

## **CITY COUNCIL REGULAR MEETING**

**JULY 31, 2017**

The City Council of the City of McKinney, Texas met in regular session in the Jack Hatchell Collin County Administration Building at 2300 Bloomdale Road, McKinney, Texas on July 31, 2017 at 6:00 p.m.

Council Present: Mayor George C. Fuller, Mayor Pro Tem Rainey Rogers, Council members: Chuck Branch, Scott Elliott, Charlie Philips, Tracy Rath, and La'Shadian Shemwell.

Staff Present: City Manager Paul Grimes; Assistant City Manager Steve Tilton; Assistant to the City Manager Trevor Minyard; City Attorney Mark Houser; City Secretary Sandy Hart; Executive Director of Development Services Michael Quint; Planning Manager Samantha Pickett; Planning Manager Jennifer Arnold; Chief of Police Greg Conley; McKinney Economic Development Corporation President Darrell Auterson; Director of Engineering Gary Graham; IT Helpdesk Technician Nicholas Martin; Chief Financial Officer Mark Holloway; Police - Randy Haak, Trent Davis, Jimmy Thomas, Bruno Siqueira, Hilary Barham, and Lari Weaver; Director of Parks and Recreation Mike Kowski; and Civil Engineer II Robyn Root.

There were twenty seven guests present.

Mayor Fuller called the meeting to order at 6:00 p.m. after determining a quorum was present.

Invocation was given by Dr. Tommy Brumett, Senior Pastor, First United Methodist Church. Mayor Fuller led the Pledge of Allegiance.

- 17-769** Presentation of GFOA Distinguished Budget Award for FY2017 Budget. Chief Financial Officer Mark Holloway presented the GFOA Distinguished Budget Award for FY2017 Budget.
- 17-770** National Night Out Proclamation. Mayor Fuller presented the National Night Out Proclamation to Police – Randy Haak, Trent Davis, Jimmy Thomas and Chief Greg Conley.

Mayor Fuller called for Citizen Comments.

The following individuals spoke about the City's Enforcement in the ETJ.

Mr. Alan Hoffman, 7010 Groveland, Dallas

Mr. Harlan Stauffer, 3804 Hackberry Lane, Bedford

Mr. David Lehde, 5816 W. Plano Parkway, Plano

Council unanimously approved the motion by Council member Branch, seconded by Councilwoman Rath, to approve the following consent items:

- 17-771** Minutes of the City Council Special Meeting of July 17, 2017
- 17-772** Minutes of the City Council Regular Meeting of July 18, 2017
- 17-773** Minutes of the City Council Work Session of July 24, 2017
- 17-673** Minutes of the Main Street Board Meeting of June 8, 2017
- 17-774** Minutes of the McKinney Housing Authority Meeting of June 27, 2017
- 17-767** Minutes of the Planning and Zoning Commission Work Session of July 11, 2017
- 17-768** Minutes of the Planning and Zoning Commission Regular Meeting of July 11, 2017
- 17-679** Minutes of the Reinvestment Zone Number One Meeting of April 3, 2017
- 17-775** Consider/Discuss/Act on a Resolution Authorizing the Purchase of Body Worn Cameras for the McKinney Police Department from Watch Guard of Allen, Texas, Additional Storage from EST Group, of Arlington, Texas and Workstations from Dell, of Round Rock, Texas Utilizing the Texas Department of Information Resources' Contracts. Caption reads as follows:

RESOLUTION NO. 2017-07-146 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE PURCHASE OF BODY WORN CAMERAS FOR THE MCKINNEY POLICE DEPARTMENT FROM WATCH GUARD OF ALLEN, TEXAS, ADDITIONAL STORAGE FROM EST GROUP, OF ARLINGTON, TEXAS AND WORKSTATIONS FROM DELL, OF ROUND ROCK, TEXAS, UTILIZING THE TEXAS DEPARTMENT OF INFORMATION RESOURCES' CONTRACTS

- 17-776** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Kimley-Horn and Associates, Inc. for Professional Engineering Design Services to Update the Intelligent Transportation System (ITS) Master Plan of the City of McKinney.

Caption reads as follows:

RESOLUTION NO. 2017-07-147 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR PROFESSIONAL ENGINEERING DESIGN SERVICES TO UPDATE THE INTELLIGENT TRANSPORTATION SYSTEM (ITS) MASTER PLAN OF THE CITY OF MCKINNEY, TEXAS, AND ALL RELATED DOCUMENTS

- 17-777** Consider/Discuss/Act on a Resolution Approving the Seventh Amended and Restated Bylaws of McKinney Economic Development Corporation.

Caption reads as follows:

RESOLUTION NO. 2017-07-148 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE SEVENTH AMENDED AND RESTATED BYLAWS OF THE MCKINNEY ECONOMIC DEVELOPMENT CORPORATION; AND PROVIDING AN EFFECTIVE DATE

END OF CONSENT

- 17-778** Mayor Fuller called for Consideration/Discussion/Action on Fiscal Year 2017-18 Proposed Tax Rate, Take Record Vote and Set Public Hearing and Adoption Dates. Chief Financial Officer Mark Holloway stated this item will set the two dates for public hearings on our tax rate and setting the ceiling for the FY18 tax rate. This year the ceiling rate is set at \$0.562600. The rate proposed in the City Manager's budget is lower at \$0.540199, which is \$0.0328 lower than the current rate at \$0.573000, however it is 1.92% above the effective rate this year. The taxable values are up significantly at about 13.7% over last year. Approximately 4.1% is new construction and annexation of properties that were added to the tax roll and existing property values were up about 9%. The tax rate is two parts, I&S, or debt service rate, and M&O (maintenance and operations). History shows that the tax rate decreased in 2015 by about a quarter of a cent, decreased by one cent in 2017, and this year the City Manager is proposing a decrease in the tax rate of just over three cents.

The first public hearing on the tax rate will be held on August 15th, followed by the second public hearing on the tax rate and first public hearing on the budget on September 5<sup>th</sup> and the second public hearing on the budget followed by adoption of the budget and the tax rate on September 19<sup>th</sup>. Council unanimously approved the motion by Mayor Fuller, seconded by Mayor Pro Tem Rogers, to adopt a Fiscal Year 2018 Total Tax Rate of \$0.562600, which is higher than the Fiscal Year 2018 Effective Tax Rate of \$0.526703, and call for two public hearings; the first public hearing to be held on August 15, 2017 at 6:00 p.m. and the second public hearing to be held on September 5, 2017 at 6:00 p.m. Further, a Record Vote on the tax rate adoption will be held on September 19, 2017 at the regular City Council Meeting. All meetings will be held at the Collin County Jack Hatchell Administration Building, 2300 Bloomdale Road, Collin County Commissioners Court, 4th Floor, McKinney, Texas 75071 with the following record vote:

Mayor Fuller – For

Mayor Pro Tem Rogers – For

Council member Philips – For

Council member Elliott – For

Councilwoman Rath – For

Council member Branch – For

Council member Shemwell – For

**14-297Z5**

Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District, "PD" - Planned Development District, and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District, "SO" - Suburban Office District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Meadow Ranch Road and U.S. Highway 380 (University Drive). Planning Manager Samantha Pickett stated that staff recommends that Council continue the public hearing and table this item

to the August 15<sup>th</sup> meeting per the applicant's request. Mayor Fuller called for public comments.

The following individuals spoke in opposition of the rezoning:

Mr. Chuck Howard, 1810 Meadow Ranch Road, McKinney

Ms. Debbie Martinez, 1920 Meadow Ranch Road, McKinney

Mr. Mike Gorman, 1910 Meadow Ranch Road, McKinney

Mr. Stephen Martinez, 1920 Meadow Ranch Road, McKinney

Ms. Sandy Hanson, 1800 Meadow Ranch Road, McKinney

The following individuals did not wish to speak but wanted their opposition to the rezoning read into the record:

Ms. Jan Howard, 1810 Meadow Ranch Road, McKinney

Ms. Liz McElhaney, 1811 Meadow Ranch Road, McKinney

Mr. William Smith, 1811 Meadow Ranch Road, McKinney

Mr. Vincent Gunn, 1911 Meadow Ranch Road, McKinney

Ms. Jan Gunn, 1911 Meadow Ranch Road, McKinney

Ms. Kari McDaniel, 1841 Meadow Ranch Road, McKinney

Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to close the public hearing and table this item to the August 15<sup>th</sup> meeting. Mayor Fuller called for reconsideration of the item due to notification requirements. Council unanimously approved the motion by Mayor Fuller, seconded by Council member Branch, to close the public hearing and table the item indefinitely.

