

CITY COUNCIL REGULAR MEETING

FEBRUARY 20, 2018

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on February 20, 2018 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; Deputy City Manager Jose Madrigal; Assistant City Manager Steve Tilton; City Attorney Mark Houser; City Secretary Sandy Hart; Assistant to the City Manager Trevor Minyard; Executive Director of Development Services Michael Quint; Planning Director Brian Lockley; Director of Public Works David Brown; Assistant Director of Public Works Paul Sparkman; Assistant Director of Parks and Recreation Ryan Mullins; Director of Engineering Gary Graham; Facilities Construction Manager Patricia Jackson; Engineering - Nicholas Ataie, Blake Sills, and Matt Tilke; Chief Financial Officer Mark Holloway; GIS Specialist Jordan Carmona; Planning Manager Samantha Pickett; Finance Director Trudy Mathis; Officer Tyler Lewis; Help Desk Technician II Nasir Syid; Environmental Education Coordinator Martha Fipps; and Planning Manager Matt Robinson.

There were approximately 40 guests present.

Mayor Fuller called the meeting to order at 6:02 p.m. after determining a quorum was present. Invocation was given by Reverend Perry Mullins, St. Peter's Episcopal Church. Mayor Fuller led the Pledge of Allegiance.

18-161 Proclamation for Mayor's Monarch Challenge. Mayor Fuller presented the Mayor's Monarch Challenge Proclamation followed by a short video.

Mayor Fuller called for Citizen Comments.

The following individuals expressed thanks to the Mayor and City Council for supporting the Mayor's Monarch Challenge Proclamation.

Ms. Missy McPherson, 2109 White Oak Road, McKinney

Pastor Mally Baum, 5871 Virginia Parkway, McKinney

Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to approve the following consent items:

- 18-162** Minutes of the City Council Work Session of February 2, 2018
- 18-163** Minutes of the City Council Joint Meeting of February 5, 2018
- 18-164** Minutes of the City Council Regular Meeting of February 6, 2018
- 18-088** Minutes of the Board of Adjustment Meeting of October 25, 2017
- 18-165** Minutes of the McKinney Housing Authority Meeting of November 28, 2017
- 18-138** Minutes of the Parks, Recreation, and Open Space Advisory Board Meeting of December 14, 2017
- 18-112** Minutes of the Reinvestment Zone Number Two Meeting of December 4, 2017
- 18-166** Consider/Discuss/Act on an Ordinance Amending the Project Plan for Tax Increment Reinvestment Zone Number One. Caption reads as follows:

ORDINANCE NO. 2018-02-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS APPROVING THE TAX INCREMENT REINVESTMENT ZONE NUMBER 1 (TOWN CENTER) FIRST AMENDED PROJECT PLAN, CITY OF MCKINNEY, AS ADOPTED BY ITS BOARD OF DIRECTORS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

- 18-167** Consider/Discuss/Act on an Ordinance Establishing a Reduced Speed School Zone and Crosswalk for Elliot Elementary along McKinney Ranch Parkway at Silverado Trail. Caption reads as follows:

ORDINANCE NO. 2018-02-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING A REDUCED SPEED SCHOOL ZONE AND CROSSWALK FOR ELLIOT ELEMENTARY ALONG MCKINNEY RANCH PARKWAY AT SILVERADO TRAIL IN MCKINNEY, TEXAS; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 18-168** Consider/Discuss/Act on a Resolution Authorizing the City Manager to

Execute an Agreement with the Texas Department of Transportation for the Temporary Closure of the State Right-of-Way for the Purpose of Special Events. Caption reads as follows:

RESOLUTION NO. 2018-02-021 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY

- 18-169** Consider/Discuss/Act on a Resolution of the City of McKinney, Texas, Ratifying the Authorization of the City Manager to Apply for, Accept, Reject, Alter or Terminate, a Grant to the U. S. Department of Justice, Administered Through the State of Texas, Office of the Governor, for a Victims of Crime Act (VOCA) Grant, to Fund a Victim Advocate. Caption reads as follows:

RESOLUTION NO. 2018-02-022 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, RATIFYING THE AUTHORIZATION OF THE CITY MANAGER TO APPLY FOR, ACCEPT, REJECT, ALTER OR TERMINATE, A GRANT TO THE U.S. DEPARTMENT OF JUSTICE, ADMINISTERED THROUGH THE STATE OF TEXAS, OFFICE OF THE GOVERNOR, FOR A VICTIMS OF CRIME ACT (VOCA) GRANT, TO CONTINUE TO FUND A VICTIM ADVOCATE

