



Life Connected.

**CITY COUNCIL REGULAR MEETING
CELINA COUNCIL CHAMBERS
112 N. COLORADO ST.
TUESDAY, MAY 9, 2023
5:00 PM
AGENDA**

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

II. PLEDGE OF ALLEGIANCE/INVOCATION:

III. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

- A. Presentation by Methodist Celina Medical Center.
- B. Presentation of a proclamation to the Development Services Department declaring May 2023 as, "Building Safety Month." (Terry)
- C. Presentation of a proclamation to the Police Department declaring May 14-20, 2023, as, "National Police Week." (Terry)
- D. Presentation of a proclamation to the Public Works Department declaring May 21-27, 2023, as, "National Public Works Week." (Terry)
- E. Presentation of a proclamation to members of the Prosper ISD Bass Fishing Team. (Terry)
- F. EDC May Local Business Report - Allergy & Asthma of Prosper & Celina. (Alvarez)

IV. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Introduction of new employees, recognitions, promotions. (Figueroa, McAfee)
- B. Presentation and discussion of the Arts & Culture Master Plan. (Satarino)
- C. Film Friendly Update. (Thomas)
- D. City of Celina/Run Celina 5K Partnership. (Monaco)
- E. Quarterly Updates: (for informational purposes only)

1. Development Services Quarterly Report (McAfee)
2. Finance Department Budget Quarterly Report (Galizia)
3. Fire Department Quarterly Report (Metdker)
4. Human Resources Quarterly Report (Peters)
5. Organizational Development Quarterly Report (Hunn)
6. Police Department Quarterly Report (Cullison)
7. Public Services Quarterly Report (Brawner)

V. OPEN FORUM:

Open Forum is for information only. If you wish to speak, please sign one of the “Speaker Cards” and present to the City Secretary prior to the beginning of the City Council meeting. Speakers are limited to three (3) minutes. The Council can take no action. No charges and/or complaints will be heard against any elected official or employee of the city that are prohibited by law.

Please note Anyone wishing to furnish the City Council with copies/handouts regarding their item of interest must provide 9 copies and present them to the City Secretary for distribution to the City Council.

VI. EXECUTIVE SESSION:

As authorized by Section 551.071(2) of the Texas Government Code, the Regular Meeting may be Convened into Closed Executive Session for the Purpose of Seeking Confidential Legal Advice from the City Attorney on any Agenda Item Listed Herein.
(Closed to Public as Provided in the Texas Government Code.)

Texas Government Code Section 551.071 Consultation with Attorney and
Texas Government Code Section 551.072 Deliberations Regarding Real Property:

- A. Discussion regarding possible Agreement for Cell Tower Lease at the Frontier Lift Station site and Wilson Creek Park.
- B. Discussion regarding Ken Wood right-of-way for Ownsby Parkway and possible Development Agreement.
- C. Discussion regarding future parkland purchase located South Glendenning Parkway and east of Old Celina Cemetery.

Texas Government Code Section 551.071 Consultation with Attorney and
Texas Government Code Section 551.087 Deliberation of Economic Development Negotiations:

- D. Discussion regarding amendments to the below Huffines Agreements:
 1. Serenade Development Agreement Amendment #1
 2. LaUna Ranch Development Agreement Amendment #1
 3. Mesquaukee Ranch Wholesale Water Agreement

- 4. Mesquoakee Ranch Sanitary Sewer Wholesale Agreement
- E. Discussion regarding amendment to the Silos Development Agreement.
- F. Discussion regarding amendment to the Burger Fixins Development Agreement.
- G. Discussion regarding amendment to the Doe Branch Office Development Agreement.
- H. Discussion regarding possible Development Agreement with Mudea's Café.
- I. Discussion regarding Ken Wood right-of-way for Ownsby Parkway and possible Development Agreement.
- J. Discussion regarding potential incentive agreement with new downtown office building in the Entertainment District.
- K. Discussion regarding possible Public Facilities Corporation Agreement with JPI.
- L. Discussion regarding possible impact fee reduction on potential Daycare located Light Farms Way and Dallas North Parkway.

Texas Government Code Section 551.071 Consultation with Attorney:

- M. Discussion regarding possible legal action on the Hillside Village water and sewer easement.

Reconvene Into Open Session

- N. Consider and act upon any items discussed in Executive Session.
- O. Consider and act upon a Resolution of the City Council authorizing the execution by the City of Celina, Texas of conveyance documents and documents necessary to effectuate the acquisition of real property located South Glendenning Parkway and East of Old Celina Cemetery; and providing for an effective date.

VII. CONSENT AGENDA: Items are considered self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the City Council.

A. Minutes Approval:

- 1. City Council - Regular Meeting - April 11, 2023, 5:00 PM
- B. Review and acceptance of the Quarterly Investment Report for the period ended March 31, 2023. (Bromiley)
- C. Consider and act to reinstate Michelle Baggett to the Downtown Commission. (Vaughns)
- D. Consider and act to purchase equipment and services for the Downtown Wi-Fi project through various cooperative contracts and vendors in an amount not to exceed \$300,867.07. (Berry)
- E. Consider and act to authorize Work Order 02 for engineering services for the design of a dark fiber service to various City locations with Capco Communications, Inc., in an amount not to exceed \$95,140.50. (Berry)

- F. Consider and act to purchase dark fiber services for data back up through a cooperative contract with Astound Business Solutions, DBA/Grande Communications in an amount not to exceed \$28,800.00. (Berry)
- G. Consider and act to purchase a Trailer Mounted Pump through a cooperative contract with Xylem Water Solutions USA, Inc. in an amount not to exceed \$65,882.33. (Berry)
- H. Consider and act to authorize the purchase of miscellaneous equipment for the new engine at Fire Station 3 from various vendors through cooperative contracts with in an amount not to exceed \$188,821.36. (Quigley)
- I. Consider and act to authorize the purchase of bullet resistant shields from Municipal Emergency Services (MES) through a cooperative contract with NPPGOV in an amount not to exceed \$76,000.00. (Quigley)
- J. Consider and act to award bid 2023-039 for the Downtown Sign Project at the unit prices listed to AT Construction in the amount of \$354,394.24 plus ten percent contingency in the amount of \$35,439.42 for a total amount not to exceed \$389,833.66. (Berry)
- K. Consider and act to authorize the purchase of chairs from JKC Designs through cooperative contracts in an amount not to exceed \$67,499.80. (Quigley)
- L. Consider and act to authorize an agreement for engineering services for the design of Public Works Improvements, Phase 2 (parking lot) in an amount not to exceed \$139,390.00. (Berry)
- M. Consider and act to authorize the use of contingency funds for Celina Road Pump Station Change Order 1 in an amount not to exceed \$107,398.00 (Berry)
- N. Consider and act to award bid 2023-042 for Preston Road Lighting, Phase 3 at the unit prices listed to Roadway Solutions, Inc., in the amount \$1,626,475.00 plus ten percent retainage in the amount of \$162,647.50 for a total amount not to exceed \$1,789,122.50 . (Berry)
- O. Consider and act to authorize the City Manager to approve payment of the City's contribution (55%) estimated to be \$4,527,642.26 (including a 10% contingency) and sign an Escrow Account Agreement for the construction of Coit Road West and CR 83. (Glasgow)
- P. Consider and act to authorize Amendment 3 with Peloton Land Solutions for Ownsby Parkway Improvements (Preston to Coit) in an amount not to exceed \$99,300.00 (Berry)
- Q. Consider and act to authorize an agreement for engineering services for the design of a right-turn-lane from Punk Carter to Preston Road in an amount not to exceed \$63,150.00. (Quigley)

- R. Consider and act to authorize a work authorization for engineering services for the design of the Rasor Water Reclamation Facility (0.95 MGD) in an amount not to exceed \$2,036,242.00 and rescind authorization for the balance of PO 23-00004347 for the 0.25 MGD design. (Berry)
- S. Consider and act upon a Resolution of the City of Celina, Texas, approving certain Tax Increment Reinvestment Zone Number Three project expenditures; providing a severable clause; and providing an effective date. (Stovall)
- T. Consider and act on a Resolution to allow the City Manager to execute agreements with property owners along the Inner Loop construction project for driveway replacement and to allow the City's contractor to provide services at the cost of the property owner. (Glasgow)
- U. Consider and act upon a Resolution of the City of Celina, Texas, reaffirming its consent with conditions to the creation of the Celina Municipal Management District 3. (Celina MMD 3 (Sorrell Tract)) (Mohan)
- V. Consider and act on an Ordinance providing for the limited purpose annexation of that certain commercial and retail land along W. Frontier Parkway, within Collin County Municipal Utility District No. 1, and within the extraterritorial jurisdiction of the City with such annexation to commence immediately upon adoption of the Ordinance as authorized in that certain Strategic Partnership Agreement between the City and the District, effective April 11, 2023, adopted pursuant to Section 43.0751(f)(1) of the Texas Local Government Code; providing that said property be included within the boundaries of the City for the limited purpose of collecting and administering sales and use taxes and providing for other matters. (Light Farms LPA - Ordinance) (McAfee)
- W. Consider and act upon an Ordinance of the City of Celina, Texas, authorizing the future release of wastewater easement situated on a 0.045-acre tract in the Collin County Land Survey Abstract number 779 as part of Cross Creek Meadows Phase 1 subdivision. (Glasgow)
- X. Consider and act upon an Ordinance of the City of Celina, Texas, authorizing the future release of water and wastewater easement situated on a 0.0826-acre tract in the Collin County Land Survey Abstract number 734 as part of Punk Carter Parkway extension. (Glasgow)
- Y. Consider and act upon an Ordinance of the City of Celina, Texas, authorizing the future release of a water easement situated on a 0.0551-acre tract in the Collin County Land Survey Abstract number 734 as part of Punk Carter Parkway extension. (Glasgow)

- Z. Consider and act upon an Ordinance of the City of Celina, Texas, amending Ordinance 2022-113 which adopted and approved the budget for fiscal year beginning October 1, 2022, and ending September 30, 2023, and make appropriations for each department, project, and account, by adopting an amended 2022-2023 budget for the City of Celina, Texas, reallocating funds between accounts, attached hereto and incorporated into this Ordinance. (Bromiley)

VIII. PUBLIC HEARING/ACTION:

- A. Conduct a public hearing to consider and act upon an Ordinance on the voluntary annexation of approximately 256 acres, generally located south of the Collin County Outer Loop and approximately 2,100 feet west of FM 2478 (future Custer Road), within the Extraterritorial Jurisdiction (ETJ). (Ten Mile Creek (Belknap Tract) – C-3 Expedited Annexation) (McAfee)
- B. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance, by zoning approximately 256 acres to a Planned Development (PD) with Single-Family, Detached District (SF-R), Single-Family, Attached District (SF-A), Multi-Family, Horizontal District (MF-0), Multi-Family, Urban Edge District (MF-2), Multi-Family, Urban Living District (MF-3), Collin County Outer Loop District (CCOLO), and Commercial, Retail, & Office District (C) base zoning, generally located south of the Collin County Outer Loop and approximately 2,100 feet west of FM 2478 (future Custer Road). (Ten Mile Creek (Belknap Tract) PD – Zoning) (McAfee)
- C. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance, by rezoning approximately 114 acres to Community Facilities (CF) zoning district, generally located at the southwest corner of Smiley Road and future Carey Road, within the City Limits. (Earthman Park - Rezoning) (Mohan)
- D. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance, by rezoning approximately 4 acres to Community Facilities (CF) zoning district, generally located approximately 500 feet west of Oklahoma Drive and approximately 2,100 feet south of Ash Street, within the City Limits. (Sunset Lift Station - Rezoning) (Mohan)
- E. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance for a Specific Use Permit (SUP) to allow for a Child Care Center use on approximately 2 acres, generally located east of Preston Road and approximately 1,400 feet north of Glendenning Parkway, within the City Limits. (N4 Montessori Academy of Celina – SUP) (McAfee)

- F. The Celina City Council will conduct a public hearing to consider testimony and act upon an ordinance accepting and approving a final Cross Creek Meadows Public Improvement District Service and Assessment Plan, including the Improvement Area #1 assessment roll; making a finding of special benefit to property within Improvement Area #1 of the Cross Creek Meadows Public Improvement District; levying special assessments against such property and establishing a lien on such property; providing for the method of assessment and the payment of the assessments levied against Improvement Area #1 assessed property, in accordance with Chapter 372 of the Texas Local Government Code, as amended. (Cross Creek Meadows IA #1 – Levy Ordinance) (Pollard) - To Be Tabled
- G. The Celina City Council will conduct a public hearing to consider testimony and act upon an ordinance accepting and approving a final Cross Creek Meadows Public Improvement District Service and Assessment Plan, including the Major Improvement Area assessment roll; making a finding of special benefit to property within the Major Improvement Area of the Cross Creek Meadows Public Improvement District; levying special assessments against such property and establishing a lien on such property; providing for the method of assessment and the payment of the assessments levied against the Major Improvement Area assessed property, in accordance with Chapter 372 of the Texas Local Government Code, as amended. (Cross Creek Meadows MIA – Levy Ordinance) (Pollard) - To Be Tabled

IX. ACTION ITEM:

- A. Consider and act upon a Resolution approving and authorizing the Mayor Pro Tem to execute a “First Supplement to Amended and Restated Indenture of Trust” in connection with the refunding of certain currently outstanding obligations related to the Creeks of Legacy Public Improvement District and resolving other related matters. (Creeks of Legacy IA #1 – Amended Indenture Resolution) (Stovall)
- B. Consider and act upon a Resolution approving and authorizing the Mayor Pro Tem to execute a “First Supplement to Indenture of Trust” in connection with the refunding of certain currently outstanding obligations related to the Creeks of Legacy Public Improvement District and resolving other related matters. (Creeks of Legacy MIA – Amendment Indenture Resolution) (Stovall)
- C. Consider and act upon an Ordinance of the City of Celina, Texas, approving and authorizing the issuance and sale of the City of Celina, Texas, Special Assessment Revenue Refunding Bonds, Series 2023 (Creeks of Legacy Public Improvement District Phase #1 Project); calling for redemption certain currently outstanding bonds; approving and authorizing related agreements and an updated service and assessment plan; and providing an effective date. (Creeks of Legacy IA #1 – Bond Ordinance) (Stovall)

- D. Consider and act upon an Ordinance of the City of Celina, Texas, approving and authorizing the issuance and sale of the City of Celina, Texas, Special Assessment Revenue Refunding Bonds, Series 2023 (Creeks of Legacy Public Improvement District Phases #2-3 Major Improvement Project); calling for redemption certain currently outstanding bonds; approving and authorizing related agreements and an updated service and assessment plan; and providing an effective date. (Creeks of Legacy MIA #1 – Bond Ordinance) (Stovall)
- E. Consider and act to provide direction to staff regarding Celina Economic Development Corporation Board of Directors ability to maintain quorum and take action on whether to remove, holdover, or complete term of Kyle Rose due to change in residency. (Jackson)
- F. Consider and act to award bid 2023-045 for the 2023 Annual Street Maintenance project at the unit prices listed to Pavecon Public Works in an amount of \$1,277,494.28 plus ten percent contingency in the amount of \$127,749.42 for a total amount not to exceed \$1,405,243.70. (Figueroa)
- G. Consider and act to award bid 2023-023 for the Phase 1 of the Fiber Installation project to R-Tel Construction for in the amount of \$1,208,920.89 plus ten percent contingency in the amount of \$120,892.09 for a total amount not to exceed \$1,329,812.98. (Berry)

X. ADJOURNMENT:

City Council Chambers is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf, or hearing impaired, or readers of large print, are requested to contact the City Secretary's Office at 972-382-2682, or fax 972-382-3736 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Chapter 551. "I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board at City Hall of the City of Celina, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: May 4, 2023 at 5:30 p.m. and remained so posted continuously for at least 72 hours prior to the scheduled time of said meeting."

Lauren Vaughns, TRMC
City Secretary

Date Notice Removed