



CITY OF MCKINNEY, TEXAS

Agenda

City Council Regular Meeting

Tuesday, September 17, 2024

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

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

INFORMATION SHARING ITEMS

24-1971 [Proclamation for Childhood Cancer Awareness Month](#)

Attachments: [Proclamation](#)

24-1972 [Proclamation for Suicide Prevention Awareness Month](#)

Attachments: [Proclamation](#)

24-1973 [Proclamation for Constitution Week](#)

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

- 24-1974** [Minutes of the City Council Work Session of September 3, 2024](#)
Attachments: [Minutes](#)
- 24-1975** [Minutes of the City Council Regular Meeting of September 3, 2024](#)
Attachments: [Minutes](#)
- 24-1897** [Minutes of the Board of Adjustments Regular Meeting of June 26, 2024](#)
Attachments: [Minutes](#)
- 24-1776** [Minutes of the Library Advisory Board Meeting of June 20, 2024](#)
Attachments: [Minutes](#)
- 24-1840** [Minutes of the McKinney Housing Finance Corporation Meeting of June 14, 2024](#)
Attachments: [Minutes](#)
- 24-1818** [Minutes of the McKinney Main Street Board Meeting of July 11, 2024](#)
Attachments: [Minutes](#)
- 23-0505** [Minutes of the McKinney Urban Transit District Board Meeting of May 16, 2023](#)

Attachments: [Minutes](#)

Consent ORDINANCES

24-1976 [Consider/Discuss/Act to Approve Amendments to Multiple Sections of the Solid Waste Ordinance \(Chapter 86\) and Appendix A, entitled "Scheduled of Fees"](#)

Attachments: [Ordinance](#)

24-1977 [Consider/Discuss/Act on an Ordinance Replacing the City's Existing Rotating Permit System for Police-Initiated Wrecker Requests with a New Contractually Awarded Sole Provider for Such Wrecker Services by Repealing Chapter 114 of the City's Code of Ordinances, Entitled "Wrecker Services," in its Entirety and Replacing said Chapter with a New Chapter 114, also Entitled "Wrecker Services"; Amending "Appendix A - Schedule Of Fees" by Repealing Chapter 114, Contained Therein, in its Entirety; Declaring that All Existing Tow Truck Permits Shall Expire at Midnight on September 30, 2024; 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](#)

Consent RESOLUTIONS

24-1978 [Consider/Discuss/Act on a Resolution Adopting the Fiscal Year 2024-2025 Financial Policies](#)

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

24-1979 [Consider/Discuss/Act on a Resolution Adopting the Fiscal Year 2024-2025 Investment Policy](#)

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

- 24-1980** [Consider/Discuss/Act on a Resolution Approving Qualified Firms to Provide On Call Roadway Professional Services and On Call Utility Professional Services, and Authorizing the City Manager to Execute Agreements for Professional Services](#)
- Attachments:** [Resolution](#)
 [Scoring Summary - Roadway](#)
 [Scoring Summary - Utility](#)
- 24-1981** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Advance Funding Agreement \(AFA\) for Voluntary Local Government Contributions to Transportation Improvement Projects with the Texas Department of Transportation \(TxDOT\) for the construction of Continuous Illumination, Upgraded Drainage Systems, and Upgraded Median Treatments along State Highway 5 \(SH 5\) between Spur 399 and McMakin Street](#)
- Attachments:** [Resolution](#)
 [Location Map](#)
- 24-1982** [Consider/ Discuss/ Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Central North Construction, LLC for the Construction of Intersection of Virginia Parkway at US-75](#)
- Attachments:** [Resolution](#)
 [Letter of Concurrence - TxDOT](#)
 [Letter of Concurrence - Half](#)
- 24-1983** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Roper's LLC dba Roper's Wrecker Service of McKinney, Texas for Towing Services for the McKinney Police Department](#)
- Attachments:** [Resolution](#)
 [Scoring Summary](#)
 [Fee Schedule](#)
- 24-1984** [Consider/Discuss/Act on a Resolution Authorizing the City](#)

[Manager to Execute a Supplemental Agreement with Terracon Consultants, Inc., for Materials Testing Services on the East Louisiana Street Improvements and Andrews Street and Green Street Infrastructure Improvements Projects](#)

Attachments: [Resolution](#)
[Location Map](#)
[Fee Proposal](#)

24-1985 [Consider/Discuss/Act on a Resolution Authorizing the City Manager to rescind and repeal Resolution No. 2024-07-115\(R\) awarding a Contract to Western Municipal Construction of Texas, LLC, and to Execute a Contract and All Necessary Change Orders with DDM Construction Corporation for the Construction of the Lela, Jones, Foote, and Bradley Street Infrastructure Improvements Project](#)

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

24-1986 [Consider/Discuss/Act on a Resolution Authorizing the Formal Rejection of all Proposals under Solicitation 24-23CSP Construction of McKinney Light Walk](#)

Attachments: [Resolution](#)

24-1987 [Consider/Discuss/Act on a Resolution of Support Authorizing the City Manager, or Designee, to Apply for a Project Planning and Development Grant for a New Bridge on McIntyre Road East of State Highway 5 \(Future Wilmeth Road\) over the Dallas Area Rapid Transit \(DART\) Rail Lines to Eliminate an Existing At-Grade Railroad Crossing through the Fiscal Year 2023-2024 Railroad Crossing Elimination Grant Program and Accept Funding, if Awarded](#)

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

24-1988 [Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee](#)

(“ACSC”) and Atmos Energy Corp., Mid-Tex Division Regarding the Company’s 2024 Rate Review Mechanism Filing; Declaring Existing Rates to Be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With the Negotiated Settlement; Finding the Rates to Be Set by the Attached Settlement Tariffs to Be Just and Reasonable and in the Public Interest; Approving an Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse ACSC’s Reasonable Ratemaking Expenses; Determining That This Resolution Was Passed in Accordance With the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of This Resolution to the Company and the ACSC’s Legal Counsel

Attachments: Resolution
Attachment 1
Attachment 2
Average Bill

24-1989 Consider/Discuss/Act on a Resolution Approving the Request for Qualifications for Future Affordable Housing Development Utilizing Public Private Partnership with the McKinney Housing Finance Corporation

Attachments: Resolution
Request for Qualifications
Presentation (Oct 2 2023)

Consent MISCELLANEOUS

23-0001CP3 Consider/Discuss/Act on a Concept Plan for Modera McKinney Ridge Phase 2, Located on the East Side of Future Hardin Boulevard and Approximately 630 Feet North of Bloomdale Road

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

24-1990 [Consider/Discuss/Act on Appointing Lacy DeHorney to the Animal Service Facility Advisory Committee \(ASFAC\)](#)

Attachments: [City Code, Ch. 26, Art. IX](#)
[Texas Health & Safety Code, Ch. 823](#)
[About ASFAC](#)

END OF CONSENT AGENDA

PLAT CONSIDERATION under Chapter 212 of the Texas Local Government Code

Items under this subcategory require separate consideration pursuant to the Texas Local Government Code. The staff recommendation in each item describe the necessary form of action required on each plat. A "Motion to Approve these items in accordance with staff's recommendation" will result in approval, approval with conditions or disapproval as such are contained in § 212.009 of the Texas Local Government Code.

23-0048PP2 [Consider/Discuss/Act on a Preliminary Plat for Kentucky Street Addition, Lots 1-17, Block A, and Lots 1-17, Block B, Located at 800 South Kentucky Street](#)

Attachments: [Standard Conditions Checklist](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Proposed Preliminary Plat](#)

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.

