



# CITY OF MCKINNEY, TEXAS

## Agenda City Council Regular Meeting

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Tuesday, August 15, 2017

6:00 PM

Jack Hatchell Collin County  
Administration Building  
4th Floor – Commissioners Court  
2300 Bloomdale - McKinney, TX

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### CALL TO ORDER

### INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Pastor DeWayne Owens, Kingdom Faith Bible Church

### INFORMATION SHARING

**17-814**      [Proclamation Proclaiming Hannah Falk Day](#)

**Attachments:**   [Proclamation](#)

**17-815**      [Recognition of McKinney's First Place Finish at the 2017 Texas State Lifeguard Competition](#)

### 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

**17-816**      [Minutes of the City Council Regular Meeting of July 31, 2017](#)

**Attachments:**   [Minutes](#)

**17-817**      [Minutes of the City Council Budget Work Session of August 4, 2017](#)

**Attachments:**   [Minutes](#)

- 17-735**      [Minutes of the Board of Adjustment Meeting of May 31, 2017](#)  
**Attachments:**    [Minutes](#)
- 17-736**      [Minutes of the Board of Adjustment Meeting of June 28, 2017](#)  
**Attachments:**    [Minutes](#)
- 17-732**      [Minutes of the Library Advisory Board Meeting of June 15, 2017](#)  
**Attachments:**    [Minutes](#)
- 17-792**      [Minutes of the McKinney Armed Services Memorial Board Meeting of June 14, 2017](#)  
**Attachments:**    [Minutes](#)
- 17-738**      [Minutes of the McKinney Convention and Visitors Bureau Board Meeting of May 23, 2017](#)  
**Attachments:**    [Minutes](#)
- 17-739**      [Minutes of the McKinney Convention and Visitors Bureau Finance Committee Meeting of May 22, 2017](#)  
**Attachments:**    [Minutes](#)
- 17-740**      [Minutes of the McKinney Convention and Visitors Bureau Board Special Meeting of June 6, 2017](#)  
**Attachments:**    [Minutes](#)
- 17-795**      [Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of June 8, 2017](#)  
**Attachments:**    [Minutes](#)
- 17-782**      [Minutes of the Planning and Zoning Commission Regular Meeting of July 25, 2017](#)  
**Attachments:**    [Minutes](#)

**RESOLUTIONS**

- 17-818**      [Consider/Discuss/Act on a Resolution Authorizing the Execution and Sale to the North Texas Municipal Water District of a Water Line Easement Consisting of Two Parts, 0.570 Acres of Land with a 0.774 acre Temporary Construction Easement and 0.386 Acres of Land with a 1.176 Acres Temporary Construction Easement in the John R. Jones Survey, Abstract No. 497, Collin County, Texas, and Generally Located in the Vicinity of Redbud Boulevard and Bloomdale Road in the amount of \\$108,948.00; and Authorizing the City Manager to Execute Easements and Documents Regarding the Sale of Said Easements Across City-Owned Property to the North Texas Municipal Water District](#)
- Attachments:**    [Resolution](#)  
                              [Location Map](#)
- 17-819**      [Consider/Discuss/Act on a Resolution Approving Freese & Nichols, Inc. as a Qualified Firm to Provide Construction Inspection Services](#)
- Attachments:**    [Resolution](#)
- 17-820**      [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Supplemental Agreements with Freese and Nichols, Inc., to Conduct a Drainage Study of the Stover Creek Watershed](#)
- Attachments:**    [Resolution](#)  
                              [Location Map](#)
- 17-821**      [Consider/Discuss/Act on a Resolution Recommending City Council to Reject all Proposals Received for 17-64RFP Vision Benefits](#)
- Attachments:**    [Resolution](#)
- 17-822**      [Consider/Discuss/Act on a Resolution Authorizing an Interlocal Agreement with Collin County for Jail Services](#)
- Attachments:**    [Resolution](#)  
                              [Interlocal Jail Agreement](#)

- 17-823**      [Consider/Discuss/Act on a Resolution of the City of McKinney, Texas, Authorizing the City Manager to Amend the Project Agreement with the Texas State Soil and Water Conservation Board \(TSSWCB\) for State Funding for the Dam Rehabilitation Project \(CIP # DR5093\) at United States Department of Agriculture \(USDA\) Natural Resources Conservation Service \(NRCS\) East Fork Above Lavon \(EFAL\) Floodwater Retarding Structure \(FRS\) Site 4, Also Known as Brinkmann Ranch Lake](#)

**Attachments:**    [Resolution](#)  
                          [Location Map](#)  
                          [Amendment](#)  
                          [Original Agreement \(for reference only\)](#)

- 17-824**      [Consider/Discuss/Act on a Resolution of the City of McKinney, Texas, Authorizing the City Manager to Amend the Project Agreement with the NRCS for the Lake 2A Dam Rehabilitation Project](#)

**Attachments:**    [Resolution](#)  
                          [Amendment 4 to NRCS Project Agreement](#)  
                          [69-7442-14-985](#)  
                          [Location Map](#)

## END OF CONSENT

## REGULAR AGENDA AND PUBLIC HEARINGS

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

- 17-825**      [Conduct a Public Hearing to Consider/Discuss/Act on a Resolution Approving the 2017-2018 Community Development Block Grant \(CDBG\) Annual Action Plan](#)

**Attachments:**    [Resolution](#)  
                          [Substantial Amendments to the Consolidated Plan](#)  
                          [2017-18 Annual Action Plan](#)

- 17-201A**      [Conduct a Public Hearing to Consider and Discuss the 2017 Municipal Annexation Plan, Including the Proposed Annexation of Approximately 218 Acres of Land, of Which 49 Acres is Generally Located North of CR 857 and East of Custer Road \(and is Referred to as Sub-Area 17-1\) and 169 Acres is Generally Located Along the North Side of US Highway 380 \(University Drive\) and is East of FM 1827 \(New Hope Road\) and West of CR 337 \(and is Referred to as Sub-Area 17-2\)](#)
- Attachments:**    [Location Map and Aerial Exhibit](#)  
                         [2017 Municipal Annexation Policy](#)  
                         [Proposed Service Plan](#)  
                         [Presentation](#)
- 17-826**      [Conduct First Public Hearing on Proposed Tax Rate for Fiscal Year 2017-18 \(Tax Year 2017\)](#)
- Attachments:**    [Presentation](#)
- 17-827**      [Consider/Discuss/Act Upon Adoption of a Resolution Determining a Public Necessity to Acquire Certain Properties for Public Use by Eminent Domain for Right-of-Way \(in Fee Simple\), Drainage Easements, Water Line Easements, Access Easements and Temporary Construction Easements for the Construction, Access and Maintenance of the Trinity Falls Parkway Project and Related Infrastructure Commencing in the Vicinity of its Intersection with FM 543 and Continuing Southwesterly Along Trinity Falls Parkway to the Existing Connection to Laud Howell Parkway; Authorizing the City Manager to Establish Procedures for Acquiring the Right of Way \(in Fee Simple\) and Easements on Said Properties, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions](#)
- Attachments:**    [Resolution](#)  
                         [Location Map](#)
- 17-828**      [Consider/Discuss/Act on an Amendment to Section 122-4 of the Code of Ordinances Pertaining to Permitting in the Extraterritorial Jurisdiction \(ETJ\)](#)

**Attachments:** [Ordinance No. 2015-03-015](#)  
[Proposed Changes to Sec 122-4](#)  
[Proposed Ordinance for Adoption](#)

**16-052DA** [Consider/Discuss/Act on a Resolution Approving Chapter 380 Economic Development Agreement Between the City of McKinney, Texas, and McKinney SH I, LTD, for the Construction of a Portion of Bois D' Arc Road, Generally Between U.S. Highway 380 and Crowe Lane](#)

**Attachments:** [Resolution](#)  
[Location Map and Aerial Exhibit](#)  
[Overall Pavement Plan](#)

**17-050DA** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Cooperation Agreement between the City of McKinney and the North Texas Municipal Water District \(NTMWD\), for the Construction and Connection of a NTMWD Meter Vault and Related Improvements, Generally Located on the West Side of Redbud Boulevard and Approximately 1,400 Feet South of Bloomdale Road](#)

**Attachments:** [Resolution](#)  
[Proposed NTMWD Agreement](#)  
[Location Map and Aerial Exhibit](#)  
[NTMWD Meter Vault Location Exhibit](#)

**17-829** [Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Chapter 380 Agreement with Independent Bank Group, Inc.](#)

**Attachments:** [Resolution](#)  
[Independent Bank 380 Agreement](#)

**17-830** [Consider/Discuss/Act on an Amended and Restated Lease Agreement with DSE Hockey Centers, L.P. for an Expansion of the McKinney StarCenter](#)

**Attachments:** [StarCenter Amended Lease](#)  
[Presentation](#)

**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
- Petition of the Cities of Garland, Mesquite, Plano, and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District, PUC Docket No. 46662, Public Utility Commission of Texas
- Application of Brazos Electric Power Cooperative, Inc. for Amendment to its Certificate of Convenience and Necessity for a 138-KV Transmission Line in Collin County, PUC Docket No. 46429, Public Utility Commission of Texas
- City of McKinney v. Newland Communities/Club Corp.

C. Section 551.072. Deliberations about Real Property

- Municipal Facilities

D. Section 551.087 – Discuss Economic Development Matters

- Project A146 – Project Frost
- Project A171 – Project Skywalker
- Project A179 – Project Summit

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

Posted in accordance with the Texas Government Code, Chapter 551, on the 11th day of August, 2017 at or before 5:00 p.m.

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Sandy Hart, TRMC, MMC  
City Secretary

In accordance with the Americans with Disabilities Act, it is the policy of the City of McKinney to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at least 48 hours in advance of the event. Phone 972-547-2694 or email [contact-adacompliance@mckinneytexas.org](mailto:contact-adacompliance@mckinneytexas.org). Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. ADA grievances may also be directed to the ADA Coordinator or filed online at <http://www.mckinneytexas.org/ada>.