

CITY COUNCIL WORK SESSION

JANUARY 16, 2024

The City Council of the City of McKinney, Texas met in work session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas on Tuesday, January 16, 2024 at 3:00 p.m.

The work session 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 George C. Fuller called the work session to order at 3:00 p.m. upon determining a quorum consisting of himself and the following members were present: Justin Beller, Patrick Cloutier, Geré Feltus, Rick Franklin, and Michael Jones.

Mayor Pro Tem Charlie Philips was absent due to illness.

These City of McKinney Staff were present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, City Secretary Empress Drane, Deputy City Secretary Tenitrus Bethel, City Secretary Accreditation & Reporting Specialist Edith Ruiz, City Secretary Administrative Assistant Charlene Johnson, Director of Organizational Development & Performance Management Joe Mazzola, Director of Strategic Services Trevor Minyard, Director of Public Safety Greg Conley, Assistant Director of Parks, Recreation & Open Space Ryan Mullins, Performance Manager Saima Ali, Procurement Services Supervisor Tonya Hall, Purchasing Buyer Kae Chin, President of McKinney Economic Development Corporation (MEDC) Michael Kowski, Downtown Development & Historic Preservation Planning Manager Paula Nasta, Community Services Administrator Shirletta Best, Affordable Housing Administrator Cristel Todd, Assistant Director of Engineering Matt Richardson, Planning Administrative Assistant Wendy Semper, Director of Public Works Ryan Gillingham, Building Inspections Administrative Assistant Brittany Sprague, Chief Erosion Control Inspector Cody Clark, Director of Engineering Gary Graham, Executive Director of Development Services Michael Quint, Capital Improvement Projects Manager Blake Sills, Director of Planning Jennifer Arnold, Planner Cameron Christie, Director of Communications & Marketing CoCo Good,

Communications & Marketing Creative Services Manager Michelle Feldker, Assistant Director of Engineering Shelley Lang.

There were eight (8) members of the public present in the audience.

Mayor Fuller called for the following Information Sharing item:

24-1107 Engineering Department Employee Recognition

Director of Engineering Gary Graham recognized Chief Erosion Control Inspector Cody Clark for exemplifying the City of McKinney core values by providing roadside assistance to a resident and financial assistance for additional car repairs.

Mayor Fuller called for Public Comments.

Lee Moore, 1840 Hammerly Dr, Fairview TX 75069, spoke regarding agenda item #24-1111 (Presentation on a Potential Charter Amendment Election) opposing a potential election to amend the City Charter.

Mayor Fuller called for discussion of Regular Meeting agenda items for the City Council Regular Meeting to be held on Tuesday, January 16, 2024, at 6:00 p.m. There was no discussion of those items.

Mayor Fuller called for the following Work Session items:

24-1108 Update on FY23 Performance Management Report

24-1109 Update on McKinney Opioid Settlement Fund

Council provided directions for staff to implement an application process for the purpose of distributing the remaining city balance of Opioid Settlement funds.

24-1110 Consider/Discuss Opportunities for Supporting the Use and Development of Accessory Dwelling Units (ADUs) in East McKinney, as Outlined in the 2023 Neighborhood Preservation Plan

Council provided directions for staff to move forward with a plan for supporting ADUs as discussed.

24-1111 Consider/Discuss a Potential Charter Amendment Election

The presentation for agenda item #24-1111 not posted on the agenda is included in this document as *Appendix A: Presentation - Charter Amendment*.

Mayor Fuller called for the Executive Session at 4:52 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)

- Honey Creek Development Agreement

B. Section 551.071 (A) Pending or contemplated litigation

C. Section 551.072. Deliberations about Real Property

D. Section 551.074. Personnel Matters

E. Section 551.087. Deliberation Regarding Economic Development Matters

- Project Hemispheres

- Project Vibes

Council returned to the Work Session at 5:50 p.m. taking no action on items discussed in the Executive Session.

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Geré Feltus, to adjourn the work session at 5:50 p.m.

These minutes were approved by the City Council on February 6, 2024.

SIGNED:

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

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary

City of McKinney, Texas

(next page) Appendix A: Presentation - Charter Amendment

Potential Charter Amendment Election

City Attorney

City Secretary



City Council Term Lengths and Term Limits

Related Charter Amendments

- **2001** Changed Term Length from **2 to 3 years** (max terms: 2 consecutive)
- **2011** Changed Term Length from **3 to 4 years** (max terms: 2 consecutive full terms) **CURRENT**



CURRENT City Council Term Lengths and Term Limits

City Charter Sec. 9. – Council election.

- **Mayor** shall be allowed to hold his/her seat for a limit of two (2) consecutive, full four-year terms
- Each person duly elected to the position of **Council Member** shall be allowed to hold **any at-large seat**, including consecutive terms in two separate at-large seats, for a limit of two (2) consecutive, full four-year terms
- Each person duly elected to the position of **Council Member** shall be allowed to hold **any district seat**, including consecutive terms in two separate district seats, for a limit of two (2) consecutive, full four-year terms

From the current City Charter, Sec. 9 Council Election

Each person duly elected to the position of Mayor or Council Member shall perform the duties and discharge the obligations conferred and imposed upon them, respectively, by the law, this Charter and by the City Ordinances of McKinney and shall hold their office for a period of four (4) years and until their successors are elected and qualified. Beginning with the 2013 election, and every election thereafter, the Mayor shall be allowed to hold his/her seat for a limit of two (2) consecutive, full four-year terms, and including two terms consisting of a current three year and a four year term. Beginning with the 2013 election, and every election thereafter, each person duly elected to the position of Council Member shall be allowed to hold any at-large seat, including consecutive terms in two separate at-large seats, for a limit of two (2) consecutive, full four-year terms, and including two terms consisting of a current three year and a four year term. Beginning with the 2013 election, and every election thereafter, each person duly elected to the position of Council Member shall be allowed to hold any district seat, including consecutive terms in two separate district seats, for a limit of two (2) consecutive, full four-year terms, and including two full terms consisting of a current three year and a four year term. After serving two consecutive terms in an at-large or district seat(s), an at-large member shall not be eligible to serve in a district or at-large seat until the passage of one year from the end of such two consecutive terms; however such member may serve as Mayor. After serving two consecutive terms in an at-large or a district seat(s), a district member shall not be eligible to serve in an at-large or district seat, until the passage of one year from the end of such two consecutive terms; however such member may serve as Mayor.

Charter Amendment Frequency

Texas Constitution Art. 11 Sec. 5 (a)

- A city with population of 5,000+
 - **may** amend its charter by election.
 - **may not** alter, amend, or repeal its charter more often than every two years.

City Charter Sec. 179. - Amend Charter.

Charter may be amended **no more than once every two (2) years** as provided by the laws of the State of Texas.

Most recent McKinney City Charter Election: 2019

- Sec 145 – Amending Petition Signature Requirements
- Sec 146 – Clarifying Recall Elections as Citywide



Timing of Charter Amendment Election

A Council Member who has reached the “two consecutive term” limit **may not** run for an additional (third) consecutive term in the same election wherein a charter amendment increasing consecutive terms is proposed. The foregoing does not affect any current members if the charter amendment election is called in May or November 2024. [The foregoing would affect current members whose terms expire in May 2025, if the election were called in May 2025.]

Financial Impact of a Charter Amendment Election

- Estimated cost of a City charter amendment election held concurrently with bond election in May 2024 = **\$90,000 (for both)**
- Estimated cost of a City charter election held in November 2024 = **\$90,000**
- Annual Budget generally accounts for one election per fiscal year



4 Years	3 Years	2 Years
Houston	Irving	San Antonio
Dallas (Mayor Only)	Grand Prairie	Dallas (Councilmember only)
Austin	Flower Mound	Fort Worth
El Paso	Mansfield	Arlington
Plano	Eules	Corpus Christi
Laredo	Grapevine	Lubbock (Mayor only)
McKinney	Bedford	Garland
Lubbock (Councilmember only)	Keller	Amarillo
	Burleson	North Richland Hills
	Southlake	Haltom City
	Colleyville	Hurst

