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**CITY COUNCIL REGULAR MEETING
CELINA COUNCIL CHAMBERS
112 N. COLORADO ST.
TUESDAY, SEPTEMBER 10, 2024
4:00 PM
AGENDA**

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

II. PLEDGE OF ALLEGIANCE/INVOCATION:

III. 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. Ramble PD-37 Language
- B. Discussion regarding driveway access to 955 E Ownsby Parking

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

- C. Discussion regarding an incentive agreement for a business located at 401 W. Pecan St.
- D. Discussion regarding Project Blue.
- E. Discussion regarding agreement with Bears on the Square, LLC.

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

- F. Summary of Eminent Domain Hearing regarding 1510 Vest Lane
- G. Discussion of Eminent Domain for Rainwater

Reconvene into Open Session to consider and take action, if any, on matters discussed during Executive Session.

- H. Consider and act to authorize the acceptance of the Special Commissioners award for 1510 Vest Lane and authorize the City Manager to execute documents necessary for acquiring real property at 1510 Vest Lane.
- I. Consider and act on a resolution of the City Council of the City of Celina, Texas finding that a public necessity exists and authorizing condemnation to acquire rights of way totaling 3.569 acres, drainage

easements totaling 1.373 acres, a sanitary sewer easement of 0.901 acres, water easements totaling 0.752 acres, and temporary construction easements totaling 1.752 acres for municipal purposes to build and maintain public utilities, including but not limited to, the installation and maintenance of public roadway, grading, water and sanitary sewer facilities, drainage, such appurtenant facilities as may be necessary, and other public uses, on three real properties as portions of tracts of land generally described as being located in the George Jay Survey, Abstract A0488, Property IDs #2659630, #2659629 and #2854778; on real property as portion of a tract of land generally described as being located in the John M Herron Survey, Abstract A0377, Property ID #1725743; on real property as portion of a tract of land generally described as being located in the BBB & C RR CO Survey, Abstract A0130, Property ID #2717990; and on real property as portion of a tract of land generally described as being located in the Wade H Ratton Survey, Abstract A0753, Property ID #2715160, Collin County, Texas; such properties are generally located on the north and south sides of GA Moore Parkway east of Preston Road, and being more particularly described herein; providing notice of an official determination to acquire real properties for rights of way, drainage easements, a sanitary sewer easement, water easements and temporary construction easements, such appurtenant facilities as may be necessary, and other public uses; authorizing the city manager to obtain the necessary appraisal reports and make bona fide offers of just compensation for the rights of way and easements; ratifying prior documents made for acquisition of the rights of way and easements; authorizing legal counsel to institute eminent domain proceedings on behalf of the city for the acquisition of the rights of way and easements on said tracts if negotiations are unsuccessful; appropriating funds from a lawful source; providing a cumulative repeater clause; providing a severability clause and providing for an effective date.

IV. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

- A. Arbor Day Proclamation (Tubbs)
- B. Jimbo's Pizza Proclamation (Tubbs)
- C. CISD Bond Presentation (Ranc)
- D. Announcement of EDC Land Purchase (Satarino)
- E. Dallas Regional Chamber Overview (Satarino)

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Discussion regarding the appointment of a Charter Review Commission. (Vaughns)
- B. Discussion regarding updates to the Boards and Commission Policy. (Vaughns)
- C. Discussion of Government Center Construction. (Brawner)

VI. 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.

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 to authorize a change order with Roadway Solutions for an amount not to exceed \$54,490.00 for Bothwell Boulevard Median Lighting project. (Glasgow)
- B. Consider and act to authorize a change order to RTEL Construction, LTD for the Fiber Optic installation Phase 1 to add Ground Box Protection for a total amount not to exceed \$57,200.00. (Alexander)
- C. Consider and act to award bid 2024-115R for the purchase of switchgear equipment for the southeast pump station to The Reynolds Company in the amount of \$805,200.00 plus ten percent

- contingency in the amount of \$80,520.00 for a total amount of not to exceed \$885,720.00. (Glasgow)
- D. Consider and act to award an RFP 2024-118 for a five-year agreement for Audit Services to Forvis Mazars, LLP, at the unit prices listed in an amount not to exceed \$80,000.00 for the City financial and EDC audits plus \$125,000.00 for the PID Financial audits for fiscal year 2024. The RFP includes prices for fiscal years 24, 25, 26, 27, and 28 audits. The estimated five-year agreement total is \$431,165.00 for the City financial audit and \$675,000.00 for the PID financial audits. (Bromiley)
- E. Consider and act to authorize vehicle repairs for the Fire Department from Siddons Martin through a cooperative contract with BuyBoard for an amount not to exceed \$109,999.00 and from Fraizer LTD, for an amount not to exceed \$61,705.30 for a total not to exceed \$171,704.30. (Everson)
- F. Consider and act to approve work authorizations for Beware! of the Square for an amount not to exceed \$88,750.00 and Christmas on the Square for an amount not to exceed \$86,650.00 to B-Weiss Entertainment Group, LLC. (Monaco)
- G. Consider and act to authorize an agreement with Integrated Computer Systems for public safety computer-aided dispatch (CAD) and records (RMS) software in an amount not to exceed \$105,000.00 for year one, \$108,150.00 for year two, and \$111,394.50 for year three. (Alexander)
- H. Consider and act upon an Amended and Restated Economic Development Performance Agreement between the City of Celina, Celina Economic Development Corporation, and NWC Tollway/Frontier, LP. (Satarino)
- I. Consider and act to authorize the City Manager to execute a Third Amendment to the Economic Development Incentive Agreement between the City of Celina, Celina Economic Development Corporation, and Gran Sweet, LLC. (Satarino)
- J. Consider and act upon a request to amend an existing development agreement for The Cottages Phase 2; generally located south of County Road 994 and approximately 1,250 feet west of Louisiana Drive, in the City Limits. (The Cottages Phase 2 – DA 2nd Amendment) (Glasgow)
- K. Consider and act upon a Resolution of the City Council of the City of Celina, Texas, approving Tax Increment Reinvestment Zone Number Five project expenditures; providing a severability clause; and providing an effective date. (Kearney)
- L. Consider and act upon a Resolution of the City Council of the City of Celina, Texas, approving Tax Increment Reinvestment Zone Number Thirteen project expenditures; providing a severability clause; and providing an effective date. (Kearney)
- M. Consider and act upon an Ordinance approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2024 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this Ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Ordinance to the company and the ACSC’s legal counsel. (Behringer)
- N. Consider and act upon an Ordinance of the City of Celina, Texas, approving the Ralph O'Dell Senior Center Guidelines; establishing a Fee Schedule for the Ralph O'Dell Senior Center; providing for savings, repealing, and severability clauses; and providing an effective date. (Stovall)
- O. Consider and act on an Ordinance amending Ordinance No. 2023-108 which adopted and approved the budget for fiscal year beginning October 1, 2023, and ending September 30, 2024, and make appropriations for each department, project, and account, by adopting an amended 2023-2024 budget for the City of Celina reallocating funds between accounts, attached hereto and incorporated into this Ordinance. (Bromiley)

- P. Approve the Economic Development Agreement between the City of Celina and the Greater Celina Chamber of Commerce for the Winecrawl on the Square and Oktoberfest
- Q. Consider and act upon an Ordinance amending Ordinance No. 2016-46 expanding the Library Board from seven members to nine members. (Vaughns)

VIII. PUBLIC HEARING/ACTION:

- A. Conduct a public hearing to consider testimony and receive public input regarding the proposed FY 2024-2025 Budget and act upon an Ordinance of the City of Celina, Texas, adopting and approving the budget for the Fiscal Year 2024-2025 beginning October 1, 2024 and ending September 30, 2025 and making appropriations for each department, project, and account and providing for expenditures of funds. (Bromiley)
- B. Conduct a public hearing to consider testimony regarding the proposed 2024 Ad Valorem Tax Rate and act upon an Ordinance of the City of Celina, Texas, establishing and levying municipal Ad Valorem Taxes for the fiscal year beginning October 1, 2024, and ending September 30, 2025, at a rate of \$0.598168 per one hundred dollars (\$100.00) assessed valuation, which includes a maintenance and operations component and a debt service component, on all taxable property within the corporate limits of the City; and providing for collection of the municipal Ad Valorem Taxes, including interest and penalties on delinquent payments. (Bromiley)
- C. Conduct a public hearing to consider public comment regarding the creation of the Ariana Public Improvement District and act upon a Resolution creating the Ariana Public Improvement District. (Kearney)
- D. Conduct a public hearing to consider and act upon an Ordinance on the voluntary annexation of approximately 75 acres within the Extraterritorial Jurisdiction (ETJ); generally located at the northeast corner of future Legacy Drive and Celina Parkway, within the Extraterritorial Jurisdiction. (LMR Tract - C-3 Expedited Annexation) (McAfee)
- E. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance by zoning approximately 75 acres to a Planned Development (PD) with Single-Family Residential, Detached District (SF-R), Single-Family Residential, Attached District (SF-A), and Commercial, Office, & Retail District (C) base zoning, and modified development standards; generally located at the northeast corner of future Legacy Drive and Celina Parkway, within the Extraterritorial Jurisdiction (ETJ). (LMR Tract – PD Zoning) (McAfee)
- F. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance by rezoning approximately 66 acres to a Planned Development (PD) with Mixed-Use District (MU) base zoning, and modified development standards; generally located at the northwest corner of Oklahoma Drive and Glendenning Parkway, within the City Limits. (Willard Cattle – Planned Development) (Mohan)
- G. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance by rezoning approximately 3 acres to Downtown Code (The Bricks) zoning; generally located approximately 300 feet north of Maple Street, and approximately 875 feet east of Florida Drive, within the City Limits. (502 N. Illinois – Rezoning) (Mohan)

IX. ACTION ITEM:

- A. Consider and act upon an Ordinance of the City of Celina, Texas, ratifying the property tax revenue increase reflected in the annual budget for the Fiscal Year 2024-2025, beginning October 1, 2024 and ending September 30, 2025. (Bromiley)
- B. Consider and act upon appointments and removals to fill terms on various City boards, commissions, committees, and corporations. (Vaughns)
- C. Consider and act to authorize Amendment 1 to add the Guaranteed Maximum Price (GMP) for the construction of the Government Center parking garage through the Construction Manager At Risk, Swinerton, in the amount of \$19,303,385.00 (Brawner)
- D. This action item is to finalize and brand the name of the Government Center, which has been operating under a placeholder name. (Monaco)

- E. Consider and act to authorize the City Manager to execute an infrastructure funding agreement by and between the City of Celina and Ramble Investment, LP for the construction and installation of oversized public infrastructure. (Brawner)
- F. Conduct interviews for applicants for City Boards and Commissions. (Vaughns)

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: September 5, 2024 at 6:30 p.m. and remained so posted continuously for at least 72 hours prior to the scheduled time of said meeting."

Lauren Vaughns, City Secretary