



# CITY OF MCKINNEY, TEXAS

## Agenda City Council Regular Meeting

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Tuesday, April 4, 2023

6:00 PM

Council Chambers  
222 N. Tennessee Street  
McKinney, TX 75069

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### 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://mckinneytx.new.swagit.com/views/130>

### CALL TO ORDER

### INVOCATION AND PLEDGE OF ALLEGIANCE

*Invocation given by Bo Thompson, Rhea's Mill Baptist Church*

### INFORMATION SHARING ITEMS

**23-0252**      [Proclamation for Sexual Assault Awareness and Prevention Month](#)

**Attachments:**    [Proclamation](#)

### 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**

- 23-0253**      [Minutes of the City Council Strategic Goals Prioritization Work Session of March 17, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0254**      [Minutes of the City Council Work Session of March 21, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0255**      [Minutes of the City Council Regular Meeting of March 21, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0256**      [Minutes of the City Council Special Meeting of March 23, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0187**      [Minutes of the Library Advisory Board Meeting of January 19, 2023](#)  
**Attachments:**    [Minutes](#)
- 22-0932**      [Minutes of the McKinney Armed Services Memorial Board Meeting of September 14, 2022](#)  
**Attachments:**    [Minutes](#)
- 22-1038**      [Minutes of the McKinney Armed Services Memorial Board Meeting of October 12, 2022](#)  
**Attachments:**    [Minutes](#)
- 23-0192**      [Minutes of the McKinney Arts Commission of February 16, 2023](#)  
**Attachments:**    [Minutes](#)

- 23-0194**      [Minutes of the McKinney Community Development Corporation Meeting of February 23, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0195**      [Minutes of the McKinney Community Development Corporation Potential Projects Subcommittee Meeting of March 6, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0060**      [Minutes of the Parks, Recreation and Open Space Advisory Board of December 8, 2022](#)  
**Attachments:**    [Minutes](#)
- 23-0182**      [Minutes of the Parks, Recreation and Open Space Advisory Board of February 9, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0244**      [Minutes of the Planning and Zoning Commission Regular Meeting of March 14, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0134**      [Minutes of the Visit McKinney Board Meeting of February 3, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0235**      [Minutes of the Visit McKinney Board Meeting of February 28, 2023](#)  
**Attachments:**    [Minutes](#)

**Consent ORDINANCES**

- 23-0257**      [Consider/Discuss/Act on an Ordinance Amending Chapter 114 of the City's Code of Ordinances, "Wrecking Services" by Amending Section 114-11, "Permits", Amending Section 114-21, "Auto Pound Specifications - Generally" by](#)

[Permitting Auto Pound Permittees to be Located within the City's Extra-Territorial Jurisdiction, Deleting Section 114-22, "Same - Indoor Area", in its Entirety, Amending Section 114-29, "Suspension And Removal From Rotation List", Amending "Appendix A - Schedule Of Fees" by Amending the Towing Rate Schedule, Providing a Penalty, Repealing Conflicting Ordinances; Providing a Savings Clause; Providing a Severability Clause; Providing for Publication of the Caption of this Ordinance; and Providing for an Effective Date](#)

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

**23-0258** [Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2022-2023 Annual Budget to Provide Funds for the purpose of the TUPPS Brewer Project \(4B2009\)](#)

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

#### Consent RESOLUTIONS

**23-0259** [Consider/Discuss/Act on a Resolution Appointing Kurt Kuehn to the McKinney Economic Development Corporation](#)

**Attachments:** [Resolution](#)  
[About MEDC](#)

**23-0260** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Construction Agreement with Crossland Construction Company, Inc. of Prosper, Texas for Construction Manager at Risk Services Related to the Demolition and Reconstruction of McKinney Fire Station 8 located at 3445 Alma Road in McKinney](#)

**Attachments:** [Resolution](#)  
[Demolition Proposal](#)  
[Pre-Construction Proposal](#)

**23-0261** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to](#)

[Execute a Contract Amendment to the Construction Manager at Risk \(CMAR\) Services Contract with Spaw Glass Contractors, Inc. \(Spaw Glass\) of Fort Worth, Texas for an Additional Scope of Work Related to the Indoor Tennis Facility Project at Gabe Nesbitt Community Park located at 3251 Alma Road](#)

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

**23-0262**

[Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Kimley-Horn and Associates, Inc. for Professional Engineering Design Services for the Medical Center Drive \(Frisco Road to Spur 399\) Project, and Authorizing Any Necessary Supplemental Agreements](#)

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

**23-0263**

[Consider/Discuss/Act on a Resolution Authorizing the City of McKinney to Participate in the Proposed Opioids Settlement Agreements regarding the State of Texas' and Other Governmental Entities' Litigation against Teva, Allergan, CVS, Walmart and Walgreens for their Respective Roles in the National Opioid Crisis and Authorizing the City Manager to Execute Documents Related thereto](#)

**Attachments:** [Resolution](#)  
[OSP Form - Allergan](#)  
[OSP Form - CVS](#)  
[OSP Form - Walgreens](#)  
[OSP Form - Walmart](#)

## **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.*

**23-0264**      [Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for Water Line and Temporary Construction Easements associated with the SH 5 Utility Relocation Project \(WA1633\) which Property is Located on Spur 399 at its intersection with State Highway 5 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](#)

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

## **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)

B. Section 551.071 (A) Pending or contemplated litigation

## C. Section 551.072. Deliberations about Real Property

- Honey Creek Development Agreement Term Sheet
- Municipal Facilities

## D. Section 551.074. Personnel Matters

- City Manager Annual Performance Evaluation

## E. Section 551.087. Deliberation Regarding Economic Development Matters

- Craig Ranch Hotel, LLC
- Project 20-09 TUPPS Brewery & Entertainment Destination
- Project Hemispheres

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

*Posted in accordance with Texas Government Code, Chapter 551, at or before April 1, 2023, 6:00 p.m.*

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*Empress Drane, 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](mailto: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>.*