



# CITY OF MCKINNEY, TEXAS

## Agenda

### City Council Regular Meeting

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Tuesday, December 5, 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

#### INFORMATION SHARING ITEMS

**23-0970**      [Presentation of Cardiac Arrest Survivors Board](#)

**23-0971**      [Proclamation for Lead By Example Non-Profit Organization  
Third Year of Service](#)

**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**

- 23-0972**      [Minutes of the City Council Work Session of November 7, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0973**      [Minutes of the City Council Regular Meeting of November 7, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0893**      [Minutes of the Historic Preservation Advisory Board Regular Meeting of October 5, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0871**      [Minutes of the Library Advisory Board meeting of August 17, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0939**      [Minutes of the Library Advisory Board Meeting of October 19, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0888**      [Minutes of the McKinney Armed Services Memorial Board Meeting of October 11, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0744**      [Minutes of the McKinney Economic Development Corporation Special Meeting of January 24, 2023](#)  
**Attachments:**    [Minutes](#)
- 23-0742**      [Minutes of the McKinney Economic Development Corporation Meeting of August 15, 2023](#)

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

**23-0743** [Minutes of the McKinney Economic Development Corporation Special Meeting of August 29, 2023](#)

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

**23-0848** [Minutes of the McKinney Economic Development Corporation Meeting of September 19, 2023](#)

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

**23-0945** [Minutes of the McKinney Economic Development Corporation Meeting of October 17, 2023](#)

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

**23-0829** [Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of September 14, 2023](#)

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

**23-0930** [Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of October 12, 2023](#)

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

**23-0897** [Minutes of the Tax Increment Reinvestment Zone Number Two \(TIRZ2\) Board Meeting of March 7, 2023](#)

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

#### **Consent ORDINANCES**

**23-0974** [Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2023-2024 Annual Budget and the 2024-2028 Capital Improvements Program to Provide Funds for Project AI2114, Taxilane A Realignment and Rehabilitation Phase I](#)

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

**23-0975** [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 the City Safety Action Plan Project](#)

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

**23-0976**

[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 the Lower 5 Plaza Design \(PK2234\)](#)

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

### Consent RESOLUTIONS

**23-0977**

[Consider/Discuss/Act on a Resolution Authorizing the City Manager to Accept a Federal Grant from the United States Department of Transportation \(USDOT\) to develop a comprehensive Safety Action Plan through the Safe Streets and Roads for All \(SS4A\) Program](#)

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

**23-0978**

[Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Agreement with the Regional Transportation Council for Award of Transportation Development Credits for Various Mobility Management and Preventative Maintenance Expenses Related to the Collin County Transit Program](#)

**Attachments:** [Resolution](#)  
[2024 TDC Agreement](#)

**23-0979**

[Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with F1RST Sports Academy LLC to Enhance Wellness Program and Mental Health Services for First Responders](#)

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

**23-0980**

[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 Lower 5 Plaza Infrastructure Improvements Project and Authorizing Any Necessary Supplemental Agreements

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

**23-0981**

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 Lower 5 Plaza Park Improvements Project and Authorizing Any Necessary Supplemental Agreements

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

**23-0982**

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with TEAM Consultants, Inc. for Materials Testing Services on the Virginia Street and Throckmorton Street Infrastructure Improvements (Municipal Complex) Project

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

**23-0983**

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Development Agreement for the Platting and Conveyance of Certain Land together with an Escrow Deposit and Chapter 380 Grant for the Rehabilitation of a Dam Structure with McKinney SH II, Ltd. and Raytheon Company

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

**23-0984**

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Grant Agreement with The Texas Department of Transportation for McKinney National Airport Project A12114, Taxilane A Realignment and Rehabilitation

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

- 23-0985**      [Consider/Discuss/Act on a Resolution 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 Design of the Wilson Creek Greens Trail Phase 2](#)
- Attachments:**    [Resolution](#)
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- 23-0986**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Roadway Impact Fee Reimbursement Agreement with Eastgroup Properties, LP, for the Construction of Portions of Collin McKinney Parkway and Hardin Boulevard and Dedication of Right-of-Way, Serving an Approximately 27.64 Acre Industrial Development \(McKinney 121\), Generally Located on the North Side of Collin McKinney Parkway and the West Side of Hardin Boulevard](#)
- Attachments:**    [Proposed Resolution](#)  
                          [Proposed Agreement](#)  
                          [Location Map and Aerial Exhibit](#)  
                          [Roadway Construction Exhibit](#)
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- 23-0987**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Kleinfelder, Inc. for Materials Testing Services for the Wilmeth Road \(Lake Forest Drive to Hardin Boulevard\) Project](#)
- Attachments:**    [Resolution](#)  
                          [Location Map](#)
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- 23-0988**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Cooperation Agreement among North Texas Municipal Water District, the City of McKinney, and Collin County for the Conveyance of Real Property](#)
- Attachments:**    [Resolution](#)  
                          [Interlocal Cooperation Agreement](#)  
                          [Location Map](#)

**23-0989**      [Consider/Discuss/Act on a Resolution of the City of McKinney, Texas, Finding That Coserv Gas, Ltd.'s Statement of Intent to Increase Rates Within the City Should Be Denied; Finding That the City's Reasonable Rate Case Expenses Shall Be Reimbursed by the Company; Finding That the Meeting at Which This Resolution Is Passed Is Open to the Public as Required by Law; Requiring Notice of This Resolution to the Company and the City's Legal Counsel.](#)

**Attachments:**    [Resolution](#)

### **Consent MISCELLANEOUS**

**23-0002CP2**    [Consider/Discuss/Act on a Concept Plan for Bloomdale 140 Townhomes, Located on the East Side of Future Hardin Boulevard and Approximately 300 Feet North of Bloomdale Road](#)

**Attachments:**    [Draft PZ Minutes 11.14.2023](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Ex. PD Ord. No. 1703](#)  
[Proposed Concept Plan](#)

### **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.*

**23-0990**      [Conduct a Public Hearing to Consider/Discuss on an Update of the Community Development Block Grant \(CDBG\) Consolidated Annual Performance Evaluation Report \(CAPER\), Program Year 2022-23](#)

**Attachments:** [CAPER](#)  
[Drawdown Report](#)

**23-0063Z5** [Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District to "LI" - Light Industrial District, Located at 3200 North Central Expressway, and Accompanying Ordinance](#)

**Attachments:** [PZ Minutes 09-26-2023](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Comprehensive Plan Maps](#)  
[Oak Hollow District](#)  
[Placetype Definitions](#)  
[Fiscal Analysis](#)  
[Land Use Comparison Table](#)  
[Proposed Zoning Ordinance](#)  
[Zoning Exhibit A-C](#)  
[Use Restrictions - Informational Only](#)  
[Presentation](#)

**23-0991** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with DDM Construction Corporation, for the Construction of the Virginia Street and Throckmorton Street Infrastructure Improvements \(Municipal Complex\) Project](#)

**Attachments:** [Resolution](#)  
[Recommendation](#)  
[Location Map](#)  
[CO2235 - Council Presentation](#)

**23-0992** [Consider/Discuss/Act on a Resolution Authorizing the Sale of Three Tracts of Land Totaling Approximately 29.215 Acres of Land as More Particularly Described Hereinafter, Consisting of Approximately 8.695 Acres of Land Located North of Old Mill Road West of its Intersection with County Road 317](#)

(Tract I), Approximately 11.142 Acres of Land Located South of Farm to Market Road 546 at its Intersection with County Road 317 (Tract II), and Approximately 9.378 Acres of Land Located at the Northwest Quadrant of Farm to Market Road 546 and County Road 722 (Tract III) to the State of Texas for the Construction of the Spur 399 Project; and Authorizing the City Manager to Execute Deeds and Documents Regarding the Sale of Said City-Owned Property to the State of Texas

**Attachments:** Resolution  
Exhibit A  
Location Map

**23-0993**

Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Sanitary Sewer Line Easement and a Temporary Construction Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located at the Intersection of S. McDonald Street and Tennessee Street 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  
Exhibits A-B  
Location Map

**23-0994**

Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement and a Temporary Construction Easement associated with the SH 5 Utility Relocation Project (WA1633 & WW1633) which Property is Located East of the Intersection of N. McDonald Street and Midway Street 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](#)  
[Exhibits A-B](#)  
[Location Map](#)

**23-0995**

[Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Sanitary Sewer Line Easement and a Temporary Construction Easement associated with the SH 5 Utility Relocation Project \(WA1633 & WW1633\) which Property is Located on the East Side of S. McDonald Street North of the Intersection of Spur 399 and Medical Center Drive 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](#)  
[Exhibits A-B](#)  
[Location Map](#)

**23-0996**

[Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property Easement Rights for Public Use by Eminent Domain for a Water Line Easement and a Temporary Construction Easement associated with the Independence Parkway 24 Inch Water Line Project \(WA0210\) which Property is Located on US 380/W. University Drive, West of Custer Road 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](#)  
[Exhibits A-B](#)  
[Location Map](#)

**23-0997**

[Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Property](#)

[Easement Rights for Public Use by Eminent Domain for a Water Line Easement and a Temporary Construction Easement associated with the Independence Parkway 24 Inch Water Line Project \(WA0210\) which Property is Located North of the Terminus of Independence Parkway at Virginia Parkway 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](#)  
[Exhibits A-B](#)  
[Location Map](#)

**23-0998** [Consider/Discuss/Act on Designating a Board Chair of the Tax Increment Reinvestment Zone Board Number One \(TIRZ1\) Board](#)

**23-0999** [Consider/Discuss/Act on Designating a Board Chair of the Tax Increment Reinvestment Zone Board Number Two \(TIRZ2\) Board](#)

## **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)

- Amendment of Boundary Agreement with the City of Princeton involving exchange of approximately 200 acres of land located at the terminus of Hickory Hill Lane and Oakfield Drive and within the Thomas A. Rhodes and David Cherry surveys with 200 acres of land located generally on FM 546 and within the Calvin Boles and W. D. Thompson surveys

C. Section 551.072. Deliberations about Real Property

- Municipal Facilities
- Downtown City-Owned Property Redevelopment (23-38RFQ)

E. Section 551.087. Deliberation Regarding Economic Development Matters

- Chapter 380 Development Program and Agreement with Raytheon Company
- Craig Ranch Hotel, LLC
- Project Blue Sky
- Project Hemispheres
- Project Vibes

## **ACTION ON EXECUTIVE SESSION ITEMS**

## **ADJOURN**

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

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*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>.*