote:

"I move that the City of McKinney, Texas, City Council approve this item as written and adopt the Resolution described in this agenda item and authorize the use of the power of eminent domain to acquire for public use all necessary property interests from CH Realty IX-FS MHC McKinney High Point, L.P., identified as owner of record by the Collin Central Appraisal District, and any other persons or entities claiming an interest to

the property depicted on and described by metes and bounds attached to said Resolution, said depictions and descriptions being incorporated in their entirety into this motion for all purposes including the construction, access and maintenance of infrastructure improvements located on the east side of S. McDonald Street north of Spur 399 associated with the SH 5 Utility Relocation Project (WA1633 & WW1633).”

Mayor FullerAye

Mayor Pro Tem PhilipsAye

Councilmember JonesAye

Councilmember FeltusAye

Councilmember FranklinAye

Councilmember CloutierAye

Councilmember BellerAye

Resolution caption reads as follows:

RESOLUTION NO. 2023-11-158 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE PROPERTY EASEMENT RIGHTS FOR PUBLIC USE BY EMINENT DOMAIN FOR A WATER LINE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT ASSOCIATED WITH THE SH 5 UTILITY RELOCATION PROJECT (WA1633 & WW1633); AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING SAID EASEMENTS, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS

23-0917 Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement and a Temporary Construction Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located at the Northeast Corner of N. McDonald Street and E. University Drive and Authorizing the City Manager to Establish Procedures for Acquiring the Easements on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions

Council unanimously approved the motion by Mayor Pro Tem Philips, seconded by Councilmember Franklin, to approve a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement and a Temporary Construction Easement associated with the SH 5 Utility

Relocation Project (WA1633 & WW1633) which Property is Located at the Northeast Corner of N. McDonald Street and E. University Drive and Authorizing the City Manager to Establish Procedures for Acquiring the Easements on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions; with the following declaration and roll call vote:

“I move that the City of McKinney, Texas, City Council approve this item as written and adopt the Resolution described in this agenda item and authorize the use of the power of eminent domain to acquire for public use all necessary property interests from 7116 Valjean LLC, identified as owner of record by the Collin Central Appraisal District, and any other persons or entities claiming an interest to the property depicted on and described by metes and bounds attached to said Resolution, said depictions and descriptions being incorporated in their entirety into this motion for all purposes including the construction, access and maintenance of infrastructure improvements located at the northeast corner of N. McDonald Street and E. University Drive associated with the SH 5 Utility Relocation Project (WA1633 & WW1633).”

- Mayor FullerAye
- Mayor Pro Tem PhilipsAye
- Councilmember JonesAye
- Councilmember FeltusAye
- Councilmember FranklinAye
- Councilmember CloutierAye
- Councilmember BellerAye

Resolution caption reads as follows:

RESOLUTION NO. 2023-11-159 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE PROPERTY EASEMENT RIGHTS FOR PUBLIC USE BY EMINENT DOMAIN FOR A WATER LINE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT ASSOCIATED WITH THE SH 5 UTILITY RELOCATION PROJECT (WA1633 & WW1633); AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING SAID EASEMENTS, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS

- 23-0918** Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located on the East Side of S. McDonald Street North of Spur 399 and Authorizing the City Manager to Establish Procedures for Acquiring the Easement on Said

Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions

Council unanimously approved the motion by Mayor Pro Tem Philips, seconded by Councilmember Jones, to approve a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located on the East Side of S. McDonald Street North of Spur 399 and Authorizing the City Manager to Establish Procedures for Acquiring the Easement on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions; with the following declaration and roll call vote:

“I move that the City of McKinney, Texas, City Council approve this item as written and adopt the Resolution described in this agenda item and authorize the use of the power of eminent domain to acquire for public use all necessary property interests from TXI Operations, LP, identified as owner of record by the Collin Central Appraisal District, and any other persons or entities claiming an interest to the property depicted on and described by metes and bounds attached to said Resolution, said depiction and description being incorporated in their entirety into this motion for all purposes including the construction, access and maintenance of infrastructure improvements located on the east side of S. McDonald Street north of Spur 399 associated with the SH 5 Utility Relocation Project (WA1633 & WW1633).”

