



**McKINNEY CITY COUNCIL  
REGULAR MEETING  
TUESDAY, AUGUST 4, 2009  
COUNCIL CHAMBERS  
222 N. TENNESSEE**

**5:30 P.M.**

**CALL TO ORDER**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation given by Public Safety Chaplain Rickey Hargrave

**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**

- 09-362** Minutes of the City Council Work Session of July 20, 2009
- 09-363** Minutes of the City Council Regular Meeting of July 21, 2009
- 09-364** Minutes of the City Council Planning/Budget Retreat of July 24, 2009
- 09-365** Minutes of the Animal Services Facility Advisory Committee Meeting of February 18, 2009
- 09-366** Minutes of the Board of Adjustment Meeting of June 24, 2009
- 09-367** Minutes of the McKinney Economic Development Corporation Meeting of June 18, 2009

- 09-368** Minutes of the McKinney Housing Finance Corporation Board Meeting of June 12, 2009
- 09-369** Minutes of the Parks, Recreation, and Open Space Board Meeting of June 11, 2009
- 09-370** Minutes of the Planning and Zoning Commission Retreat of June 23, 2009
- 09-371** Minutes of the Regular Planning and Zoning Commission Meeting of June 23, 2009

## **ORDINANCES**

- 09-372** Consider/Discuss/Act on an Ordinance Prohibiting Operation of Golf Carts on Public Streets or Highways
- 09-373** Consider/Discuss/Act on an Ordinance Amending Chapter 54, Article V, of the Code or Ordinances Relating to the Regulation of Discharge of Weapons and Amending Certain Exceptions; Amending Chapter 70, Article 1, Section 70-1 Relating to the Discharge and Carrying of Firearms and Projectile Weapons
- 09-374** Consider/Discuss/Act on an Ordinance of the City Council of the City of McKinney, Authorizing an Amendment to the Code of Ordinances, Chapter 62, "Motor Vehicles and Traffic" by Repealing Article IX, "Use of Wireless Communication Devices in Certain Locations," and Replacing it with a New Article IX.
- 09-375** Consider/Discuss/Act on an Ordinance Amending the 2008-09 Annual Budget, including the 2009-2013 Capital Improvements Program, for the Construction of Street Projects
- 09-376** Consider/Discuss/Act on an Ordinance to Rename Exchange Parkway to Craig Ranch Parkway

## **RESOLUTIONS**

- 09-377** Consider/Discuss/Act on a Resolution Authorizing the Acceptance of the U.S. Department of Justice 2009 Justice Assistance Grant to Assist the Police Department in Enhancing Public Safety and Reducing Crime in the City of McKinney

- 09-378** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Nema 3 Electric, Inc. of Midlothian, Texas for the Construction of the Hike and Bike Trail Under Grade Tunnel Lighting Project
- 09-379** Consider/Discuss/Act on a Resolution Authorizing a Supplemental Agreement for Consulting Services Related to Additional Sanitary Sewer and Water Line Replacements along Industrial Boulevard near Food Source, Inc.
- 09-380** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Establish Just Compensation for the Property Rights to be Acquired and Authorizing the City Manager to Take All Necessary Steps to Acquire the Needed Property Rights for the Reconstruction of Josephine Street from West Street to Church Street
- 09-381** Consider/Discuss/Act on a Resolution Approving Tender Agreements with Travelers Casualty & Surety Company of America, Inc. ("Travelers") and the Completion Contractors Tendered by Travelers to Complete Construction of the NRCS Lake 1A Project and the NRCS Lake 5A Project, Respectively, as Well as Completion Contracts with the Tendered Completion Contractor for Each Project and Authorizing the City Manager to Execute the Tender Agreements and Completion Contracts Regarding the Completion of the NRCS Lake 1A Project and the NRCS Lake 5A Project, Respectively

## **MISCELLANEOUS**

- 09-382** Consider/Discuss/Act on a Facilities Agreement for Power House Creek Lot 19

## **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
  - Project A-62

## ACTION ON EXECUTIVE SESSION ITEMS

## ADJOURN

Posted in accordance with the Texas Government Code, Chapter 551, on the 30<sup>th</sup> day of July 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.