



# CITY OF MCKINNEY, TEXAS

## Agenda City Council Regular Meeting

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Tuesday, December 6, 2016

6:00 PM

Council Chambers  
222 N. Tennessee Street  
McKinney, Texas 75069

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### CALL TO ORDER

### INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Reverend Brendan Kimbrough, St. Peter's Episcopal Church

### 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

**16-1191**      [Minutes of the City Council Work Session of November 14, 2016](#)

**Attachments:**    [Minutes](#)

**16-1192**      [Minutes of the City Council Regular Meeting of November 15, 2016](#)

**Attachments:**    [Minutes](#)

**16-1124**      [Minutes of the Community Grants Advisory Commission Meeting of October 20, 2016](#)

**Attachments:**    [Minutes](#)

**16-1171**      [Minutes of the Library Advisory Board Meeting of October 20, 2016](#)

**Attachments:**    [Minutes](#)

- 16-1132**      [Minutes of the Main Street Board Meeting of October 13, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1127**      [Minutes of the McKinney Armed Services Memorial Board Meeting of October 12, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1142**      [Minutes of the McKinney Community Development Corporation Meeting of October 27, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1150**      [Minutes of the McKinney Economic Development Corporation Meeting of October 18, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1140**      [Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of October 13, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1122**      [Minutes of the Planning and Zoning Commission Work Session of October 25, 2016](#)  
**Attachments:**    [Minutes](#)
- 16-1123**      [Minutes of the Planning and Zoning Commission Regular Meeting of October 25, 2016](#)  
**Attachments:**    [Minutes](#)

**ORDINANCES**

- 16-1193**      [Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2016-2017 Annual Budget to Fund a New Project for Creek Improvements Needed to Address Erosion in an Unnamed Tributary of Jean's Creek Through the Westwood Park Addition](#)

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

## RESOLUTIONS

**16-1194** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Supplemental Agreements with HDR Engineering, Inc., to Design Improvements Needed to Address Erosion in an Unnamed Tributary of Jean's Creek Through the Westwood Park Addition](#)

**Attachments:** [Resolution](#)  
[Location Map](#)  
[Engineering Services Proposal](#)

**16-1195** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute Development Agreements Associated with the City of McKinney's Pending 2017 Municipal Annexation Plan](#)

**Attachments:** [Proposed Resolution](#)  
[Development Agreement Template](#)  
[Exhibit - Informational Only](#)

**16-1196** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract Amendment to the Professional Services Contract with Freese and Nichols, Inc. of Fort Worth, Texas for Additional Professional and Engineering Services Related to the Water System Nitrification Action Plan Project - Phases 2 and 3](#)

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

**16-1197** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute the Required Agreements with Active Network, LLC for the Hosted Registration Software and Supporting Hardware for the McKinney Apex Centre](#)

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

**16-1198**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute the Sale of City-Owned Land \(Former F.M. 543 ROW\) to an Adjacent Property Owner Generally Located at the Northwest Corner of Laud Howell Parkway and Central Expressway](#)

**Attachments:**   [Proposed Resolution](#)  
                         [Request to Purchase](#)  
                         [Location Map](#)

**END OF CONSENT**

**REGULAR AGENDA AND PUBLIC HEARINGS**

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

**16-1199**      [Conduct a Public Hearing to Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Regarding the Application of the “Throckmorton Villas” to the Texas Department of Housing and Community Affairs \(TDHCA\), for 4% Tax Credits for the Construction of Multi-Family Units Within the Development](#)

**Attachments:**   [Resolution of No Objection](#)  
                         [Resolution of Support](#)  
                         [Resolution of Opposition](#)  
                         [Development Evaluation](#)  
                         [Hold Harmless Agreement](#)

**16-200Z3**      [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 “C2” - Local Commercial District and “CC” - Corridor Commercial Overlay District, Located on the Southwest Corner of U.S Highway 380 \(University Drive\) and Hardin Boulevard, and Accompanying Ordinance](#)

**Attachments:** [Draft PZ Minutes 11.08.16](#)  
[PZ Report](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Comprehensive Plan Maps](#)  
[Fiscal Analysis](#)  
[Land Use and Tax Base Summary Map](#)  
[Existing PD Ord. No. 1883](#)  
[Proposed Ordinance](#)  
[Proposed Exhibits A-B](#)  
[PowerPoint Presentation](#)

**16-299Z2** [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 "C3" - Regional Commercial District and "CC" - Corridor Commercial Overlay District, Located Approximately 500 Feet West of Hardin Boulevard and on the North Side of U.S. Highway 380 \(University Drive\), and Accompanying Ordinance](#)

**Attachments:** [DRAFT PZ Minutes 11.08.16](#)  
[PZ Report](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Comprehensive Plan Maps](#)  
[Land Use and Tax Base Summary Map](#)  
[Existing PD Ord. No. 1687](#)  
[Proposed Ordinance](#)  
[Proposed Exhibits A-B](#)  
[PowerPoint Presentation](#)

**16-280SU2** [Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to Allow for Additional Fueling Pumps for a Service Station with a Convenience Store \(7-Eleven\), Located on the Southwest Corner of Wilmeth Road and Lake Forest Drive, and Accompanying Ordinance](#)

(WITHDRAWN BY APPLICANT)

**Attachments:** [Draft PZ Minutes 11.08.16](#)  
[Location Map and Aerial Exhibit](#)

**16-277Z2** [Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “PD” - Planned Development District to “PD” - Planned Development District, Generally to Modify the Development Standards, Generally Located at the Northern Terminus of Tremont Boulevard and Along the Northern Side of Darrow Drive, and Accompanying Ordinance](#)

**Attachments:** [DRAFT PZ Minutes 11.08.16](#)  
[PZ Report](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Comprehensive Plan Maps](#)  
[Land Use and Tax Base Summary](#)  
[Ex. PD Ord. No. 2015-06-052](#)  
[Proposed Ordinance](#)  
[Proposed Exhibit A-C](#)  
[PowerPoint Presentation](#)

**16-1200** [Conduct a Public Hearing to Consider/Discuss/Act on the Community Development Block Grant \(CDBG\) Consolidated Annual Performance Evaluation Report \(CAPER\)](#)

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

**16-1201** [Consider/Discuss/Act on a Resolution Approving Funding Recommendations under the FY 2017 Community Support Grant](#)

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

**16-1202** [Consider/Discuss/Act on Designating Chairman of the Reinvestment Zone Number One](#)

**16-1203** [Consider/Discuss/Act on Designating Chairman of the](#)

Reinvestment Zone Number Two**16-1204**

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract Amendment to the Construction Manager at Risk (CMAR) Services Contract with Pogue Construction Company, LP of McKinney, Texas for a Guaranteed Maximum Price (GMP) Related to the Construction of the Public Safety Support Building Located at 2750 Community Avenue, McKinney, TX 75071

**Attachments:** Resolution  
GMP Proposal

**CITIZEN COMMENTS****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). 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) and legal consultation on the following item(s), if any:

B. Section 551.071 (A) Pending or contemplated litigation

- Arch Resorts, LLC v. the City of McKinney, Texas, and Rick Herzberger, Chief Building Official of the City of McKinney, Texas, v. Collin County, Texas, No. 219-01855 -2015, 219th District Court of Collin County, Texas
- The City of McKinney, Texas, v. Custer Storage Center, LLC v. Collin County, Texas, No. 401-03649-2015, 401st District Court of Collin County, Texas

C. Section 551.074 Discuss Personnel Matters

- City Manager Transition

## D. Section 551.072. Deliberations about Real Property

- Municipal Facilities

## E. Section 551.087 – Discuss Economic Development Matters

- Chapter 380 Economic Development Program and Agreement for Cross F Ranch by and between McKinney Ranch Ltd., Honey Creek Investments, LLC and Barcelona 93, Ltd. and the City of McKinney

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

Posted in accordance with the Texas Government Code, Chapter 551, on the 2nd day of December, 2016 at or before 5:00 p.m.

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Sandy Hart, TRMC, MMC  
City Secretary

Accommodations and modifications for people with disabilities are available upon request. Requests should be made as far in advance as possible, but no less than 48 hours prior to the meeting. Call 972-547-2694 or email [contact-adacompliance@mckinneytexas.org](mailto:contact-adacompliance@mckinneytexas.org) with questions or for accommodations.