



# CITY OF McKINNEY, TEXAS

## Agenda City Council Regular Meeting

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Tuesday, July 20, 2010

5:30 PM

Council Chambers  
222 N. Tennessee Street  
McKinney, Texas

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### CALL TO ORDER

### INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Reverend Harold Lowe, Holy Family Episcopal Church

### INFORMATION SHARING

**10-305**     [Presentation of Bike the Bricks Donation to the City of McKinney](#)

**10-306**     [Presentation of Mayor's Challenge Invitational Winning Trophy](#)

**10-307**     [Presentation of Government Finance Officers Association  
Distinguished Budget Award](#)

**Attachments:**     [Award & Press Release](#)

**10-308**     [Presentation of Gold Leadership Circle Award for Financial  
Transparency](#)

**Attachments:**     [Comptroller Gold Leadership Circle Award](#)

**10-309**     [2010 National Night Out Proclamation](#)

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

### CITIZEN COMMENTS

### CONSENT AGENDA

*These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.*

**MINUTES**

- 10-310**     [Minutes of the City Council Work Session of June 15, 2010](#)  
**Attachments:**   [Minutes](#)
- 10-311**     [Minutes of the City Council Regular Meeting of June 15, 2010](#)  
**Attachments:**   [Minutes](#)
- 10-312**     [Minutes of the City Council Special Meeting of June 21, 2010](#)  
**Attachments:**   [Minutes](#)
- 10-313**     [Minutes of the City Council Special Meeting of June 28, 2010](#)  
**Attachments:**   [Minutes](#)
- 10-314**     [Minutes of the City Council Special Meeting of July 6, 2010](#)  
**Attachments:**   [Minutes](#)
- 10-315**     [Minutes of the Community Grants Advisory Commission Meeting of May 19, 2010](#)  
**Attachments:**   [Minutes](#)
- 10-316**     [Minutes of the Community Grants Advisory Commission Meeting of May 20, 2010](#)  
**Attachments:**   [Minutes](#)
- 10-317**     [Minutes of the Community Grants Advisory Committee Meeting of June 16, 2010](#)  
**Attachments:**   [Minutes](#)
- 10-318**     [Minutes of the Library Advisory Board Meeting of May 20, 2010](#)  
**Attachments:**   [Minutes](#)
- 10-319**     [Minutes of the McKinney Airport Development Corporation](#)

[Special Meeting of March 9, 2010](#)**Attachments:** [Minutes](#)

- 10-320 [Minutes of the McKinney Airport Development Corporation Meeting of May 11, 2010](#)

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

- 10-321 [Minutes of the McKinney Airport Development Corporation Meeting of June 10, 2010](#)

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

- 10-322 [Minutes of the McKinney Armed Services Memorial Board, Inc. Meeting of April 14, 2010](#)

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

- 10-323 [Minutes of the McKinney Community Development Corporation Board Meeting of April 27, 2010](#)

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

- 10-324 [Minutes of the McKinney Convention & Visitors Bureau Board Meeting of May 24, 2010](#)

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

- 10-325 [Minutes of the McKinney Economic Development Corporation Board Meeting of May 18, 2010](#)

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

- 10-326 [Minutes of the McKinney Housing Authority Board Meeting April 27, 2010](#)

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

- 10-327 [Minutes of the McKinney Housing Authority Meeting of May 25, 2010](#)

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

- 10-328 [Minutes of the McKinney Main Street Board Meeting of May 13, 2010](#)

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

**10-329** [Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of May 13, 2010](#)

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

#### ORDINANCES

**10-330** [Consider/Discuss/Act on an Ordinance Establishing School Zones and Crosswalks for Various Schools](#)

**Attachments:** [Ordinance](#)  
[Location Map - Sonntag](#)  
[Location Map - McClure](#)

**10-331** [Consider/Discuss/Act on an Ordinance Establishing a Speed Limit on Ridge Road, South of US 380](#)

**Attachments:** [Ordinance](#)  
[Location Map](#)

**10-332** [Consider/Discuss/Act on an Ordinance to Name the Crape Myrtle World Collection Park Site](#)

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

**10-333** [Consider/Discuss/Act on an Ordinance Amending the 2010-2014 Capital Improvements Program for the Crape Myrtle World Collection Project.](#)

**Attachments:** [Ordinance](#)  
[Spreadsheet](#)

#### RESOLUTIONS

**10-334** [Consider/Discuss/Act on a Resolution Authorizing a Contract for Engineering Design Services for the Design of the 20" Water Main at Eldorado Parkway and Stonebridge Drive Project](#)

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

- 10-335**     [Consider/Discuss/Act on a Resolution Authorizing a Contract for the Construction of the US 75 Utility Relocation - North Section Project.](#)  
**Attachments:**    [Resolution](#)  
                              [Location Map](#)  
                              [Bid Tab](#)
- 10-336**     [Consider/Discuss/Act on a Resolution Authorizing a Contract for Material Testing Services for the Construction of the US 75 Utility Relocation - North Section Project.](#)  
**Attachments:**    [Resolution](#)  
                              [Location Map](#)
- 10-337**     [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with American Landscape Systems, Inc. for the Construction of the Crape Myrtle World Collection Project.](#)  
**Attachments:**    [Resolution](#)  
                              [Location Map](#)
- 10-338**     [Consider/Discuss/Act on a Resolution Authorizing a Contract for the Construction of the US 380 Water Main - 850 Pressure Plane Connection - East Project.](#)  
**Attachments:**    [Resolution](#)  
                              [Location Map](#)
- 10-339**     [Consider/Discuss/Act on a Resolution Authorizing a Contract for the Construction of the US 380 Water Main - 920 Pressure Plane Connection - West Project.](#)  
**Attachments:**    [Resolution](#)  
                              [Location Map](#)
- 10-340**     [Consider/Discuss/Act on a Resolution Authorizing a Contract for Material Testing Services Related to the Construction of the US 380 Water Main - 920 Pressure Plane Connection - West Project.](#)  
**Attachments:**    [Resolution](#)  
                              [Location Map](#)

- 10-341**      [Consider/Discuss/Act on a Resolution to Adopt the Parks, Recreation, and Open Space Master Plan](#)  
**Attachments:**    [Resolution](#)  
                              [Parks Master Plan](#)
- 10-342**      [Consider/Discuss/Act on a Resolution Amending the 2010-2014 Capital Improvements Program for the Cottonwood Creek Under Grade Crossing Project.](#)  
**Attachments:**    [Resolution](#)
- 10-343**      [Consider/Discuss/Act on a Resolution Supporting the Historic Flour Mill Catalyst TOD Sustainable Development Grant Project and Authorizing the City Manager to Enter Into an Interlocal Cooperative Agreement with the North Central Texas Council of Governments.](#)  
**Attachments:**    [Resolution](#)  
                              [2009-10 SDCFP Award Letter](#)  
                              [2009-10 SDCFP Awarded Projects](#)  
                              [Flour Mill Project Illustration](#)
- 10-344**      [Consider/Discuss/Act on a Resolution Supporting the State Highway 5 Corridor Planning Study Sustainable Development Grant and Authorizing the City Manager to Enter Into an Interlocal Cooperative Agreement with the North Central Texas Council of Governments.](#)  
**Attachments:**    [Resolution](#)  
                              [2009-10 SDCFP Award Letter](#)  
                              [2009 SDCFP Awarded Planning Projects](#)  
                              [Study Area Map](#)
- 10-345**      [Consider/Discuss/Act on a Resolution Authorizing the Transfer of \\$5,177,500 McKinney Economic Development Corporation \(MEDC\) Loans Receivable from General Fund to Solid Waste Fund.](#)  
**Attachments:**    [Resolution](#)  
                              [Transfer](#)

- 10-346**     [Consider/Discuss/Act on a Resolution to Authorize a Supplemental Agreement for Material Testing Services on the Ridge Road Construction Project](#)

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

**END OF CONSENT**

**REGULAR AGENDA**

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

- 10-347**     [Consider/Discuss/Act on Resolution Supporting Legislation Adding Certain Substances to the List of Controlled and Regulated Substances under the Texas Health and Safety Code](#)

**Attachments:**   [Senator Shapiro Letter](#)  
                         [Senator Shapiro Draft Legislation](#)  
                         [Resolution](#)

- 10-348**     [Consider/Discuss/Act on Amending Chapter 70, Article VII, "Smoking," of the Code of Ordinances](#)

**Attachments:**   [Ordinance](#)  
                         [Sen.ShapiroLetter- K2](#)  
                         [K2 Ban Draft 1](#)

- 10-349**     [Consider/Discuss/Act on a Resolution Authorizing a Contract for the Demolition of at Least One Former County Building Located at 210 South McDonald Street](#)

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

- 10-350**     [Consider/Discuss/Act on the Request by Jim Wilson, for Eric Ciskowski, to Appeal the Decision by the Historic Preservation Advisory Board to Deny a Certificate of Appropriateness for the Proposed Installation of Wood Replacement Windows at 402 Parker Street.](#)

**Attachments:** [Appeal Letter](#)  
[Historic Preservation Advisory Board Minutes](#)  
[Staff Report 2010-026H](#)  
[Letter of Intent](#)  
[Photos](#)  
[Secretary of the Interior's Standards](#)  
[Repair of Historic Wooden Windows](#)  
[What Replacement Windows Can't Replace](#)  
[Jeld-Wen Brochure](#)  
[Checklist of Design Elements](#)  
[Locator Map 402 Parker Street](#)

#### **PUBLIC HEARINGS**

**10-351** [Conduct a Public Hearing to Consider/Discuss/Act on an Ordinance Granting Grayson-Collin Electric Cooperative, Inc., a Non-Exclusive Franchise to Use Public Rights-of-Way for the Purpose of Constructing and Operating an Electric Distribution System.](#)

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

**10-040AA** [Conduct a Public Hearing to Consider/Discuss/Act on the Request by McKinney Saddlehorn II, Ltd., SB 506 Ventures, Ltd., and Stonebridge Ranch Community Association, for Approval of a Right-of-Way Vacation for Approximately 1,254 Linear Feet of Gray Branch Road, Located Between Virginia Parkway and Ridge Road, and Accompanying Ordinance.](#)

**Attachments:** [Planning and Zoning Commission Minutes](#)  
[Planning and Zoning Commission Staff Report](#)  
[Location Map](#)  
[Aerial Exhibit](#)  
[Letter of Intent](#)  
[Street Closing Petition](#)  
[Legal Notice](#)  
[Property Owner Notice](#)  
[Property Owner Notification List](#)  
[Proposed Ordinance](#)  
[Exhibit A - Right-of-Way Vacation Exhibit](#)  
[Exhibit B - Metes and Bounds Exhibit](#)

**10-048SP** [Conduct a Public Hearing to Consider/Discuss/Act on the Request by the City of McKinney, for Approval of a Site Plan for the Veterans Memorial Park in McKinney, Approximately 0.57 Acres, Located on the Northeast Corner of Weiskopf Avenue and Collin David South Drive.](#)

**Attachments:** [Standard Conditions Checklist](#)  
[Planning and Zoning Commission Minutes](#)  
[Planning and Zoning Commission Staff Report](#)  
[Location Map](#)  
[Aerial Exhibit](#)  
[Letter of Intent](#)  
[Legal Notice](#)  
[Property Owner Notice](#)  
[Property Owner Notification List](#)  
[Proposed Site Plan](#)  
[Proposed Landscape Plan](#)

**10-044AA** [Conduct a Public Hearing to Consider/Discuss/Act on the Request by Cross Engineering Consultants, Inc., on Behalf of LINFER, L.L.C., for Approval of a Right-of-Way Vacation \(Bevoe Street\), Approximately 0.08 Acres, Located Between State Highway 5 \(McDonald Street\) and Wilcox Street, and Accompanying Ordinance.](#)

***Attachments:*** [Planning and Zoning Commission Minutes](#)  
[Planning and Zoning Commission Staff Report](#)  
[Location Map](#)  
[Aerial Exhibit](#)  
[Alley-Street Closing Petition](#)  
[Property Owner Notice](#)  
[Property Owner Notification List](#)  
[Legal Notice](#)  
[Proposed Ordinance](#)  
[Exhibit A - Location Map](#)  
[Exhibit B - Right of Way Abandonment](#)  
[Exhibit C - Metes and Bounds](#)

**10-061Z** [Conduct a Public Hearing to Consider/Discuss/Act on the Request by John Thomas Engineering, on Behalf of Frank Williams, Jr., for Approval of a Request to Rezone Approximately 1.50 Acres, from "PD" - Planned Development District to "BG" - General Business District, Located on the Northwest Corner of U.S. Highway 380 \(University Drive\) and Graves Street, and Accompanying Ordinance.](#)

***Attachments:*** [Planning and Zoning Commission Minutes](#)  
[Planning and Zoning Commission Staff Report](#)  
[Location Map](#)  
[Aerial Exhibit](#)  
[Letter of Intent](#)  
[Legal Notice](#)  
[Property Owner Notice](#)  
[Property Owner Notification List](#)  
[Existing PD 2004-09-102](#)  
[Proposed Ordinance](#)  
[Proposed Exhibit A - Zoning Location Map](#)  
[Proposed Exhibit B - Metes and Bounds Description](#)

**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.

**CITIZEN COMMENTS****EXECUTIVE SESSION**

In Accordance with the Texas Government Code:

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

B. Section 551.071 (1) (A). Litigation / Anticipated Litigation

- McKinney Economic Development Corporation v. McKinney Shores Properties, Inc v. City of McKinney (Counter-Defendant) ; McKinney Shores Hotel Partners, Inc. v. City of McKinney, McKinney Economic Development Corporation, McKinney Community Development Corporation, Thad Helsley and Bill Cox Civil Action No. 4:09-CV-00284-RAS; United States District Court for the Eastern District of Texas.

- City of McKinney v. SLC McKinney Partners, L.P., Nos. 006-2139-2009 and 006-2142-2009, County Court at Law No. 6, Collin County, Texas

C. Section 551.072. Discuss Real Property

- Municipal Facilities

D. Section 551.074 Discuss Personnel Matters

- City Manager Search Firm Contract

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

Posted in accordance with the Texas Government Code, Chapter 551, on the 16th day of July, 2010 at or before 4:00 p.m.

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Sandy Hart, TRMC, MMC  
City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements, please contact Sandy Hart, City Secretary at 972-547-7505, 48 hours prior to the scheduled meeting. Reasonable accommodations will be made to assist you.