City Comparisons
Term Limits

Yes	No
Houston	
San Antonio	
Dallas	
Austin	Fort Worth
El Paso	Lubbock
Arlington	Amarillo
Corpus Christi	Grand Prairie
Plano	North Richland Hills
McKinney	Mansfield
Laredo	Eules
Garland	Grapevine
Irving	Keller
Flower Mound	Burleson
Bedford	Hurst
Haltom City	
Southlake	
Colleyville	

City Comparisons
Total Terms vs. Consecutive Terms

Limit on TOTAL Terms	Limit on CONSECUTIVE Terms
A limit on the total number of terms (not necessarily consecutive) that a person can hold within their lifetime	A limit on the total number of consecutive terms a person can hold in one office
Houston	Dallas
San Antonio	Austin
El Paso	Corpus Christi
Arlington	Plano
Laredo	Garland
	Irving
	McKinney
	Flower Mound
	Bedford
	Haltom City
	Southlake
	Colleyville

<p>10 years combined</p> <p>Haltom City</p> <ul style="list-style-type: none"> • 3 consecutive 2-yr terms as Councilmember (6); or • 5 consecutive 2-yr terms as Mayor (10); or • 5 consecutive 2-yr terms as Councilmember and Mayor combined (10)
<p>12 years combined</p> <p>Corpus Christi</p> <ul style="list-style-type: none"> • 4 consecutive 2-yr terms as Councilmember (8); or • 4 consecutive 2-yr terms as Mayor (8); or • 6 consecutive 2-yr terms and Councilmember and Mayor combined (12) <p>Bedford</p> <ul style="list-style-type: none"> • 4 consecutive 3-yr terms in any office (12) <p>Garland</p> <ul style="list-style-type: none"> • 3 consecutive 2-yr terms as Councilmember and 3 consecutive 2-yr terms as Mayor (12) <p>Flower Mound, Southlake, and Colleyville</p> <ul style="list-style-type: none"> • 2 consecutive 3-yr terms as Councilmember and 2 consecutive 3-yr terms as Mayor (12)



City Comparisons
Limit on Consecutive Terms (Details)

<p>16 years combined</p> <p>Dallas</p> <ul style="list-style-type: none"> • 4 consecutive 2-yr terms as Councilmember and 2 consecutive 4-yr terms as Mayor (16) <p>Austin and Plano</p> <ul style="list-style-type: none"> • 2 consecutive 4-yr terms as Councilmember and 2 consecutive 4-yr terms as Mayor (16) <p>McKinney</p> <ul style="list-style-type: none"> • 2 consecutive 4-yr terms as Councilmember and 2 consecutive 4-yr terms as Mayor (16) • 2 consecutive 4-yr terms as Mayor and 2 consecutive 4-yr terms as Councilmember (16)
<p>18 years combined</p> <p>Irving</p> <ul style="list-style-type: none"> • 3 consecutive 3-yr terms as Councilmember and 3 consecutive 3-yr terms as Mayor (18)



City Comparisons
Cooling Off Period (Years)

Time a Term Limited Councilmember must wait to run again as a Councilmember	Time a Term Limited Mayor must wait to run again as a Mayor	Time a Term Limited Mayor must wait to run as a Councilmember
<p>Corpus Christi – 6</p> <p>Colleyville – 3</p> <p>Bedford – 3</p> <p>Dallas – 2</p> <p>Garland – 2</p> <p>Plano – 1</p> <p>Irving – 1</p> <p>McKinney - 1</p> <p>Haltom City – next general election</p>	<p>Corpus Christi – 6</p> <p>Dallas – 4</p> <p>Colleyville – 3</p> <p>Bedford – 3</p> <p>Garland – 2</p> <p>Irving – 1</p> <p>McKinney - 1</p> <p>Haltom City – next general election</p>	<p>Irving – 1</p> <p>Garland – 1</p>



Term Limited Councilmember can immediately run for Mayor	Term Limited Mayor can immediately run for Councilmember
Houston Dallas Austin Arlington Corpus Christi Plano McKinney Garland Irving Flower Mound Haltom City Southlake Colleyville	Houston Austin Arlington McKinney Corpus Christi Southlake Colleyville



(End of Appendix A: Presentation - Charter Amendment)