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**CITY COUNCIL REGULAR MEETING
CELINA COUNCIL CHAMBERS
112 N. COLORADO ST.
TUESDAY, NOVEMBER 8, 2022
5:00 PM
MINUTES**

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Terry announced a quorum was present and called the meeting of the Celina City Council to order at 5:00 p.m. on Tuesday, November 8, 2022.

Attendee Name	Organization	Title	Status	Arrived
Tony Griggs	City of Celina	Place 6	Present	
Philip Ferguson	City of Celina	Place 1	Present	
Jay Pierce	City of Celina	Place 2	Present	
Wendie Wigginton	City of Celina	Place 4	Absent	
Andy Hopkins	City of Celina	Place 3	Present	
Mindy Koehne	City of Celina	Place 5	Absent	
Sean Terry	City of Celina	Mayor	Present	

II. PLEDGE OF ALLEGIANCE/INVOCATION:

III. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

- A. Presentation of a Proclamation to Celina High School Bocce State Champion Jenna Hemphill (Terry)

Mayor Terry presented a proclamation to Celina High School Bocce State Champion, Jenna Hemphill.

- B. Recognition of Citizens Government Academy Participants (Terry)

Mayor Terry recognized all those who participated in this year's Citizen's Government Academy.

- C. 2022 Scenic City of the Year Award Presentation (McAfee)

Dusty McAfee, Executive Director of Development Services, announced the City of Celina received the 2022 Scenic City of the Year.

- D. Presentation by Carter Blood Care to winner of Battle of the Badges

Carter Blood Care announced the Celina Police Department as the winner of Battle of the Badges.

- E. Upper Trinity Regional Water District Quarterly Update (Howard)

Corbett Howard provided the quarterly update on the Upper Trinity Water District.

IV. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

A. Discussion regarding any and/or all agenda items.

B. Discussion regarding Tax Increment Reinvestment Zone #11 (TIRZ #11). (Stovall)

Karla Stovall, Assistant City Manager, introduced Natalie Moore with the David Pettit Economic Development group. Ms. Moore gave an overview of the TRIZ 11 District.

C. Discussion regarding the proposed 2023 City Council Retreat. (Satarino)

Anthony Satarino, Director of Strategic Services, presented the proposed dates for the upcoming City Council retreat.

D. Discussion regarding an ordinance amending the Master Fee Chart. (Master Fee Chart Annual Update) (McAfee)

Dusty McAfee, Executive Director of Development Services, reviewed the annual update to the Master Fee Chart.

V. OPEN FORUM:

Dale Bainum spoke regarding Consent Agenda item "Y" and the timing of Executive Session.

VI. EXECUTIVE SESSION:

As authorized by Section 551.071(2) of the Texas Government Code, this 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.

The City Council convened into Executive Session at 5:52 p.m.

A. Discussion regarding agreement by and between the City of Celina, Celina Economic Development Corporation and Creeks Retail

B. Discussion regarding Parks at Wilson Creek Traditions architecture

C. Discussion regarding R54 Glendenning Parkway right-of-way condemnation

D. Discussion regarding amendment to Hong Tract Development Agreement

E. Discussion regarding amendment to Legacy Hills Development Agreement

F. Discussion regarding Teel Lakes Development Agreement

G. Discussion regarding Sorrells Tract Development Agreement

H. Discussion regarding the acquisition of right-of-way and easements necessary for the construction of Coit Road from Vest Lane to Choate Parkway

I. Discussion regarding easement acquisition for Preston Road 24" Waterline Extension Project

J. Discussion regarding acquisition of land for City Hall parking garage

- K. Discussion regarding possible southwest park land purchase

Reconvene Into Open Session

The City Council reconvened into the Regular Meeting at 6:41 p.m.

- L. Consider and act upon any items discussed in executive session.

No action was taken.

VII. CONSENT AGENDA:

Mayor Terry removed item Y for discussion and individual action; and item AD for discussion and action at a later date.

Upon a motion by Mayor Pro Tem Pierce and a second by Councilmember Hopkins, the Council voted four (4) for and none (0) opposed to approve all remaining items on the Consent Agenda. The motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Pierce, Place 2
SECONDER:	Andy Hopkins, Place 3
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

A. Minutes Approval:

1. City Council - Regular Meeting - September 13, 2022, 5:00 PM
2. City Council - Regular Meeting - October 11, 2022, 5:00 PM

B. Report regarding the Annual Stormwater Management Plan actions. (Glasgow)

C. Review and acceptance of the Quarterly Human Resources Report for the period ended September 30, 2022. (Peters)

D. Quarterly Investment Report for the period ended September 30, 2022. (Johnson)

E. Review and acceptance of the Quarterly Budget Report for the period ended September 30, 2022. (Bromiley)

F. Consider and act upon approval of an updated Investment Policy for the City of Celina, Texas. (Bromiley)

G. Consider and act to purchase agenda software from CivicPlus with an initial first year cost of \$8,200.00 and an annual recurring cost of \$4,578.00 beginning in year two. (Berry)

H. Consider and act to purchase medical supplies and pharmaceuticals through a Interlocal Contract with Bound Tree Medical Supply in an amount not to exceed \$60,000.00. (Berry)

I. Consider and act to purchase uniforms and leather gear through a cooperative contract with GT Distributors in an amount not to exceed \$50,000.00. (Berry)

- J. Consider and act to purchase uniforms for the Fire Department through a cooperative contract with Galls in an amount not to exceed \$60,000.00. (Berry)
- K. Consider and act to purchase replacement shade fabric panels from Webuildfun through a cooperative contract with Buyboard in an amount of \$69,791.00 plus ten percent contingency in the amount of \$6,976.00 in an amount not to exceed \$76,767.00. (Berry)
- L. Consider and act upon the purchase of third party inspection services from Burgess Construction Consultants Inc. and Bureau Veritas, at the unit prices listed, in an amount not to exceed \$60,000.00 (Quigley)
- M. Consider and act to authorize the purchase of Sensus water meters and accessories from Aqua-Metric Sales as the sole source provider in an amount not to exceed \$917,434.00. (Berry)
- N. Consider and act to authorize an agreement for testing services for the Law Enforcement Center Construction with EST, Inc., in the amount of \$93,130.00 plus ten percent contingency in the amount of \$9,313.00 for a total amount not to exceed \$102,443.00. (Berry)
- O. Consider and act to authorize an amendment to Work Authorization 43 for testing services for Fire Station 3 with EST, Inc., in an amount not to exceed \$88,839.00. (Berry)
- P. Consider and act to authorize payment to deliver electric service to the Law Enforcement Center (Police Building) with Grayson Collin Electric Cooperative in an amount not to exceed \$111,612.25. (Berry)
- Q. Consider and act to authorize various repairs for fire trucks through the manufacturer's representative Siddon-Martin Emergency Group in an amount not to exceed \$60,000.00. (Berry)
- R. Consider and act to purchase a 2022 Type 1 Ambulance through a cooperative contract with Rush Truck Centers of Ohio, Inc., in an amount not to exceed \$324,016.00. (Berry)
- S. Consider and act to purchase a 2022 Silverado 3500 HD through a cooperative contract with Caldwell Country Chevrolet in an amount not to exceed \$70,171.00. (Berry)
- T. Consider and act to purchase a 2023 Silverado 1500 from Reliable Chevrolet in an amount not to exceed \$48,327.00. (Berry)
- U. Consider and act to purchase two 2022 Ford F150s through a cooperative contract with Silsbee Ford in an amount not to exceed \$101,334.50. (Berry)
- V. Consider and act to purchase a 2022 Ford Explorer through a cooperative contract with Silsbee Ford in an amount not to exceed \$31,887.00. (Berry)
- W. Consider and act to authorize the City Manager to enter into an agreement for the use of undeveloped City park property as agricultural land. (Webb)
- X. Consider and act to authorize the City Manager to enter into an agreement for the lease of undeveloped City park property as pasture land. (Webb)

- Z. Consider and act upon an amendment to the Development Agreement for approximately 36 acres of land, generally located west of future Custer Road and approximately 1,800 feet north of future Ousley Boulevard, within both the City Limits and the Extraterritorial Jurisdiction (ETJ). (Creek Pointe Estates – First Amended DA) (Lopez)
- AA. Consider and act upon a Service Agreement for C-3 annexed property between the City of Celina and the owner of approximately 25 acres within the Extraterritorial Jurisdiction, generally located south of Carey Road and approximately 1,240 feet west of future Legacy Drive. (SW Carey & Legacy - C-3 Annexation Service Agreement) (White)
- AB. Consider and act upon a Service Agreement for C-3 annexed property between the City of Celina and the owner of approximately 26 acres within the Extraterritorial Jurisdiction, generally located at the northwest corner of future Celina Parkway and County Road 57. (Young Tract – C-3 Annexation Service Agreement) (White)
- AC. Consider and act upon a Service Agreement for C-3 annexed property between the City of Celina and the owner of approximately 3 acres within the Extraterritorial Jurisdiction, generally located at the southwest corner of Louisiana Drive and future J. Fred Smith Parkway. (3G10 Investments – C-3 Annexation Service Agreement) (Lopez)
- AE. Consider and act upon an amendment to the Hong Tract Development Agreement for approximately 45 acres of land, generally located east of FM 1385 and approximately 180 feet north of Tudor Place, within the City Limits. (Hong Tract – First Amended DA) (Pollard)
- AF. Consider and act upon a resolution of the City Council of the City of Celina, Texas, removing Corbett Howard as the City's representative and appointing Kimberly Brawner to serve as a member on the Board of Directors for the Upper Trinity Regional Water District (UTRWD).
- AG. Consider and act on a resolution of the City Council authorizing the execution by the City of Celina, Texas, of conveyance documents necessary to effectuate the acquisition of water easements, wastewater easements and temporary construction easements for the Preston 24" Waterline Extension project; and providing for an effective date. (Majeed)
- AH. Consider and act on a resolution of the City Council authorizing the execution by the City of Celina, Texas of conveyance documents necessary to effectuate the acquisition of right of way, water easements, wastewater easements, drainage easements, slope easements and temporary construction easements for the Coit road (from Vest lane to approximately 1200 linear feet from Punk Carter Parkway) project; and providing for an effective date. (Oduro)
- AI. Consider and act upon an ordinance of the City of Celina, Texas, authorizing the future release of the Celina 52 East LP easements dedicated as part of Greenway Phase 1. (Oduro)
- AJ. Consider and act upon an ordinance of the City of Celina, Texas, adopting Updated Service Credits (USC) to be effective on January 1, 2023. (Peters)
- AK. 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)

ITEM REMOVED FOR INDIVIDUAL CONSIDERATION:

- Y. Consider and act upon an Economic Development Performance Agreement by and between the City of Celina and NWC Tollway/Frontier, LP, for economic incentive funding under Chapter 380 of the Texas Local Government Code. (NWC Tollway/Frontier, LP) (Satarino)

Upon a motion by Councilmember Hopkins and a second by Councilmember Ferguson, the Council voted four (4) for and none (0) opposed to approve the Economic Development Performance Agreement with NWC Tollway/Frontier, LP. The motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Philip Ferguson, Place 1
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

- AD. Consider and act upon a resolution of the City of Celina, Texas, determining the costs of certain authorized improvements to be financed within the Harper Estates Public Improvement District; approving a preliminary service plan and assessment plan, including a proposed Assessment Roll; directing the filing of the proposed Assessment Roll with the City Secretary; and providing for noticing and calling a public hearing on December 13, 2022, to consider an ordinance levying assessments on property located within the Harper Estates Public Improvement District. (Harper Estates PID – Pre-SAP) (Pollard)

No action taken

VIII. PUBLIC HEARING/ACTION:

- A. Conduct a public hearing to consider and act upon an ordinance amending the City's Code of Ordinances, by amending Chapter 14: Zoning, to modify overlay district regulations. (Overlay Districts – Text Amendment) (McAfee)

Mayor Terry opened the public hearing at 7:01 p.m.

John Kessel spoke in opposition to the item.

With no one else wishing to speak, Mayor Terry closed the public hearing at 7:09 p.m.

Upon a motion by Councilmember Hopkins and a second by Mayor Pro Tem Pierce, the Council voted four (4) for and none (0) opposed the approve Ordinance No. 2022-124. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Jay Pierce, Place 2
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

- B. Conduct a public hearing to consider and act upon an ordinance on the voluntary annexation of approximately 3 acres, generally located at the southwest corner of Louisiana Drive and future J. Fred Smith Parkway, within the Extraterritorial Jurisdiction (ETJ). (3G10 Investments - C-3 Expedited Annexation) (McAfee)

Mayor Terry opened the public hearing at 7:14 p.m.

With no one wishing to speak, Mayor Terry closed the public hearing at 7:14 p.m.

Upon a motion by Councilmember Hopkins and a second by Mayor Pro Tem Pierce, the Council voted four (4) for and none (0) opposed the approve Ordinance No. 2022-125. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Jay Pierce, Place 2
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

- C. Conduct a public hearing to consider and act upon an ordinance amending the Comprehensive Zoning Ordinance, by zoning approximately 3 acres to a Planned Development (PD) with Commercial, Office, and Retail District (C) base zoning, generally located at the southwest corner of Louisiana Drive and future J. Fred Smith Parkway. (3G10 Investments – Zoning) (McAfee)

Mayor Terry opened the public hearing at 7:15 p.m.

With no one wishing to speak, Mayor Terry closed the public hearing at 7:15 p.m.

Upon a motion by Councilmember Ferguson and a second by Councilmember Hopkins, the Council voted four (4) for and none (0) opposed the approve Ordinance No. 2022-126. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Philip Ferguson, Place 1
SECONDER:	Andy Hopkins, Place 3
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

- D. Conduct a public hearing to consider and act upon an ordinance on the voluntary annexation of approximately 25 acres, generally located south of Carey Road and approximately 1,240 feet west of future Legacy Drive, within the Extraterritorial Jurisdiction (ETJ). (SW Carey & Legacy – C-3 Expedited Annexation) (McAfee)

Mayor Terry opened the public hearing at 7:20 p.m.

Randy Allen, Rex Glendenning, and John Kessel spoke in support of the item.
Ryan Tubbs spoke in opposition to the item.

With no one else wishing to speak, Mayor Terry closed the public hearing at 7:30 p.m.

Upon a motion by Councilmember Hopkins and a second by Councilmember Ferguson, the Council voted four (4) for and none (0) opposed the approve Ordinance No. 2022-127. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Philip Ferguson, Place 1
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

- E. Conduct a public hearing to consider and act upon an ordinance amending the Comprehensive Zoning Ordinance, by zoning approximately 25 acres to Mixed-Use District (MU), generally located south of Carey Road and approximately 1,240 feet west of future Legacy Drive. (SW Carey & Legacy - Zoning) (McAfee)

Mayor Terry opened the public hearing at 7:33 p.m.

With no one wishing to speak, Mayor Terry closed the public hearing at 7:33 p.m.

Upon a motion by Councilmember Hopkins and a second by Councilmember Ferguson, the Council voted four (4) for and none (0) opposed the approve Ordinance No. 2022-128. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Philip Ferguson, Place 1
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

- F. Conduct a public hearing to consider and act upon an ordinance on the voluntary annexation of approximately 26 acres, generally located at the northwest corner of future Celina Parkway and County Road 57, within the Extraterritorial Jurisdiction (ETJ). (Young Tract - C-3 Expedited Annexation) (McAfee)

Mayor Terry opened the public hearing at 7:36 p.m.

Matthew Kiran and Rex Glendenning spoke in support of the item.

With no one else wishing to speak, Mayor Terry closed the public hearing at 7:40 p.m.

Upon a motion by Mayor Pro Tem Pierce and a second by Councilmember Hopkins, the Council voted four (4) for and none (0) opposed the approve Ordinance No. 2022-129. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jay Pierce, Place 2
SECONDER:	Andy Hopkins, Place 3
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

- G. Conduct a public hearing to consider and act upon an ordinance amending the Comprehensive Zoning Ordinance, by zoning approximately 26 acres to Mixed-Use District (MU), generally located at the northwest corner of future Celina Parkway and County Road 57. (Young Tract – Zoning) (McAfee)

Mayor Terry opened the public hearing at 7:44 p.m.

With no one wishing to speak, Mayor Terry closed the public hearing at 7:44 p.m.

Upon a motion by Mayor Pro Tem Pierce and a second by Councilmember Griggs, the Council voted four (4) for and none (0) opposed the approve Ordinance No. 2022-130. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jay Pierce, Place 2
SECONDER:	Tony Griggs, Place 6
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

IX. ACTION ITEM:

- A. Consider and act to award RFP 2022-0149 for Performance Measures for Police and Fire Departments to Center for Public Safety Management in an amount not to exceed \$144,369.00. (Satarino)

Upon a motion by Mayor Pro Tem Pierce and a second by Councilmember Hopkins, the Council voted four (4) for and none (0) opposed the award RFP 2022-0149. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jay Pierce, Place 2
SECONDER:	Andy Hopkins, Place 3
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

- B. Consider and act to authorize the Guaranteed Maximum Price (GMP) Amendment 2 for the construction of the Law Enforcement Center Building, Phase 1 to Lee Lewis Construction in the amount of \$23,306,708.00 for a guaranteed maximum amount not to exceed \$31,321,873.00 (total project cost). (Berry)

Upon a motion by Councilmember Hopkins and a second by Councilmember Ferguson, the Council voted four (4) for and none (0) opposed the authorize the GMP Amendment 2 for the construction of the Law Enforcement Center Building, Phase 1. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Philip Ferguson, Place 1
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

- C. Consider and act to award bid 2023-001 for Legacy Hills Water Reclamation Facility (WRF) to Bar Constructors Inc., in an amount not to exceed \$33,051,795.00. (Berry)

Upon a motion by Councilmember Hopkins and a second by Councilmember Griggs, the Council voted four (4) for and none (0) opposed to award bid 2023-001 to Bar Constructors, Inc. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Tony Griggs, Place 6
AYES:	Griggs, Ferguson, Pierce, Hopkins
ABSENT:	Wigginton, Koehne

X. ADJOURNMENT:

Mayor Terry adjourned the Regular Meeting of the Celina City Council at 8:00 p.m. on Tuesday, November 8, 2022.

Sean Terry, Mayor

Lauren Field, City Secretary

Date Minutes Approved