

CITY COUNCIL REGULAR MEETING

JUNE 6, 2023

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, June 6, 2023 at 6:00 p.m.

The meeting 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 meeting to order at 6:03 p.m. upon determining a quorum consisting of himself and the following City Council members were present: Justin Beller, Patrick Cloutier, Geré Feltus, Rick Franklin, Charlie Philips, and Michael Jones.

The following 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, Assistant City Attorney Alan Lathrom, City Secretary Empress Drane, City Secretary Accreditation & Reporting Specialist Edith Ruiz, Director of Strategic Services Trevor Minyard, Information Technology Service Technician Robert Lisenby, Neighborhood Services Administrator Dana Riley, Chief Financial Officer Mark Holloway, Parks & Recreation Special Events Coordinator Juametta Terrell, Main Street Special Events Coordinator Gregory Hearn, and Police Officer Bruno Siqueira.

There were approximately forty (40) members of the public present including Executive Director of McKinney Housing Authority Roslyn Miller, and these members of city boards and commissions: Capital Improvement Advisory Committee (CIAC) member Steve Wilson, McKinney Housing Authority member Ada Simmons, and MCDC Chair Angela Richardson-Woods.

Mayor Fuller called for the Invocation given by The Salvation Army Lieutenant Cristina Drozdovschi. The invocation was followed by the recital of the Pledge of Allegiance.

Mayor Fuller called for these Information Sharing items:

TMP23-0651 Proclamation for Lieutenant Cristina Drozdovschi of the Salvation Army

TMP23-0662 Proclamation for Zoie Sanchez & Kush Kaur YMCA Youth Changemakers

TMP23-0577 Proclamation for Juneteenth National Independence Day

Mayor Fuller called for Public Comments on non-Public Hearing agenda items:

Shannon White, 516 Gibbons Creek Trail, McKinney TX 75071, spoke in support of agenda item TMP23-0653 (Opioid Settlement Disbursement).

Mayor Fuller called for the City Council's Election of a Mayor Pro Tem:

TMP23-0612 Consider/Discuss/Act on the Election of a Mayor Pro Tem

Council approved the motion made by Mayor George Fuller, seconded by Council member Rick Franklin, to elect Council member Charlie Philips as Mayor Pro Tem with a vote of 6 - 0 - 1, Council member Charlie Philips abstaining.

Mayor Fuller called for the Consent agenda. Council unanimously approved the motion made by Council member Geré Feltus, seconded by Council member Rick Franklin, to approve the consent agenda:

- 23-0143** Minutes of the Animal Services Facilities Advisory Committee Meeting August 17, 2022
- 23-0408** Minutes of the Capital Improvements Advisory Committee Regular Meeting of December 13, 2022
- 23-0347** Minutes of the Community Grants Advisory Commission Meeting of April 20, 2023
- 23-0163** Minutes of the McKinney Armed Services Memorial Board Meeting of February 8, 2023
- 23-0356** Minutes of the McKinney Armed Services Memorial Board Meeting of April 12, 2023
- 23-0422** Minutes of the McKinney Community Development Corporation Special Meeting of March 17, 2023
- 23-0424** Minutes of the McKinney Community Development Corporation Retail Development Infrastructure Meeting of April 13, 2023
- 23-0423** Minutes of the McKinney Community Development Corporation Meeting of April 27, 2023

23-0425 Minutes of the McKinney Community Development Corporation TUPPS Subcommittee Meeting of May 3, 2023

23-0397 Minutes of the McKinney Economic Development Corporation Meeting of March 21, 2023

23-0398 Minutes of the McKinney Economic Development Corporation Meeting of April 18, 2023

23-0353 Minutes of the McKinney Main Street Board Meeting of April 13, 2023

23-0363 Minutes of the Parks, Recreation and Open Space Advisory Board of April 13, 2023

23-0413 Minutes of the Planning and Zoning Commission Regular Meeting of May 9, 2023

23-0415 Minutes of the Visit McKinney Board Meeting of April 25, 2023

TMP23-0479 Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2022-2023 Annual Budget and Amending the 2023-2027 Capital Improvements Program, to Provide Funds for the McKinney Soccer Complex at Craig Ranch (PK1906); Ordinance caption reads as follows:

ORDINANCE NO. 2023-06-034

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE FISCAL YEAR 2022-2023 ANNUAL BUDGET AND 2023-2027 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDS FOR THE MCKINNEY SOCCER COMPLEX AT CRAIG RANCH (PK1906); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

TMP23-0655 Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2022-2023 Annual Budget to Provide Funds for City's Community Support Grant Program; Ordinance caption reads as follows:

ORDINANCE NO. 2023-06-035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2022-2023 ANNUAL BUDGET TO PROVIDE FUNDING FOR THE CITY'S COMMUNITY SUPPORT GRANT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

TMP23-0666 Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2022-2023 Annual Budget to Provide Funds for the Purpose of Housing Projects; Ordinance caption reads as follows:

ORDINANCE NO. 2023-06-036

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2022-2023 ANNUAL BUDGET TO PROVIDE FUNDING FOR HOUSING PROJECTS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

TMP23-0478 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 Renovation of 7 Fields and Various Park Improvements at the McKinney Soccer Complex at Craig Ranch; Resolution caption reads as follows:

RESOLUTION NO. 2023-06-065 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, 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 RENOVATION OF 7 FIELDS AND VARIOUS PARK IMPROVEMENTS AT MCKINNEY SOCCER COMPLEX AT CRAIG RANCH

TMP23-0323 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with BGE, Inc. for Professional Engineering Design Services for the Eldorado and Custer Intersection / Bridge Improvements Project; Resolution caption reads as follows:

RESOLUTION NO. 2023-06-066 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH BGE, INC. FOR ADDITIONAL CONSULTING ENGINEERING SERVICES FOR THE ELDORADO AND CUSTER INTERSECTION / BRIDGE IMPROVEMENTS PROJECT FOR AN INCREASE IN THE NOT TO EXCEED FEE FROM \$490,000 TO A TOTAL AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY ADDITIONAL SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$570,000

TMP23-0594 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Agreement with the Texas Department of Transportation to Contribute Right-of-Way Funds for the State Highway 5 Project from Spur 399 to just South of FM 1378 (Country Club Rd); Resolution caption reads as follows:

RESOLUTION NO. 2023-06-067 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO CONTRIBUTE RIGHT OF WAY FUNDS FOR THE STATE HIGHWAY 5 PROJECT

TMP23-0634 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Freese and Nichols, Inc. for Professional Engineering Services for the Construction Inspection Services for Public Infrastructure in the Trinity Falls Municipal Utility District Development and Related TCEQ Bond Inspections; Resolution caption reads as follows:

RESOLUTION NO. 2023-06-068 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH FREESE AND NICHOLS, INC. FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES FOR THE CONSTRUCTION INSPECTION SERVICES FOR PUBLIC INFRASTRUCTURE IN THE TRINITY FALLS MUNICIPAL UTILITY DISTRICT DEVELOPMENT AND RELATED TCEQ BOND INSPECTIONS FOR AN INCREASE IN THE NOT TO EXCEED FEE FROM \$967,306.51 TO A TOTAL AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY ADDITIONAL SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$1,374,838.45

TMP23-0593 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Submit a Voucher Program Application and Receive Eligible Funds through the Energy Efficiency and Conservation Block Grant (EECBG) Program if Awarded; Resolution caption reads as follows:

RESOLUTION NO. 2023-10-069 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO SUBMIT A VOUCHER PROGRAM APPLICATION AND ACCEPT, IF AWARDED, A GRANT UNDER THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM

TMP23-0649 Consider/Discuss/Act on a Resolution Authorizing the Formal Rejection of the Sole Bid Received Under Solicitation 23-19RFP for Type 1 Portland Cement; Resolution caption reads as follows:

RESOLUTION NO. 2023-06-070 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE FORMAL REJECTION OF THE SOLE BID RECEIVED UNDER SOLICITATION 23-19FP FOR TYPE 1 PORTLAND CEMENT

TMP23-0630 Consider/Discuss/Act on a Resolution Awarding a Professional Services Contract to Hicks & Company, Environmental/Archeological Consulting for a Historic Resources Survey Update; Resolution caption reads as follows:

RESOLUTION NO. 2023-06-071 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO HICKS & COMPANY,

**ENVIRONMENTAL/ARCHEOLOGICAL CONSULTANTS OF AUSTIN, TEXAS FOR
THE HISTORIC RESOURCES SURVEY UPDATE**

Mayor Fuller called for Plat Consideration under Chapter 212 of the Texas Local Government Code:

23-0105PP Consider/Discuss/Act on a Preliminary Plat for Lot 1, Block 1 U.S. 380 and New Hope Commercial, Located on the Northwest Corner of U.S. Highway 380 (East University Drive) and F.M. 1827 (New Hope Road)

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Geré Feltus, to deny a Preliminary Plat for Lot 1, Block 1 U.S. 380 and New Hope Commercial, Located on the Northwest Corner of U.S. Highway 380 (East University Drive) and F.M. 1827 (New Hope Road) in accordance with staff recommendations.

Mayor Fuller called for the Regular Agenda and Public Hearing items:

22-0109Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "REC" - Regional Employment Overlay District, and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "HC" - Highway Commercial Overlay District, Generally to Modify the Development Standards and to Allow for Multi-Family and Commercial Uses, Located Approximately 210 Feet West of U.S. Highway 75 (Central Expressway) and on the South Side of McKinney Ranch Parkway, and Accompanying Ordinance

Martin Sanchez (applicant), 2000 N. McDonald Street Ste 100, McKinney TX 75069 spoke in support of the request.

There were no other public comments regarding the request.

Council approved the motion by Council member Patrick Cloutier, seconded by Council member Rick Franklin, to close the public hearing and approve the Request to Rezone the Subject Property from "PD" - Planned Development District, "REC" - Regional Employment Overlay District, and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "HC" - Highway Commercial Overlay District, Generally to Modify the Development Standards and to Allow for Multi-

Family and Commercial Uses, Located Approximately 210 Feet West of U.S. Highway 75 (Central Expressway) and on the South Side of McKinney Ranch Parkway, and Accompanying Ordinance with a vote of 6 - 1, Mayor Pro Tem Charlie Philips voting no; Ordinance caption reads as follows:

ORDINANCE NO. 2023-06-037

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 17.8 ACRE PROPERTY, LOCATED APPROXIMATELY 210 FEET WEST OF U.S. HIGHWAY 75 (CENTRAL EXPRESSWAY) AND ON THE SOUTH SIDE OF MCKINNEY RANCH PARKWAY, IS REZONED FROM “PD” - PLANNED DEVELOPMENT DISTRICT, “REC” – REGIONAL EMPLOYMENT OVERLAY DISTRICT, AND “CC” – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO “PD” - PLANNED DEVELOPMENT DISTRICT AND “HC” – HIGHWAY COMMERCIAL OVERLAY DISTRICT, TO ALLOW MULTI-FAMILY AND COMMERCIAL USES AND TO MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

23-0022Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located at 1719 West Louisiana Street, and Accompanying Ordinance

The applicant was present but did not wish to speak regarding the item.

There were no public comments regarding the item.

Council unanimously approved the motion by Council member Michael Jones, seconded by Council member Rick Franklin, to close the public hearing and approve the Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located at 1719 West Louisiana Street, and Accompanying Ordinance; Ordinance caption reads as follows:

ORDINANCE NO. 2023-06-038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 0.492 ACRE PROPERTY, LOCATED AT 1719 W LOUISIANA STREET, IS REZONED FROM “BN” – NEIGHBORHOOD BUSINESS DISTRICT TO “PD” – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING

FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

TMP23-0653 Consider/Discuss/Act on a Resolution Authorizing a Grant Agreement by and between the City of McKinney and GraceToChange LLC, as Grantee, and Directing the City Manager to Provide Opioid Settlement Funds Received from the State of Texas to the Grantee and to be Used for Authorized Purposes under such Settlement.

Council member Justin Beller requested for the Council to engage in additional discussion at a future meeting regarding funding for issues such as mental health, drug abuse counseling, homelessness, and housing shortages. The request was supported by Council member Geré Feltus.

Council approved the motion by Council member Patrick Cloutier, seconded by Council member Geré Feltus, to approve a Resolution Authorizing a Grant Agreement by and between the City of McKinney and GraceToChange LLC, as Grantee, and Directing the City Manager to Provide Opioid Settlement Funds Received from the State of Texas to the Grantee and to be Used for Authorized Purposes under such Settlement with a vote of 6 - 1, Council member Justin Beller voting no. Resolution caption reads as follows:

RESOLUTION NO. 2023-06-072 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DIRECTING THE CITY MANAGER TO FUND TEXAS OPIOID ABATEMENT SETTLEMENT FUNDS UNDER A GRANT AGREEMENT TO GRACETOCHANGE LLC; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Fuller called for Citizen Comments on Matters not on the Agenda at which time there were no requests to address the City Council.

Council unanimously approved the motion by Council member Geré Feltus, seconded by Council member Charlie Philips, to adjourn the meeting at 7:25 p.m.

These minutes were approved by the City Council on October .

SIGNED:

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

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary