

CITY COUNCIL SPECIAL MEETING

JUNE 5, 2017

The City Council of the City of McKinney, Texas met in special session in the Council Chambers of the Municipal Building on June 5, 2017 at 5:30 p.m.

Council Present: Mayor Brian Loughmiller, Council members: Chuck Branch, Don Day, Tracy Rath, Rainey Rogers, and Travis Ussery. Council Absent: Mayor Pro Tem Randy Pogue.

Staff Present: City Manager Paul Grimes; Assistant City Manager Steve Tilton; City Attorney Mark Houser; City Secretary Sandy Hart; Planning Director Brian Lockley; Interim Director of Engineering Gary Graham; City Manager's Office - Trevor Minyard and Blanca Garcia; Parks and Recreation - Ryan Mullins and Jill Yount; Fire Chief Danny Kistner; Chief of Police Greg Conley; Assistant Director of Public Works Paul Sparkman; McKinney Economic Development Corporation President Darrell Auterson; McKinney Community Development Corporation President Cindy Schneible; Director of FBO Mark Jaraczewski; McKinney Economic Development Corporation Executive Vice President Abby Liu; Engineering - Robyn Root; Housing and Community Services Manager Janay Tieken; MPAC/Main Street Director Amy Rosenthal; McKinney Convention and Visitors Bureau - Dee-dee Guerra and Vanesa Rhodes; Communications and Marketing Laura Smetak; Development Manager Brandon Opiela; Police Sergeant Russel May; Assistant City Secretary Denise Vice; Chief Plans Examiner Jeff Harris; Human Resources Director Ike Obi; Development Services – Donna Bugiel and Dana Stillwell; and Chief Financial Officer Mark Holloway.

There were approximately 110 guests present.

Mayor Loughmiller called the meeting to order at 5:30 p.m. after determining a quorum present.

17-561 Presentation of House Resolution 1540. Representative Scott Sanford stated that it is a distinct privilege of recognizing the City of McKinney as doing something exemplary, as usual. The City of McKinney leads the State in doing things the right way and in this case, the City has worked hard over the past several years at government transparency. The Comptroller has a program in place called the Five-Star Transparency

program and the City of McKinney is the first City in the state of Texas to receive the highest rating in all areas of the Five-Star Transparency program. It is always a privilege to represent this area. I like to encourage the constituents in this area because they do such a good job of catching people doing things right and also as an exporter by taking the things from McKinney and Collin County to Austin to be an example to the rest of the State. I'm really proud of the City of McKinney and I would like to present to Mayor Loughmiller the House of Representatives Resolution 1540 that acknowledges the City in its efforts and accomplishments as recognized by the Comptroller. So congratulations to all of you, to the citizens, to the Council and to the staff that have worked on this over the years.

17-555 Comments from Outgoing Mayor Loughmiller. Mayor Loughmiller stated that he has reflected on his time as Mayor of McKinney and his time in public service on City Council for the past 14 years, I have served with many Mayors and Council members. It is Mayor Loughmiller's opinion that all those he served with had a common goal of developing a City that would provide quality of life and opportunity for all of our residents and those who would ultimately choose to make McKinney their home in the future. Mr. Loughmiller stated that he had the honor of meeting three Governors - Bush, Perry and Abbott and President Bush and President Obama during his tenure. Governor Perry selected me to speak on a panel on Investing in Texas at the Shanghai World Expo and his economic development office partnered with us in the relocation of Torchmark Corporate Headquarters from Birmingham, Alabama to McKinney and Raytheon Corporate expansion. Mr. Loughmiller represented McKinney in Washington, D.C. on local issues ranging from transportation, water issues, and airport expansion. He had the opportunity, on many occasions, to meet with and form friendships with Congressmen Sam Johnson, Ralph Hall and now John Ratcliffe, as well

as meeting with Senators Cornyn, Cruz and Hutchison. He also had the pleasure of working with our delegation in Austin. Mayor Loughmiller has welcomed dignitaries to McKinney including the Director of Taipei Economic Development from Tawain, the Director General of China, as well as a Mayor from Budapest. Mr. Loughmiller thanked Councilwoman Tracy Rath not just for serving with me on Council but more for the many years of friendship to me and my family. I have watched her go from community advocate and volunteer, Director at MPAC, to Board Member of McKinney Community Development Corporation and ultimately to serve on City Council. Mayor Loughmiller thanked Council member Travis Ussery, his Mayor Pro Tem for six years and his friend. Travis is my Historian that has served as the bridge between McKinney's past and McKinney's future following in his father's footsteps of service and always willing to give his perspective on McKinney, its history, the historic district and the importance of maintaining that history as we continue to develop into a new city. Mr. Loughmiller recognized many members of City staff that he has worked with over the years. He expressed appreciation for the hard work and dedication of the City of McKinney employees. Mayor Loughmiller recognized Mona Robinson, Blanca Garcia and Amy Jeter in the executive office. Mayor Loughmiller thanked City Secretary Sandy Hart who he shared in her receiving recognition in her role as City Secretary. They have each worked directly with him and other Council members to ensure that we meet our obligations to the City. As has been said often our staff has done more with fewer people than many of our sister cities. As the new Council moves into our next development phase, the issues of managing the budget will have to balance addressing tax base issues to meet the increased demand that new development will bring. Mr. Loughmiller thanked the pastoral community who, from time to time, have lifted him up spiritually, been there in challenging times and worked to unite rather than divide our City. Mr.

Loughmiller stated that the City has received many honors over the past eight years: Most recently, the first City in Texas to receive five star transparency rating for transparency in government by the State of Texas Comptroller's Office; Forbes Magazine Top Ten Places to Move; Bestlife Magazine top 100 places to raise a family; America's Promise Alliance 100 best communities for young people; highest median income growth rate in US from 1990 to 2010 for cities with more than 50,000 residents; NerdWallet.com No. 4 best city in Texas for job seekers; Smart Asset McKinney Top Boomtown in the United States; No. 12 Safest Cities for Women; Goodcall.com No. 13 best place among 509 cities to buy a Forever Home recognizing that McKinney was in the top 10 percent for affordability, low crime, low unemployment rate and strong educational values; and last but not least, Money Magazine Best Places in America to Live; number 14 in 2008, 5 in 2010, 2 in 2012 and number 1 in 2014. The City has approved planned development and redevelopment projects unique to the area that continue to bring rave reviews to McKinney including: Tucker Hill; infrastructure redevelopment in the historic downtown commercial district; Adriatica; Trinity Falls; additional expansion within Stonebridge Ranch; Craig Ranch; and Chapel Hill in east McKinney. The City has seen an increase in collaboration with non-profits through Together We Serve, Mayor's City of Service Project, Pride Community efforts, and continued work of Volunteer McKinney with the McKinney Youth Summit. Our Mayor's Health Partnership with MISD, Baylor Scott and White and Cooper Clinic saw an increased focus on community health and fitness that also led to economic development projects including Michael Johnson Performance Center, Cooper Fitness Center, and Playtri, as well as national recognition for 13 healthy school zone schools. On the commercial development front, the City has approved the first Tax Increment Reinvestment Zones in McKinney along the Highway 5 corridor and town center area and one that covers the

airport. Commercial projects that came to McKinney during my tenure included: Torchmark relocation; Raytheon SAS division; Wistron Greentech; Barclays; Service First Mortgage; Winco Foods; Hisun Motors; UPS; Emerson Process Management expansion; Blount Foods; Tupps Brewery; Stars Center; multiple expansions of Encore Wire; expansion of Simpson Strong Tie; the Sheraton Hotel; Collin College Higher Education Center, Health Science Center and Conference Center and the soon to be constructed Public Safety Training Center. Acquisition of assets at McKinney National Airport included corporate aviation with EDS, Texas Instruments, and Toyota. Most recently the approval of Costco development, Paccar Corporation and the Craig Ranch Resort Hotel and Conference Center as well as the 9-acre mixed use development. The City has seen \$650 million in bonded projects approved, secured a triple A bond rating, and has an ISO rating of one for our Fire Department. Infrastructure improvements in east McKinney in excess of \$100 million, Highway 75 expansion, construction of the Sam Rayburn Tollway, new road projects along Airport Drive, Alma, Stacy, Bloomdale, expansion of Custer Road, Laud Howell Parkway, Lake Forest north of 380, Hardin Blvd. and many more to come. Quality of Life Projects included the Craig Ranch Soccer Fields, John and Judy Gay Library, Bonnie Wenk Park, Community Center improvements at Old Settler's Park, updates to Finch Park, construction of The Courts Tennis Complex that in its first year was named Best New Facility in America by the United States Tennis Association, a new skate park, new softball fields, a number of neighborhood school parks and most recently PSA and the Apex Centre. The planning initiatives the City has undertaken to plan for the future include a 10 year CIP plan identifying over 40 new local and regional street projects, a 20 year master parks plan, a town center study, Northwest Sector Study, and ultimately, the McKinney 2040 planning process for a complete update of the overall City

Comprehensive Plan that will lead to an evaluation of our zoning ordinances, schedule of uses and provide future Councils a community roadmap for what our citizens expect our City to be at buildout. City Councils do not work in a vacuum. The work of one Council sets the foundation for the next Council and it is through consistency and continuity of policy that a City develops. Each Council has the opportunity to look through the lens of history and improve on what has worked and discard what has not. The fact that McKinney has received so many awards and accolades is a testament to the good foundation established by prior Councils before Mayor Loughmiller's service and the initiatives of the Councils of his time as Mayor of McKinney as well as the work of City employees in implementing those initiatives. Mayor Loughmiller stated that he is proud of the work that our Councils have done to set the stage for Mayor Elect Fuller and the newly elected Council members who will take office mid-June as well as the Councils that will follow to continue McKinney's position as a City known nationally and internationally as one of the best places in America to live. To the next City Council, he wished them much success and trust that they will use discernment and make decisions with the community as a whole in mind. One thing he has learned in his service is that one of our greatest attributes in McKinney is our citizenry and the level of volunteerism from all areas of our City. I also learned that there is no shortage of opinions as to what should be done. Often times his leadership was questioned because of a willingness to compromise in some cases to move forward on an issue. He stated that to you that principal is very important and should be the foundation upon which you base an opinion but compromise at times will be necessary to achieve the end goal of overall quality that you seek in a City development. This quote from a book he is reading about Ben Franklin that states, "A stand for compromise is not the stuff of heroism, virtue or moral certainty, but it is the essence of the

democratic process". Think of this in the context of a man who was the only person to sign all four founding papers of this country that formed the foundation upon which all laws of governance followed: The Declaration of Independence; The Treaty with France; the Peace Accord with Britain; and the Constitution of the United States. As policy makers you will be challenged with making decisions that will have both intended and unintended consequences. When you set policy and give direction, your City staff will follow your policies and your direction and deserve your support and deference when they face potential criticism for the ultimate outcome that occurs as a result of your policies. Sometimes practical application will result in a need to revisit an Ordinance shaped by policy that had the best intention but not the best consequence. Mayor Loughmiller expressed that his hope is that his legacy will simply be that whether individually the citizens of McKinney agreed or disagreed with a particular vote or policy initiative that he undertook while Mayor, that they believed that his goal was simply to do what was best for McKinney, Texas, and all of the people that live here and to do so ethically and with integrity. Mayor Loughmiller expressed his desire to end where he began, thanking his wife Donna and their family. The Loughmiller children were almost 5, 6 going on 7 and 10 when he was first elected as District 4 Council member in 2002. They are now 20, 22 and 25 and have grown up through his service. He has seen them volunteer in different organizations and seen the maturity and poise they have shown having to live under the microscope of having a parent in public office. In some small way he hopes his public service has shown them the value of community service and volunteerism. Mayor Loughmiller recognized his wife Donna for her work on the home front while he had the opportunity to be Mayor. Mayor Loughmiller stated that Donna is not only my wife, she is my confidant, my sounding board, my defender and my best friend. Over the years I have given many

proclamations to many organizations and individuals for special events in their life or accomplishments they have achieved. As his last act as Mayor of McKinney, he presented Donna with a proclamation for her years of unwavering support while he served as Mayor of McKinney. Mayor Loughmiller thanked the citizens for the opportunity to serve as the Mayor of McKinney, Texas, the best City in America. And whether he is serving through public office or elected to serve in another capacity, he will always cherish the time he had to serve those that call McKinney, Texas, their home.

17-556 Mayor Loughmiller called for City Council and City Manager Comments. Council member Rogers stated that there are two things that he especially appreciates about Mayor Loughmiller. One is his commitment to the kids in the community. I was with him at an event a few weeks ago and there was 10 or 15 kids from one of the local schools. The Mayor was there and he talked about the years he had always been there and it was for a small event and I thought how many small events has he been at throughout his tenure as Mayor. I appreciate your service to our children. You've been a great example in that way. The other thing that I appreciate, is for the last seven or eight years we had a Mayor who truly is unapologetic of his faith. He has supported the churches, freedom of religion, whatever faith you are, he's involved and excited and there. I truly believe when you are in the service of your fellow being you are in the service of your God and I believe that is how Brian served his God is in the service of McKinney. I thank you for that.

Councilwoman Rath thanked Mayor Loughmiller for his friendship. Thank you for the temperament you've brought to this office. When I think about the times where we've been yelled at, I've gotten a small taste of that, of all the negative, you always stayed so positive even when people have disagreed. You have always represented McKinney impeccably. Your ability to recall events and facts is unprecedented and I will really miss

the historical perspective that you have been so willing to share with us to help us understand issues that go past several Councils. So thank you, my friend.

Council member Branch stated that he agrees with Council member Rogers. I do appreciate the fact that you stood up for the faith and protected that and it's brought a lot of foundational principles to the City and has been a mainstay for us. I want to say thank you because I really do appreciate that you have a great heart and I appreciate that so much. It's something I can learn and pray to get better at. I appreciate the fact that you have gone out and represented us well to other areas of the government, the county and state, as well as Washington, D.C. You have certainly been a good ambassador for us and I pray the best for you and I know you will do well whatever you do.

Council member Day stated he has known Mayor Loughmiller for 21 years. We had several business relationships before we served together on this Council for the last eight years. In all of that time, the things I've learned about Brian is that he is completely honest, completely ethical, he does love to mediate, and he is one of the hardest working humans I've ever met. He has put in an unaccountable number of hours for this City. He represented the City well and he deserves our thanks.

Council member Ussery stated thank you Mr. Mayor, one last time. I will continue to thank you for your service and thank you for your kind words and your speech. I don't know that I warrant them but I do appreciate them. We've come a long way from the first event we attended, a bathroom ribbon-cutting at Finch Park in 100 degree heat with suits on. Even from that day, it was indicative of your ambassadorship and your decorum and it has never wavered in the betterment of McKinney. Your wisdom certainly to move forward with the foundation laid from previous Councils and your ambassadorship to lay a foundation for another Council is unsurpassed and I say that with respect for you and no

disrespect to other mayors. I've lived here for 50 years and my Father was the Mayor, but you are probably the greatest ambassador in my lifetime for McKinney, Texas, and thank you does not go far enough. You can certainly lay claim to any future success.

City Manager Grimes stated on behalf of staff, these are always interesting times for staff because we see a change in the guard of the elected officials. Democracy is such that in order for it to work, a representation of the voters has to be captured in an election cycle and that's how a democracy works. You elect those who represent you at a particular point in time. Human nature being what it is, we grow fond with whom we have served. And that makes saying goodbye difficult. I can say that seeing Mayor Loughmiller complete two successful terms through the exploding growth and opportunity in McKinney is something to celebrate. It's been a true pleasure to work with you, if but only for 10 months, and the City Council. I know you will continue to serve in some form and our community and region will be better for it. In the meantime, on behalf of staff, thank you truly for your service and your commitment. Personally, I thank you and Donna's friendship to my wife, Lusi and I, your counsel, your friendship, and your welcoming us here in McKinney. That was a very short time ago that we moved into our apartment as temporary quarters and we had stuff strewn about and Mayor Loughmiller came by to visit and welcomed us with a six-pack of local beer. It was a hot summer day so it tasted really good. I appreciate that. Thank you on behalf of staff for all your service.

- 17-557** Presentation to Mayor Brian Loughmiller. City Manager Paul Grimes presented outgoing Mayor Loughmiller with an engraved clock commemorating his service as Mayor of the City of McKinney. Mr. Grimes presented Mayor Loughmiller with his personalized gavel mounted to recognize his service as Mayor of McKinney. City Secretary Sandy Hart presented Mayor Loughmiller with a City Flag that was flown

over City Hall on April 24, 2017 as a nod to the First Lady, expertly folded by the Fire Department Honor Guard and presented in an engraved display case.

17-558 Certificate of Election and Oath of Office for Incoming Mayor George C. Fuller. Mayor Loughmiller presented the Certificate of Election to George C. Fuller. City Secretary Sandy Hart administered the Oath of Office to George C. Fuller.

17-559 Comments from Incoming Mayor and Council members. Mayor Fuller thanked Mr. Loughmiller for the many years of service, leadership, wisdom and guidance he provided to the City. You have selflessly given of yourself not just for the past eight years but many years before that. On Council alone, you have led our City as we've grown from about 72,000 people to now about 172,000 people. You have been there for all of us through tremendous growth and prosperous times and difficult times, through national praise and rewards, and also through national criticism that we received following the Craig Ranch pool incident. But in all cases you've been dignified and resolute. You've led the community proudly. One social shift that embodies exactly what you have achieved for each and every one of us can be heard in the answer that all of us have given. When we travel, at least for me, in previous years people would say where are you from? People would say, a little town north of Dallas. Through your leadership, no one answers the question that way now. They proudly answer I'm from McKinney, Texas. You have led us to the proudest place on the map, the place nationally recognized as the best City in America. You led us there and your legacy is etched in McKinney's history. I want to thank you for your friendship. A friendship that transcended a political race between us eight years ago. Despite all the noise endured in this past election, it is still there. As I prepare to carry forward what you've put in place, I do it confidently. But I do that because I have your cell phone number and your address. And I know

your love for this community does not end tonight and your service will not end and there's no doubt when I call you freaking out about something I know you will be there to guide me, as you have done already in my years of service. You are a champion and I'm truly honored to be here at this moment in this place in this City connected to you. A great man and leader I am proud to call my friend. On June 10th, we will elect three new Council members. If you haven't voted yet, get out and vote. Campaigning is a tough prospect, confronted with encouragement and protest, with support and disapproval, with hate and love. In all the behavior I've seen one thing is constant, it is passion. The position of the Mayor is non-partisan and it's for good reason. At the local level and on the national and global level, politics get in the way of progress. We are McKinney, our City logo is not red or blue. We are a diverse community in race, religion, partisanship and age and what I've seen in that diversity is our greatest wealth. We are rich in cultural and intellectual capital. My campaign slogan was, McKinney rising. It remains that. We must rise to our highest and greatest potential from the east side to the west side. I've been blessed to live here and serve the community. Mr. Fuller thanked his wife who has been a rock. You have been serving this community in a fantastic way for many years, everyone in this room knows it. You've done it outside being married to a politician. You've done it through Love Life Foundation for 20+ years. I could not be more proud of anyone than I am of you. Donna Loughmiller, you have been, as Brian said, such an ambassador to the City and you have been at his side for years. You are so well respected and as Brian said you have been his defender. Donna, I have the utmost respect for you and Brian and I meant every word I said that being connected to you at this time in this place is spectacularly precious to me. You two are a team as my wife and I are a team.

Council member Rainey stated he is excited about the election and about

getting things done and hopes the new Council will be ready to work and hit the ground running.

Councilwoman Rath welcomed Mayor Fuller.

Council member Branch welcomed Mayor Fuller. I do appreciate the conversations we've had over the last couple of weeks and I'm looking forward to working with you.

Council member Day welcomed Mayor Fuller. I'm glad to see you here and I look forward to working with you for the next three meetings.

Council member Ussery congratulated Mayor Fuller and welcomed him to the dais. You will find it's different on this side of the spectrum. You will learn fast and those of us can and will help you, not that you need help, but you will have all the support you need. Your energy in the community is infectious and it will transcend to greater things.

City Manager Grimes welcomed and congratulated Mayor Fuller. We've already hit the deck running. We look forward to our future and seeing your energy, vision and passion yield great things for McKinney. We have a lot of work to do and look forward to rolling up our sleeves and getting after it, so welcome.

Mayor Fuller called for Discussion on Regular Meeting Agenda Items.

Mayor Fuller called for discussion on the following work session items with no action taken:

17-560 McKinney Economic Development Corporation 5 Year Strategic Plan Presentation.

Mayor Fuller called for Council Liaison Updates.

Mayor Fuller recessed the meeting into executive session at 6:50 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, Section 551.074 Discuss Personnel Matters, and Section 551.087 Discuss Economic

Development Matters as listed on the posted agenda. Mayor Fuller recessed back into open session at 7:20 p.m.

Mayor Fuller called for Action on Executive Session Items.

Regarding City of McKinney, Texas v. Jimmy David Brazile, d/b/a Western Contracting, and SureTec Insurance Company; Cause No. 416-03459-2016; 416th District Court, Collin County, Texas. Council unanimously approved the motion by Council member Branch, seconded by Council member Ussery, to approve the settlement agreement with Western Contracting and SureTec Insurance Company for completion of the wall.

Regarding Collin County, Texas v. The City of McKinney, Texas and Custer Storage Center, LLC, Case No. 05-17-00546-CV, Fifth Court of Appeals. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, in response to the recent appeal by Collin County, to authorize the City Attorney to file an appeal in the Custer Storage litigation.

Council unanimously approved the motion by Mayor Fuller, seconded by Council member Ussery, to authorize the City Manager to execute a Purchase and Sale Agreement and subsequently consummate the closing on 4.37 acres of land adjacent to the StarCenter Hockey and Skating Facility in Craig Ranch for an amount not to exceed \$1.713 million; however, expressly conditioned upon the City's approval of an Amended and Restated Lease Agreement with the Dallas Stars, LP incident to the expansion of that Facility.

Council unanimously approved the motion by Council member Ussery, seconded by Council member Rogers, to adjourn. Mayor Fuller adjourned the meeting at 7:25 p.m.

BRIAN LOUGHMILLER
Mayor

GEORGE C. FULLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary