



Life Connected.

**CITY COUNCIL SPECIAL CALLED MEETING
CELINA COUNCIL CHAMBERS
112 N. COLORADO ST.
THURSDAY, SEPTEMBER 28, 2023
9:00 AM
AGENDA**

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

II. PLEDGE OF ALLEGIANCE:

III. JOINT WORKSESSION WITH CELINA DOWNTOWN COMMISSION:

- A. Annual Presentation
- B. Town Hall Recap
- C. Main Street Status Update
- D. Friday Night Market Discussion
- E. Strategic Direction

IV. OPEN FORUM: (TO BEGIN AT 11:00 A.M.)

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.

V. WORKSESSION:

- A. Discussion regarding a compressed work schedule. (Peters)
- B. Discussion regarding Special Events guidelines. (Monaco)

VI. EXECUTIVE SESSION:

As authorized by Section 551.071 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:

A. Discussion regarding Senate Bill 2038 of the 88th Regular Legislative Session

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

B. Discussion regarding Eland Ranch right-of-way acquisition.

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

C. Discussion regarding amendment to agreement with Achieving Milestones Pediatric Therapy.

Reconvene Into Open Session

D. 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 right of way, water easements, wastewater easements and temporary construction easements for the construction of water and wastewater lines and roads associated with Eland Ranch Project; and providing for an effective date.

E. Consider and act upon a First Amendment to the Economic Development Performance Agreement by and between the Celina Economic Development Corporation and Achieving Milestones Pediatric Therapy.

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. Consider and act upon a Resolution of the City Council of the City of Celina, Texas, ordering and calling a Special Election for the purpose of electing a Councilmember for Place 6 to fill the remainder of a three (3) year unexpired term; authorizing a joint election with the Collin County Elections Administrator, Denton County Elections Administrator and the political subdivisions located entirely or partially inside the boundaries of each county to be held on December 9, 2023. (Vaughns)

VIII. ACTION ITEMS:

A. Consider and act to accept the resignation of Steven Morris from the Downtown Commission and act to fill the vacancy left by Mr. Morris's resignation. (Vaughns)

IX. 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: Monday, September 25, 2023 at 9:00 a.m. and remained so posted continuously for at least 72 hours prior to the scheduled time of said meeting."

Lauren Vaughns, City Secretary

Date Notice Removed



Life Connected.

Engineering
City of Celina, Texas

Memorandum

To: **Honorable Mayor Tubbs and the Celina City Council**
From: Kimberly Brawner, Assistant City Manager
CC: Karla Stovall, Interim City Manager
Date: September 28, 2023
Re: Eland Ranch Project right of way, water easements, wastewater easements and temporary construction easements

Action Requested:

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 right of way, water easements, wastewater easements and temporary construction easements for the construction of roads, drainage, water and wastewater lines associated with Eland Ranch Project; and providing for an effective date. (Brawner)

Background Information:

The City of Celina entered into a developer's agreement with Eland Ranch. As part of the agreement, the City of Celina will assist in the acquisition of right of way and easements necessary for the construction of public infrastructure including drainage, water and wastewater lines and public roadways.

Legal Review:

Standard Resolution for acquisition of right of way and easements.

Supporting Documents:

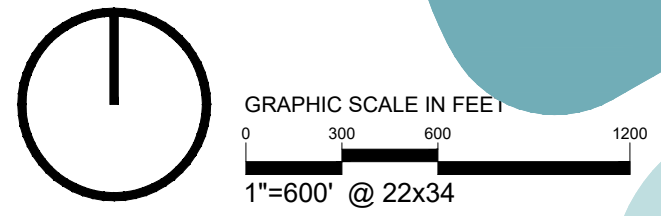
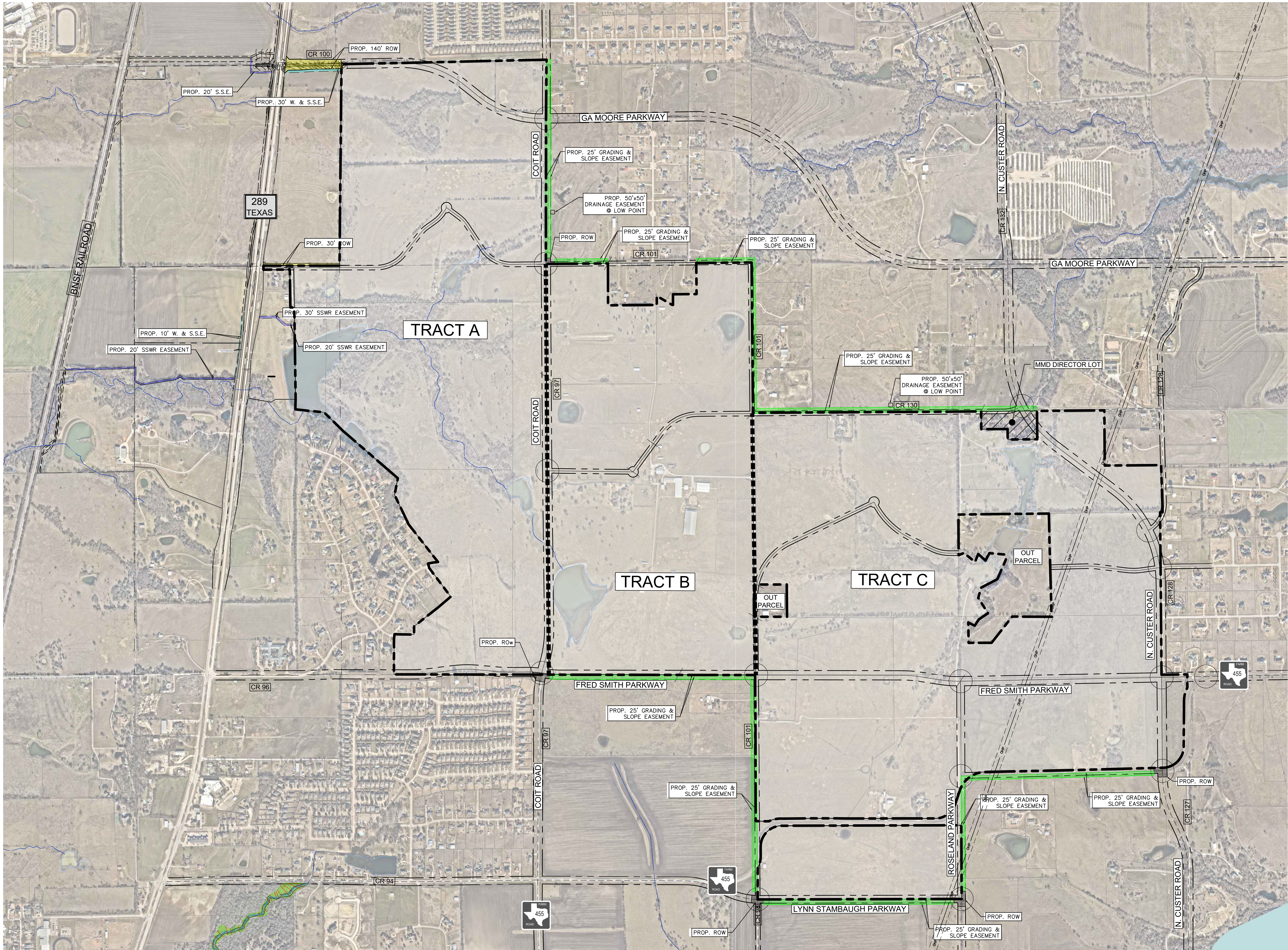
1. Eland Ranch-Offsite Easements
2. Eland Ranch-Wastewater_600-202206
3. Exhibit-Water_600-20220428
4. Thoroughfare Plan_20230622
5. Celina City Council Resolution Authorizing Execution of Conveyance Documents(872460.2) (1)

Financial Consideration:

Funds expended on acquisitions will not exceed available funds for each project.

Staff Recommendation:

Staff recommends approval.



LEGEND	
	WATER AND SEWER EASEMENT
	SEWER EASEMENT
	25' GRADING AND SLOPE EASEMENT
	PROPOSED ROW

- NOTES:
1. THIS PLAN IS CONCEPTUAL IN NATURE AND MAY HAVE BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.
 2. FLOOD PLAIN SHOWN IS SUBJECT TO CHANGE BASED ON A MORE DETAILED FULLY DEVELOPED FLOOD STUDY ANALYSIS.
 3. AERIAL IMAGE BY NEARMAP, COPYRIGHT 2023.

OFFSITE EASEMENT EXHIBIT

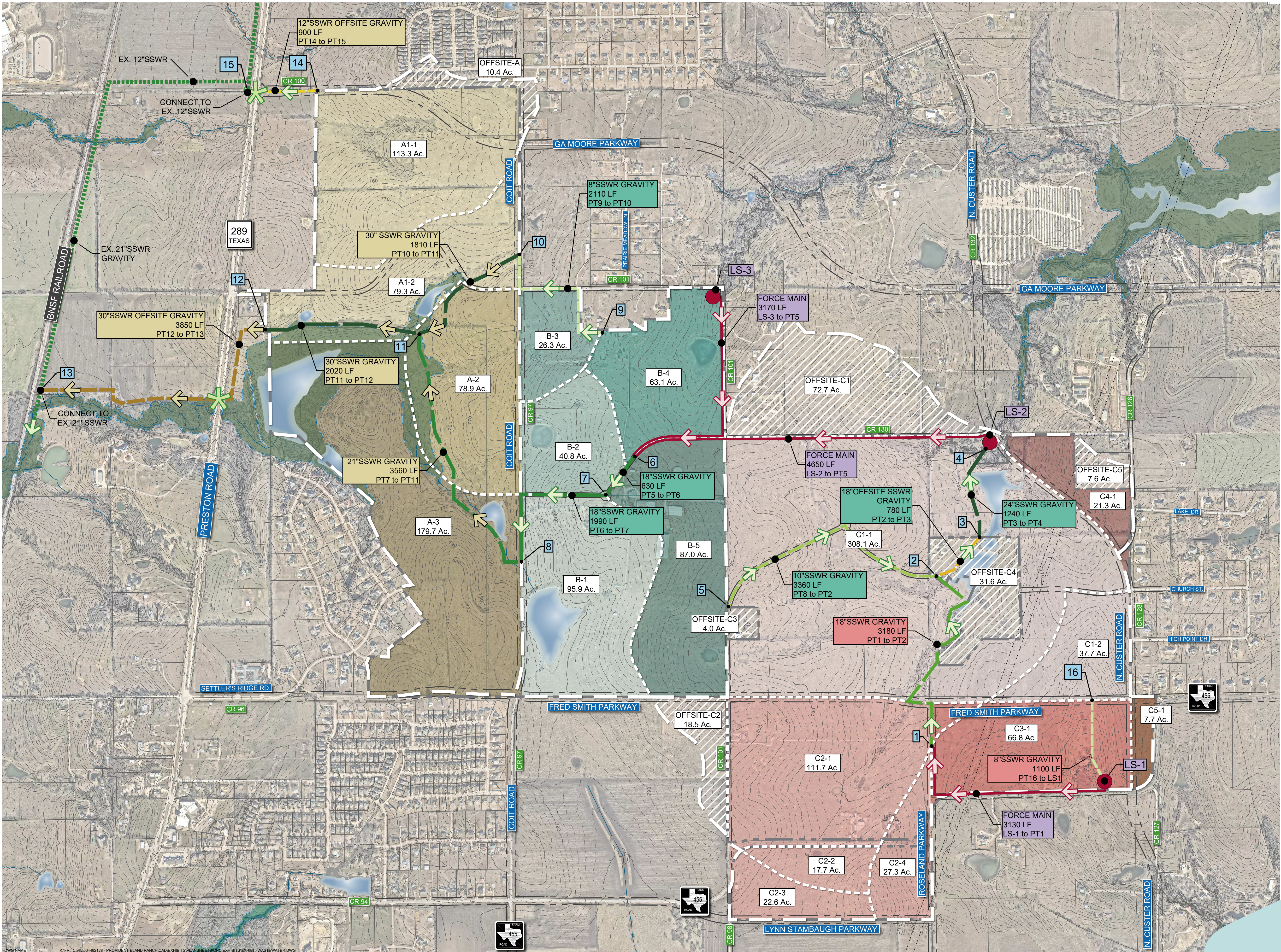
Eland Ranch
Celina, Texas

HILLWOOD COMMUNITIES
A PEROT COMPANY

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
972-335-3580
State of Texas Registration No. F-928

July 2023



LEGEND

- 8" SANITARY SEWER
- 10" SANITARY SEWER
- 18" SANITARY SEWER
- 21" SANITARY SEWER
- 30" SANITARY SEWER
- 12" OFFSITE SANITARY SEWER
- 18" OFFSITE SANITARY SEWER
- 24" OFFSITE SANITARY SEWER
- FORCE MAIN
- LIFT STATION
- GRAVITY FLOW DIRECTION
- FORCE MAIN FLOW DIRECTION
- BORE LOCATION

- NOTES:
- THIS PLAN IS CONCEPTUAL IN NATURE AND MAY HAVE BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.
 - FLOOD PLAIN SHOWN IS SUBJECT TO CHANGE BASED ON A MORE DETAILED FULLY DEVELOPED FLOOD STUDY ANALYSIS.
 - AERIAL IMAGE BY NEARMAP, COPYRIGHT 2022.

WASTEWATER EXHIBIT

Eland Ranch

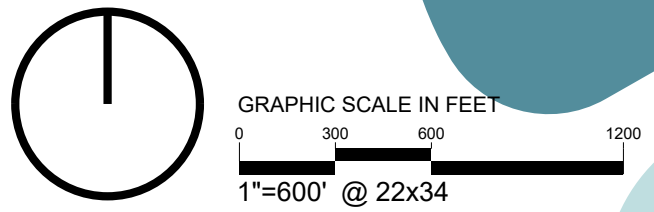
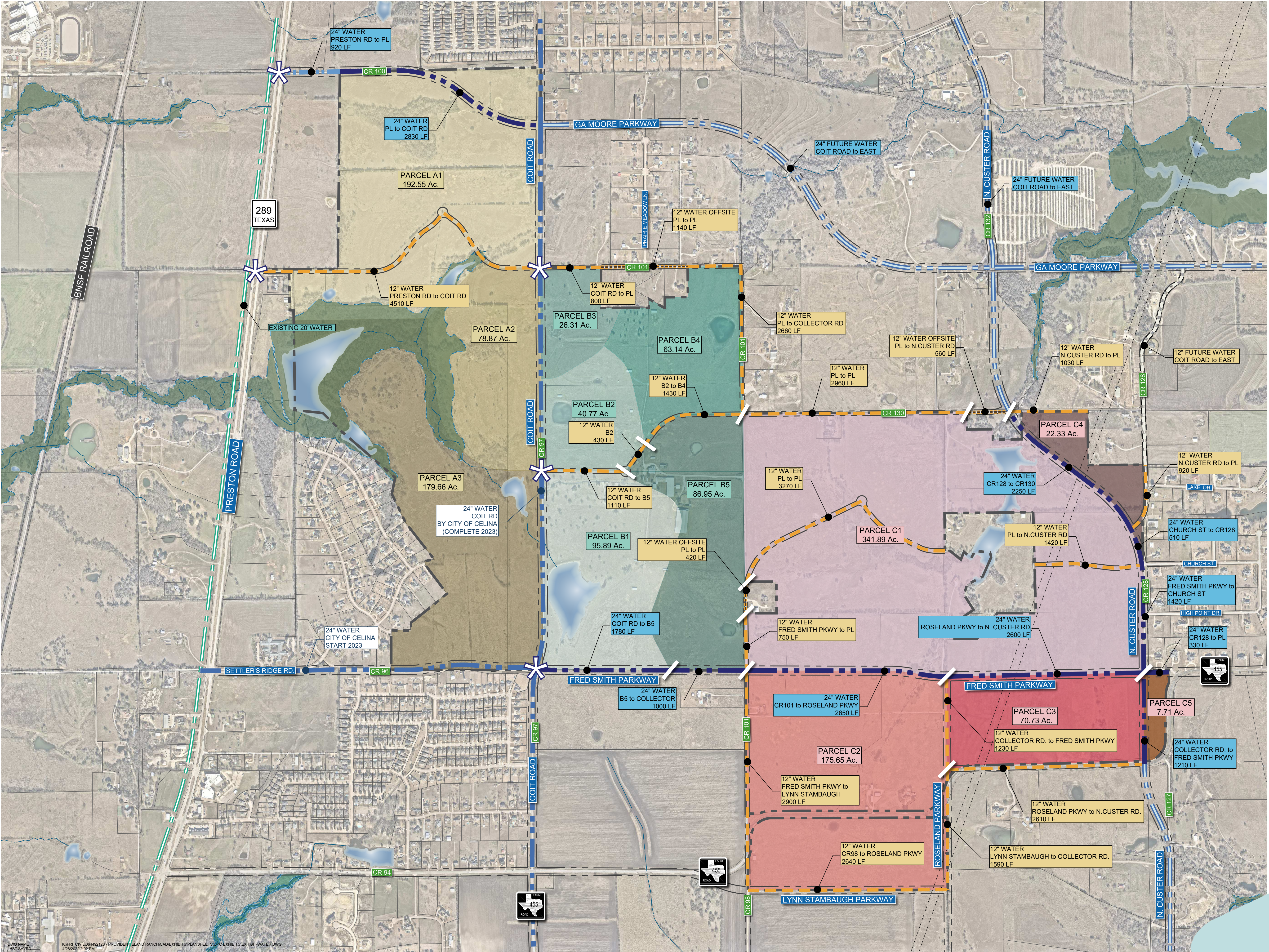
Celina, Texas

HILLWOOD COMMUNITIES
A PEROT COMPANY

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
972-335-3580
State of Texas Registration No. F-928

August 2022



- LEGEND**
- 24" WATERLINE (BY CITY)
 - 24" WATERLINE (ON-SITE)
 - 24" WATERLINE (OFF-SITE)
 - 24" WATERLINE (FUTURE)
 - 12" WATERLINE (ON-SITE)
 - 12" WATERLINE (OFFSITE)
 - 12" WATERLINE (FUTURE)
 - 20" WATERLINE (EXISTING)
 - BORE LOCATION

- NOTES:**
1. THIS PLAN IS CONCEPTUAL IN NATURE AND MAY HAVE BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.
 2. FLOOD PLAIN SHOWN IS SUBJECT TO CHANGE BASED ON A MORE DETAILED FULLY DEVELOPED FLOOD STUDY ANALYSIS.
 3. AERIAL IMAGE BY NEARMAP, COPYRIGHT 2022.

WATERLINE EXHIBIT

PROVIDENT

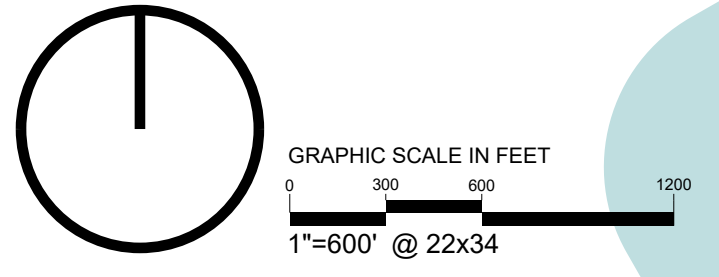
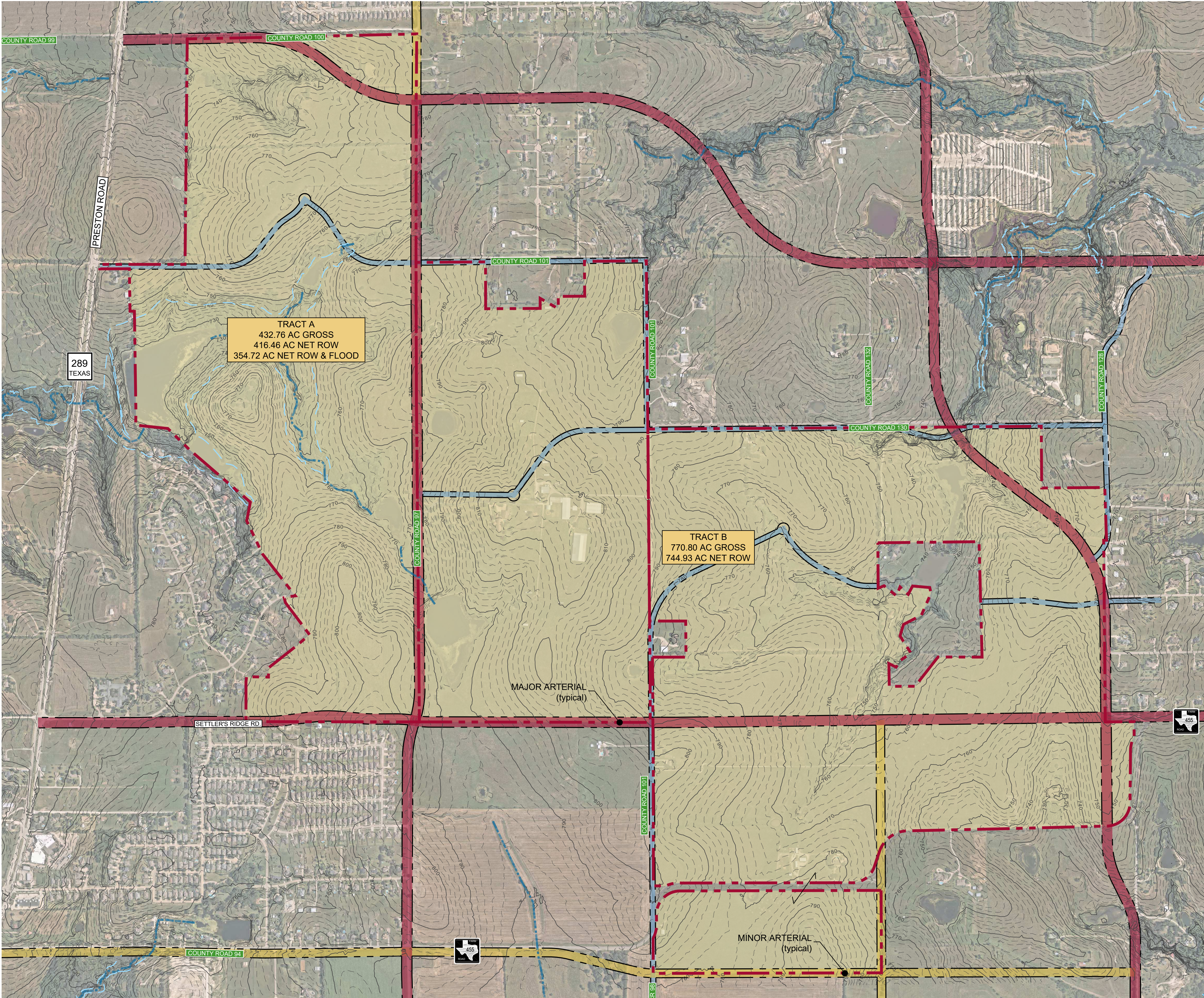
Eland Ranch

Celina, Texas

April 2022

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
972-335-3580
State of Texas Registration No. F-928



NOTES:
1. THIS PLAN IS CONCEPTUAL IN NATURE AND MAY HAVE BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.
2. FLOOD PLAIN SHOWN IS SUBJECT TO CHANGE BASED ON A MORE DETAILED FULLY DEVELOPED FLOOD STUDY ANALYSIS.
3. AERIAL IMAGE BY NEARMAP, COPYRIGHT 2021.

THOROUGHFARE PLAN
Eland Celina
Celina, Texas
August 2021
Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
972-335-3580
State of Texas Registration No. F-928

**CITY OF CELINA, TEXAS
RESOLUTION NO. 2023-__**

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 RIGHT OF WAY, WATER EASEMENTS, WASTEWATER EASEMENTS, DRAINAGE EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE ELAND RANCH PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Celina, Texas ("City") has determined that it is in the best interest of the citizens of the City to acquire a property interest from the owners of the properties described in Exhibit "A" for construction of public improvements for the benefit of the public.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS AS FOLLOWS:

SECTION 1. That the findings and premises contained in the preamble above are hereby deemed to be true and correct.

SECTION 2. That the City Manager is authorized to execute purchase contracts, deeds and easements and to disburse purchase and closing funds necessary to acquire property interests in the locations identified in the attached Exhibit "A" on behalf of the City, and further the City Manager is authorized to execute any other documents required to acquire the property interest reflected in Exhibit "A".

SECTION 3. This Resolution shall become effective immediately upon the date of passage.

ADOPTED, PASSED, AND APPROVED on this the 28th day of September 2023.

CITY OF CELINA, TEXAS

Ryan Tubbs, Mayor

ATTEST:

Lauren Vaughns, City Secretary

EXHIBIT A

Off-Site Sanitary Sewer Easements with Temporary Construction Easements						
<u>Property ID</u>	<u>Owner</u>	<u>Legal Description</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>	<u>Exhibit</u>
2133596	Singer Craig B & Carol G	ABS A0170 Collin County School Land #15 Survey, Tract 8, 33.96 AC	Celina	TX	75009	13
2855588	Hijo Ltd & Sutton Field Investments, LLC	ABS A0170 Collin County School Land #15 Survey, Tract 63, 24.61 AC	Celina	TX	75009	14
2595177	Doost Rasul, LLC	ABS A0380 15.156 Acres Inst. No. 20080220000197850 O.P.R.C.C.T	Celina	TX	75009	15
2688521	Singer Craig & Carol G	ABS A0380 W H Heron Survey Tract 9, 39.4 AC	Celina	TX	75009	16
2741350	Pyramid Project Consulting, LLC	ABS A0380 W H Heron Survey Tract 26, 16.369 AC	Celina	TX	75009	12
2653064	Poway Enterprises, LP	Vol 4954, PG. 6450 L.R.C.C.T ABS A0377 JNO M Herron Survey Tract 1, 106.767 AC	Celina	TX	75009	2
1681428	M Hubbard Estate	ABS A0753 W H Ratton Survey Tract 5, 176.720 AC	Celina	TX	75009	1

Off-Site Water Easements with Temporary Construction Easements						
<u>Property ID</u>	<u>Owner</u>	<u>Legal Description</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>	<u>Exhibit</u>
1725743	Preston Acreage, LP 50% Interest & Spartan Texas Six-Celina, LTD 50% Interest	VOL 5239, PG 1060 L.R.C.C.T ABS A0377 JNO M Herron Survey Tract 7, 50.3334 AC	Celina	TX	75009	10

Off-Site Water & Sanitary Sewer (Combined) Easements with Temporary Construction Easements						
<u>Property ID</u>	<u>Owner</u>	<u>Legal Description</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>	<u>Exhibit</u>
2595177	Doost Rasul, LLC	ABS A0380 15.156 Acres Inst. No. 20080220000197850 O.P.R.C.C.T	Celina	TX	75009	15
2595176	Constantine Bassima	ABS A0380 W H Heron Survey Tract 11, 32.67 AC	Celina	TX	75009	19
995212	Central Frisco, LTD	ABS A0488 George Joy Survey, Tract 2, 70.0 AC	Celina	TX	75009	4
1725743	Preston Acreage, LP 50% Interest & Spartan Texas Six-Celina, LTD 50% Interest	VOL 5239, PG 1060 L.R.C.C.T ABS A0377 JNO M Herron Survey Tract 7, 50.3334 AC	Celina	TX	75009	3

Off-Site Drainage Easement with Temporary Construction Easement						
<u>Property ID</u>	<u>Owner</u>	<u>Legal Description</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>	<u>Exhibit</u>
2854778	Ntex Financial LLC	ABS A0488 George Joy Survey, Tract 8, 40.000 AC	Celina	TX	75009	26

G.A. Moore Parkway R.O.W. (Roadway and Associated Easements)						
<u>Property ID</u>	<u>Owner</u>	<u>Legal Description</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>	<u>Exhibit</u>
1725743	Preston Acreage, LP 50% Interest & Spartan Texas Six-Celina, LTD 50% Interest	VOL 5239, PG 1060 L.R.C.C.T ABS A0377 JNO M Herron Survey Tract 7, 50.3334 AC	Celina	TX	75009	5
995212	Central Frisco, LTD	ABS A0488 George Joy Survey, Tract 2, 70.0 AC	Celina	TX	75009	6
2715160	Preston 11 Celina Partners LLC	Inst. No. 20191127001519140, O.P.R.C.C.T. 11.001 AC	Celina	TX	75009	7
2567267	Mars Preston High LLC	Inst. No. 2022000077988, O.P.R.C.C.T. 1.0834 AC	Celina	TX	75009	8
2715245	Mars Preston High LLC	Inst. No. 2022000077988, O.P.R.C.C.T. 32.2726 AC	Celina	TX	75009	8

Massey Drive R.O.W. (Roadway and Associated Easements)						
<u>Property ID</u>	<u>Owner</u>	<u>Legal Description</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>	<u>Exhibit</u>
1725743	Preston Acreage, LP 50% Interest & Spartan Texas Six- Celina, LTD 50% Interest	VOL 5239, PG 1060 L.R.C.C.T ABS A0377 JNO M Herron Survey Tract 7, 50.3334 AC	Celina	TX	75009	9
1681428	Wilson Marvin T. & Renetta T.	ABS A0380 W H Ratton Survey Tract 18-9, 1.191 AC	Celina	TX	75009	11

Coit Road R.O.W. (Roadway and Associated Easements)						
<u>Property ID</u>	<u>Owner</u>	<u>Legal Description</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>	<u>Exhibit</u>
2796517	Sharrock Steven D & Cynthia L	Sharrock Addition (GCN), Blk A, Lot 3-1	Celina	TX	75009	20
2726694	Sharrock Steven D & Cynthia L	Sharrock Addition (GCN), Blk A, Lot 3	Celina	TX	75009	23
2726693	Sharrock Steven Joshua & Britney Lee	Sharrock Addition (GCN), Blk A, Lot 2	Celina	TX	75009	21
2659630	Molinar Joel C & Molinar Carolyn A	ABS A0488 George Joy Survey, Tract 13, 11.99 AC	Celina	TX	75009	24
2659629	Molinar Joel C & Molinar Carolyn A	ABS A0488 George Joy Survey, Tract 11, 3.01 AC	Celina	TX	75009	24
2726692	Place Clifton & Stefanie	Sharrock Addition (GCN), Blk A, Lot 1	Celina	TX	75009	22
2854778	Ntex Financial LLC	ABS A0488 George Joy Survey, Tract 8, 40.000 AC	Celina	TX	75009	25
1011194	Willard Properties LP	ABS A0765 H C Routh Survey, Tract 2, 57.62 AC	Celina	TX	75009	35

Fred Smith Parkway R.O.W. (Roadway and Associated Easements)						
<u>Property ID</u>	<u>Owner</u>	<u>Legal Description</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>	<u>Exhibit</u>
992162	Hfi Preston Crossing LP	ABS A0170 Collin School Land #15 Survey, Sheet 2, Tract 21, 20.079 AC	Celina	TX	75009	27
2027340	Morgan Lake Estates HOA	Morgan Lake Estates Phase One, Blk A, Lot A; Common Area	Celina	TX	75009	28
2027404	Morgan Lake Estates HOA	Morgan Lake Estates Phase One, Blk D, Lot B; Common Area	Celina	TX	75009	29
2027406	Greider Aaron & Kimberlee J Greider	Morgan Lake Estates Phase One, Blk D, Lot 1	Celina	TX	75009	30
2027407	Mcmillan Rodney	Morgan Lake Estates Phase One, Blk D, Lot 2	Celina	TX	75009	31
2027408	Murray Anne Marie	Morgan Lake Estates Phase One, Blk D, Lot 3	Celina	TX	75009	32
2027409	Wallace Brent R & Lori R	Morgan Lake Estates Phase One, Blk D, Lot 4	Celina	TX	75009	33
2700997	Nahoolewa Chad Kawika & Aroha Lynn	Heritage Phase 3, Blk B, Lot 19	Celina	TX	75009	34
1011194	Willard Properties LP	ABS A0765 H C Routh Survey, Tract 2, 57.62 AC	Celina	TX	75009	35



Life Connected.

EDC
City of Celina, Texas

Memorandum

To: **Honorable Mayor Tubbs and the Celina City Council**
From: Alexis Jackson, Director of Celina EDC
CC: Karla Stovall, Interim City Manager
Date: September 28, 2023
Re: First Amendment to the Economic Development Performance Agreement, Achieving Milestones Pediatric Therapy

Action Requested:

Consider and act upon a First Amendment to the Economic Development Performance Agreement by and between the Celina Economic Development Corporation and Achieving Milestones Pediatric Therapy. (Jackson)

Background Information:

On April 5, 2023, the CEDC and Developer entered into the original Performance Agreement regarding financial assistance for improvements made to certain real property generally located at 200 N. New Mexico Street.

The CEDC and Developer now desire to amend Section 5(a) of the Original Agreement to address the timing of reimbursement payments by the CEDC to Developer.

Legal Review:

The item has been reviewed by the EDC attorney.

Supporting Documents:

1. Celina EDC - First Amendment to Performance Agreement - Achieving Milestones - Final

Financial Consideration:

N/A

Staff Recommendation:

Staff recommends approval.

**FIRST AMENDMENT
TO
PERFORMANCE AGREEMENT**

This **FIRST AMENDMENT TO PERFORMANCE AGREEMENT** (hereinafter referred to as the “First Amendment”) is made and entered into by and between the **CELINA ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as the “CEDC”), and **ACHIEVING MILESTONES PEDIATRIC THERAPY, PLLC**, a Texas professional limited liability company (hereinafter referred to as the “Developer”):

RECITALS:

WHEREAS, on or about April 5, 2023 , the CEDC and Developer entered into the original Performance Agreement (hereinafter referred to as the “Original Agreement”) regarding financial assistance for improvements made to certain real property generally located at 200 N. New Mexico Street, Celina, Texas (hereinafter referred to as the “Property”); and

WHEREAS, the CEDC and Developer now desire to amend Section 5(a) of the Original Agreement to address the timing of reimbursement payments by the CEDC to Developer.

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the CEDC and Developer agree as follows:

SECTION 1. FINDINGS INCORPORATED.

The foregoing recitals are hereby incorporated into the body of this First Amendment and shall be considered part of the mutual covenants, consideration and promises that bind the parties.

SECTION 2. AMENDMENT TO ORIGINAL AGREEMENT.

(a) **Amendment to Original Agreement.** That Section 5(a) of the Original Agreement is hereby amended to read as follows:

“(a) **Financial Assistance for Qualified Expenditures.** CEDC covenants and agrees to submit reimbursement for Qualified Expenditures made to the Property by the Developer pursuant to Section 4(a) of this Agreement in an aggregate amount not to exceed **Sixty-Seven Thousand One Hundred Eighteen and 20/100 Dollars (\$67,118.20)** as follows:

(1) the sum of **Thirty-Three Thousand Five Hundred Fifty-Nine and 10/100 Dollars (\$33,559.10)** was previously paid to Developer by CEDC consistent with the Original Agreement; and

- (2) the sum of **Thirty-Three Thousand Five Hundred Fifty-Nine and 10/100 Dollars (\$33,559.10)** paid to Developer within thirty (30) days of the Effective Date of this First Amendment.

In no event shall the aggregate payments by CEDC to Developer pursuant to this Agreement exceed **Sixty-Seven Thousand One Hundred Eighteen and 20/100 Dollars (\$67,118.20).**”

SECTION 3. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are a part of this First Amendment:

- (a) **Amendments.** This First Amendment constitutes the entire understanding and agreement of the parties as to the matters set forth in this First Amendment. No alteration of or amendment to this First Amendment shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- (b) **Applicable Law and Venue.** This First Amendment shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Collin County, Texas. Venue for any action arising under this First Amendment shall lie in the state district courts of Collin County, Texas.
- (c) **Assignment.** Neither Party shall have the right to assign its rights and/or obligations under this First Amendment, or any interest herein, without the prior written consent of the other Party.
- (d) **Binding Obligation.** This First Amendment shall become a binding obligation on the signatories upon execution by all signatories hereto. CEDC warrants and represents that the individual executing this First Amendment on behalf of the CEDC has full authority to execute this First Amendment and bind the CEDC to the same. Developer warrants and represents that the individual executing this First Amendment on Developer’s behalf has full authority to execute this First Amendment and bind it to the same.
- (e) **Caption Headings.** Caption headings in this First Amendment are for convenience purposes only and are not to be used to interpret or define the provisions of the First Amendment.
- (f) **Counterparts.** This First Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.
- (g) **Effective Date.** The effective date (the “Effective Date”) of this First Amendment shall be the date of the latter to execute this First Amendment by and between the CEDC and Developer.

- (h) **Original Agreement and any Amendments.** All of the terms, conditions, and obligations of the Original Agreement, and any amendments remain in full force and effect except where specifically modified by this First Amendment.
- (i) **Severability.** The provisions of this First Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this First Amendment is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation have the force and effect of the law, the remaining portions of the First Amendment shall be enforced as if the invalid provision had never been included.
- (j) **Time is of the Essence.** Time is of the essence in the performance of this First Amendment.

[The Remainder of this Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed.

CEDC:

**CELINA ECONOMIC DEVELOPMENT
CORPORATION,**

a Texas non-profit corporation,

By: _____

Clint Bissett, President

Date Signed: _____

DEVELOPER:

**ACHIEVING MILESTONES PEDIATRIC
THERAPY, PLLC,**

a Texas professional limited liability company,

By: _____

Meagan Dugan

Title: _____

Date Signed: _____



Life Connected.

City Secretary's Office
City of Celina, Texas

Memorandum

To: **Honorable Mayor Tubbs and the Celina City Council**
From: Lauren Vaughns, City Secretary
CC: Karla Stovall, Interim City Manager
Date: September 28, 2023
Re: Calling a Special Election for December 9, 2023

Action Requested:

Consider and act upon a Resolution of the City Council of the City of Celina, Texas, ordering and calling a Special Election for the purpose of electing a Councilmember for Place 6 to fill the remainder of a three (3) year unexpired term; authorizing a joint election with the Collin County Elections Administrator, Denton County Elections Administrator and the political subdivisions located entirely or partially inside the boundaries of each county to be held on December 9, 2023. (Vaughns)

Background Information:

On September 14, 2023 Councilmember Tony Griggs submitted his resignation for Place No. 6 on the Celina City Council. The City Charter provides that if for any reason one or more vacancies exist on the City Council, a special election shall be ordered to elect a person to fill the vacancy. Article XI, Section 11, of the Texas Constitution requires a special election to fill a vacancy be called within 120 days after a vacancy occurs.

Legal Review:

The City Attorney has reviewed.

Supporting Documents:

None

Financial Consideration:

N/A

Staff Recommendation:

Staff recommends approval.



Life Connected.

Administration
City of Celina, Texas

Memorandum

To: **Honorable Mayor Tubbs and the Celina City Council**
From: Lauren Vaughns, City Secretary
CC: Karla Stovall, Interim City Manager
Date: September 28, 2023
Re: Resignation and appointment to Downtown Commission

Action Requested:

Consider and act to accept the resignation of Steven Morris from the Downtown Commission and act to fill the vacancy left by Mr. Morris's resignation. (Vaughns)

Background Information:

At the September 12, 2023, City Council made appointments to all City boards, commissions, committees, and corporations. On September 18, 2023, Mr. Morris tendered his resignation to the Downtown Commission citing a conflict with his employer, leaving a vacancy on the Commission.

Legal Review:

N/A

Supporting Documents:

None

Financial Consideration:

N/A

Staff Recommendation:

N/A