



**McKINNEY CITY COUNCIL
REGULAR MEETING
TUESDAY, AUGUST 18, 2009
COUNCIL CHAMBERS
222 N. TENNESSEE**

5:30 P.M.

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Rev. Dr. Tom Waitschies, Wesley United Methodist Church

INFORMATION SHARING

- Presentation by Precinct 3 County Commissioner Joe Jaynes of \$674,000.00 for Right of Way Participation with the Texas Department of Transportation

CITIZEN COMMENTS *(Comments are limited to 3 minutes per person)*

CONSENT AGENDA *(This portion of the agenda consists 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

- 09-385** Minutes of the City Council Work Session of August 4, 2009
- 09-386** Minutes of the City Council Regular Meeting of August 4, 2009
- 09-387** Minutes of the City Council Budget Retreat of August 7, 2009
- 09-388** Minutes of the McKinney Community Development Corporation Meeting of June 25, 2009
- 09-389** Minutes of the McKinney Housing Authority Board Meeting of June 23, 2009

ORDINANCES

- 09-390** Consider/Discuss/Act on an Ordinance Approving a Negotiated Agreement between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division Regarding the Company's Rate Review Mechanism Filing
- 09-391** Consider/Discuss/Act on an Ordinance Authorizing an Amendment to the Code of Ordinances to Approve Unlawful to Hit Golf Balls in Parks or on Any Other Recreation Facilities, Unless Designated Otherwise

RESOLUTIONS

- 09-392** Consider/Discuss/Act on a Resolution Authorizing a Contract for the Material Testing Services Related to the Construction of the McKinney Alma Road Fire Station
- 09-393** Consider/Discuss/Act on a Resolution Authorizing Continuing Participation with the Atmos Cities Steering Committee

END OF CONSENT AGENDA

REGULAR AGENDA *(This portion of the agenda consists of items requiring individual consideration by the Council.)*

PUBLIC HEARINGS

- 09-394** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Masterplan, on Behalf of Oncor Electric Delivery, for Approval of a Request to Rezone Approximately 7.47 Acres from "BG" – General Business District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the North Side of State Highway 121 (Sam Rayburn Tollway) and Approximately 2,050 Feet East of Hardin Boulevard, and Accompanying Ordinance

CITY 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.

CITIZEN COMMENTS *(Comments are limited to 3 minutes per person)*

EXECUTIVE SESSION

In Accordance with the *Texas Government Code*:

- A. Section 551.071 (2) – Consultation with City Attorney on any Work Session, Special 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 (1) (A) – Litigation / Anticipated Litigation
 - *McKinney Economic Development Corporation v. McKinney Shores Properties, Inc v. City of McKinney (Counter-Defendant) ; McKinney Shores Hotel Partners, Inc. v. City of McKinney, McKinney Economic Development Corporation, McKinney Community Development Corporation, Thad Helsley and Bill Cox Cause No. 296-01372-2009 ; In the District Court, Collin County, Texas, 296th Judicial District*
 - *City of McKinney vs. JDN*
- C. Section 551.087 – Discuss Economic Development Matters
 - Project A-45

ACTION ON EXECUTIVE SESSION ITEMS

ADJOURN

Posted in accordance with the Texas Government Code, Chapter 551, on the 13th day of August at or before 5:00 p.m.

Sandy Hart, TRMC, MMC
City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements, please contact Sandy Hart, City Secretary at 972-547-7505 or Lincoln Thompson, Deputy City Secretary at 972-547-7504, 48 hours prior to the scheduled meeting. Reasonable accommodations will be made to assist you.