



# CITY OF MCKINNEY, TEXAS

## Agenda City Council Regular Meeting

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Tuesday, September 21, 2021

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 <http://mckinney.legistar.com>

### CALL TO ORDER

### INVOCATION AND PLEDGE OF ALLEGIANCE

*Invocation given by Pastor Justin Hornsby, First McKinney Baptist Church*

### INFORMATION SHARING

**21-0816**      [Proclamation for Food Safety Education Month](#)

**Attachments:**    [Proclamation](#)

**21-0817**      [Proclamation for National Preparedness Month](#)

**Attachments:**    [Proclamation](#)

### PUBLIC COMMENTS ON AGENDA ITEMS (For Non-Public Hearing Agenda Items)

*Pursuant to Section 551.007 of the Texas Government Code, 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.*

**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.*

**MINUTES**

**21-0798**      [Minutes of the Joint Meeting of the City Council and Planning & Zoning Commission of August 24, 2021](#)

**Attachments:**    [Minutes](#)

**21-0818**      [Minutes of the City Council Special Meeting of September 7, 2021](#)

**Attachments:**    [Minutes](#)

**21-0819**      [Minutes of the City Council Regular Meeting of September 7, 2021](#)

**Attachments:**    [Minutes](#)

**21-0694**      [Minutes of the McKinney Armed Services Memorial Board Meeting of May 12, 2021](#)

**Attachments:**    [Minutes](#)

**21-0733**      [Minutes of the Library Advisory Board Meeting of July 15, 2021](#)

**Attachments:**    [Minutes](#)

**21-0703**      [Minutes of the Parks, Recreation, and Open Space Advisory Board Meeting of July 8, 2021](#)

**Attachments:**    [Minutes](#)

**21-0796**      [Minutes of the Planning & Zoning Commission Regular Meeting of August 24, 2021](#)

**Attachments:**    [Minutes](#)

**ORDINANCES**

- 21-0820**      [Consider/Discuss/Act on an Ordinance Adopting Fees Related to Public Improvement Districts \(PID\)](#)  
**Attachments:**    [Ordinance](#)  
                          [Resolution 2021-09-112\(R\)](#)

**RESOLUTIONS**

- 21-0821**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Extension the Interlocal Agreement with Collin County, and Any Additionally Required Agreements, for the Allocation of Round 2 of the "CARES Act," Coronavirus Relief Package Funding, to the City of McKinney, Texas, from the Department of the Treasury, Through Collin County](#)  
**Attachments:**    [Resolution](#)  
                          [ILA Extension](#)
- 21-0822**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Rich Leidl, P.C. for Federal Legislative Services](#)  
**Attachments:**    [Resolution](#)
- 21-0823**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with J.C. Commercial, Inc of Lewisville, Texas, for the Construction of the Finch Park Phase V Improvement Project \(PK2039\)](#)  
**Attachments:**    [Resolution](#)  
                          [Bid Tabulation](#)
- 21-0824**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with AT Construction, LLC of Aubrey, Texas, for the Construction of the Monument at McKinney Gateway at Creekside Park Project](#)

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

**21-0825** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Kimley-Horn and Associates, Inc. for Professional Engineering Services for the McLarry Water Line Project \(WA2052\)](#)

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

**21-0826** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Roadway Impact Fee Credit Agreement with W/J Wilmeth Ridge, L.P., for the Construction of Two Lanes of Ridge Road \(Extending 1,625 Linear Feet\), Serving the Wilmeth Ridge South Subdivision, Generally Located on the East Side of Ridge Road \(CR 161\) and on the South Side of Wilmeth Road \(CR 164\)](#)

**Attachments:** [Resolution](#)  
[Location Map and Aerial Exhibit Agreement](#)  
[1295 Certificate](#)

**21-0827** [Consider/Discuss/Act on a Resolution Authorizing the City of McKinney to Participate in the Proposed Opioids Settlements Brought by the State of Texas and Other Jurisdictions Against Various Pharmaceutical Companies for their Roles in the National Opioid Crisis, and Authorizing the City Manager to Execute Documents Related Thereto](#)

**Attachments:** [Resolution](#)  
[Settlement Allocation Term Sheet](#)  
[Subdivision Settlement Participation Form](#)

**21-0828** [Consider/Discuss/Act on a Resolution Authorizing the Formal Rejection of all Bids under Solicitation 21-62FP Traffic Signal Poles and Accessories](#)

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

**21-0829**      [Consider/Discuss/Act on a Resolution Ratifying the Fifth Meet and Confer Agreement with the Professional Fire Fighters of McKinney](#)

**Attachments:**   [Resolution](#)

#### MISCELLANEOUS

**21-0001C2**      [Consider/Discuss/Act on a Concept Plan for Shops at Westridge, Located on the Northwest Corner of Westridge Boulevard and Independence Parkway](#)

**Attachments:**   [PZ Minutes 08.24.2021](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Ex. PD. Ord. No. 1621](#)  
[Ex. PD. Ord. No. 2001-02-024](#)  
[Proposed Concept Plan](#)

#### END OF CONSENT

#### PLAT CONSIDERATION UNDER TEXAS LOCAL GOVERNMENT CODE CHAPTER 212

*The 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.*

**21-0145PF**      [Consider/Discuss/Act on a Preliminary-Final Plat for DuCharme Plat-Honey Creek Venues Addition, Located in the ETJ of McKinney, Approximately 1,600 Feet East of Colmena Road and on the East Side of County Road 170](#)

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

**REGULAR AGENDA AND PUBLIC HEARINGS**

*This portion of the agenda consists of items requiring individual consideration by the Council.*

- 21-0830**      [Conduct a Public Hearing to Consider/Discuss/Act on a Resolution Approving the Grant Agreement Extension of Awarded Agencies under the CDBG CV McKinney Emergency Living Assistance Program](#)
- Attachments:**    [Resolution](#)  
                              [Res. No. 2020-12-191\(R\)](#)
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- 21-0008A/21-0087Z2**    [Conduct a Public Hearing to Consider/Discuss/Act on a Petition to Annex \(Case No. 21-0008A\) and a Request to Zone \(Case No. 21-0087Z\) on Certain Land \(the "Property"\) to "PD" - Planned Development District, Located on the East Side of County Road 317 and Approximately 2,000 Feet South of Harry McKillop Boulevard \(FM 546\), and Related Ordinance\(s\) and Agreements \(REQUEST TO BE TABLED\)](#)
- Attachments:**    [Tabling Request Letter](#)  
                              [Location Map and Aerial Exhibit](#)  
                              [Letter of Intent](#)  
                              [Letter of Opposition](#)  
                              [Petition Requesting Annexation](#)  
                              [Proposed Development and Annexation Agreement](#)  
                              [Proposed Annexation Ordinance](#)  
                              [Annexation Ordinance Exhibits A-D](#)  
                              [Zoning Request Info \(21-0087A\)](#)  
                              [PZ Minutes 08.24.2021](#)  
                              [Written Protest Form](#)  
                              [Written Protest Map](#)  
                              [Proposed Zoning Ordinance](#)  
                              [Proposed Zoning Exhibits A-D](#)  
                              [Presentation](#)
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- 20-0073Z4**      [Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned](#)

[Development District and "CC" - Corridor Commercial Overlay District to "C3" - Regional Commercial District and "CC" - Corridor Commercial Overlay District, Located on the Northwest Corner of State Highway 121 \(Sam Rayburn Tollway\) and Tina Drive, and Accompanying Ordinance](#)

**Attachments:** [PZ Minutes 08.24.2021](#)  
[PZ Minutes 08.10.2021](#)  
[PZ Minutes 10.13.2020](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Letters of Opposition](#)  
[Citizen Comments](#)  
[Comprehensive Plan Maps](#)  
[Collin McKinney Commercial District](#)  
[Placetype Definitions](#)  
[Fiscal Analysis](#)  
[Land Use Comparison Table](#)  
[Ex. PD Ord. 2000-09-065](#)  
[Proposed Ordinance](#)  
[Proposed Exhibits A-C](#)  
[Presentation](#)

**21-0007M2** [Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Chapter 146 \(Zoning Regulations\), Section 146-135 \(Landscape Requirements\) of the Code of Ordinances, and Accompanying Ordinance](#)

**Attachments:** [082421 PZ Minutes](#)  
[Existing 146-135.Landscape Requirements](#)  
[Proposed 146-135 \(REDLINES\)](#)  
[Proposed 146-135 \(CLEAN\)](#)  
[Proposed Ordinance](#)  
[Exhibit A](#)  
[Presentation](#)

**21-0831** [Consider/Discuss/Act on Appointing a Member to the Animal](#)

[Service Facility Advisory Committee \(ASFAC\)](#)

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

**21-0850** [Consider/Discuss/Act on Appointing a Member to the McKinney Armed Services Memorial Board \(MASMB\)](#)

**Attachments:** [City Code, Ch. 74, Art. III](#)  
[About MASMB](#)

**21-0851** [Consider/Discuss/Act on Appointing a Member to the Library Advisory Board \(LAB\)](#)

**Attachments:** [City Code, Ch. 50, Art. II](#)  
[About LAB](#)

**21-0832** [Consider/Discuss/Act on a Resolution Nominating Member\(s\) to the Collin Central Appraisal District Board of Directors](#)

**Attachments:** [Resolution](#)  
[Request for Nominatons](#)

## **CITIZEN COMMENTS ON MATTERS NOT ON THE AGENDA**

### **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

- KLA International Sports Management, LLC v. The City of McKinney, Cause No. 471-02979-2020, In the District Court, 471st Judicial District, Collin County, Texas

- City of McKinney, Texas, Plaintiff, v. River Ranch Educational Charities, Wayne Kirk, individually, and the Real Property at 3701 Custer Road, McKinney, Texas, In Rem, Defendants

- Hemphill, LLC v. City of McKinney Civil Action File No. 4:21-cv-00655, United States District Court, Eastern District of Texas

C. Section 551.072. Deliberations about Real Property

- Municipal Facilities

D. Section 551.074. Personnel Matters

E. Section 551.087. Deliberation Regarding Economic Development Matters

- Project Orange

**ACTION ON EXECUTIVE SESSION ITEMS**

**ADJOURN**

*Posted in accordance with the Texas Government Code, Chapter 551, at or before 6:00p.m., September 18th, 2021*

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*Empress Drane, City Secretary  
Joshua Stevenson, 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](mailto: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>.*