



CITY OF MCKINNEY, TEXAS

Agenda City Council Regular Meeting

Tuesday, October 5, 2010

6:00 PM

Council Chambers
222 N. Tennessee Street
McKinney, Texas

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Sergeant Carl Ungurait, Salvation Army

INFORMATION SHARING

- 10-446** [Gold Star Flag Presentation to Terri & Brian Bury in honor of their son, Brandon Bury](#)

CITIZEN COMMENTS

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

- 10-447** [Minutes of the City Council Work Session of September 21, 2010](#)
Attachments: [Minutes](#)
- 10-448** [Minutes of the City Council Regular Meeting of September 21, 2010](#)
Attachments: [Minutes](#)
- 10-449** [Minutes of the McKinney Convention & Visitors Bureau Board Meeting of August 23, 2010](#)
Attachments: [Minutes](#)

- 10-450** [Minutes of the McKinney Economic Development Corporation Board Meeting of August 17, 2010](#)

Attachments: [Minutes](#)

ORDINANCES

- 10-451** [Consider/Discuss/Act on an Ordinance of the City Council of the City of McKinney Amending Chapter 90, "Streets and Sidewalks" of the Code of Ordinances, by Adding a new Article VI, "Horse Drawn Vehicle".](#)

Attachments: [Ordinance](#)

RESOLUTIONS

- 10-452** [Consider/Discuss/Act on a Resolution Authorizing Additional Funding for Dal-Ec Construction, Ltd. to Complete the University Pump Station Generator Phase 1 Project](#)

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

- 10-453** [Consider/Discuss/Act on a Resolution Approving the Interlocal Agreement with McKinney Independent School District to Utilize Strands of Fiber on the City's Fiber Optic Wide Area Network for the Purpose of Providing Communications Services Including, but not Limited to, McClure Elementary School](#)

Attachments: [Resolution](#)
 [MISD Interlocal Agreement](#)

- 10-454** [Consider/Discuss/Act on a Resolution Approving the Recommendations of the Arts Commission for Awarding Grants for Funding of the Arts](#)

Attachments: [Resolution](#)

END OF CONSENT

REGULAR AGENDA

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

- 10-455** [Consider/Discuss/Act on a Resolution Appointing Eight \(8\) Members to the Tax Increment Reinvestment Zone Number One Board of Directors](#)

Attachments: [Resolution](#)
 [Ordinance Number 2010-09-034](#)

- 10-456** [Consider/Discuss/Act on a Resolution Appointing Eight \(8\) Members to the Tax Increment Reinvestment Zone Number Two Board of Directors](#)

Attachments: [Resolution](#)
 [Ordinance Number 2010-09-035](#)

PUBLIC HEARINGS

- 10-091Z** [Conduct a Public Hearing to Consider/Discuss/Act on the Request by Robert H. Roeder, on Behalf of Seeds For The Future, L.P., Baylor Health Care System, and Franklin Family Partnership for Approval of a Request to Rezone Approximately 27.90 Acres, from "PD" - Planned Development District \(Mixed Uses\) to "O" - Office District and "BG" - General Business District; and to Rezone Approximately 156.51 Acres, from "AG" - Agricultural District to "RS 72" - Single Family Residence District, "C" - Planned Center District, and "BG" - General Business District, Generally Located on the Southeast Corner of FM 1461 \(Lake Forest Drive\) and Geren Trail, and Accompanying Ordinance.](#)

Attachments: [Planning and Zoning Commission Minutes](#)
[Planning and Zoning Commission Staff Report](#)
[Location Map](#)
[Aerial Exhibit](#)
[Letter of Intent](#)
[Legal Notice](#)
[Notice of Public Hearing](#)
[Property Owner Notification List](#)
[Existing Planned Development Ordinance](#)
[Fiscal Impact Analysis](#)
[Land Use Module Tracking Module 5](#)
[Land Use Module Tracking Module 50](#)
[Proposed Ordinance](#)
[Exhibit A - Location Map](#)
[Exhibit B - Metes and Bounds Description](#)
[Exhibit C - Proposed Zoning Layout](#)

10-060Z [Conduct a Public Hearing to Consider/Discuss/Act on the Request by Nash Group Real Estate, on Behalf of Reyburn Anderson, Wanda Perry Anderson, and Kimberly Anderson Mayer, for Approval of a Request to Rezone Approximately 37.67 Acres, from "AG" - Agricultural 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 East Side of Custer Road and Approximately 500 Feet South of Synergy Drive, and Accompanying Ordinance.](#)

Attachments: [Planning and Zoning Commission Minutes](#)
[Planning and Zoning Commission Staff Report](#)
[Location Map](#)
[Aerial Exhibit](#)
[Letter of Intent](#)
[Legal Notice](#)
[Planning and Zoning Property Owner Notice](#)
[City Council Property Owner Notice](#)
[Property Owner Notification List](#)
[Fiscal Analysis](#)
[Proposed Ordinance](#)
[Proposed Zoning Exhibit A - Location Map](#)
[Proposed Zoning Exhibit B - Site Detail](#)

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

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 Civil Action No. 4:09-CV-00284-RAS; United States District Court for the Eastern District of Texas
- City of McKinney, Texas v. Texas United Excavators, LLC, and Interstate Fire & Casualty Company; Cause No. 366-02531-2010; 366th District Court, Collin County, Texas.
- City of McKinney, Texas v. Alan Plummer Associates, Inc.; Cause No. 416-01379-2010; 416th District Court, Collin County, Texas.

C. Section 551.072. Discuss Real Property

- Municipal Facilities

ACTION ON EXECUTIVE SESSION ITEMS

ADJOURN

Posted in accordance with the Texas Government Code, Chapter 551, on the 30th day of September, 2010 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, 48 hours prior to the scheduled meeting. Reasonable accommodations will be made to assist you.