



**McKINNEY CITY COUNCIL  
REGULAR MEETING  
MONDAY, JANUARY 5, 2009  
COUNCIL CHAMBER  
222 N. TENNESSEE  
6:30 P.M.**

**CALL REGULAR CITY COUNCIL MEETING TO ORDER 6:30 P.M.**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

- Invocation given by Public Safety Chaplain Rickey Hargrave

**INFORMATION SHARING:**

- Letter of Appreciation to McKinney Independent School District for a \$1,400.00 Donation to the Veterans Memorial Park in McKinney
- Letter of Appreciation to the McKinney North High School Choir for Their Performance at the Veterans Day Ceremony
- Blue Star Flags
  - ★ Norma & Harold Lowe on behalf of their son, Harold A. Lowe

**CITIZEN COMMENTS:**

Citizen Comments (3 minutes per person)

**CONSENT ITEMS:**

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:**

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| 1. | Minutes of the City Council Work Session of December 1, 2008              | <b>09-001</b> |
| 2. | Minutes of the City Council Regular Meeting of December 1, 2008           | <b>09-002</b> |
| 3. | Minutes from the Animal Services Advisory Board Meeting of March 25, 2008 | <b>09-003</b> |

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| 4.  | Minutes from the Board of Adjustment Meeting of October 22, 2008                           | <b>09-004</b> |
| 5.  | Minutes from the Historic Preservation Advisory Board Meeting of November 6, 2008          | <b>09-005</b> |
| 6.  | Minutes from the Library Advisory Board Meeting of October 23, 2008                        | <b>09-006</b> |
| 7.  | Minutes from the McKinney Armed Services Memorial Board Meeting of November 5, 2008        | <b>09-007</b> |
| 8.  | Minutes from the McKinney Armed Services Memorial Board Meeting of November 19, 2008       | <b>09-008</b> |
| 9.  | Minutes from the McKinney Economic Development Corporation Meeting of October 29, 2008     | <b>09-009</b> |
| 10. | Minutes from the McKinney Housing Authority Meeting of October 28, 2008                    | <b>09-010</b> |
| 11. | Minutes from the McKinney Housing Finance Corporation Planning Retreat on November 8, 2008 | <b>09-011</b> |
| 12. | Minutes from the McKinney Housing Finance Corporation Meeting of November 14, 2008         | <b>09-012</b> |
| 13. | Minutes from the McKinney Main Street Meeting of November 13, 2008                         | <b>09-013</b> |
| 14. | Minutes from the Parks, Recreation, and Open Space Board Meeting of November 13, 2008      | <b>09-014</b> |
| 15. | Minutes of the Planning and Zoning Commission Meeting of November 11, 2008                 | <b>09-015</b> |

#### **ORDINANCES:**

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| 16. | Consider/Discuss/Act on an Ordinance Amending the Code of Ordinance and Creating Chapter 110, Article X, Sections 110-475 through 110-489, entitled <i>Landscape Irrigation</i> <b>TABLED FROM DECEMBER 1, 2008</b>                    | <b>08-647</b> |
| 17. | Consider/Discuss/Act on an Ordinance to Amend the Fire Improvement Fund Budget for Project F17111, the Alma Fire Station, for Renovation of the Property and Existing Structure Located at 3445 Alma Road for a Temporary Fire Station | <b>09-016</b> |

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| 18. | Consider/Discuss/Act on an Ordinance Amending the FY2008-2009 Budget and the 2009-2013 Capital Improvements Program for Facilities | <b>09-017</b> |
| 19. | Consider/Discuss/Act on an Ordinance Approving the 2008-2009 Community Support Grant Funding Allocations                           | <b>09-018</b> |

**RESOLUTIONS:**

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| 20. | Consider/Discuss/Act on a Resolution Authorizing a Professional Services Contract for Owner's Representative Services with Jackson A&E Associates, Inc. Related to the Design and Renovation of the Existing Facility to become the Fire Station at Alma Road   | <b>09-019</b> |
| 21. | Consider/Discuss/Act on a Resolution to Authorize the Mayor to Sign a Memorandum of Understanding with the City of Frisco to Initiate Automatic Mutual Aid in the Far Southwestern Areas of the City by the Addition of a Frisco Fire/EMS Response Temporary Fire District                                | <b>09-020</b> |
| 22. | Consider/Discuss/Act on a Resolution Amending the 2009-2013 Capital Improvements Program for the Jim Ledbetter Park Project   | <b>09-021</b> |
| 23. | Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Core Construction of Frisco, Texas for the Construction of Jim Ledbetter Park  | <b>09-022</b> |
| 24. | Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with LanArc Design, Inc. of McKinney, Texas for Design and Engineering Services for the D'Guisseppie Neighborhood/School Park   | <b>09-023</b> |
| 25. | Consider/Discuss/Act on a Resolution Authorizing the City Manager to Establish Just Compensation for the Property Rights to be Acquired and Authorizing the City Manager to Take All Necessary Steps to Acquire the Needed Property Rights for the Construction of the Sorrell Road Elevated Storage Tank | <b>09-024</b> |
| 26. | Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute Documents for the Acquisition of Easements and Take All Necessary Steps to Acquire the Needed Property Rights for the HWY 380 Water Main Project along US 380 from the University Pump Station West to Custer Road           | <b>09-025</b> |
| 27. | Consider/Discuss/Act on a Resolution Authorizing a Contract for Consulting Services for the Design of FM 543 Connector from US 75 to FM 1461 (Lake Forest Drive)  | <b>09-026</b> |

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| 28. | Consider/Discuss/Act on a Resolution Authorizing a Contract for Material Testing Services Related to the Construction of Phase 1 of the Intelligent Transportation System (ITS) at Various Locations   | <b>09-027</b> |
| 29. | Consider/Discuss/Act on a Resolution Authorizing a Professional Services Contract to Provide Miscellaneous Geotechnical Engineering and Construction Materials Testing Services  | <b>09-028</b> |
| 30. | Consider/Discuss/Act on a Resolution Authorizing a Supplemental Agreement for the Construction of the Bradley, Erwin, and Coleman Streets Infrastructure Initiative Project  | <b>09-029</b> |
| 31. | Consider/Discuss/Act on a Resolution Authorizing a Contract Amendment to the Existing Design/Build Services Contract for the Renovation of the Municipal Courts Facility (Formerly the Old Public Safety Building)   | <b>09-030</b> |
| 32. | Consider/Discuss/Act on a Resolution to Accept and File the Semiannual Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees.   | <b>09-031</b> |
| 33. | Consider/Discuss/Act on a Resolution Authorizing the providing of funding for McKinney Economic Development Corporation to Redeem the outstanding balance of the 2002 Taxable Revenue Bonds and Authorizing the City Manager to enter into a 380 Economic Development Agreement with McKinney Economic Development Corporation | <b>09-032</b> |

**MISCELLANEOUS:**

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| 34. | Consider/Discuss/Act on Acceptance of Quarterly and Annual Investment Report   | <b>09-033</b> |
| 35. | Consider/Discuss/Act on the CDBG Consolidated Annual Performance Evaluation and Report (CAPER)   | <b>09-034</b> |
| 36. | Consider/Discuss/Act on a Facilities Agreement Regarding Deferral and Waiver of Public Improvements for the Crooked Creek/Blue Mountain Equipment Addition | <b>09-035</b> |

**END OF CONSENT AGENDA**

**REGULAR AGENDA:**

(Items needing individual action)  
(PH – denotes Public Hearing)

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|----|---|----------------------|
| 1. | Consider/Discuss/Act to Fill the Vacant Position on the McKinney Airport Development Corporation  | <b>09-036</b>        |
| 2. | Conduct a Public Hearing to Consider/Discuss/Act on an Ordinance Closing Millwood Road from Elm Street to a Point Approximately 148 Feet North of the Intersection of Millwood Road and Westmoreland Drive  | <b>09-037<br/>PH</b> |
| 3. | Conduct a Public Hearing to Consider/Discuss/Act on the Request by Mr. Allen Williams of Sears Home Improvement Products, on Behalf of Ms. J.D. Yates, to Appeal the Decision by the Historic Preservation Advisory Board to Deny a Certificate of Appropriateness to Install Vinyl Building Materials on the Exterior of a House at 609 West Hunt Street | <b>09-038<br/>PH</b> |
| 4. | Consider/Discuss/Act on an Amendment to the Hotel Development Agreement to Increase the Amount of the MDCDC's obligation for Reimbursement of the Developer's Expenses and any Incentives Payable to the Developer - McKinney Shores Hotel Partners Inc. <b>TABLED FROM DECEMBER 1, 2008</b>  | <b>08-630</b>        |
| 5. | Consider/Discuss/Act on Amendment to the Hotel Development Agreement ("HDA") for Bridge Street. <b>TABLED FROM DECEMBER 1, 2008</b>   | <b>08-597</b>        |
| 6. | Consider/Discuss/Act on Amendment to the Master Development Agreement ("MDA") for Bridge Street. <b>TABLED FROM DECEMBER 1, 2008</b>  | <b>08-598</b>        |

**PLANNING & ZONING ITEMS:**

(PH – denotes Public Hearing)

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| 1. | Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kimley-Horn and Associates, Inc., on Behalf of Fourteenth Street, L.P., for Approval of a Specific Use Permit and Site Plan to Allow for an Approximately 57,242 Square Foot Assisted Living Facility, Signature Senior Living, Approximately 4.60 Acres, Located on the East Side of Alma Road and Approximately 400 Feet North of Eldorado Parkway, and Accompanying Ordinance. | <b>09-039<br/>PH</b> |
| 2. | Conduct a Public Hearing to Consider/Discuss/Act on the Request by Western Rim Investors 2007-2, L.P., for Approval of a Site Plan for a Multi-Family Development (The Estates at Eldorado), Approximately 30.58 Acres, Located Approximately 900 Feet North of McKinney Ranch Parkway and West of the Existing Collin McKinney Parkway.   | <b>09-040<br/>PH</b> |

3. Conduct a Public Hearing to Consider/Discuss/Act on the Request by Taco Bell of America, for Approval of a Request to Rezone Approximately 0.60 Acres from “C” – Planned Center District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the East Side of U.S. Highway 75 (Central Expressway) and Approximately 500 Feet South of Bois D’Arc Road, and Accompanying Ordinance.

**09-041  
PH**

### **COUNCIL COMMENTS:**

Council 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, reports from external meetings/conferences, birthdays, requests of the City Manager for items to be placed on upcoming agendas, and condolences.

### **CITIZEN COMMENTS:**

1. Citizen Comments (3 minutes per person)

### **EXECUTIVE SESSION:**

1. 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)
  - B. Section 551.074 Discuss Personnel Matters
    - Municipal Judge Annual Review
    - City Manager Evaluation
  - C. Section 551.087 – Discuss Economic Development Matters
    - Project A-45
    - Project A-51
2. **ACTION ON EXECUTIVE SESSION ITEMS** (As needed for January 5, 2009 Sessions)
3. **ADJOURN**

Posted in accordance with the Texas Government Code, Chapter 551, on the 18th day of December, 2008 on or before 5:00 p.m.

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**Sandy Hart, TRMC, MMC**  
**City Secretary**

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Sandy Hart, City Secretary at 972-547-7505 or Beverly Covington, Deputy City Secretary at 972-547-7504, within 48 hours of the scheduled business meeting date. Reasonable accommodations will be made to assist your needs.