

CITY COUNCIL REGULAR MEETING

APRIL 16, 2024

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, at 222 N. Tennessee Street, McKinney, Texas, on Tuesday, April 16, 2024 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.

Council Member Present: Mayor George C. Fuller, Mayor Pro Tem Charlie Philips, and Council members Justin Beller, Patrick Cloutier, Geré Feltus, Rick Franklin, and Michael Jones

Mayor Fuller called the meeting to order at 6:05 p.m.

The meeting was opened with an Invocation given by Executive Pastor Chris Havard of First McKinney Church.

Mayor Fuller acknowledged Girls Soccer team of McKinney Christian Academy for winning the Texas State Championship. The team players, coaches and supporters were present for the recognition.

Mayor Fuller called for Public Comments:

The following individuals spoke in opposition to agenda item #24-1459 (Development Agreement with Notes Live):

Brian Singhania, 2625 Berry Hill, McKinney TX 75069

Carol Perry, 2805 Berry Hill, McKinney TX 75069

Scott Lussier, 2808 Berry Hill, McKinney TX 75069

The following individual did not wish to speak but registered written opposition to agenda item #24-1459 (Development Agreement with Live Notes):

Farhad Moshiri, 2816 Berry Hill, McKinney TX 75069

The following individuals spoke in support of agenda item #24-1459 (Development Agreement with Notes Live):

James Bresnahan, 407 E. Louisiana, McKinney TX 75069

David Craig, 5816 Settlement Way, McKinney TX 75070

Jim Garrison, 2708 Northview Drive, McKinney TX 75072

Ruth Thompson, 224 E. Virginia Street, McKinney TX 75069

The following individuals did not wish to speak but registered written support for agenda item #24-1459 (Development Agreement with Live Notes):

Kerry Hand, 602 N Church, McKinney TX 75069

Shelly Mead, 1232 Gray Branch Rd, McKinney TX 75071

Bruce Mead, 1232 Gray Branch Rd, McKinney TX 75071

Written submittals of support and opposition are included in these minutes as *Appendix A: Agenda Item #24-1459 Written Submittals*

Mayor Fuller called for the Consent agenda. At the request of Mayor Pro Tem Charlie Philips, agenda item #24-1441 (Electioneering) was pulled from the Consent agenda for individual consideration.

Council unanimously approved the motion by Mayor Pro Tem Charlie Philips, seconded by Council member Geré Feltus, to approve the balance of the Consent agenda as follows:

- 24-1439** Minutes of the City Council Work Session of April 2, 2024
- 24-1440** Minutes of the City Council Regular Meeting of April 2, 2024
- 24-1386** Minutes of the Animal Services Facility Advisory Committee Meeting of January 24, 2024
- 24-1342** Minutes of the Joint Meeting of the McKinney Economic Development Corporation & McKinney Community Development Corporation of February 20, 2024
- 24-1332** Minutes of the Library Advisory Board Meeting of February 15, 2024
- 24-1313** Minutes of the McKinney Main Street Board Meeting of February 8, 2023
- 24-1369** Minutes of the McKinney Community Development Corporation Meeting of February 22, 2024
- 24-1371** Minutes of the McKinney Community Development Corporation Potential Projects Subcommittee Meeting of February 22, 2024
- 24-1370** Minutes of the McKinney Community Development Corporation Affordable Housing Subcommittee Meeting of February 26, 2024

- 24-1372** Minutes of the McKinney Community Development Corporation Potential Projects Subcommittee Meeting of March 4, 2024
- 24-1327** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of January 11, 2024
- 24-1407** Minutes of the Planning and Zoning Commission Regular Meeting of March 26, 2024
- 24-1361** Minutes of the Visit McKinney Meeting of February 27, 2024
- 24-1442** Consider/Discuss/Act on an Ordinance Amending Chapter 110, Article VI of the Code of Ordinances Relating to the Modified North Texas Municipal Water District's Model Water Resource and Emergency Management Plan

Ordinance caption reads as follows:

ORDINANCE NO. 2024-04-023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, THROUGH THE AMENDMENT OF CHAPTER 110, ENTITLED "UTILITIES," THROUGH THE AMENDMENT OF ARTICLE VI, ENTITLED "DROUGHT CONTINGENCY PLAN," BY DELETING SECTION 110-366, "PUBLIC EDUCATION," IN ITS ENTIRETY, AND REPLACING WITH A NEW SECTION ALSO ENTITLED, SECTION 110-366 "PUBLIC EDUCATION," BY AMENDING SECTION 110-369, "DEFINITIONS," BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 110-369 ALSO ENTITLED "DEFINITIONS," BY DELETING SECTION 11-371, "DROUGHT CONDITION OPERATIONS," AND REPLACING IT WITH A NEW SECTION 11-371 ALSO ENTITLED "DROUGHT CONDITION OPERATIONS," BY AMENDING SECTION 110-372, "SYSTEM LIMITATION OPERATION," BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 110-372 ALSO ENTITLED "SYSTEM LIMITATION OPERATION,"; BY REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

- 24-1443** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2023-2024 Annual Budget and Amending the 2024-2028 Capital Improvements Program to Provide Funds for Alma Road / DD Ballfields Signal Installation Project (TR2268)

Ordinance caption reads as follows:

ORDINANCE NO. 2024-04-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2023-2024 BUDGET AND THE 2024 – 2028 CAPITAL IMPROVEMENTS

**PROGRAM FOR THE ALMA ROAD / DD BALLFIELDS TRAFFIC SIGNAL
INSTALLATION PROJECT (TR2268); EFFECTIVE DATE HEREOF**

- 24-1444** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2023-2024 Annual Budget and Amending the 2024-2028 Capital Improvements Program to Provide Funds for Pavement Marking Maintenance Project (TR2468)

Ordinance caption reads as follows:

ORDINANCE NO. 2024-04-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE FISCAL YEAR 2023-2024 ANNUAL BUDGET AND 2024-2028 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDS FOR PAVEMENT MARKING MAINTENANCE PROJECT (TR2468); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 24-1445** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2023-2024 Annual Budget and Amending the 2024-2028 Capital Improvements Program to Provide Funds for Raytheon Pond Rehabilitation Project (DR2469)

Ordinance caption reads as follows:

ORDINANCE NO. 2024-04-026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE FISCAL YEAR 2023-2024 ANNUAL BUDGET AND 2024-2028 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDS FOR RAYTHEON POND REHABILITATION IMPROVEMENTS PROJECT (DR2469); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 24-1446** Consider/Discuss/Act on a Resolution Adopting the 2024 City of McKinney Water Resource and Emergency Management Plan and the 2024 Water Conservation Plan

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-058 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY ADOPTING THE 2024 CITY OF MCKINNEY WATER RESOURCE EMERGENCY MANAGEMENT PLAN AND 2024 WATER CONSERVATION PLAN ADOPTED PURSUANT TO AMENDMENTS TO THE CITY OF MCKINNEY CODE OF ORDINANCES PROVIDING FOR AN EFFECTIVE DATE

- 24-1447** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into a Facilities Agreement with DD Ballfields, LLC for the Developer

to Contribute the Funds for the Installation of Traffic Signal at Alma Road /
Cendana Craig Ranch Apartment Driveway

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-059 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A FACILITIES AGREEMENT BETWEEN THE CITY OF MCKINNEY, TEXAS, AND DD BALLFIELDS, LLC FOR THE TRAFFIC SIGNAL INSTALLATION AT ALMA ROAD AND CENDANA CRAIG RANCH APARTMENT DRIVEWAY

24-1448 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Change Order with Dallas Garland & Northeastern Railroad Inc. (DGNO), for the Railroad Crossing Improvements at East Louisiana Street Required for the East Louisiana Street Improvements Project

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-060 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH DALLAS GARLAND & NORTHEASTERN RAILROAD INC. (DGNO), FOR THE RAILROAD CROSSING IMPROVEMENTS AT EAST LOUISIANA STREET REQUIRED FOR THE EAST LOUISIANA STREET IMPROVEMENTS PROJECT AND INCREASE THE TOTAL CONTRACT AMOUNT FROM \$519,117 TO A TOTAL AGGREGATE CONTRACT AMOUNT NOT TO EXCEED \$571,117

24-1449 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Change Order with Dallas Garland & Northeastern Railroad Inc. (DGNO), for the Railroad Crossing Improvements at East Virginia Street Required for the Virginia Street and Throckmorton Street Infrastructure Improvements (Municipal Complex) Project

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-04-061 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH DALLAS GARLAND & NORTHEASTERN RAILROAD INC. (DGNO), FOR THE RAILROAD CROSSING IMPROVEMENTS AT EAST VIRGINIA STREET REQUIRED FOR THE VIRGINIA STREET AND THROCKMORTON STREET INFRASTRUCTURE IMPROVEMENTS PROJECT AND INCREASE THE TOTAL CONTRACT AMOUNT FROM \$518,863 TO A TOTAL AGGREGATE CONTRACT AMOUNT NOT TO EXCEED \$574,863

- 24-1450** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with ANA Site Construction, LLC, for the Construction of the State Highway 5 (SH 5) Utility Relocations Project

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-062 (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 \$15,817,047.50 WITH ANA SITE CONSTRUCTION, LLC, FOR THE CONSTRUCTION OF THE STATE HIGHWAY 5 (SH 5) UTILITY RELOCATIONS PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$19,770,000

- 24-1451** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Lockwood, Andrews & Newnam, Inc. for the FY23 Citywide Street Rehabilitation Project and Authorizing Any Necessary Supplemental Agreements

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-063 (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 \$436,674.00 WITH LOCKWOOD, ANDREWS & NEWNAM, INC. FOR ENGINEERING DESIGN SERVICES FOR THE FY23 CITYWIDE STREET REHABILITATION PROJECT AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$502,674.00

- 24-1452** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Terracon Consultants, Inc. for Geotechnical and Materials Testing Services for the Construction of the State Highway 5 (SH 5) Utility Relocations Project and Authorizing Any Necessary Supplemental Agreements

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-064 (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 \$321,600.00 WITH TERRACON CONSULTANTS, INC., FOR GEOTECHNICAL AND MATERIALS TESTING SERVICES FOR THE CONSTRUCTION OF THE STATE HIGHWAY 5 (SH 5) UTILITY RELOCATIONS PROJECT AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE

AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$375,000

- 24-1453** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with LJA Engineering, Inc. of McKinney, Texas, for Landscape Architectural and Engineering Services Related to the Design of Improvements to Grady Littlejohn Softball & Baseball Complex at Towne Lake

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-065 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH LJA ENGINEERING OF MCKINNEY, TEXAS FOR LANDSCAPE ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE IMPROVEMENTS TO GRADY LITTLEJOHN SOFTBALL AND BASEBALL COMPLEX AT TOWNE LAKE

- 24-1454** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Advance Funding Agreement (AFA) for the Surface Transportation Block Grant (STBG) Program and Any Necessary Supplemental Agreements with the Texas Department of Transportation (TxDOT) for the design and construction of the Lower 5 Plaza Infrastructure Improvements Project

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-066 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADVANCE FUNDING AGREEMENT (AFA) FOR THE SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAM AND ANY NECESSARY SUPPLEMENTAL AGREEMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR DESIGN AND CONSTRUCTION OF THE LOWER 5 PLAZA INFRASTRUCTURE IMPROVEMENTS PROJECT

- 24-1455** Consider/Discuss/Act on a Resolution Awarding a Contract to Centerline Supply Inc. of Grand Prairie, TX, Newman Signs Inc. of Jamestown, ND, and Vulcan Inc. dba Vulcan Aluminum, of Birmingham, AL, for Street Signs and Materials

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-067 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING AWARD OF CONTRACT WITH CENTERLINE SUPPLY, INC. AND NEWMAN SIGNS INC. AND VULCAN INC. DBA VULCAN ALUMINUM TO PROVIDE STREET SIGNS AND MATERIALS

24-1456 Consider/Discuss/Act on a Resolution Awarding Contracts to Ferguson Enterprises, LLC dba Ferguson Waterworks of Euless, Texas and Dallas Winwater Co. dba DFW Winwater Co. of Royse City, Texas for Water and Wastewater Parts and Supplies

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-068 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO FERGUSON ENTERPRISES, LLC DBA FERGUSON WATERWORKS OF EULESS, TEXAS AND DALLAS WINWATER CO. DBA DFW WINWATER CO. OF ROYSE CITY, TEXAS FOR WATER AND WASTERWATER PARTS AND SUPPLIES

24-1457 Consider/Discuss/Act on a Resolution in Support of Habitat for Humanity of Collin County's Affordable Housing Program Grant Application through the Federal Home Loan Bank for Homebuyer Down Payment Assistance for the Cotton Groves Development

Resolution caption reads as follows:

RESOLUTION NO. 2024-04-069 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY IN SUPPORT OF HABITAT FOR HUMANITY OF COLLIN COUNTY'S AFFORDABLE HOUSING PROGRAM GRANT APPLICATION FOR HOMEBUYER DOWN PAYMENT ASSISTANCE FOR THE COTTON GROVES PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Fuller called for agenda item #24-1441 for individual consideration.

24-1441 Consider/Discuss/Act on an Ordinance Amending Chapter 38, "Elections," by Deleting Article IV, "Electioneering," Together with Current Sections 38-70 Through 38-74 in their Entirety and Replacing Said Article IV with a New Article IV, Also Entitled "Electioneering," Amending Article 5, "Signs," of Chapter 150 of the Code of Ordinances, "Unified Development Code," by Deleting Section 501.D.4, "Recovery of Temporary Election of Campaign Signs," and Replacing Said Section with a New Section 501.D.4 Entitled "Removal of Temporary Signage," Deleting Section 507.M, "Temporary Election or Campaign Signage In, On, or Over Public

Right-of-Way," and Replacing Said Section with a New Section 507.M
Entitled "Wind-Driven Signs," and by Deleting Section 507.N, "Wind-
Driven Signs"

Council member Charlie Philips withdrew his suggestions for amendments to the
proposed ordinance that he mentioned during the earlier Work Session and motioned to
approve the ordinance as presented.

Council unanimously approved the motion by Mayor Pro Tem Charlie Philips,
seconded by Council member Rick Franklin, to approve the Ordinance, caption reading
as follows:

ORDINANCE NO. 2024-04-022

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS,
AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS,
BY AMENDING CHAPTER 38, "ELECTIONS," BY DELETING ARTICLE IV,
"ELECTIONEERING," TOGETHER WITH CURRENT SECTIONS 38-70 THROUGH
38-74 IN THEIR ENTIRETY AND REPLACING SAID ARTICLE IV WITH A NEW
ARTICLE IV, ALSO ENTITLED "ELECTIONEERING," TO READ AS SET FORTH
HEREINBELOW; BY AMENDING CHAPTER 150 OF THE CODE OF ORDINANCES,
ENTITLED "UNIFIED DEVELOPMENT CODE," THROUGH THE AMENDMENT OF
ARTICLE 5, "SIGNS," BY DELETING SECTION 501.D.4, "RECOVERY OF
TEMPORARY ELECTION OR CAMPAIGN SIGNS," AND REPLACING SAID
SECTION WITH A NEW SECTION 501.D.4 ENTITLED "REMOVAL OF
TEMPORARY SIGNS," AND BY DELETING SECTION 507.M, "TEMPORARY
ELECTION OR CAMPAIGN SIGNAGE IN, ON, OR OVER PUBLIC RIGHT-OF-WAY,"
AND REPLACING SAID SECTION WITH A NEW SECTION 507.M, ENTITLED
"WIND-DRIVEN SIGNS," AND BY DELETING SECTION 507.N, "WIND-DRIVEN
SIGNS"; PROVIDING FOR ENFORCEMENT; PROVIDING A PENALTY;
REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION;
PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

Mayor Fuller called for the Regular Meeting and Public Hearing agenda items.

- 24-** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use
0002SUP2 Permit Request for Vehicle Repair, Minor (Take 5 Oil), Located at 8301
Eldorado Parkway, and Accompanying Ordinance

The applicant Ben Paige made comments in support of the request. No other
public comments were made.

Council unanimously approved the motion by Council member Patrick Cloutier,
seconded by Council member Geré Feltus, to close the public hearing.

Council approved the motion by Council member Patrick Cloutier, seconded by
Mayor George Fuller, to approve the request with a vote of 4 - 3, Geré Feltus, Charlie
Philips, and Michael Jones voting no. Ordinance caption reads as follows:

ORDINANCE NO. 2024-04-029

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 MINOR VEHICLE REPAIR (TAKE 5 OIL), LOCATED APPROXIMATELY LOCATED AT 8301 ELDORADO PARKWAY; 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

24-1458 Citizen Input on the Fiscal Year 2024-25 Budget

There were no requests to make comments on the proposed budget. No action was taken on the item.

24-1459 Consider/Discuss/Act on a Chapter 380, Grant, and Development Agreement by and among City of McKinney, Texas, McKinney Economic Development Corporation, McKinney Community Development Corporation, and Notes Live, Inc.

Council approved the motion by Mayor George Fuller, seconded by Council member Michael Jones, to approve the agreement with a vote of 6 - 1, Justin Beller voting no.

24-0011Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agriculture District and "HC" - Highway Commercial Overlay District to "C3" - Regional Commercial District, "MF30" - Multi-Family Residential District, and "HC" - Highway Commercial Overlay District, Located Approximately 450 Feet East of Terry Lane and on the South Side of West University Drive, and Accompanying Ordinance

Bob Roeder spoke on behalf of the applicant in support of the request to rezone. No other members of the public made comments about the request.

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Rick Franklin, to close the public hearing and approve the request, Ordinance caption reads as follows:

ORDINANCE NO. 2024-04-027

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 37.255 ACRE PROPERTY, Located APPROXIMATELY 450

FEET EAST PF TERRY LANE AND ON THE SOUTH SIDE OF WEST UNIVERSITY DRIVE, IS REZONED FROM “AG” – AGRICULTURE DISTRICT AND “HC” – HIGHWAY COMMERCIAL OVERLAY DISTRICT TO “C3” – REGIONAL COMMERCIAL DISTRICT, “MF30” – MULTI-FAMILY RESIDENTIAL DISTRICT, AND “HC” – HIGHWAY COMMERCIAL OVERLAY 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

24-0012Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C2" - Local Commercial District to "PD" - Planned Development District, Generally to Modify the Development Standards and Allow for Commercial and Auto Garage Uses (Luxury Elite Garages), Located Approximately 330 feet South of the Intersection of Virginia Parkway and Hardin Boulevard and 220 feet West of Hardin Boulevard, and Accompanying Ordinance

Jim Riggs spoke on behalf of the applicant in support of the request to rezone.

Swaliha Sanfaraz, 4801 Golden Eyes Lane, McKinney TX 75072, expressed concerns about the impact of the development to nearby residents.

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Geré Feltus, to close the public hearing and approve the request. Ordinance caption reads as follows:

ORDINANCE NO.2024-04-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 4.65 ACRE PROPERTY, Located APPROXIMATELY 330 FEET SOUTH OF THE INTERSECTION OF VIRGINIA PARKWAY AND HARDIN BOULEVARD AND 220 FEET WEST OF HARDIN BOULEVARD, IS REZONED FROM “C2” – LOCAL COMMERCIAL DISTRICT TO “PD” – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS AND ALLOW FOR COMMERCIAL AND AUTO GARAGE USES (LUXURY ELITE GARAGES); 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

24-1460 Consider/Discuss/Act on Appointing a Member to the North Texas Municipal Water District (NTMWD) Board of Directors

Council unanimously approved the motion by Council member Geré Feltus, seconded by Council member Rick Franklin, to reappoint Don Paschal to serve on the Board, with a service term effective June 1, 2024 to May 31, 2026.

24-1403 Consider/Discuss/Act on a Resolution Appointing a Member to the 9-1-1
Emergency Communications District Board of Managers within the North
Central Texas Council of Governments (NCTCOG)

Council unanimously approved the motion by Council member Michael Jones,
seconded by Council member Patrick Cloutier, to appoint Council member Rick
Franklin to the Board, for a term effective this date until December 31, 2025.

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

The following individuals spoke about the Israeli – Palestinian conflict in Gaza:

Leslie Cunningham, 7101 Virginia Pkwy #525, McKinney TX 75071

Samar Waqar, 5025 Geranium Ct, McKinney TX 75070

Mousa Abudaabes, 2221 Fleming Dr, McKinney TX 75072

Dr. Mohammad Khan, 4801 Golden Eyes Ln, McKinney TX 75072

Lulia Barakat, 5221 Spicewood Dr, McKinney TX 75070, spoke about April 15
Tax Day advocated for spending toward improved education and communities.

Raheem Amer (no address provided) was not present when called.

Following Council and City Manager comments, Council unanimously approved
the motion by Council member Rick Franklin, seconded by Council member Geré
Feltus, to adjourn the meeting at 8:50 p.m.

The ordinance caption(s) approved in this meeting were scheduled for
publication in the Sunday, April 21, 2024, edition of the McKinney Courier-Gazette
newspaper and the Monday, April 22, 2024, edition of the Celina Record newspaper.

These minutes were approved by the City Council on May 6. 2025.

SIGNED:

GEORGE C. FULLER, Mayor
GERÉ FELTUS, Mayor Pro Tem

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS PARCHMAN, Deputy City Secretary

City of McKinney, Texas

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Appendix A: Agenda Item #24-1459 Written Submittals

Request to Speak Before McKinney City Council

Date 04/16/2024

(Print) Full Name FARHAD MOSHIRI

Phone 469-235-5801

Address 2816 BERRY Hill City McKinney

Zip 75069

Email fmoshiri9498@gmail.com

Public Comments for ITEMS ON THE AGENDA

☐ I wish to speak in SUPPORT / OPPOSITION of **Consent Agenda** Item # _____

☐ I wish to speak in SUPPORT / OPPOSITION of **Regular Agenda** Item # _____

☐ I wish to speak in SUPPORT / OPPOSITION of **Public Hearing** Item # _____

**Those wishing to speak on Public Hearing items will be called at the tieme of the Public Hearing.*

Public Comments for ITEMS NOT ON THE AGENDA

☐ I wish to speak regarding this issue: _____

Submit Comment without Speaking

☒ **I do not wish to speak**; however, please record my ☐ SUPPORT ☒ OPPOSITION

**At the Mayor's discretion, speakers for non-agenda topics may be called at either the beginning or end of the meeting.*

Topic of Discussion: Amph. Theater

Request to Speak Before McKinney City Council

Date 4/16

(Print) Full Name KERRY HAND

Phone 214-734-0090

Address 602 N CHURCH City McKinney

Zip 75069

Email KDHAND.TX@gmail.com

Public Comments for ITEMS ON THE AGENDA

☒ I wish to speak in SUPPORT / OPPOSITION of **Consent Agenda** Item # 24-1459

☐ I wish to speak in SUPPORT / OPPOSITION of **Regular Agenda** Item # _____

☐ I wish to speak in SUPPORT / OPPOSITION of **Public Hearing** Item # _____

**Those wishing to speak on Public Hearing items will be called at the tieme of the Public Hearing.*

Public Comments for ITEMS NOT ON THE AGENDA

☐ I wish to speak regarding this issue: _____

Submit Comment without Speaking

☐ **I do not wish to speak**; however, please record my ☐ SUPPORT ☐ OPPOSITION

**At the Mayor's discretion, speakers for non-agenda topics may be called at either the beginning or end of the meeting.*

Topic of Discussion: ECONOMIC IMPACT / BENEFITS
TO MCKINNEY

Request to Speak Before McKinney City Council

Date

4/16/24

(Print) Full Name

Shelley Mead

Phone

Address

1232 Gray Branch Rd

City

McKinney

Zip

75071

Email

shellmead@yahoo.com

Public Comments for ITEMS ON THE AGENDA

☐ I wish to speak in SUPPORT / OPPOSITION of **Consent Agenda** Item #

☐ I wish to speak in SUPPORT / OPPOSITION of **Regular Agenda** Item #

☐ I wish to speak in SUPPORT / OPPOSITION of **Public Hearing** Item #

**Those wishing to speak on Public Hearing items will be called at the time of the Public Hearing.*

Public Comments for ITEMS NOT ON THE AGENDA

☐ I wish to speak regarding this issue:

**At the Mayor's discretion, speakers for non-agenda topics may be called at either the beginning or end of the meeting.*

Submit Comment without Speaking

☒ I do not wish to speak; however, please record my

☒ SUPPORT

☐ OPPOSITION

Topic of Discussion:

24-1459

Amphitheater will be great

for our community!

Request to Speak Before McKinney City Council

Date

04-16-2024

(Print) Full Name

Bruce Mead

Phone

214.548.1465

Address

1232 Gray Branch Rd

City

McKinney

Zip

75071

Email

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Public Comments for items ON THE AGENDA

☐ I wish to speak in SUPPORT / OPPOSITION of Item #

**Those wishing to speak on Public Hearing item(s) will be called at the time of the Public Hearing.*

Public Comments for items NOT ON THE AGENDA

☐ I wish to speak about:

**It is the Mayor's decision to call those wishing to speak on Non-Agenda at either the beginning or end of the meeting.*

Submit a Comment without Speaking

☒ I do not wish to speak; however, please record my:

☒ SUPPORT FOR

☐ OPPOSITION AGAINST

Topic of Discussion:

24-1459

Notes Live Amphitheater

The economic impact to our city will be huge.

This project will be a magnet for other businesses moving to McK.