24-1991 [Consider/Discuss/Act on a Resolution Appointing Two City Council Members to Serve on a Subcommittee of the McKinney Housing Finance Corporation \(MHFC\)](#)

Attachments: [Resolution](#)

24-1992

[Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with RPMx Construction, LLC for the Construction of Runway 18 Extension \(500-Foot\)](#)

Attachments: [Resolution](#)
[Letter of Recommendation](#)

24-1993

[Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Agreement with Garver, LLC for McKinney National Airport Project AI2452, Extend Runway 18 | Phase 1 - 500' North](#)

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

24-1994

[Consider/Discuss/Act on a Resolution Authorizing the City Manager to execute a Federal Aviation Administration \(FAA\) Reimbursable Agreement for the relocation and construction on the Runway 18 NAVAIDS as part of the McKinney National Airport Project AI2452, Extend Runway 18 | Phase 1 - 500' North](#)

Attachments: [Resolution](#)
[21-SW-004594 TKI Final 8.20.24](#)

24-0003A3

[Conduct a Public Hearing to Consider/Discuss a Request by the City of McKinney to Enlarge and Extend the Boundary Limits of the City and to Annex \(Case No. 24-0003A\) the Subject Property, Located from that portion of Farm to Market Road 2478 \(Custer Road\) right-of-way located north of U.S. Highway 380 \(West University Drive\) and south of Farm to Market Road 1461 \(Frontier Parkway\); that portion of U.S. Highway 380 \(West University Drive\) right-of-way from approximately 310 feet east of Red Bud Drive to its intersection with Farm to Market Road 2478 \(Custer Road\); that portion of County Road 1461 \(Frontier Parkway\) right-of-way from its intersection with the former right-of-way of Farm to Market Road 2478 \(Custer Road\) to its](#)

intersection with the existing right-of-way of Farm to Market Road 2478 (Custer Road), from the right-of-way centerline south to the southern right-of-way boundary; and that portion of Farm to Market Road 2478 (Custer Road) north of County Road 1461 (Frontier Parkway) and south of County Road 170, from the right-of-way centerline east to the eastern right-of-way boundary into the City of McKinney's Corporate Limits, and Accompanying Ordinance

Attachments: Location Map and Aerial Exhibit
Proposed Annexation Ordinance
Proposed Annexation Exhibits A-B
Presentation

23-0006A/23-0106Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Petition to Annex (Case No. 23-0006A) and a Request to Zone (Case No. 23-0106Z) a Portion of the Subject Property to "PD" - Planned Development District, Generally for Residential and Commercial Uses; and Rezone a Portion of the Subject Property from "PD" - Planned Development District, "C" - Planned Center District, "O" - Office District, and "SF-5" - Single Family Residential District to "PD" - Planned Development District, Generally for Residential and Commercial Uses; and an Associated Annexation and Development Agreement with McKinney Ranch, LTD., Honey Creek Investments, LLC, and Barcelona 93, LTD (Case No. 23-0015DA); the Subject Property being 1,649 Acres Generally Located East of FM 1461 (Future Lake Forest Drive) and County Road 166 and South of County Road 168 and FM 543, and Accompanying Ordinance(s)

Attachments: [Annexation Letter of Intent](#)
[Annexation Location Map and Aerial Exhibit](#)
[Annexation Petition](#)
[1295 Certificate](#)
[Proposed Annexation Ordinance](#)
[Annexation Exhibits A-D](#)
[Proposed Annexation and Development Agreement](#)
[MMD Consent Resolution 2024-02-020\(R\)](#)
[Zoning Letter of Intent](#)
[Zoning Location Map and Aerial Exhibit](#)
[23-0106Z - Zoning Request Information](#)
[Zoning Letter of Opposition](#)
[Proposed Zoning Ordinance](#)
[Zoning Ordinance Exhibits A-H](#)
[Presentation](#)

24-0002A/24-0054Z [Conduct a Public Hearing to Consider/Discuss/Act on a Petition to Annex \(Case No. 24-0002A\) and a Request to Zone \(Case No. 24-0054Z\) the Subject Property to "R6" - Residential District, Located at 5082 County Road 1205, and Accompanying Ordinance \(REQUEST TO BE TABLED\)](#)

Attachments: [Location Map and Aerial Exhibit](#)

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 551.087. Deliberation Regarding Economic Development Matters

- Project Hemispheres

ACTION ON EXECUTIVE SESSION ITEMS

ADJOURN

Posted in accordance with Texas Government Code, Chapter 551, on September 13, 2024.

*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>.