Mayor FullerAye
Mayor Pro Tem PhilipsAye
Councilmember JonesAye
Councilmember FeltusAye
Councilmember FranklinAye
Councilmember CloutierAye
Councilmember BellerAye

Resolution caption reads as follows:

RESOLUTION NO. 2023-11-160 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE PROPERTY EASEMENT RIGHTS FOR PUBLIC USE BY EMINENT DOMAIN FOR A WATER LINE EASEMENT ASSOCIATED WITH THE SH 5 UTILITY RELOCATION PROJECT (WA1633 & WW1633); AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING SAID EASEMENT, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS

23-0919 Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located on the Southwest Corner of S. McDonald Street and Eldorado Parkway and Authorizing the City Manager to Establish Procedures for Acquiring the Easement on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions

Council unanimously approved the motion by Mayor Pro Tem Philips, seconded by Councilmember Feltus, to approve a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located on the Southwest Corner of S. McDonald Street and Eldorado Parkway and Authorizing the City Manager to Establish Procedures for Acquiring the Easement on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions; with the following declaration and roll call vote:

“I move that the City of McKinney, Texas, City Council approve this item as written and adopt the Resolution described in this agenda item and authorize the use of the power of eminent domain to acquire for public use all necessary property interests from Said Shehata and Soraya Shehata, identified as owner of record by the Collin Central Appraisal District, and any other persons or entities claiming an interest to the property depicted on and described by metes and bounds attached to said Resolution, said depictions and descriptions being incorporated in their entirety into this motion for all purposes including the construction, access and maintenance of infrastructure improvements located at the southwest corner of S. McDonald Street and Eldorado Parkway associated with the SH 5 Utility Relocation Project (WA1633 & WW1633).”

Mayor FullerAye

Mayor Pro Tem PhilipsAye

Councilmember JonesAye

Councilmember FeltusAye

Councilmember FranklinAye

Councilmember CloutierAye

Councilmember BellerAye

Resolution caption reads as follows:

RESOLUTION NO. 2023-11-161 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE PROPERTY EASEMENT RIGHTS FOR PUBLIC USE BY EMINENT DOMAIN FOR A WATER LINE EASEMENT ASSOCIATED WITH THE SH 5 UTILITY RELOCATION PROJECT (WA1633 & WW1633); AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING SAID EASEMENT, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS

23-0920 Consider/Discuss/Act on a Resolution Casting 209 Votes to the Board of Directors for the Collin Central Appraisal District

Council unanimously approved the motion by Mayor Pro Tem Philips, seconded by Councilmember Franklin, to approve a Resolution Casting 209 Votes for Brian Mantzey for the Board of Directors for the Collin Central Appraisal District.

Mayor Fuller called for Citizen Comments on Matters not on the Agenda.

Shannon White, 516 Gibbons Creek Tr, expressed her concerns related to the fentanyl epidemic.

Mayor Fuller called for Council and Manager Comments.

Councilmember Jones wished Mr. Al Perry a Happy Birthday.

Councilmember Feltus attended Top Companies to Work event as well as 100 Women of McKinney and she reminded attendees and viewers Harvest 2.0 is open.

Mayor Pro Tem Philips reminded attendees and viewers of the upcoming high school football games for the local teams including McKinney North will compete in Port Arthur on Friday night, McKinney High versus Flower Mound Friday night; currently the McKinney North Varsity Volleyball team is competing in Regional Playoffs; and McKinney Boyd Varsity Volleyball completed their season with a record of 31-1.

Councilmember Beller attended the State of The City and extended praise to the Mayor and Mr. Grimes for a job well done; reminded attendees and viewers of the Veteran's Day Event on Saturday at 11:00 a.m. being held at Corporal R.D. Foster Veterans Memorial Park; and he wished everyone a Happy Thanksgiving.

Councilmember Cloutier expressed his condolences to the Cowlshaw on their recent loss.

City Manager Grimes encouraged attendees and viewers to attend the Veterans Day event being held on Saturday beginning at 11:00 a.m.

Mayor Fuller invited those in attendance to have a cupcake in celebration of his birthday.

Council unanimously approved the motion by Councilmember Cloutier, seconded by Councilmember Feltus, to adjourn the meeting at 7:24 p.m.

These minutes were approved by the City Council on December 5, 2023.

SIGNED:

GEORGE C. FULLER, Mayor
CHARLIE PHILIPS, Mayor Pro Tem

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary

City of McKinney, Texas