- 17-779** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Enter Into an Interlocal Agreement with Collin County for Funding the Extension of Bloomdale Road from Community Avenue to CR 164. Director of Engineering Gary Graham, stated that this item is for an Interlocal Agreement with Collin County to help fund the improvements for the extension of Bloomdale Road from Community to County Road 164. Staff is about 60% complete with the

design of the bridge over the NRCS Lake just to the west of Community. The project budget is about \$10 million and we are asking Collin County to use \$4 million of the 2007 Collin County bond money that was allocated to McKinney for the project. The bond program allows for the County to pay up to 50% of the total project cost. Once we determine how much money is needed for the right-of-way, we will be able to determine the project limits as far as four-lane versus two-lane and tying back to County Road 164. Mr. Graham stated that the Timbercreek subdivision has the obligation to build Hardin Road up to Bloomdale Road and the future two lanes of Bloomdale Road. Council unanimously approved the motion by Council member Branch, seconded by Council member Shemwell, to approve a Resolution authorizing the City Manager to enter into an Interlocal Agreement with Collin County for funding the extension of Bloomdale Road from Community Avenue to CR 164. Caption reads as follows:

RESOLUTION NO. 2017-07-149 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR FUNDING THE DESIGN AND CONSTRUCTION OF BLOOMDALE ROAD FROM COMMUNITY AVENUE TO CR 164

- 17-780** Mayor Fuller called for Consideration/Discussion on the Growth and Annexation Program in McKinney. Long Range Planning Manager Jennifer Arnold stated that the purpose of this item is to give Council an overview of what the program looks like and where we've been. The City today is about 68 square miles, however our ultimate city limits will be about 116 square miles, with about 41% of our area left to grow. In 2015-16, the City started to reevaluate its 1999 annexation policy in conjunction with the Comprehensive Plan update and the Northwest Sector Study and initiated two involuntary annexations within the clause of the Local Government Code. Those two areas, one on the northern end of the city limits around Laud Howell Parkway and Highway 75 and

the other in areas around the airport. In conjunction with that, the City also adopted a new annexation policy in January of this year. It included the 2017 annexation plan which identified areas to be annexed on the third anniversary of adoption of the policy document and are identified as the Northwest corner of US 380 and Custer Road and on the northern end of US 380 east side of New Hope Road. One of the things that is included in the municipal annexation plan is the fact that properties identified are not annexed immediately; it is a three-year timeframe. We will be working on developing the service plan and conducting inventory services that are required by state law. Ms. Arnold stated that any properties included in the annexation plan have to meet certain criteria of the Local Government Code before they are included in the annexation plan. Specifically, the area on the northeast corner of US 380 and Custer Road, this is an area where there is a large residential neighborhood and there really isn't much of an impetus for those property owners to want to be annexed into the City so the only way to get them incorporated would be to pursue involuntary annexation. One of the reasons the City might do that is because of services being extended to that area without regaining that tax revenue. According to the Local Government Code, once the plan was adopted in January, we submitted notice to the property owners within 60 or 90 days. We also had to notify any service providers such as the County, TxDOT, water corporations and they are asked to send us information about services they provide to the areas. Once we have an inventory of services, we will hold the public hearings. Public hearings are tentatively scheduled for the August 15<sup>th</sup> City Council meeting. With any involuntary annexation, State law requires a City offer a pre-annexation agreement to any property owner that has an agricultural exemption on their property and the agreement says the City will not annex them for a stated period of time as long as they use their property the way it is currently being used. Our stated period of time is

ten years. There are two issues at the State legislature that have our attention, the tax rate caps and annexation bills. The annexation bill is at the heart of what local government is trying to do in their communities and that is accommodate growth. The Mayor and Mr. Minyard will be in Austin later this week meeting with the Governor to try to impress upon them that we understand the concerns about annexation but there's a lot of misinformation out there and our ability to control our destiny and set the course for the community is fundamentally important. We will keep you apprised. If the City can't control its own growth and growth of its utilities, streets and rights-of-way, then it invites other ways in which to develop likely through MUDs and PIDs.

Mayor Fuller called for Citizen Comments and there were none.

Mayor Fuller called for Council and Manager Comments.

Council member Phillips did not have any comments.

Council member Elliott congratulated Mr. Graham on his promotion, noting that it was well deserved.

Mayor Pro Tem Rogers stated we had the opportunity to attend an event on Saturday where a citizen in McKinney donated an amazing piece of history, an old fire truck. His passion was fire trucks and it was amazing to listen to this individual's family talk about what he did. I was talking with the Mayor about it, I realized that is what makes McKinney great is the individuals that live here, the individual contributions. He bought this old fire truck that was used by McKinney around the turn of the century and he worked on restoring it and ultimately it was restored through several entities in McKinney. It was great to be a part of that and recognize that McKinney is a very unique place to live. About a year and a half ago, I was out jogging and there was a guy I would see coming in and out of the road as I'm jogging. As I got closer to him, I realized he was picking up trash along Hardin Road. His name was Wendell; an older, retired gentleman, but every morning you see him walking around with a bag of trash and as he walks and gets his exercise, he picks up trash. I love that about McKinney. It's made up of great people doing a little bit to improve it and that's what makes the community great. I want to recognize Jack Moss' family and their contribution. Mr.



Moss passed away a few years ago but his legacy still lives because of the things he did that were important in his life, making a little bit of a difference.

Mayor Fuller stated that what Mr. Rogers didn't tell you is during that event, somebody was speaking and from our vantage point you could see out the fire station door to Highway 5. Before anyone knew it, there was a little boy three years old running toward Highway 5 and you could not see parents or anyone else. Mayor Pro Tem Rogers took off in a 100 yard dash, sprinting, to go after this child that he saw running toward the road. Luckily, there was a parent that came from where we could not see but I want to commend you on your speed and your awareness. It was extremely impressive and I want to complement you on that.

Council member Shemwell gave a shout out to Habitat for Humanity. He attended two wall raisings where Habitat is rehabbing east McKinney and turning vacant lots into someone's dream home, so I appreciate the work they are doing.

Council member Branch stated he is excited for tomorrow night, National Night Out. We have 46 events going on across the City so I appreciate the citizens getting involved and participating. Thank you to the police officers and Officer Randy Haak for taking the lead role in this. He told me this evening he's handing the baton off but we appreciate the work and efforts over the years. Thank you to all of the officers who participate and help us get there safely and be a part of the community.

Councilwoman Rath stated that MCDRC met in their regularly scheduled meeting last week. They approved their promotional community event grants. The total requested was more than \$71,000 and the amount available for funding to many groups in McKinney was \$50,000. I would like to congratulate Mr. Grimes who will celebrate his one year anniversary tomorrow. As you did last year, I believe it was on day two of your employment, you will spend your one year anniversary not at a fancy dinner but at National Night Out, so thank you so much.

City Manager Grimes noted that these announcements are for the general public as well as the City Council. Mr. Mayor, City Council, thank you, staff is currently polling the McKinney Urbanized Transit District Board for a board meeting that is tentatively scheduled for August 30<sup>th</sup>. We will have data from the provider, DCTA, and will be informing the Board on usage, patterns, etc. and get further direction and feedback from

the Board for any programmatic changes. I want to remind the Council that North Texas Municipal Water District is providing guided tours of the water treatment facility in Wylie on August 11<sup>th</sup> from 1:30 to 4:00 p.m. Let us know if you would be interested in attending. Our finance folks were recognized for the 33rd straight year for budgeting excellence. They also received the 2017 Annual Achievement of Excellence in Procurement Award from the National Procurement Institute. McKinney is one of only 50 agencies in Texas and one of only 68 in the U.S. and Canada to receive that award. This is the second consecutive year and fifth time overall that the City has achieved this honor. I will be attending my second National Night Out tomorrow. Most of the National Night Out events are static and at a designated location like a park or municipal center, but this is a treat where you have neighboring competing block parties and it's truly a community event. For residents who may not be scheduled this year, if you are interested in registering your block party for this or any other event, you can go to [mckinneytexas.org/nno](http://mckinneytexas.org/nno) or your crime watch captain to find out about events in your neighborhood. One other public service announcement, in order to provide safe electric service, Oncor Electric is performing regular tree trimming maintenance throughout our service area. You may see trucks trimming trees. They will not cut them down but they have to trim them for safety purposes. We have a reliable electrical grid for a reason because we do not allow vegetation to encroach on the lines.

Council member Philips stated he is excited about tomorrow night and getting to ride in the front of a police car. It's better to be in the front than the back.

Mayor Fuller recessed the meeting into executive session at 7:18 p.m. per Texas Government Code 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), Section 551.071 (A). Litigation / Anticipated Litigation, Section 551.072 Discuss Real Property, and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Fuller recessed back into open session at 7:30 p.m.

Council unanimously approved the motion by Council member Branch, seconded by Council member Elliott, to adjourn. Mayor Fuller adjourned the meeting at 7:35 p.m.

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GEORGE C. FULLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary