



CITY OF MCKINNEY, TEXAS

Agenda

City Council Regular Meeting

Tuesday, September 19, 2023

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 <https://mckinney.legistar.com>

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

INFORMATION SHARING ITEMS

- 23-0751** [Proclamation for Childhood Cancer Awareness Month](#)
Attachments: [Proclamation](#)
- 23-0752** [Proclamation for 2023 National Night Out](#)
Attachments: [Proclamation](#)
 [MPD: National Night Out](#)
- 23-0753** [Proclamation for the McKinney Fire Department McTown
Klownz Program 30th Anniversary](#)
Attachments: [Proclamation](#)
 [McKinney FD: McTown Klownz](#)

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

If you wish to address the City Council on a posted item on this agenda, please fill out a "Request to Speak" card and present it to the City Secretary prior to the meeting.

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.

Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the City Council for items listed as Public Hearings will be recognized when the Public Hearing is opened.

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.

Consent MINUTES

23-0474 [Minutes of the McKinney Armed Services Memorial Board Meeting of May 10, 2023](#)

Attachments: [Minutes](#)

23-0675 [Minutes of the McKinney Community Development Corporation Promotional and Community Events Subcommittee Meeting of July 17, 2023](#)

Attachments: [Minutes](#)

23-0674 [Minutes of the McKinney Community Development Corporation Special Meeting of July 17, 2023](#)

Attachments: [Minutes](#)

23-0673 [Minutes of the McKinney Community Development Corporation Meeting of July 27, 2023](#)

Attachments: [Minutes](#)

23-0629 [Minutes of the McKinney Main Street Board Meeting of July 13, 2023](#)

Attachments: [071323 MMS Minutes.pdf](#)

23-0279 [Minutes of the Parks, Recreation, and Open Space Advisory](#)

[Board Meeting of March 9, 2023](#)**Attachments:** [Minutes](#)

- 23-0455** [Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of May 11, 2023](#)

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

- 23-0754** [Consider/Discuss/Act on an Ordinance Amending Section 62-113 of the Code of Ordinances to Concur with Texas Department of Transportation Regarding the Speed Limit on Custer Road \(FM 2478\) from a Point 500 Feet North of Rhea Mills Circle to Laud Howell Parkway \(FM 1461\)](#)

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

- 23-0755** [Consider/Discuss/Act on a Resolution Adopting the Fiscal Year 2023-2024 Financial Policies](#)

Attachments: [Resolution](#)
[FY24 Financial Policies](#)

- 23-0756** [Consider/Discuss/Act on a Resolution Adopting the Fiscal Year 2023-2024 Investment Policy](#)

Attachments: [Resolution](#)
[FY24 Investment Policy](#)

- 23-0757** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Change Order to the Construction Manager at Risk \(CMAR\) Services Contract with Lexon Surety for Additional Work Related to the Design and Construction of the TKI Executive Terminal located at 1508 Industrial Blvd, at the McKinney National Airport, McKinney Texas](#)

Attachments: [Resolution](#)
[Proposal](#)

23-0758 [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Rich Leidl, P.C. for Federal Legislative Services](#)

Attachments: [Resolution](#)
 [Contract](#)

Consent MISCELLANEOUS

23-0759 [Consider/Discuss/Act on Approving an Amendment to Ultimate Boundary Line Agreement between the City of McKinney and the Town of Prosper](#)

Attachments: [Location Map](#)
 [Amendment](#)

END OF CONSENT AGENDA

REGULAR AGENDA AND PUBLIC HEARING ITEMS

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

Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the City Council for items listed as Public Hearings will be recognized when the Public Hearing is opened.

23-0001M2 [Conduct a Public Hearing to Consider/Discuss/Act on Certain Amendments to Chapter 150, entitled "Unified Development Code," of the Code of Ordinances, City of McKinney, Texas to correct typographical errors and make nonsubstantive editorial changes to Article 1 \(General Provisions\) and particularly to Sections 101 \(Title\), 102 \(Purpose\), 106B \(Specific Use Permits\), 108 \(Maintenance, Enforcement, and Penalties\), 110 \(Administrative Authority\), Article 2 \(Zoning Regulations\) and particularly to Sections 201 \(Administration\), 203A \(Standard Procedures\), 203B \(Annexation\), 203C \(Zoning Procedures\), 203D \(Protest Procedures\), 203E \(Plan and Permit Procedures\), 203F \(Appeal Procedures\), 203G \(Flexibility and Relief Procedures\), 204 \(Zoning Districts\), 205 \(Use Regulations\), 206A \(Landscaping\) 206C \(Screening\), 206D \(Commercial Garbage/Recycling Containers and Enclosures\), 206E](#)

[\(Vehicle Parking and Loading\), 206F \(Architectural Standards\), 206G \(Multi-Family Residential Site Design\), 206H \(Communication Antennas, Support Structures, and Satellite Dishes\), Appendix 2A \(Approved Plant List\), and Article 8 \(Terms and Definitions\) particularly to Section 802 \(Definitions\), Make Substantive Changes to Sections: 108B \(Maintenance\), 110B1 \(Board of Adjustment\), 201C4 \(Continuing Legal Nonconformity\), 203A4 \(Public Notice\), 203D \(Protest Procedures\), 203E2 \(Landscape Plan\), 203E6 \(Certificate of Appropriateness\), 203F1 \(Administrative Appeal\), 203G3 \(Variance\), 204B3 \(Zoning District Correspondence\), 204I \(TR1.8 - Townhome Residential\), 204W \(AP - Airport\), 204BB \(TMN - Traditional McKinney Neighborhood\), 204EE1 \(Building Height\), 205B5 \(Table of Uses\), 205F \(Non-Residential Uses\) for Airports, Car Washes, and Day Care Centers, 205G2 \(Accessory Uses Definitions and Standards\), 205I3 \(Food Trucks, Operation Sites, and Food Truck Courts\), 206A4 \(Planting Requirements\), 206A5 \(Site-Specific Landscape Standards\), 206C3 \(Screening Requirements\), 206E3 \(Parking Calculations\), 206E4 \(Parking Modifications and Reductions\), 206E5 \(On-site Parking Design and Pavement\), Appendix 2A \(Approved Plant List\), Appendix 2B \(McKinney Town Center MTC\), and 802 Definitions, Establishing Sections 201E \(Existing Sites Impacted by the Acquisition of Right-of-Way\) and 206I \(Food Trucks, Food Truck Operation Sites, and Food Truck Courts\) in Article 2 \(Zoning Regulations\) of Chapter 150, entitled "Unified Development Code," of the Code of Ordinances, City of McKinney, Texas, in addition to Establishing a New Article 4 named "Tree Preservation" and Renumbering Current Articles 4, 5, 6, 7 and 8, respectively, as New Articles 5, 6, 7, 8 and 9 to Chapter 150 \(Unified Development Code\) to Include the New Article 4, and Deleting Sections 203E.3, "Tree Preservation Plan," 203E.4, "Tree Permit," and 206B, "Tree Preservation," from Article 2 \(Zoning Regulations\) and Renumbering and Relocating Such Sections 203E.3, 203E.4, and 206B, into the New Article 4 Named "Tree Preservation" to Chapter 150 \(Unified Development Code\), and Accompanying Ordinance](#)

Attachments: [Presentation](#)
[Draft 08/22 PZ Minutes](#)
[Existing Unified Development Code Redlines](#)
[Proposed Ordinance](#)
[Exhibit A](#)

23-0002M [Conduct a Public Hearing to Discuss/Consider/Act on Amendments to Chapter 150, entitled “Unified Development Code,” of the Code of Ordinances, City of McKinney, Texas to Correct Typographical Errors and Make Nonsubstantive editorial changes to Article 3 \(Subdivision Regulations\), Article 4 \(Signs\), and Article 7 \(Stormwater Management\) and to: \(1\) Make Certain Substantive Changes Related to Platting, Public Improvements, Engineering and Construction Standards, Facilities Agreements, Pro Rata Payments, Home Owner’s and Property Owner’s Associations Common Areas, Street Connection Design Standards, Residential Buffer and Screening, and Private Street Regulations of Article 3 \(Subdivision Regulations\); \(2\) Update the Authority and Jurisdiction of Article 4 \(Signs\); \(3\) Add a Meritorious Exception Process to Article 5 \(Exterior Lighting\); and \(4\) Modify the Requirements for Appeals and Variances and Erosion Control Deposits of Article 7 \(Stormwater Management\), and Accompanying Ordinance](#)

Attachments: [Ordinance \(redline\)](#)
[Ordinance \(proposed\)](#)
[Exhibit A](#)
[Presentation](#)

23-0004M2 [Conduct a Public Hearing to Consider/Discuss/Act on Amendments to New Article 4, entitled “Tree Preservation,” to Chapter 150, entitled “Unified Development Code,” of the Code of Ordinances, and Accompanying Ordinance](#)

Attachments: [Draft 8/22 PZ Minutes](#)
[Ordinance \(redline\)](#)
[Ordinance \(proposed\)](#)
[Exhibit A](#)
[Presentation](#)

- 23-0058Z2** [Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C2" - Local Commercial District, Located at 4050 West University Drive, and Accompanying Ordinance \(REQUEST TO BE TABLED\)](#)
Attachments: [Location Map and Aerial Exhibit](#)
- 23-0039Z4** [Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RED-1" - Residential Estate District to "R6" - Residential District and "R43" - Residential Estate District, Located at 105 South West Park Drive, and Accompanying Ordinance](#)
Attachments: [PZ Minutes 08.22.2023](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Comprehensive Plan Maps](#)
[Established Community District](#)
[Placetype Definitions](#)
[Fiscal Analysis](#)
[Land Use Comparison Table](#)
[Written Protest Form](#)
[Written Protest Exhibit](#)
[Proposed Ordinance](#)
[Exhibits A-C](#)
[Presentation](#)
- 23-0760** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract for Construction Manager at Risk \(CMAR\) Services with Pogue Construction Company, LP of McKinney, Texas for a Guaranteed Maximum Price \(GMP\) for Construction Services Related to the Design and Construction of the McKinney Fire Department Headquarters Project Located at 2100 Taylor Burk Drive, McKinney, Texas](#)
Attachments: [Resolution](#)
[GMP Proposal](#)

23-0761 [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Additional Services Agreement with 720 Design, Inc. of Dallas, Texas for Professional Consulting Services and Owner's Representative Services Related to the construction of the McKinney Fire Department Headquarters project \(FI2111\) located at 2100 Taylor Burk Drive, McKinney](#)

Attachments: [Resolution](#)
 [Proposal](#)

23-0762 [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Design-Build Amendment to the Professional Design/Build Services Agreement with PassBuilt Construction, LLC for a Guaranteed Maximum Price \(GMP\) for the Recreation Center at Towne Lake Renovation \(RCTL\) Project \(PK4397\) located at 2001 S. Central Expwy, McKinney, Texas 75070](#)

Attachments: [Resolution](#)
 [GMP Proposal](#)
 [Architectural Plan](#)

23-0763 [Consider/Discuss/Act on Appointing a 2024 Municipal Bond Committee](#)

Attachments: [Presentation](#)

23-0764 [Consider/Discuss/Act on Appointing Two Members of the City Council to Serve on an Interview Panel for the Downtown Redevelopment Request for Qualifications \(23-38RFQ\)](#)

Attachments: [23-38RFQ](#)

END OF REGULAR AGENDA AND PUBLIC HEARING ITEMS

CITIZEN COMMENTS on Matters not on the Agenda

If you wish to address the City Council on a posted item on this agenda, please fill out a "Request to Speak" card and present it to the City Secretary prior to the meeting.

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)

- Master Services Agreement by and between City of McKinney, Texas and Sierra-Cedar, LLC dated January 25, 2021

B. Section 551.072. Deliberations about Real Property

- Municipal Facilities

C. Section 551.087. Deliberation Regarding Economic Development Matters

- Project De La Vega

ACTION ON EXECUTIVE SESSION ITEMS

ADJOURN

Posted in accordance with Texas Government Code, Chapter 551, on September 15, 2023.

*Empress Drane, City Secretary
Tenitrus Bethel, Deputy 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. 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>.