- 18-170** Consider/Discuss/Act on a Resolution Approving Pre-Qualified Firms to Provide Architectural and Engineering Services Related to the Design and Construction of Multiple Projects in the City of McKinney and Authorizing the City Manager to Execute Professional Services Contracts for These Services as Needed. Caption reads as follows:

RESOLUTION NO. 2018-02-023 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING PRE-QUALIFIED FIRMS TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF MULTIPLE PROJECTS IN THE CITY OF MCKINNEY AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS FOR THESE PROFESSIONAL SERVICES AS NEEDED

- 18-171** Consider/Discuss/Act on a Resolution Awarding Contracts to Lawn Star

Landscape of McKinney, Texas and DWW Landscaping, LLC of McKinney, Texas for Mowing and Grounds Maintenance. Caption reads as follows:

RESOLUTION NO. 2018-02-024 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF CONTRACTS WITH LAWN STAR LANDSCAPING OF MCKINNEY, TEXAS AND DWW LANDSCAPING, LLC OF MCKINNEY, TEXAS FOR MOWING AND GROUNDS MAINTENANCE SERVICES

- 18-172** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between Dallas-Fort Worth Regional Intelligent Transportation System Partners Concerning Guiding Principles for Multi-Agency Communication, Data and Video Sharing. Caption reads as follows:

RESOLUTION NO. 2018-02-025 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS AND DALLAS- FORT WORTH REGIONAL PARTNERS CONCERNING INTELLIGENT TRANSPORTATION SYSTEM GUIDING PRINCIPLES FOR MULTI-AGENCY COMMUNICATION, DATA AND VIDEO SHARING

- 18-173** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Agreement with Google Inc. to Join the WAZE Connected Citizen's Program. Caption reads as follows:

RESOLUTION NO. 2018-02-026 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWO-WAY AGREEMENT WITH GOOGLE, INC. TO ENROLL THE CITY OF MCKINNEY IN THE WAZE CONNECTED CITIZENS PROGRAM

- 18-174** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Burns & McDonnell Engineering Company, Inc. for Professional Engineering Design Services for the Bloomdale Road Extension Project from Hardin Boulevard to Community Avenue (ST4227). Caption reads as follows:

RESOLUTION NO. 2018-02-027 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC. FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE BLOOMDALE ROAD EXTENSION PROJECT FROM HARDIN BOULEVARD TO COMMUNITY AVENUE FOR AN INCREASE IN THE NOT TO EXCEED FEE FROM \$750,000 TO A TOTAL AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY ADDITIONAL SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$800,000

- 18-175** Consider/Discuss/Act on the Termination of Inactive Campaign Treasurer Appointments

END OF CONSENT

- 18-182** Mayor Fuller called for Consideration/Discussion/Action on the Acceptance of the Comprehensive Annual Financial Report (CAFR) and the Federal Single Audit Report for the Fiscal Year Ended September 30, 2017. Finance Director Trudy Mathis stated this item is for Council's acceptance of the 2017 Comprehensive Annual Financial Report (CAFR), as well as Council's acceptance of the annual audit and federal single audit as required by City Charter. Ms. Karen Curtain, BKD, presented their opinion on the City's audit. As a result of the audit procedures performed, we are pleased to issue the following reports, Independent Auditor's Report, Independent Auditor's Report on Internal Control over Financial Reporting and Compliance and other matters based on an audit of the financial statements performed in accordance with the auditing standards, and Report on Compliance for the Major Federal Award Program, Report on Internal Control over Compliance, and the Report on the Schedule of Expenditures of Federal Awards Required by Uniform Guidance, all of which were issued with an unmodified or clean opinion. We would like to note that the City received the Government Finance Officers Association Certificate for Achievement

for Excellence in Financial Reporting for the fiscal year 2016 CAFR and we expect that the City will receive the same award for fiscal year 2017. Ms. Curtain thanked Chief Financial Officer Mark Holloway, Ms. Mathis, and members of the finance department. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Shemwell, to accept the Comprehensive Annual Financial Report (CAFR) and the Federal Single Audit Report for the Fiscal Year Ended September 30, 2017.

17-0020SP Mayor Fuller called for Consideration/Discussion/Action on a Site Plan for a Neighborhood Park (George Webb Park), Located North of Millbend Drive and East of Eden Drive. Planning Manager Samantha Pickett stated this site plan is for a park located near Westridge and Coit. There are no variances requested. Councilwoman Rath thanked Ms. Pickett for presenting this item. She stated that the dry waterbed and the medicinal plantings as part of this project are a perfect nod to Mr. George Webb. Council unanimously approved the motion by Council member Shemwell, seconded by Council member Branch, to approve a Site Plan for a Neighborhood Park (George Webb Park), located north of Millbend Drive and East of Eden Drive.

17-276Z Mayor Fuller called for 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, "C3" - Regional Commercial District and "CC" - Corridor Commercial Overlay District, Located on the Northwest Corner of Hardin Boulevard and U.S. Highway 380 (University Drive), and Accompanying Ordinance. Planning Manager Samantha Pickett stated the applicant is proposing to rezone for commercial uses. The property currently is limited in its retail uses. The applicant's intent is to do full retail and commercial uses on the property. They are proposed to do C-2 zoning in the back along Taft, with C-3 and more intense retail

uses along US Highway 380 and Hardin Boulevard. Staff supports the request. Ms. Pickett stated that Taft is the frontage so any development on the back portion of that property will have to follow any type of front yard requirement along Taft, including the landscape buffer, front yard setbacks, etc. This zoning request matches up with everything that's on that corner. Council unanimously approved the motion by Council member Shemwell, seconded by Council member Elliott, to close the public hearing. Ms. Pickett stated that certain automotive uses would require Council approval of an SUP to allow those uses. In relation to automotive uses, both C-2 and C-3 require specific use permit for automotive sales as well as service and repair and a gas station/service station. Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to approve an Ordinance rezoning the subject property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District, "C3" - Regional Commercial District and "CC" - Corridor Commercial Overlay District, located on the northwest corner of Hardin Boulevard and U.S. Highway 380 (University Drive). Caption reads as follows:

ORDINANCE NO. 2018-02-013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 11.23 ACRE PROPERTY, LOCATED ON THE NORTHWEST CORNER OF HARDIN BOULEVARD AND U.S. HIGHWAY 380 (UNIVERSITY DRIVE), IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "C2" – LOCAL COMMERCIAL DISTRICT, "C3" – REGIONAL COMMERCIAL DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 17-206Z** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS-60" - Single Family

Residence District to "DR" - Duplex Residential District, Located Approximately 250 Feet North of Elm Street and on the West Side of Lindsey Street, and Accompanying Ordinance. Planning Manager Samantha Pickett stated the applicant is requesting to rezone the subject property generally for duplex and residential uses. It is currently zoned for single-family which would allow for a 6,000 square foot minimum home. This is a well-established neighborhood of single-family, detached homes. The proposed use is not compatible with the Future Land Use Plan nor is it consistent with the current land use. The Planning and Zoning Commission voted to deny the request which will require a super majority vote of Council in order to approve this request. The applicant was not present. Mayor Fuller called for public comments and there were none. Council member Shemwell stated he would be in favor of allowing a duplex at this location. We are in need of affordable housing and this lot is sitting vacant. Mayor Fuller stated there are a number of residents who have expressed concerns and have issues with anything other than single-family homes being built in the neighborhood. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Elliott, to close the public hearing and deny the request to rezone the property.

- 18-177** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Adopting the Budget Policies and Guidelines for Fiscal Year 2018-19. Chief Financial Officer Mark Holloway stated this item is for Council's affirmation of the budget guidelines for fiscal year 2019 which will be used to begin our budget process for the upcoming fiscal year. Finance produced these guidelines based on previously approved guidelines and input from the City Manager's office. These guidelines are used as we project taxes and plan staffing for the fiscal year 2019 budget while keeping your Council goals in mind. Council member Elliott stated that he would like for staff to consider the service levels our citizens expect to

have that influence and effect on the budget for next year. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Shemwell, to approve a Resolution adopting the Budget Policies and Guidelines for Fiscal Year 2018-19. Caption reads as follows:

RESOLUTION NO. 2018-02-028 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, AUTHORIZING THE ADOPTION OF
BUDGET GUIDELINES FOR FISCAL YEAR 2018-19

18-178 Mayor Fuller called for Consideration/Discussion/Action on Filling the Vacant Position on the McKinney Armed Services Memorial Board. Council unanimously approved the motion by Council member Branch, seconded by Council member Elliott, to appoint Clark Goulette to fill the vacant position on the McKinney Armed Services Memorial Board starting February 21, 2018 and ending September 30, 2019.

Mayor Fuller called for Citizen Comments and there were none.

Mayor Fuller called for Council and Manager Comments.

Council member Phillips stated that the City of McKinney and the local churches are served by the Texoma Emmaus Community which is a nondenominational leadership program that takes people from their local churches in north Texas and creates better leaders for their churches. Texoma Emmaus Community has been operating in the north Texas area for 23 years. It is just not a local program but is in 240 countries around the world. I have been honored with leading the 100th walk of the Texoma Emmaus Community. Congratulations to all those participating in the 100th walk.

Council member Elliot stated the McKinney Economic Development Corporation meeting was held this morning. Mr. Elliott stated that the Board approved moving forward with a recruiting firm to find the replacement for President Darrell Auterson. Mr. Elliott stated that this Friday the McKinney Community Awards celebration will be held at the Sheraton Hotel. I cannot think of a better way to spend Friday night than to see

the folks that really make McKinney great. It is not us up here, it is everyone else out there that donates their time, talent, energy and skill to make things better.

Council member Rogers recognized the young people who were in attendance at the meeting tonight. Mr. Rogers stated that they are very fortunate to have come tonight because it was a shorter meeting than most.

Council member Shemwell requested a moment of silence for prayers and sincere thoughts for the families in Florida who lost loved ones in the school shooting. I know the Council has taken lashes this past week or so about our prayers. I was taken back by it in all honesty. I think when someone gives a sincere prayer to someone who is grieving, that should be taken lightly. I'm not saying that actions should follow but before I act, I pray. If you don't know me, then you would not know that my father was killed when I was 12 years old by gun violence. It is an issue that's very dear to my heart. When I express my concerns and thoughts of those families, it is coming from a place of true sincerity. It's coming from a place that is really knowing and being the grieving son and brother. Mr. Shemwell stated that the leaders of McKinney are doing what they can to make McKinney a safe place to live. Mr. Shemwell stated I think that February is African-American Black History Month. I wanted to recognize some of the contributions that our culture has contributed to this country as a whole. A lot of the times we don't even know the contributions that our community has contributed to this country. My very own best friend and her family created Tabasco Sauce yet they do not get credit for it. They have all the documentation from back when their family were slaves and their slave owners took credit for that. Our own Coach Evans, Jr. who we all loved was a son of a slave. Mr. Shemwell stated that he wanted everyone to recognize that we've come a long way but we still have a long way to go. Mr. Shemwell stated that he would like to see the City of McKinney establish a program for Black History Month going forward.

Council member Branch did not have any comments.

Councilwoman Rath did not have any comments.

City Manager Grimes stated that the McKinney Fire Department is offering a Citizen Fire Academy for those who want to know more about the Fire Department. The class is limited to 25 participants who live or work in McKinney. The class will meet

Thursday evening starting March 22nd and will run for 10 weeks with two Saturday sessions. Applications are due March 16th and can be found on the City's website by typing Citizen Fire Academy. Parks and Recreation Department has a seasonal job Fair from 9 a.m. to 2 p.m. on February 24th at Old Settlers Recreation Center. These are typically college kids or high school kids that are old enough who can work seasonal jobs throughout the City. We're looking for lifeguards, swim lesson instructors, summer camp counselors, and customer service representatives at several of our facilities. You must be 16 years or older. Apply online in advance and interviews will be performed on site. You can go to our website and find out more information. Mr. Grimes gave a special thanks to the entire Finance team for their work on the audit and the CAFR. It is truly a team effort. There is a lot of work that went in to putting it together during the course of the year. The Finance Department folks are the quintessential back office employees and they work very hard.

Mayor Fuller applauded Mr. Shemwell for the courage that you had to bring an issue that you felt was important last night at the Work Session despite adversity. As a Council we deal with a lot of criticism. We get the opportunity to see the absolute best in people and unfortunately sometime we see the very worst.

Council unanimously approved the motion by Council member Shemwell, seconded by Council member Branch, to adjourn. Mayor Fuller adjourned the meeting at 7:45 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary