

CITY COUNCIL REGULAR MEETING

AUGUST 1, 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, August 1, 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 Fuller called the meeting to order at 6:00 p.m. upon determining a quorum consisting of himself and the following City Councilmembers were present: Mayor Pro Tem Charlie Philips and Councilmembers Justin Beller, Patrick Cloutier, Geré Feltus, Rick Franklin, and Michael Jones.

These City of McKinney staff were present: Paul Grimes, City Manager; Kim Flom, Assistant City Manager; Steve Tilton, Assistant City Manager; Barry Shelton, Assistant City Manager; Empress Drane, City Secretary; Mark Houser, City Attorney; Mak Holloway, Chief Financial Officer; Jennifer Arnold, Director of Planning; Ryan Gillingham, Director of Public Works; Greg Conley, Director of Public Safety; Chief Joe Ellenburg; Karen Adkins, Emergency Management Administrator; Tenitrus Bethel, Deputy City Secretary; Shirletta Best, Community Services Administrator;

Mayor Fuller called for the invocation given by Mayor Pro Tem Philips. Following the invocation, those in attendance recited the Pledge of Allegiance.

Mayor Fuller called for public comments. No attendees came forward to address the Council.

Mayor Fuller called for the Consent Agenda.

Council unanimously approved the motion by Councilmember Patrick Cloutier, seconded by Councilmember Geré Feltus, to approve the Consent Agenda:

23-0889 Minutes of the Joint City Council and MISD Board of Trustees Meeting of February 27, 2023

23-0554 Minutes of the McKinney Arts Commission Meeting of March 16, 2023

- 23-0496** Minutes of the McKinney Economic Development Corporation Meeting of May 16, 2023
- 23-0556** Minutes of the McKinney Economic Development Corporation Meeting of June 20, 2023
- 23-0541** Minutes of the McKinney Housing Finance Corporation Meeting of June 9, 2023
- 23-0549** Minutes of the McKinney Main Street Board Meeting of June 8, 2023
- 23-0450** Minutes of the McKinney Public Facility Corporation Meeting of November 15, 2022
- 23-0610** Minutes of the Planning and Zoning Commission Regular Meeting of July 11, 2023
- 23-0454** Minutes of the Tax Increment Reinvestment Zone Number One (TIRZ1) Board Meeting of April 18, 2023
- 23-0575** Minutes of the Visit McKinney Board Meeting of June 27, 2023
- 23-0615** Consider/Discuss/Act on a Resolution Approving Assignment of Private Activity Bond Authority to the Texas Department of Housing and Community Affairs; and Containing Other Provisions Relating to the Subject. Resolution caption reads:

RESOLUTION NO. 2023-08-093 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING ASSIGNMENT OF PRIVATE ACTIVITY BOND AUTHORITY TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

- 23-0616** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Change Order with Cam-Crete Contracting, Inc., for the Construction of the FY22 Street Repairs Project. Resolution caption reads:

RESOLUTION NO. 2023-08-094 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH CAM-CRETE CONTRACTING, INC. FOR ADDITIONAL CONSTRUCTION SERVICES FOR THE FY22 STREET REPAIRS PROJECT FOR AN INCREASE IN THE NOT TO EXCEED FEE FROM \$3,200,000 TO A TOTAL AGGREGATE

CONTRACT AMOUNT, INCLUSIVE OF ANY ADDITIONAL CHANGE ORDERS, NOT TO EXCEED \$3,375,000

- 23-0617** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a New Contract or Renewal Agreement with an Energy Provider that will be Selected via a Bid Process with the Help of the City's Energy Advisor, Energy by 5, for the Procurement of Electricity for the City beginning December 1, 2026. Resolution caption reads:

RESOLUTION NO. 2023-08-095 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A TRANSACTION CONFIRMATION WITH THE ENERGY PROVIDER THAT WILL BE SELECTED WITH THE HELP OF THE CITY'S ENERGY ADVISOR, 5, FOR THE PROCURMENT OF ELECTRICITY FOR THE CITY BEGINNING DECEMBER 1, 2026

- 23-0618** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Modern Geosciences LLC of Colleyville, Texas for Environmental Engineering Services in Conjunction with the Design and Construction of the McKinney Municipal Complex (MMC) Project. Resolution caption reads:

RESOLUTION NO. 2023-08-096 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH MODERN GEOSCIENCES LLC OF COLLEYVILLE, TEXAS FOR ENVIRONMENTAL ENGINEERING SERVICES IN CONJUNCTION WITH THE DESIGN AND CONSTRUCTION OF THE MCKINNEY MUNICIPAL COMPLEX PROJECT (FC1707), MCKINNEY, TEXAS

- 23-0619** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Agreement with The Texas Department of Transportation for McKinney National Airport Project AI2459, Texas Department of Public Safety Facility. Resolution caption reads:

RESOLUTION NO. 2023-8-097(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE CERTAIN CONTRACTS AND AGREEMENTS NECESSARY TO IMPLEMENT THE MCKINNEY NATIONAL AIRPORT PROJECT AI2459, THE TEXAS DEPARTMENT OF PUBLIC SAFETY FACILITY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 23-0620** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Agreement with the Texas Department of Transportation for the Temporary Closure of the State Right-of-Way for the Purpose of a Special Event. Resolution caption reads:

RESOLUTION NO. 2023-08-098 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY

- 23-0621** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Contract with Burns & McDonnell Engineering Company, Inc. of Austin, Texas for Additional Solid Waste Consulting Services Related to the Waste Collection and Recycling Processing RFP and Resulting Contracts. Resolution caption reads:

RESOLUTION NO. 2023-06-099 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BURNS & McDONNELL ENGINEERING COMPANY, INC. OF AUSTIN, TEXAS FOR ADDITIONAL SOLID WASTE CONSULTING SERVICES

- 23-0622** Consider/Discuss/Act on a Resolution Awarding a Contract to InVeris Training Solutions, Inc. of Suwanee, Georgia for the Purchase of a Virtual Reality Police Training Simulator. Resolution caption reads:

RESOLUTION NO. 2023-08-100 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO INVERIS TRAINING SOLUTIONS, INC. OF SUWANEE, GEORGIA FOR THE PURCHASE OF A VIRTUAL REALITY POLICE TRAINING SIMULATOR

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

- 23-0623** Consider/Discuss/Act on Fiscal Year 2023-24 Proposed Tax Rate, Take Record Vote and Set Public Hearing and Adoption Date

Mayor Pro Tem Charlie Philips motioned, seconded by Councilmember Michael Jones, the following:

“I move that the City of McKinney propose to adopt a Fiscal Year 2024 Total Tax Rate of \$0.430734, which is higher than the Fiscal Year 2024 no-new-revenue tax rate of \$0.409180, and call for a public hearing; the public hearing to be held on September 5, 2023 at 6:00 p.m. Further, a record vote on the tax rate adoption will be held on September 5, 2023 at 6:00 p.m. All meetings will be held in the McKinney City Hall Council Chambers at 222 North Tennessee Street, McKinney, TX 75069.”

This item required a Roll Call Vote and the results are below:

Mayor Fuller – Aye

Mayor Pro Tem Philips – Aye

Councilmember Feltus – Aye

Councilmember Cloutier – Aye

Councilmember Franklin – Aye

Councilmember Beller – Aye

Councilmember Jones - Aye

Council unanimously approved a Fiscal Year 2023-24 Proposed Tax Rate, Take Record Vote and Set Public Hearing and Adoption Date.

23-0624 Conduct a Public Hearing to Consider/Discuss/Act on a Resolution Approving the 2023-2024 Community Development Block Grant (CDBG) Annual Action Plan

Council unanimously approved the motion by Councilmember Geré Feltus, seconded by Councilmember Rick Franklin, to close the public hearing and approve a Resolution Approving the 2023-2024 Community Development Block Grant (CDBG) Annual Action Plan. Resolution caption reads:

RESOLUTION NO. 2023-08-101 (R)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, APPROVING THE COMMUNITY
DEVELOPMENT BLOCK GRANT, FY 2024 (PY 2023) ANNUAL
ACTION PLAN, AND PROVIDING AN EFFECTIVE DATE**

- 23-0037Z3** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "R5" - Residential District, Generally to allow Single Family Residential Uses, Located at 504 South Tennessee Street, and Accompanying Ordinance

Council unanimously approved the motion by Councilmember Patrick Cloutier, seconded by Mayor Pro Tem Charlie Philips, to close the public hearing and approve a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "R5" - Residential District, Generally to allow Single Family Residential Uses, Located at 504 South Tennessee Street, and Accompanying Ordinance. Ordinance caption reads:

ORDINANCE NO. 2023-08-050

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 0.26 ACRE PROPERTY, LOCATED AT 504 SOUTH TENNESSEE STREET, IS REZONED FROM "BN" - NEIGHBORHOOD BUSINESS DISTRICT TO "R5" - RESIDENTIAL DISTRICT, GENERALLY TO ALLOW FOR SINGLE FAMILY RESIDENTIAL USES; 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

- 23-0039Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RED-1" - Residential Estate District to "TR1.8" - Townhome Residential District and "R6" - Residential District, Located at 105 South West Park Drive (REQUEST TO BE TABLED)

Council unanimously approved the motion by Councilmember Geré Feltus, seconded by Mayor Pro Tem Charlie Philips, to close the public hearings and tabled indefinitely a Request to Rezone the Subject Property from "RED-1" - Residential Estate District to "TR1.8" - Townhome Residential District and "R6" - Residential District, Located at 105 South West Park Drive.

Mayor Fuller called for citizens comments on matters not on the agenda. No attendees came forward to address the Council.

Mayor Fuller called for Council and Manager comments.

Councilmember Feltus spoke regarding the Drum Corp International and the start to the school year.

Councilmember Philips spoke regarding the opening of the new tennis facility and expressed his gratitude to the Parks and Recreation department.

Councilmember Beller expressed thanks to the McKinney Police Department for their participation in the community snow cone event on the East Side and spoke regarding the Baptist Immigration Celebration event.

Councilmember Cloutier spoke regarding the Drum Corp International event and the opening of the new tennis facility.

City Manager Grimes spoke regarding Leading Edge Executive Leadership and reviewed sources of communication the City utilizes.

Mayor Fuller spoke regarding his sons last day in the Army, appearing on Good Moring Texas with Jason Hernandez and the Donuts with Superheroes back to school supply drive event.

Council unanimously approved the motion by Mayor George Fuller, seconded by Councilmember Geré Feltus, to adjourn the meeting at 6:32 p.m.

The video recording of this meeting is available online through the City of McKinney video archives.

These minutes were approved by the City Council on September 5, 2023.

SIGNED:

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

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary