



# CITY OF MCKINNEY, TEXAS

## Agenda City Council Regular Meeting

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Tuesday, September 7, 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 Luis Rosenthal, McKinney First Baptist Church*

### INFORMATION SHARING

**21-0760**      [Proclamation for McKinney Police Officer Lindsey Paul, Cold Bore World Record Holder](#)

**Attachments:**    [Proclamation](#)

**21-0761**      [Proclamation for National Senior Center Month](#)

**Attachments:**    [Proclamation](#)

**21-0762**      [Proclamation for Prostate Cancer Awareness 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.*

*Speaker Request cards must be submitted before the start of the meeting, either in person or by email to [contact-citysecretary@mckinneytexas.org](mailto:contact-citysecretary@mckinneytexas.org).*

*Written Public Comments may be submitted to the City Council online at <http://www.mckinneytexas.org/CitizenComments>.*

*Agenda-related comments and non-agenda comments received at <http://www.mckinneytexas.org/CitizenComments> between the time of this posting and 6:00p.m. on Tuesday, September 7, 2021 will be recorded in the meeting minutes.*

## **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**

**21-0763**      [Minutes of the Joint Meeting of City Council and McKinney Independent School District of Board of Trustees of February 22, 2021](#)

**Attachments:**    [Minutes](#)

**21-0584**      [Minutes of the Joint Meeting of Parks, Recreation, and Open Space Advisory Board and McKinney Community Development Corporation of June 10, 2021](#)

**Attachments:**    [Minutes](#)

**21-0764**      [Minutes of the City Council Budget Work Session of August 13, 2021](#)

**Attachments:**    [Minutes](#)

**21-0765**      [Minutes of the City Council Work Session of August 17, 2021](#)

**Attachments:**    [Minutes](#)

**21-0766**      [Minutes of the City Council Regular Meeting of August 17, 2021](#)

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

**21-0767**      [Minutes of the City Council Special Meeting of August 24, 2021 for Boards & Commissions Appointments](#)

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

**21-0697**      [Minutes of the Animal Service Facilities Advisory Committee Meeting of July 7, 2021](#)

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

**21-0736**      [Minutes of the Building and Standards Commission Meeting of February 8, 2021](#)

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

**21-0739**      [Minutes of the McKinney Community Development Corporation Meeting of July 22, 2021](#)

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

**21-0708**      [Minutes of the McKinney Economic Development Corporation Meeting of July 20, 2021](#)

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

**21-0768**      [Minutes of the McKinney Housing Authority Minutes of October 27, 2020](#)

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

**21-0706**      [Minutes of the McKinney Housing Finance Corporation Meeting July 16, 2021](#)

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

**21-0692**      [Minutes of the McKinney Main Street Board Meeting of July 8, 2021](#)

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

**21-0346**      [Minutes of the McKinney Urban Transit District Board Meeting of February 9, 2021](#)

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

**21-0714** [Minutes of the McKinney Urban Transit District Board Meeting of May 19, 2021](#)

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

**21-0749** [Minutes of the Planning & Zoning Commission Regular Meeting of August 10, 2021](#)

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

**21-0754** [Minutes of the Visit McKinney Board Meeting of July 27, 2021](#)

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

#### RESOLUTIONS

**21-0775** [Consider/Discuss/Act on a Resolution Adopting the Fiscal Year 2021-2022 Financial Policies](#)

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

**21-0776** [Consider/Discuss/Act on a Resolution Adopting the Fiscal Year 2021-2022 Investment Policy](#)

**Attachments:** [Resolution Policy Policy \(Redline\)](#)

**21-0777** [Consider/Discuss/Act on a Resolution Approving a Negotiated Settlement Between the Atmos Cities Steering Committee \("ACSC"\) and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2021 Rate Review Mechanism Filing; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent With the Negotiated Settlement; Finding Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attached Exhibit Establishing a Benchmark for Pensions](#)

and Retiree Medical Benefits; Approving an Attached Exhibit Regarding Amortization of Regulatory Liability; 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  
ACSC Staff Report

**21-0778** 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  
21-41RFQ Scoring Summary  
21-42RFQ Scoring Summary

**21-0779** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Interlocal Cooperation Agreement for Police Academy Training Services

**Attachments:** Resolution  
Interlocal Agreement

**21-0780** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Cooperation and Settlement Agreement Establishing the Location of the Extraterritorial Jurisdiction (ETJ) between the City of McKinney and the Town of New Hope

**Attachments:** [ETJ Boundary Exhibit](#)  
[Proposed Resolution including Agreement](#)  
[Agreement Exhibit A - Overall Map](#)  
[Agreement Exhibit B - Area A](#)  
[Agreement Exhibit C - Area B](#)  
[Agreement Exhibit D - Area C](#)  
[Agreement Exhibit E - Development Authority](#)  
[Map](#)

**21-0781**      [Consider/Discuss/Act on a Resolution Awarding a Contract to J & M Robertson, Inc. dba JMR Construction of McKinney, Texas for the Rehabilitation of 208 S. Bradley Street, McKinney, Texas 75069](#)

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

**21-0782**      [Consider/Discuss/Act on a Resolution Naming a 10 Acre Neighborhood Park Site Located in the Prestwyck Subdivision](#)

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

## END OF CONSENT

## REGULAR AGENDA AND PUBLIC HEARINGS

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

**21-0783**      [Conduct Public Hearing to Consider/Discuss/Act on the Adoption of the Budget Appropriation Ordinance for FY 2021-22](#)

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

**21-0784**      [Consider/Discuss/Act on an Ordinance to Ratify the Property Tax Revenue Increase in the Fiscal Year 2021-22 Budget as a Result of the City Receiving More Revenues from Property Taxes than the Previous Fiscal Year](#)

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

**21-0785**      [Conduct Public Hearing to Consider/Discuss/Act on an Ordinance Adopting a Tax Rate for Fiscal Year 2021-22 \(Tax Year 2021\)](#)

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

**21-0786**      [Consider/Discuss/Act on an Ordinance to Change Rates/Fees for City Services](#)

**Attachments:** [Ordinance](#)  
[Ordinance \(redline\)](#)  
[Fee Change Schedule](#)

**21-0787**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Pre-Construction Contract with Poque Construction Co., LP for Pre-Construction Services Related to the Design and Construction of the McKinney Municipal Complex Project \(FC1707\)](#)

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

**21-0788**      [Consider/Discuss/Act on a Resolution Adopting a Policy Governing Public Improvement Districts \(PID\) within the City of McKinney](#)

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

**21-0008SUP2**      [Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for a Private Club \(Barons Creek Vineyard\), Located at 301 W Louisiana Street, and Accompanying Ordinance](#)

**Attachments:** [08.10.2021 PZ Minutes](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Citizen Comments](#)  
[Proposed Ordinance](#)  
[Proposed Exhibits A-B](#)  
[Presentation](#)

**21-0005Z6** [Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "AG" - Agricultural District, and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of U.S. Highway 380 \(University Drive\) and Meadow Ranch Road, and Accompanying Ordinance \(REQUEST TO BE TABLED\)](#)

**Attachments:** [PZ Minutes 022321](#)  
[PZ Minutes 030921](#)  
[PZ Minutes 020921](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Letters of Support](#)  
[Letters of Opposition](#)  
[Written Protest](#)  
[Written Protest Map](#)  
[Comprehensive Plan Maps](#)  
[Medical District](#)  
[Placetype Definitions](#)  
[Fiscal Analysis](#)  
[Land Use Comparison Table](#)  
[Ex. PD Ord. No. 98-11-63](#)  
[Proposed Ordinance](#)  
[Proposed Exhibits A-C](#)  
[Presentation](#)

**21-0046Z3** [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 "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Uses and Development Standards, Located on the South Side of U.S. Highway 380 (University Drive) and approximately 500 Feet East of Custer Road

**Attachments:** 08.10.2021 PZ Minutes  
Location Map and Aerial Exhibit  
Comprehensive Plan Maps  
Established Community District  
Placetype Definitions  
Fiscal Analysis  
Land Use Comparison Table  
Ex. PD Ordinance No. 2001-07-080  
Ex. PD Ordinance No. 2003-02-015  
Ex. PD Ordinance No. 1621  
Ex. PD Ordinance No. 1997-06-36  
Ex. PD Ordinance No. 2000-11-092  
Proposed Ordinance  
Proposed Exhibits A-D  
Presentation

**21-0083Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, to Allow Multi-Family Uses and to Modify the Development Standards, Located on the West Side of Bois D'Arc Road and Approximately 540 Feet South of U.S. Highway 380 (University Drive), and Accompanying Ordinance

**Attachments:** [08.10.2021 PZ Minutes](#)  
[Location Map and Aerial Exhibit](#)  
[Letters of Opposition](#)  
[Protest Map](#)  
[Comprehensive Plan Maps](#)  
[Collin Crossing District](#)  
[Placetype Definitions](#)  
[Fiscal Analysis](#)  
[Land Use Comparison Table](#)  
[Proposed Ordinance](#)  
[Proposed Exhibit A-D](#)  
[Presentation](#)

## **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

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

## C. Section 551.072. Deliberations about Real Property

- Municipal Facilities

## D. Section 551.074. Personnel Matters

- Meet and Confer Agreement between the City of McKinney, Texas and the Professional Fire Fighters of McKinney, IAFF 266, dated September 5, 2017

## E. Section 551.087. Deliberation Regarding Economic Development Matters

- Project DLV
- Project Yellow

**ACTION ON EXECUTIVE SESSION ITEMS****ADJOURN**

*Posted in accordance with the Texas Government Code, Chapter 551, at or before 6:00p.m., September 4, 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. 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>.*