

Wylie Economic Development Corporation

Board Regular Meeting

May 20, 2022 – 7:00 AM

WEDC Office Conference Room - 250 South Highway 78, Wylie, Texas
75098



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Board regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Board requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Board is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider and act upon approval of Minutes from the April 22, 2022 Regular Meeting of the WEDC Board of Directors.
- B. Consider and act upon approval of the April 2022 WEDC Treasurer's Report.

DISCUSSION ITEMS

- DS1. Discussion regarding ICSC events.
- DS2. Discussion regarding Tax Increment Reinvestment Zones.
- DS3. Discussion regarding Board & Commission Code of Conduct.
- DS4. Discuss issues surrounding the FY 2022-2023 WEDC Budget.
- DS5. Staff report: WEDC Property Update, Downtown Parking, Engineering Report, Upcoming Events, and WEDC Activities/Programs.

EXECUTIVE SESSION

Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

ES1. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, State Hwy 78/Alanis, State Hwy 78/Ballard, State Hwy 78/Birmingham, and State Hwy 78/Brown.

Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.

This chapter does not require a governmental body to conduct an open meeting:

- (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

ES2. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2017-10a, 2020-11b, 2021-2d, 2021-4a, 2021-4b, 2021-5a, 2021-6a, 2021-6c, 2021-7a, 2021-8a, 2021-9e, 2021-9f, 2021-11a, 2021-12a, 2021-12b, 2022-1a, 2022-2a, 2022-2b, 2022-4a, and 2022-4b.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

FUTURE AGENDA ITEMS

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on May 13, 2022 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

Stephanie Storm, City Secretary

Date Notice Removed

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020. Hearing impaired devices are available from the City Secretary prior to each meeting.

If during the course of the meeting covered by this notice, the Board should determine that a closed or executive meeting or session of the Board or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the Board at the date, hour and place given in this notice as the Board may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:
§ 551.071 – Private consultation with an attorney for the City.

- § 551.072 – Discussing purchase, exchange, lease or value of real property.
- § 551.073 – Discussing prospective gift or donation to the City.
- § 551.074 – Discussing personnel or to hear complaints against personnel.
- § 551.076 – Discussing deployment of security personnel or devices or security audit.
- § 551.087 – Discussing certain economic development matters.

Minutes
Wylie Economic Development Corporation
Board of Directors Meeting
 April 22, 2022 – 8:30 A.M.
 WEDC Offices – Conference Room
 250 S Hwy 78 – Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum

Vice President Melisa Whitehead called the meeting to order at 8:35 a.m. Board Members present were Gino Mulliqi, Tim Gilchrist, and Blake Brininstool.

Ex-Officio Members Mayor Matthew Porter and Interim City Manager Brent Parker were present.

WEDC staff present included Executive Director Jason Greiner, BRE Director Angel Wygant, and Senior Assistant Rachael Hermes.

INVOCATION & PLEDGE OF ALLEGIANCE

Angel Wygant gave the invocation and led the Pledge of Allegiance.

COMMENTS ON NON-AGENDA ITEMS

With no citizen participation, Vice President Whitehead moved to Consent Agenda.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the WEDC Board of Directors and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider and act upon approval of Minutes from the March 16, 2022 Regular Meeting and March 21, 2022 Special Called Meeting of the WEDC Board of Directors.**
- B. Consider and act upon approval of the March 2022 WEDC Treasurer's Report.**

Board Action

A motion was made by Gino Mulliqi, seconded by Blake Brininstool, to approve the Consent Agenda as presented. A vote was taken, and the motion passed 4-0.

REGULAR AGENDA

- 1. Consider and act upon a Third Amendment to the Purchase and Sale Agreement between the WEDC and Victory Group, LLC.**

Staff Comments

Staff discussed the approved Purchase and Sale Agreement with Victory Group, LLC for the sale of property at 201 Industrial Court on July 21, 2021, as well as the subsequent amendments to the agreement on October 20, 2021 and January 6, 2022. The “Approval Period” (Section 2.06a) in the contract was extended from ninety (90) days to December 15, 2021 and then again to February 9, 2022. Victory Group has since exercised both of their Approval Period Extensions to get the necessary P&Z and City Council approvals.

The proposed Third Amendment will allow adequate time for Victory Group to receive final City Council approval at the April 26th meeting and will extend the Approval Period to 5:00 PM on May 11,

2022. The proposed Third Amendment also terminates any further right for an Approval Period Extension. Staff anticipates Victory Group to close on or before June 10, 2022.

Board Action

A motion was made by Gino Mulliqi, seconded by Tim Gilchrist, to approve a Third Amendment to the Purchase and Sale Agreement between the WEDC and Victory Group, LLC for the sale of approximately .29-acre of real property and further authorize the WEDC Board President to execute all documentation necessary to effectuate the transactions. A vote was taken, and the motion passed 4-0.

2. Consider and act upon a First Amendment to the Letter of Understanding between WEDC and Union Pacific.

Staff Comments

Staff discussed the purchase of property at 401 N Keefer and the redevelopment of the property located in the Downtown Historic District. A Letter of Understanding between Union Pacific and the WEDC was executed on February 22, 2022 for the purchase of the .476-acre lot adjacent to 401 N Keefer. The purchase was later authorized by the WEDC Board at the March 16, 2022 WEDC Board Meeting.

Union Pacific is requesting an extension to the LOU to allow more time to get the deed finalized. Approval of the First Amendment to the Letter of Understanding would amend the closing date from April 30, 2022 to May 30, 2022. Staff anticipates closing on the property on or before May 27, 2022.

Board Action

A motion was made by Gino Mulliqi, seconded by Blake Brininstool, to approve a First Amendment to the Letter of Understanding between the WEDC and Union Pacific for the purchase of a .476-acre property and further authorizing the WEDC Executive Director to execute the amendment. A vote was taken, and the motion passed 4-0.

DISCUSSION ITEMS

DS1. Update from the Subcommittee of the Board to review and recommend any modifications to the existing bylaws of the Corporation.

Staff Comments

Staff and Subcommittee Members Whitehead and Gilchrist discussed the process of bylaw review and consideration of the bylaws of neighboring economic development corporations. Staff will provide the proposed revisions to the attorney for their review and anticipates that a draft copy will likely be available at the next Board Meeting.

DS2. Discussion regarding ICSC events.

Staff Comments

Staff noted the ICSC Red River Conference that took place in March. Board Member Mulliqi, Vice President Whitehead, and Mayor Porter discussed the value of the conference.

ICSC Las Vegas takes place May 22-24. Staff is in the process of scheduling meetings/events and will provide calendar invites to the attendees shortly before the event. The Board highlighted potential opportunities for discussion at ICSC Las Vegas.

DS3. Discussion regarding Property Listing Agreement.

Staff Comments

Staff discussed Exclusive Listing Agreements and previous brokerage representation by Edge Realty Partners. Staff has been approached by a separate group to represent properties and wanted to provide the information to the Board.

DS4. Discuss issues surrounding the FY 2022-2023 WEDC Budget.

Staff Comments

Staff discussed preparation of the FY 2022-2023 WEDC Budget and reviewed assumptions that will be made for ending FY 2021-2022 to project the future budget. Staff noted that the Finance Department has requested expenses previously budgeted in Capital Projects be moved into Special Services. Staff is requesting that Special Services be further split into subaccounts to provide differentiation between expenses within that account. Staff anticipates an ending balance of \$1.7 MM for FY 2021-2022. The Board discussed the consideration of requiring a minimum cash balance to operate. Staff will provide additional detail to the Board to reflect both 3-month and 6-month cash reserve buffers to cover loan and operational expenses.

DS5. Staff report: WEDC Property Update, Downtown Parking, Engineering Report, Temporary Access Agreements, Upcoming Events, and WEDC Activities/Programs.

Staff Comments

Staff referred the Board to the Agenda Report and quarterly reports provided in the packet for all updates related to WEDC-owned properties, downtown parking, engineering reports, temporary access agreements, upcoming events, and WEDC activities/programs. The Board recommended issuance of a Press Release regarding the tree removal at Hwy 78 & Brown. Staff discussed shifting the May WEDC Board Meeting to Friday, May 20th.

EXECUTIVE SESSION

Recessed into Closed Session at 9:49 a.m. in compliance with Section 551.001, et. seq. Texas Government Code, to wit:

Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

ES1. Discussion regarding WEDC-owned property.

Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

ES2. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, State Hwy 78/Alanis, State Hwy 78/Ballard, State Hwy 78/Birmingham, and State Hwy 78/Brown.

Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.

ES3. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2017-10a, 2020-11b, 2021-2d, 2021-4a, 2021-4b, 2021-5a, 2021-6a, 2021-6c, 2021-7a, 2021-8a, 2021-9e, 2021-9f, 2021-11a, 2021-12a, 2021-12b, 2022-1a, 2022-2a, 2022-2b, 2022-4a, and 2022-4b.

WEDC – Minutes

April 22, 2022

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Board Member Mulliqi stepped out at 9:51 a.m. during Executive Session and filed a Conflict of Interest form with Staff. Board Member Mulliqi returned at 10:07 a.m.

RECONVENE INTO OPEN SESSION

Take any action as a result of the Executive Session.

Vice President Whitehead reconvened into Open Session at 11:02 a.m.

FUTURE AGENDA ITEMS

There were no Items requested for inclusion on future agendas.

ADJOURNMENT

With no further business, Vice President Whitehead adjourned the WEDC Board meeting at 11:03 a.m.

Demond Dawkins, President

ATTEST:

Jason Greiner, Executive Director

AGENDA REPORT

Meeting Date:	May 20, 2022	Item Number:	B
Prepared By:	Jason Greiner	Account Code:	
Date Prepared:	5/13/22	Exhibits:	4

Subject

Consider and act upon approval of the April 2022 WEDC Treasurer's Report.

Recommendation

Motion to approve the April 2022 WEDC Treasurer's Report.

Discussion

Presented for the Board's review and approval is the April 2022 Treasurer's Report detailing the month and year-to-date financial transactions and performance against budget. In this report you will find the Revenue and Expense Report, Statement of Net Position, Balance Sheet, and Sales Tax Report.

REVENUES:

Sales Tax Revenue earned in February allocated in April, was \$265,773.80, an increase of 19.78% over the same period in 2021.

EXPENSES:

Special Services

\$2,500	Zachary Construction- 401 N Keefer Storm Cellar Removal
\$8,500	Zachary Construction- 401 N Keefer Demolition
\$18,050	Wilson & Company- Inspection Services Fee @10 days
\$17,550	Wilson & Company- Roadway Worker Fee @10 days
\$5,420	Diamond Squared- Plumbing Repairs 104 S Ballard

Engineering/Architecture

\$4,800	Roome Land Surveying- Hwy 78 & Brown Tree Survey
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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 111 - WYLIE ECONOMIC DEVEL CORP							
Revenue							
Category: 400 - Taxes							
111-4000-40210	SALES TAX	3,789,966.00	3,789,966.00	265,773.80	1,579,061.67	-2,210,904.33	58.34 %
Category: 400 - Taxes Total:		3,789,966.00	3,789,966.00	265,773.80	1,579,061.67	-2,210,904.33	58.34%
Category: 460 - Interest Income							
111-4000-46110	ALLOCATED INTEREST EARNINGS	6,000.00	6,000.00	238.05	1,242.57	-4,757.43	79.29 %
Category: 460 - Interest Income Total:		6,000.00	6,000.00	238.05	1,242.57	-4,757.43	79.29%
Category: 480 - Miscellaneous Income							
111-4000-48110	RENTAL INCOME	132,240.00	132,240.00	13,320.00	67,320.00	-64,920.00	49.09 %
111-4000-48410	MISCELLANEOUS INCOME	0.00	0.00	0.00	1,044.96	1,044.96	0.00 %
111-4000-48430	GAIN/(LOSS) SALE OF CAP ASSETS	2,601,116.00	2,601,116.00	0.00	0.00	-2,601,116.00	100.00 %
Category: 480 - Miscellaneous Income Total:		2,733,356.00	2,733,356.00	13,320.00	68,364.96	-2,664,991.04	97.50%
Category: 490 - Transfers In & Other Financing Sources							
111-4000-49325	BANK NOTE PROCEEDS	0.00	8,108,000.00	0.00	8,108,000.00	0.00	0.00 %
Category: 490 - Transfers In & Other Financing Sources Total:		0.00	8,108,000.00	0.00	8,108,000.00	0.00	0.00%
Revenue Total:		6,529,322.00	14,637,322.00	279,331.85	9,756,669.20	-4,880,652.80	33.34%
Expense							
Category: 510 - Personnel Services							
111-5611-51110	SALARIES	286,558.00	286,558.00	19,732.41	145,575.44	140,982.56	49.20 %
111-5611-51140	LONGEVITY PAY	729.00	729.00	0.00	724.00	5.00	0.69 %
111-5611-51310	TMRS	44,530.00	44,530.00	3,043.78	22,784.60	21,745.40	48.83 %
111-5611-51410	HOSPITAL & LIFE INSURANCE	49,304.00	49,304.00	3,176.72	19,928.98	29,375.02	59.58 %
111-5611-51420	LONG-TERM DISABILITY	1,707.00	1,707.00	44.67	312.69	1,394.31	81.68 %
111-5611-51440	FICA	18,623.00	18,623.00	1,092.89	8,290.46	10,332.54	55.48 %
111-5611-51450	MEDICARE	4,355.00	4,355.00	255.59	1,938.85	2,416.15	55.48 %
111-5611-51470	WORKERS COMP PREMIUM	378.00	390.56	0.00	390.55	0.01	0.00 %
111-5611-51480	UNEMPLOYMENT COMP (TWC)	1,080.00	1,080.00	0.00	26.99	1,053.01	97.50 %
Category: 510 - Personnel Services Total:		407,264.00	407,276.56	27,346.06	199,972.56	207,304.00	50.90%
Category: 520 - Supplies							
111-5611-52010	OFFICE SUPPLIES	5,000.00	5,000.00	63.98	2,152.58	2,847.42	56.95 %
111-5611-52040	POSTAGE & FREIGHT	300.00	300.00	31.80	71.70	228.30	76.10 %
111-5611-52810	FOOD SUPPLIES	6,100.00	6,100.00	124.85	2,534.87	3,565.13	58.44 %
Category: 520 - Supplies Total:		11,400.00	11,400.00	220.63	4,759.15	6,640.85	58.25%
Category: 540 - Materials for Maintenance							
111-5611-54610	FURNITURE & FIXTURES	2,500.00	2,500.00	0.00	7,569.50	-5,069.50	-202.78 %
111-5611-54810	COMPUTER HARD/SOFTWARE	5,500.00	5,500.00	0.00	0.00	5,500.00	100.00 %
Category: 540 - Materials for Maintenance Total:		8,000.00	8,000.00	0.00	7,569.50	430.50	5.38%
Category: 560 - Contractual Services							
111-5611-56030	INCENTIVES	1,043,973.00	1,043,973.00	0.00	148,221.77	895,751.23	85.80 %
111-5611-56040	SPECIAL SERVICES	118,156.00	1,962,496.00	55,056.23	1,789,815.19	172,680.81	8.80 %
111-5611-56080	ADVERTISING	129,100.00	129,100.00	3,515.00	34,978.60	94,121.40	72.91 %
111-5611-56090	COMMUNITY DEVELOPMENT	52,050.00	52,050.00	1,172.64	22,680.13	29,369.87	56.43 %
111-5611-56110	COMMUNICATIONS	6,400.00	6,400.00	398.97	2,699.74	3,700.26	57.82 %
111-5611-56180	RENTAL	27,000.00	27,000.00	2,250.00	15,750.00	11,250.00	41.67 %
111-5611-56210	TRAVEL & TRAINING	74,600.00	74,600.00	7,225.03	31,497.45	43,102.55	57.78 %
111-5611-56250	DUES & SUBSCRIPTIONS	39,810.00	39,810.00	217.15	43,558.71	-3,748.71	-9.42 %
111-5611-56310	INSURANCE	6,303.00	6,303.00	0.00	5,458.01	844.99	13.41 %
111-5611-56510	AUDIT & LEGAL SERVICES	33,000.00	33,000.00	0.00	10,666.50	22,333.50	67.68 %
111-5611-56570	ENGINEERING/ARCHITECTURAL	87,500.00	189,300.00	4,800.00	43,642.55	145,657.45	76.95 %

Budget Report

For Fiscal: 2021-2022 Period Ending: 04/30/2022

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
111-5611-56610 UTILITIES-ELECTRIC	2,400.00	2,400.00	0.00	787.31	1,612.69	67.20 %
Category: 560 - Contractual Services Total:	1,620,292.00	3,566,432.00	74,635.02	2,149,755.96	1,416,676.04	39.72%
Category: 570 - Debt Service & Capital Replacement						
111-5611-57410 PRINCIPAL PAYMENT	694,127.33	5,403,249.03	26,280.11	4,868,091.34	535,157.69	9.90 %
111-5611-57415 INTEREST EXPENSE	315,135.79	326,452.12	23,768.89	155,749.84	170,702.28	52.29 %
Category: 570 - Debt Service & Capital Replacement Total:	1,009,263.12	5,729,701.15	50,049.00	5,023,841.18	705,859.97	12.32%
Category: 580 - Capital Outlay						
111-5611-58110 LAND-PURCHASE PRICE	0.00	3,983,392.59	-621.49	3,894,644.85	88,747.74	2.23 %
111-5611-58210 STREETS & ALLEYS	2,175,000.00	2,425,000.00	0.00	59,475.90	2,365,524.10	97.55 %
111-5611-58995 CONTRA CAPITAL OUTLAY	0.00	0.00	0.00	-3,895,266.34	3,895,266.34	0.00 %
Category: 580 - Capital Outlay Total:	2,175,000.00	6,408,392.59	-621.49	58,854.41	6,349,538.18	99.08%
Expense Total:	5,231,219.12	16,131,202.30	151,629.22	7,444,752.76	8,686,449.54	53.85%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):	1,298,102.88	-1,493,880.30	127,702.63	2,311,916.44	3,805,796.74	254.76%
Report Surplus (Deficit):	1,298,102.88	-1,493,880.30	127,702.63	2,311,916.44	3,805,796.74	254.76%

Budget Report

For Fiscal: 2021-2022 Period Ending: 04/30/2022

Group Summary

Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 111 - WYLIE ECONOMIC DEVEL CORP						
Revenue						
400 - Taxes	3,789,966.00	3,789,966.00	265,773.80	1,579,061.67	-2,210,904.33	58.34%
460 - Interest Income	6,000.00	6,000.00	238.05	1,242.57	-4,757.43	79.29%
480 - Miscellaneous Income	2,733,356.00	2,733,356.00	13,320.00	68,364.96	-2,664,991.04	97.50%
490 - Transfers In & Other Financing Sources	0.00	8,108,000.00	0.00	8,108,000.00	0.00	0.00%
Revenue Total:	6,529,322.00	14,637,322.00	279,331.85	9,756,669.20	-4,880,652.80	33.34%
Expense						
510 - Personnel Services	407,264.00	407,276.56	27,346.06	199,972.56	207,304.00	50.90%
520 - Supplies	11,400.00	11,400.00	220.63	4,759.15	6,640.85	58.25%
540 - Materials for Maintenance	8,000.00	8,000.00	0.00	7,569.50	430.50	5.38%
560 - Contractual Services	1,620,292.00	3,566,432.00	74,635.02	2,149,755.96	1,416,676.04	39.72%
570 - Debt Service & Capital Replacement	1,009,263.12	5,729,701.15	50,049.00	5,023,841.18	705,859.97	12.32%
580 - Capital Outlay	2,175,000.00	6,408,392.59	-621.49	58,854.41	6,349,538.18	99.08%
Expense Total:	5,231,219.12	16,131,202.30	151,629.22	7,444,752.76	8,686,449.54	53.85%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):	1,298,102.88	-1,493,880.30	127,702.63	2,311,916.44	3,805,796.74	254.76%
Report Surplus (Deficit):	1,298,102.88	-1,493,880.30	127,702.63	2,311,916.44	3,805,796.74	254.76%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
111 - WYLIE ECONOMIC DEVEL COR	1,298,102.88	-1,493,880.30	127,702.63	2,311,916.44	3,805,796.74
Report Surplus (Deficit):	1,298,102.88	-1,493,880.30	127,702.63	2,311,916.44	3,805,796.74

Balance Sheet

Account Summary

As Of 04/30/2022

Account	Name	Balance
Fund: 111 - WYLIE ECONOMIC DEVEL CORP		
Assets		
111-1000-10110	CLAIM ON CASH AND CASH EQUIV.	2,022,074.81
111-1000-10115	CASH - WEDC - INWOOD	0.00
111-1000-10135	ESCROW	0.00
111-1000-10180	DEPOSITS	2,000.00
111-1000-10198	OTHER - MISC CLEARING	0.00
111-1000-10341	TEXPOOL	0.00
111-1000-10343	LOGIC	0.00
111-1000-10481	INTEREST RECEIVABLE	0.00
111-1000-11511	ACCTS REC - MISC	0.00
111-1000-11517	ACCTS REC - SALES TAX	0.00
111-1000-12810	LEASE PAYMENTS RECEIVABLE	0.00
111-1000-12950	LOAN PROCEEDS RECEIVABLE	0.00
111-1000-12996	LOAN RECEIVABLE	0.00
111-1000-12997	ACCTS REC - JTM TECH	0.00
111-1000-12998	ACCTS REC - FORGIVEABLE LOANS	60,000.00
111-1000-14112	INVENTORY - MATERIAL/ SUPPLY	0.00
111-1000-14116	INVENTORY - LAND & BUILDINGS	16,330,536.04
111-1000-14118	INVENTORY - BAYCO/ SANDEN BLVD	0.00
111-1000-14310	PREPAID EXPENSES - MISC	0.00
111-1000-14410	DEFERRED OUTFLOWS	768,867.00
	Total Assets:	19,183,477.85
		<u>19,183,477.85</u>
Liability		
111-2000-20110	FEDERAL INCOME TAX PAYABLE	0.00
111-2000-20111	MEDICARE PAYABLE	0.00
111-2000-20112	CHILD SUPPORT PAYABLE	0.00
111-2000-20113	CREDIT UNION PAYABLE	0.00
111-2000-20114	IRS LEVY PAYABLE	0.00
111-2000-20115	NATIONWIDE DEFERRED COMP	0.00
111-2000-20116	HEALTH INSUR PAY-EMPLOYEE	-55.01
111-2000-20117	TMRS PAYABLE	0.00
111-2000-20118	ROTH IRA PAYABLE	0.00
111-2000-20119	WORKERS COMP PAYABLE	0.00
111-2000-20120	FICA PAYABLE	0.00
111-2000-20121	TEC PAYABLE	0.00
111-2000-20122	STUDENT LOAN LEVY PAYABLE	0.00
111-2000-20123	ALIMONY PAYABLE	0.00
111-2000-20124	BANKRUPTCY PAYABLE	0.00
111-2000-20125	VALIC DEFERRED COMP	0.00
111-2000-20126	ICMA PAYABLE	0.00
111-2000-20127	EMP. LEGAL SERVICES PAYABLE	0.00
111-2000-20130	FLEXIBLE SPENDING ACCOUNT	5,687.36
111-2000-20131	EDWARD JONES DEFERRED COMP	0.00
111-2000-20132	EMP CARE FLITE	12.00
111-2000-20133	Unemployment Comp Payable	0.01
111-2000-20151	ACCRUED WAGES PAYABLE	0.00
111-2000-20180	ADDIT EMPLOYEE INSUR PAY	48.00
111-2000-20199	MISC PAYROLL PAYABLE	0.00
111-2000-20201	AP PENDING	0.00
111-2000-20210	ACCOUNTS PAYABLE	0.00
111-2000-20530	PROPERTY TAXES PAYABLE	0.00
111-2000-20540	NOTES PAYABLE	768,867.00
111-2000-20810	DUE TO GENERAL FUND	0.00

As Of 04/30/2022

Balance Sheet

Account	Name	Balance
111-2000-22270	DEFERRED INFLOW	0.00
111-2000-22275	DEF INFLOW - LEASE PRINCIPAL	0.00
111-2000-22280	DEFERRED INFLOW - LEASE INT	0.00
111-2000-22915	RENTAL DEPOSITS	1,200.00
	Total Liability:	775,759.36

Equity

111-3000-34110	FUND BALANCE - RESERVED	0.00
111-3000-34590	FUND BALANCE-UNRESERV/UNDESIG	16,095,802.05
	Total Beginning Equity:	16,095,802.05
Total Revenue		9,756,669.20
Total Expense		7,444,752.76
Revenues Over/Under Expenses		2,311,916.44
	Total Equity and Current Surplus (Deficit):	18,407,718.49
	Total Liabilities, Equity and Current Surplus (Deficit):	<u>19,183,477.85</u>

As Of 04/30/2022

Balance Sheet

Account	Name	Balance
Fund: 922 - GEN LONG TERM DEBT (WEDC)		
Assets		
922-1000-10312	GOVERNMENT NOTES	0.00
922-1000-18110	LOAN - WEDC	0.00
922-1000-18120	LOAN - BIRMINGHAM	0.00
922-1000-18210	AMOUNT TO BE PROVIDED	0.00
922-1000-18220	BIRMINGHAM LOAN	0.00
922-1000-19050	DEF OUTFLOW TMRS CONTRIBUTIONS	39,535.29
922-1000-19051	DEF OUTFLOW SDBF CONTRIBUTIONS	3,027.00
922-1000-19075	DEF OUTFLOW - INVESTMENT EXP	-37,953.52
922-1000-19100	DEF OUTFLOW - ACT EXP/ASSUMP	71,021.78
922-1000-19125	(GAIN)/LOSS ON ASSUMPTION CHGS	-44,574.41
922-1000-19126	DEF INFLOW SDBF CONTRIBUTIONS	-811.00
	Total Assets:	30,245.14
		<u>30,245.14</u>
Liability		
922-2000-20310	COMPENSATED ABSENCES PAYABLE	0.00
922-2000-20311	COMP ABSENCES PAYABLE-CURRENT	32,300.82
922-2000-21410	ACCRUED INTEREST PAYABLE	9,604.44
922-2000-28205	WEDC LOANS/CURRENT	132,580.49
922-2000-28220	BIRMINGHAM LOAN	0.00
922-2000-28230	INWOOD LOAN	0.00
922-2000-28232	ANB LOAN/EDGE	0.00
922-2000-28233	ANB LOAN/PEDDICORD WHITE	0.00
922-2000-28234	ANB LOAN/RANDACK HUGHES	0.00
922-2000-28235	ANB LOAN	0.00
922-2000-28236	ANB CONSTRUCTION LOAN	0.00
922-2000-28237	ANB LOAN/ WOODBRIDGE PARKWAY	0.00
922-2000-28238	ANB LOAN/BUCHANAN	0.00
922-2000-28239	ANB LOAN/JONES:HOBART PAYOFF	0.00
922-2000-28240	HUGHES LOAN	0.00
922-2000-28242	ANB LOAN/HWY 78:5TH ST REDEV	0.00
922-2000-28245	ANB LOAN/DALLAS WHIRLPOOL	0.00
922-2000-28246	GOVCAP LOAN/KIRBY	7,846,537.60
922-2000-28247	JARRARD LOAN	144,081.16
922-2000-28250	CITY OF WYLIE LOAN	0.00
922-2000-28260	PRIME KUTS LOAN	0.00
922-2000-28270	BOWLAND/ANDERSON LOAN	0.00
922-2000-28280	CAPITAL ONE CAZAD LOAN	0.00
922-2000-28290	HOBART/COMMERCE LOAN	0.00
922-2000-29150	NET PENSION LIABILITY	185,989.17
922-2000-29151	SDBF LIABILITY	11,026.00
	Total Liability:	8,362,119.68
Equity		
922-3000-34590	FUND BALANCE-UNRESERV/UNDESIG	-4,971,701.88
922-3000-35900	UNRESTRICTED NET POSITION	-120,264.00
	Total Beginning Equity:	-5,091,965.88
Total Revenue		-8,108,000.00
Total Expense		-4,868,091.34
Revenues Over/Under Expenses		-3,239,908.66
	Total Equity and Current Surplus (Deficit):	-8,331,874.54
	Total Liabilities, Equity and Current Surplus (Deficit):	<u>30,245.14</u>

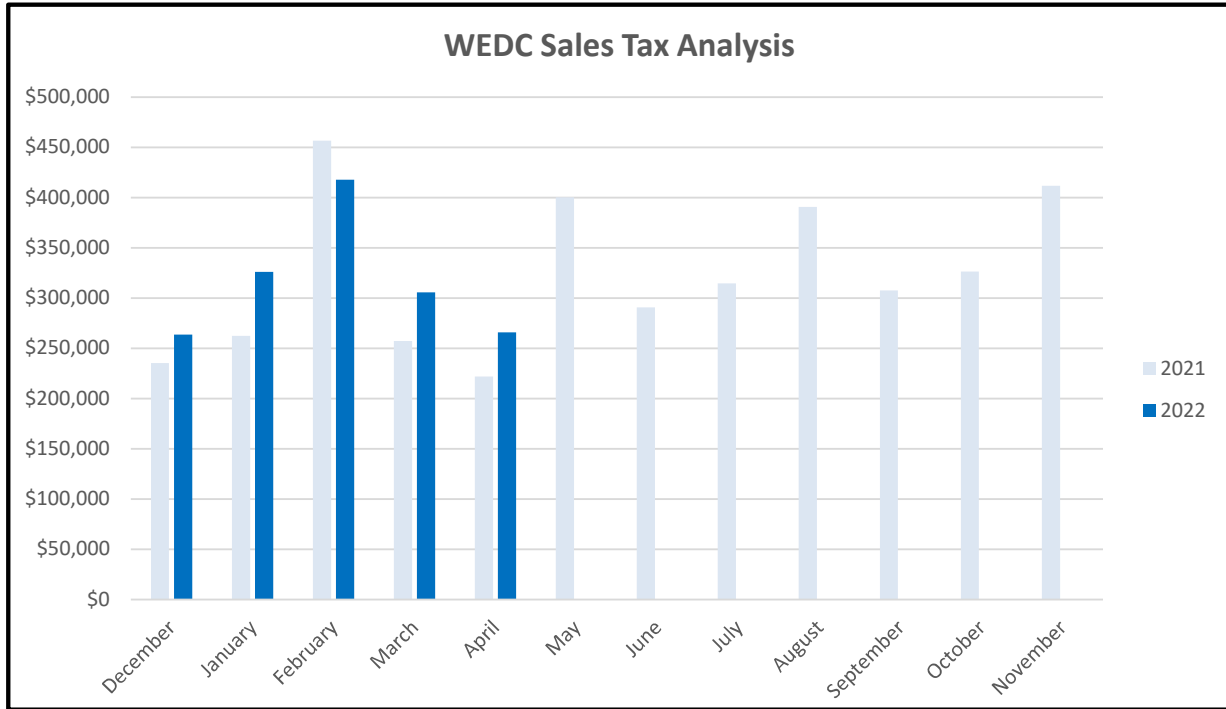
Wylie Economic Development Corporation

SALES TAX REPORT

April 30, 2022

BUDGETED YEAR

MONTH	FY 2019	FY 2020	FY 2021	FY 2022	DIFF 21 vs. 22	% DIFF 21 vs. 22
DECEMBER	\$ 214,867.15	\$ 226,663.94	\$ 235,381.33	\$ 263,577.66	\$ 28,196.33	11.98%
JANUARY	\$ 223,749.61	\$ 218,520.22	\$ 262,263.52	\$ 326,207.92	\$ 63,944.40	24.38%
FEBRUARY	\$ 307,366.66	\$ 362,129.18	\$ 456,571.35	\$ 417,896.79	\$ (38,674.56)	-8.47%
MARCH	\$ 208,222.32	\$ 228,091.34	\$ 257,187.91	\$ 305,605.50	\$ 48,417.59	18.83%
APRIL	\$ 182,499.53	\$ 203,895.57	\$ 221,881.55	\$ 265,773.80	\$ 43,892.25	19.78%
MAY	\$ 274,299.18	\$ 289,224.35	\$ 400,371.70	\$ -	\$ -	0.00%
JUNE	\$ 234,173.88	\$ 239,340.35	\$ 290,586.92	\$ -	\$ -	0.00%
JULY	\$ 215,107.94	\$ 296,954.00	\$ 314,559.10	\$ -	\$ -	0.00%
AUGUST	\$ 283,602.93	\$ 325,104.34	\$ 390,790.76	\$ -	\$ -	0.00%
SEPTEMBER	\$ 243,048.40	\$ 259,257.89	\$ 307,681.15	\$ -	\$ -	0.00%
OCTOBER	\$ 224,875.38	\$ 249,357.02	\$ 326,382.38	\$ -	\$ -	0.00%
NOVEMBER	\$ 308,324.41	\$ 384,953.89	\$ 411,813.32	\$ -	\$ -	0.00%
Sub-Total	\$ 2,920,137.37	\$ 3,283,492.09	\$ 3,875,470.98	\$ 1,579,061.68	\$ 145,776.02	13.30%
Total	\$ 2,920,137.37	\$ 3,283,492.09	\$ 3,875,470.98	\$ 1,579,061.68	\$ 145,776.02	13.30%



*** Sales Tax collections typically take 2 months to be reflected as Revenue. SisTx receipts are then accrued back 2 months.
 Example: April SisTx Revenue is actually February SisTx and is therefore the 5th allocation in FY22.



Wylie Economic Development Board

AGENDA REPORT

Meeting Date: May 20, 2022
Prepared By: Jason Greiner
Date Prepared: 5/13/22

Item Number: DS1
Account Code:
Exhibits:

Subject
Discussion regarding ICSC events.

Recommendation
No action is requested by staff for this item.

Discussion
Staff will lead a discussion about the upcoming ICSC event.
ICSC 2022 Las Vegas - May 22-24
Sunday @ Wynn
Monday @ LVCC
Tuesday @ LVCC
ICSC LAS VEGAS is our premier event and takes place annually in May. It is a two- to three-day gathering of dealmakers and industry experts, who are driving innovation and evolution in the Marketplaces Industry.



Wylie Economic Development Board

AGENDA REPORT

Meeting Date: May 20, 2022
Prepared By: Jason Greiner
Date Prepared: 5/13/22

Item Number: DS2
Account Code:
Exhibits: 1

Subject
Discussion regarding Tax Increment Reinvestment Zones.

Recommendation
No action is requested by staff for this item.

Discussion
David Pettit and Natalie Moore with David Pettit Economic Development (DPED) attended a Work Session with City Council on May 10, 2022. DPED provided an overview of the concept, creation, and implementation of a Tax Increment Reinvestment Zone (TIRZ) and discussed the high-level usage of Tax Increment Financing for Redevelopment, Public Infrastructure, and Economic Development Incentives.
The presentation has been attached for your information and review.

Tax Increment Financing (TIF)

**“Common Approaches for Facilitating
TIF Public/Private Investments”**

CITY OF WYLIE

MAY 2022

PURPOSE

- Discuss the concept of Tax Increment Financing (TIF)
- Key Stages for Facilitating New Investment
- Case Studies
- Tasks Necessary to Create a TIRZ
- Questions

Tax Increment Financing

Tax Increment Reinvestment Zones (TIRZ)

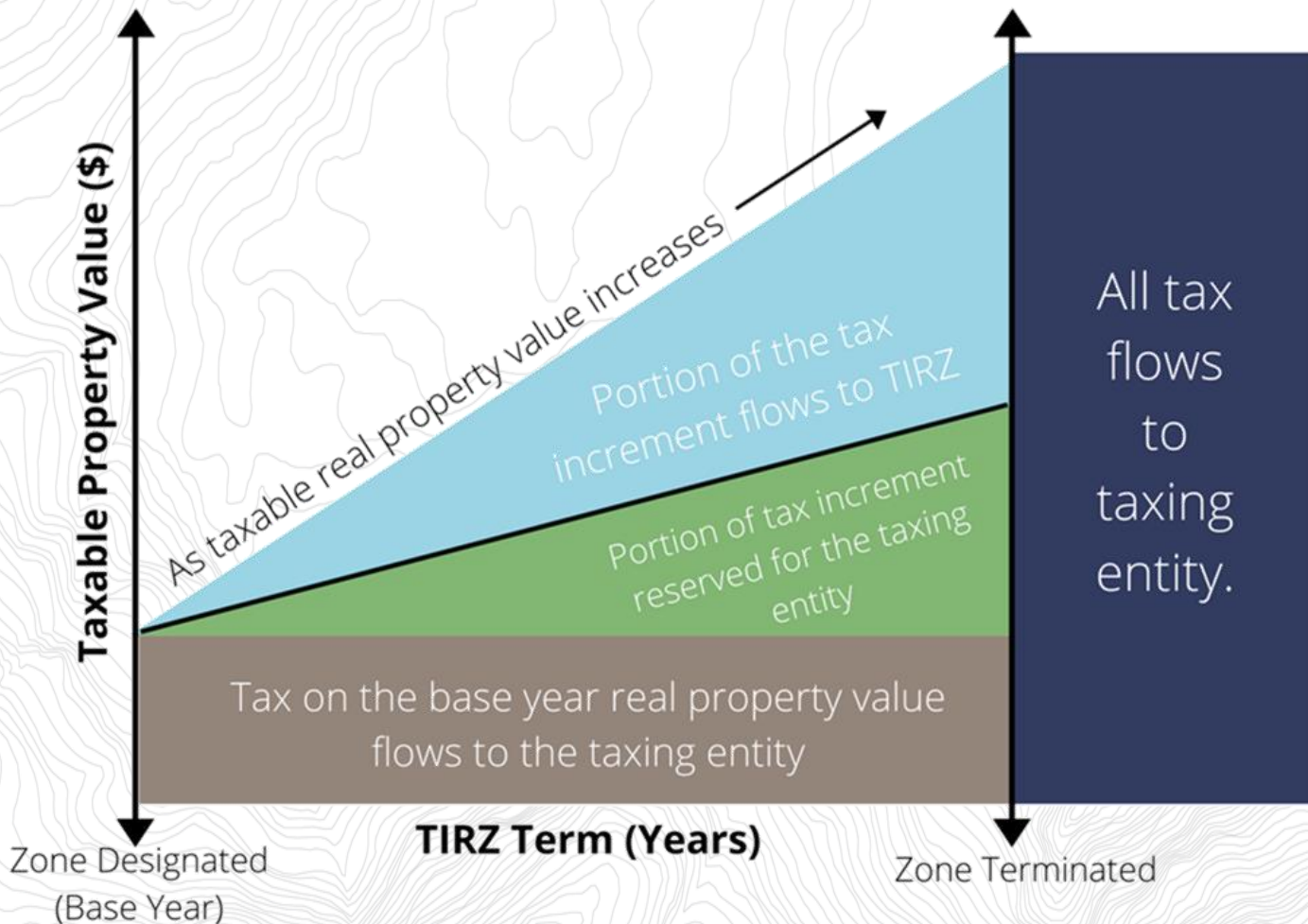
- Tax Increment Financing (TIF) is a tool that incentivizes economic development within a Tax Increment Reinvestment Zone (TIRZ)
- Governed by Tax Code, Chapter 311
- Hundreds of TIRZs have been created in the state of Texas
- Cities, *alone or in partnership with other taxing units*, can use this tool to pay for improvements in a zone so it will attract new development, facilitate investment, and bring excitement and energy to a designated area

Tax Increment Reinvestment Zones (TIRZ)

- Governed by 311 Texas Tax Code
- Incremental ad valorem taxes utilized as financing source
- Taxing entities contribute ad valorem taxes received from incremental value increases on property within the TIRZ.
- A TIRZ can pay for:
 - infrastructure;
 - public improvements;
 - economic development programs; or
 - other projects benefiting the zone

Tax Increment Reinvestment Zones (TIRZ)

- Not a new tax on development
 - Redirects a portion of tax generated from new development within TIRZ



TIRZ REVENUES

Two ways to create new tax increment:

1. New construction/investment; and/or
2. Annual appreciation of real property (i.e. “organic growth”)

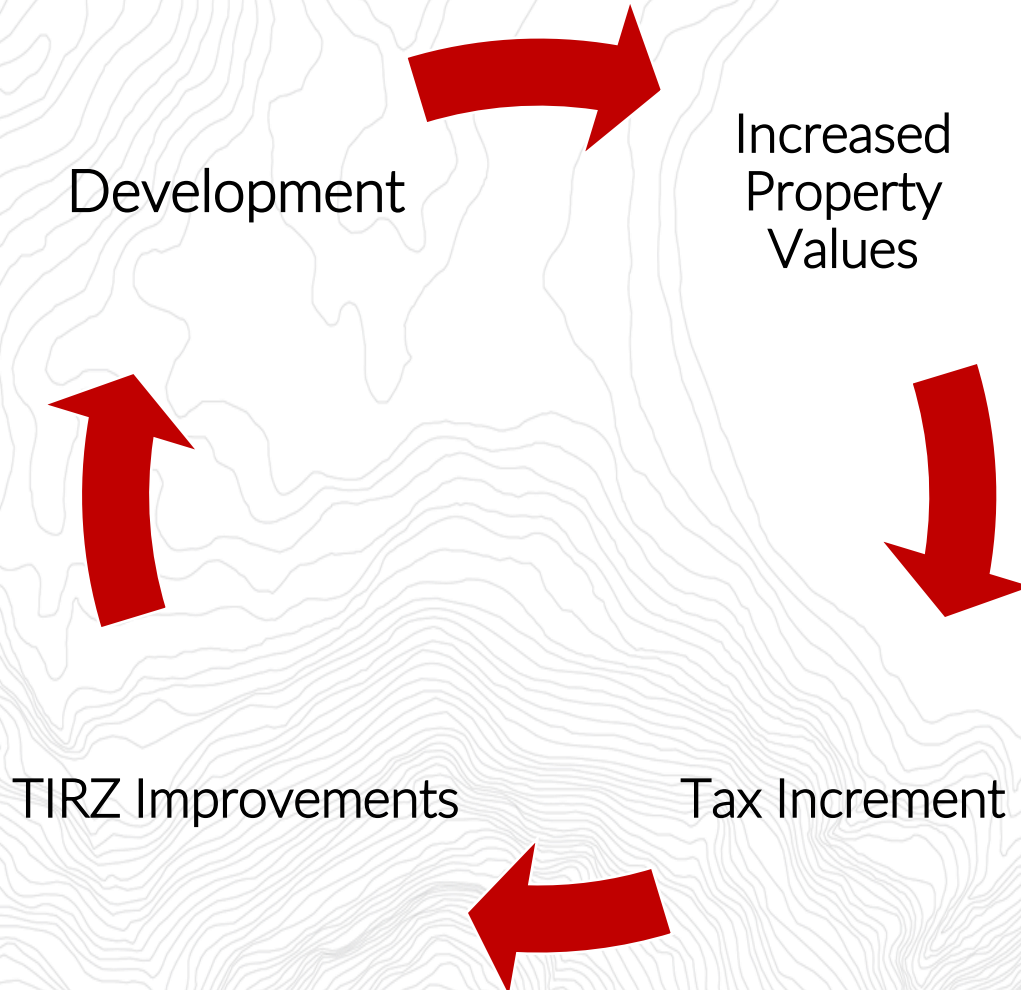
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TIRZ REVENUES



WHY CREATE A TIRZ?

- Private development activity expected to occur within a designated area
- Benefits an area at large, rather than being project specific
- Provides a funding source without impacting the current amount of general fund revenues for each participating taxing entity
- Ability to leverage revenues from taxable property within the TIRZ to generate a larger increment
- Attracts potential developers and investment into area that may not otherwise occur
- Demonstrates a commitment to creating a sense of place and identity

EXAMPLE OF TAX INCREMENT FINANCING

Current Year Property Tax Value	\$300,000
<u>Less Base Year Property Tax Value</u>	<u>\$200,000</u>
=TIF Increment Property Tax Value	\$100,000

<u>Taxing Entity</u>	<u>Tax Rate</u>	<u>Participation Rate</u>	<u>TIF Revenue</u>	<u>General Fund Revenue</u>
City of Wylie	0.643751	75%	\$483	\$161
Collin County	0.168087	0%	\$0	\$168
Collin College	0.081222	0%	\$0	\$81
Wylie ISD	1.459800	0%	\$0	\$1,460
Total	2.35286		\$483	\$2,192

TIRZ Creation Process

- Chapter 311 outlines the various procedures for creating and amending a TIRZ. Two main documents:
 1. Creation ordinance; and
 2. TIRZ Project and Financing Plan
- Creation ordinance establishes five key elements:
 - Boundary;
 - Term;
 - City Participation
 - TIRZ Board; and
 - Preliminary Project and Financing Plan
- Upon TIRZ creation the Final Project and Financing Plan is approved by the TIRZ Board and then the City Council by separate ordinance

COMMON QUESTIONS

Is a TIRZ an additional tax burden? No, a TIRZ does not impose a new tax. Instead, it uses improvements to spur development and raise property values within a zone. Then it directs some of the tax collected on that increase in value into a TIF fund that pays for the improvements.

Which taxing units can participate in a TIRZ? Any taxing unit that collects ad valorem taxes from property in the TIRZ may participate in a TIRZ project, but only a city or county can initiate a TIRZ project and create a TIRZ. The governing body of the city or county that creates the TIRZ is responsible for the TIF project.

How many board members are required for a tax increment project? For a normal TIRZ, the board of directors must consist of at least five members and usually does not exceed 15.

Who appoints the board members? The city and the other participating taxing units appoint board members.

COMMON QUESTIONS

How are the project costs paid? The board of directors makes all payments for project costs from the TIRZ fund. Project costs are be paid over time as tax increments are collected, or the tax increment can be monetized.

Can a city change the boundaries of a TIRZ? Yes, but only if the changed boundaries continue to meet the restrictions for the creation of TIRZ, and only with a public hearing and an ordinance describing the new boundaries.

Can a TIRZ be terminated? Yes. A city that created a TIRZ can terminate it by approving an ordinance that designates a termination date. Termination also occurs when all project costs, tax increment bonds and interest on those bonds, and other obligations have been paid in full.

What happens to money that remains in the fund after a TIRZ is terminated? After all project costs and other obligations have been paid, any money remaining in the fund is disbursed back to the participating taxing units in proportion to each jurisdiction's share of the total tax increments collected.

PUBLIC/PRIVATE PARTNERSHIPS

Infrastructure Improvements

Use of economic development tools in conjunction with planning to foster redevelopment, *typically focusing on infrastructure needs*

Business Creation/Retention

Use of economic development tools to encourage the relocation or retention of *targeted businesses*

Gap Financing

Use of economic development tools to facilitate a fair “rate of return” for *private investment that otherwise would not occur*

TIRZ EXPENDITURES

The justification for TIRZ expenditures and agreements essentially fall into two (2) categories:

- Items described as “**project costs**” in the TIF statute, Chapter 311 of the Texas Tax Code; or
- Activities consistent with authority granted by TIF Statute to the use **Program 380** authority.

TIRZ PROJECT COSTS

Chapter 311 of the Texas Tax Code

Sec. 311.002. DEFINITIONS. In this chapter:

- (1) "Project costs" means the expenditures made or estimated to be made and monetary obligations incurred or estimated to be incurred by the municipality or county establishing a reinvestment zone that are listed in the project plan as **costs of public works or public improvements in the zone**, plus other costs incidental to those expenditures and obligations.

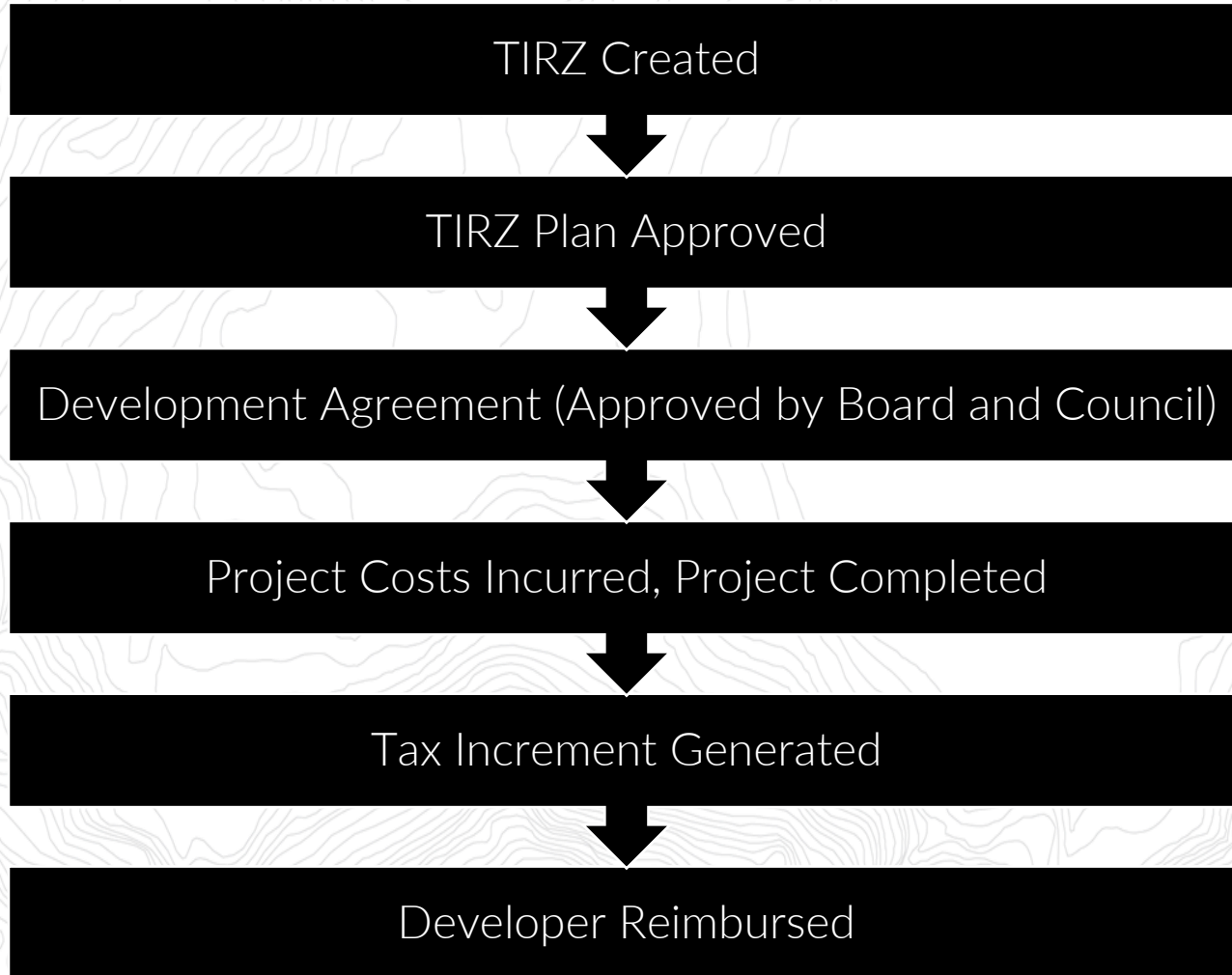
PROGRAM 380

Chapter 380 of the Local Government Code

Sec. 380.001. ECONOMIC DEVELOPMENT PROGRAMS.

- (a) The governing body of a municipality may establish and provide for the administration of one or more programs, including **programs for making loans and grants of public money** and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality.

PROCESS



Key Stages for Facilitating New Investment

KEY STAGES

Project Analysis

Is the project a good candidate for incentives?

Incentive Package

What amount of incentives does the project need?

Payment Method

Who and where does the money come from?

PROJECT ANALYSIS

- When considering a developer's proposal for TIRZ incentives a few key items should be reviewed.
 - **Is the project financially feasible?**
 - The developer should be able to provide a lender commitment letter and an anticipated cash flow from the development
 - **Is there a "gap" hindering the project?**
 - Developer should be able to demonstrate a gap that prevents a "fair rate of return"
 - **Is the project consistent with the goals and objectives of the TIRZ plan?**
 - TIRZ Plan can be amended to add project or expenses not outlined in the TIRZ Plan

INCENTIVE PACKAGE

- There are a few different methods for determining the total amount of the incentive package.
 - **Pledge 100% of increment generated by the project for x number of years**
 - Common for initial TIRZ projects and can be used in conjunction with Program 380 agreements.
 - **Pledge a portion of increment generated by the project for x number of years**
 - Applicable to a wide range of projects and can be used with either TIF or Program 380 agreements
 - **Fund all public improvements and TIF eligible expenses unrelated to increment generated**
 - Funding would be tied to the amount of money spent by the developer on TIF eligible expenses
 - e.g. environmental remediation, utility improvement, streetscape improvements, etc...

PAYMENT METHOD

- Funds for payment come from one of two different sources.
- **Site Specific Increment**
 - Funding for a project will be linked directly to the increment that the development produces
 - Site specific increment is probably the most widely used method, because it puts all of the burden on the developer and provides very little risk to the TIRZ.
- **TIRZ Reserve Funds**
 - Funding for a project is not linked directly to the increment it generates, instead money from the entire TIRZ fund is pledged.
 - Generally used for projects that generate a large amount aesthetic improvements, but little if any increased revenue
 - i.e. Public Parks, Streetscape, etc...

Case Studies

COMMUNITIES WITH TIRZ VARY WIDELY

- Allen (104,627)
- Arlington (394,266)
- Austin (961,855)
- Azle (13,369)
- Celina (30,000)
- Dallas (1.3 million)
- Denison (24,479)
- El Paso (678,815)
- Farmer's Branch (35,991)
- Fort Worth (918,915)
- Frisco (200,509)
- Garland (246,018)
- Grand Prairie (196,100)
- Kaufman (6,797)
- McKinney (195,308)
- Mesquite (150,108)
- Plano (285,494)
- Prosper (30,174)
- Rockwall (47,251)
- Rowlett (62,535)
- San Antonio (1.4 million)
- Stephenville (20,897)
- Waco (138,486)
- Waxahachie (41,140)

FLOWER MOUND

- TIF #1 was created in 2005 to provide for public improvements
 - 1,465 Acres
 - 100% City Participation
 - 85% Denton County Participation
- 2005 Base Value = \$261 Million
- 2020 Value = \$1.3 Billion
- \$48 Million Budget
- FY 2021 Revenue = \$7 million



In 2017, the TIRZ Board recommended the use of TIRZ #1 Funds to pay the annual debt service on the issuance of \$10,900,000 for the Town of Flower Mound Public Library Renovation and Expansion Project.

- Renovation of 25,000 SF Library
- 15,000 expansion, creating additional adult program rooms, quiet reading rooms, study rooms, additional collection space, a multi-purpose room, and more meeting spaces

PLANO

- TIF 4 was created in 2020 to support the redevelopment of Collin Creek Mall
- 75% City Participation
- 36 Years
- \$80 Million Budget
- \$15 million will be used to pay back a loan from the NCTCOG to build a parking garage
- \$24 million to construct a second parking garage on the zone's west side



\$1 billion mixed-use development

- 400,000 square feet of retail space
- 500 single-family homes
- 2,300 multifamily apartment units
- 1.3 million square feet of office space
- 200-room hotel
- An outdoor space will include 8 acres of parkland and more than a mile of trails

Next Steps to Create a TIRZ

NEXT STEPS

- Review Proposed Boundaries
- Taxable Value Analysis
 - Historic taxable value review of similar developments to establish assumptions of future taxable value
 - Develop projections for future land uses, and timing of proposed developments
- Develop TIRZ Cash Flow Model
 - Draft financing cash flow model (and supporting spreadsheets) for a to be determined time period
- Prepare TIRZ Project and Financing Plan
 - Develop the Project and Financing Plan, and Detailed Description of TIRZ, and other exhibits required for local government review and approval per the state legislative requirements

NEXT STEPS

Item	Date
Engage DPED to initiate process	May/June 2022
DPED work with City Leadership to establish boundaries and development projections	June/July 2022
Preliminary Project and Financing Plan Completed	August 2022
City Council Creation Ordinance Public Hearing	September 2022
TIF Board Approval of PFP	September 2022
City Council Final PFP 1st Reading	September 2022

QUESTIONS



DAVID PETTIT
Economic Development

QUESTIONS



Wylie Economic Development Board

AGENDA REPORT

Meeting Date: May 20, 2022
Prepared By: Jason Greiner
Date Prepared: 5/13/22

Item Number: DS3
Account Code:
Exhibits: 1

Subject
Discussion regarding Board & Commission Code of Conduct.

Recommendation
No action is requested by staff for this item.

Discussion
Staff will discuss the Code of Conduct for all City Officials.
With the passage of the new Code of Conduct, it is a requirement for all City Officials (defined as the Mayor, a member of the City Council, members of Administrative Boards, and Advisory Boards, appointed by the Mayor or City Council) to complete an Acknowledgement of Receipt and Understanding of the Code.
Please complete this at your earliest convenience.

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, REPEALING ORDINANCE NO. 2014-19, CREATING A CODE OF CONDUCT; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City of Wylie (“City” or “Wylie”) desires for all of its citizens to have confidence in integrity, independence, and impartiality of those who act on their behalf in government;

WHEREAS, the City of Wylie previously adopted Ordinance No. 2014-19, establishing a Code of Ethics; and

WHEREAS, the City of Wylie desires to create a Code of Conduct and repeal Ordinance No. 2014-19, as of the Effective Date of this Ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS that:

Section 1. Creation of Code of Conduct

The City of Wylie creates this Code of Conduct (the “Code”) and repeals Ordinance No. 2014-19, as of the Effective Date of this Ordinance.

Section 2. Policy

The proper operation of democratic local government requires that City Officials be independent, impartial and responsible to the people; that local government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its City Officials. It is the policy of the City of Wylie that its City Officials meet the standards of conduct established in this Ordinance. Conduct not regulated herein is not subject to this Code.

Section 3. Definitions

Administrative Board means any board, commission, or other organized body: (1) that has, by law, final decision-making authority on matters within its jurisdiction and that is either: (a) established under the City Charter, by City ordinance, or by appointment by the City Council or the Mayor; or (b) whose members are all council members or are appointed or confirmed by the City Council; or, (2) created as a non-profit economic development corporation by the City Council under the authority of the Development Corporation Act of 1979, as amended.

Advisory Board means a board, commission, or other organized body other than an Administrative Board, that was created by an act of the City Council whose members are appointed or confirmed by the City Council or by an act of the Mayor and are charged with making recommendations to the City Council on matters within its jurisdiction.

Board of Review means the body charged with reviewing and acting on Complaints under this Ordinance.

City Official or Official means the Mayor; a member of the City Council, members of Administrative Boards, and Advisory Boards, appointed by the Mayor or City Council.

Code of Conduct means this Code of Conduct (“Code”). Only a City Official may be held responsible for violations of the Code.

Economic Interest means a legal or equitable property interest in land, chattels, and intangibles, and contractual rights having a value of more than fifty thousand dollars (\$50,000.00). Service by a City Official as an Officer, director, advisor, or otherwise active participant in an educational, religious, charitable, fraternal, or civic organization does not create for that City Official an "Economic Interest" in the property of the organization.

Official Action means:

- (1) Any affirmative act (including the making of a recommendation) within the scope of, or in violation of, an Official's duties; or
- (2) Any failure to act, if the Official is under a duty to act.

Section 4. Covered officials

The rules of conduct contained below apply generally to City Officials unless otherwise specified.

Section 5. City Officials required to comply with both state and local law

When a City Official's conduct is regulated by a provision of this Ordinance and a similar provision of state law, and it is possible to comply with the requirements of both, a City Official shall comply with both.

Section 6. Education

The City shall provide training and educational materials to City Officials on their obligations under state law and this Ordinance. Such training shall include at least one formal classroom session in each calendar year. All City Officials shall annually attend the formal training session offered by the City or equivalent training sessions conducted by the City Attorney, the Texas Municipal League, or similar organizations. The City also shall prepare and distribute written materials on the subject to each City Official at the time of his or her election or appointment to office.

Section 7. Standards of Conduct for City Officials

(A) Appearance on behalf of private interests of others

- (1) A member of the City Council shall not appear before the City Council, an Administrative Board or an Advisory Board for the purpose of representing the interests of another person or entity. However, a member of the City Council may, to the extent as otherwise permitted by law, appear before any such body to represent the member's own interests or the interests of the member's spouse or minor children.
- (2) A City Official who is not a member of the City Council shall not appear before the body on which he or she serves for the purpose of representing the interests of another person or entity, and shall not appear before any other body for the purpose of representing the interests of another person or entity in connection with an appeal from a decision of the

body on which the City Official serves. However, the City Official may, to the extent as otherwise permitted by law, appear before any such body to represent the City Official's own interests or the interests of the City Official's spouse or minor children.

(B) Misuse and disclosure of confidential information

- (1) It is a violation of this Code for a City Official to violate Texas Penal Code § 39.06 (Misuse of Official Information).
- (2) A City Official shall not disclose to the public any information that is deemed confidential and/or privileged under any federal, state, local law, or Council rules, unless authorized by law.

(C) Restrictions on political activity and political contributions

- (1) No City Official shall use state or local funds or other resources of the City to electioneer for or against any candidate, measure, or political party.
- (2) A City Official shall not directly or indirectly induce, or attempt to induce, any City employee:
 - a. To participate in an election campaign (beyond merely encouraging another to vote), to participate in a political fundraising activity, or to contribute to a political candidate or political committee;
 - b. To engage in any other activity relating to a particular candidate, party or issue that is not directly related to a legitimate function of City government; or
 - c. To refrain from engaging in any lawful political activity after working hours.

(D) Use of cell phones or electronic devices by appointed or elected officials during meetings of Administrative Boards and Advisory Boards, of which they are a member

City Officials shall refrain from communicating on cell phones or electronic devices during a City meeting at which the City Official is attending as a member of that Administrative Board or Advisory Board, except as provided below. However, City Officials may access agendas and information relevant to a past, current, and/or future agenda. Cell phones shall be turned off or put on vibrate during meetings. Should it be necessary to use a cell phone, City Officials shall step down from the dais. Text messaging, emails, and other electronic or written communications shall not be sent during a meeting unless it is an emergency.

(E) Conflicts of Interest

A City Official must not use, or attempt to use, his or her official position or office, or take or fail to take any action, or influence, or attempt to influence, others to take or fail to take any action, in a manner which he or she knows, or has reason to believe, may result in a personal, financial benefit, or Economic Interest not shared with a substantial segment of the City's population, for any of the following persons or entities:

- (1) The Official;
- (2) The Official's relative, or the employer or business of the relative;
- (3) A person with which the Official has a financial or business relationship, including but not limited to:
 - a. A business of the Official, or the Official's spouse or domestic partner, or someone who works for such outside employer or business; or
 - b. A client or substantial customer.

- (4) A nongovernmental civic group, social, charitable, or religious organization of which the Official, or the Official's spouse or domestic partner, is an officer or director; or
- (5) A public or private business entity for which the Official, or his or her relative serves as a director, general partner, or officer, or in any other policy-making position except when so appointed to the position by the City.

(F) Compliance with Texas Local Government Code Chapters 171 and 176

It is a violation of this Code for a City Official to violate Texas Local Government Code, §§ 171 and 176 and Texas Penal Code § 36.08

(G) Prohibitions - Granting Special Privileges and Use of City Supplies and Equipment

It is a violation of this Code for a City Official:

- (1) To use his official position to secure special privileges or exemptions for himself or others;
- (2) To grant any special consideration, treatment or advantage to any citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group. This shall not prevent the granting of fringe benefits to City employees as a part of their contract of employment or as an added incentive to the securing or retaining of employees; or
- (3) To use City supplies, equipment or facilities for any purpose other than the conduct of official City business, unless otherwise provided for by law, ordinance or City policy.

Section 8. Board of Review

(A) Creation and appointment

There is hereby created a Board of Review (“BOR”) to consist of five (5) members and two (2) alternates.

- (1) The BOR shall review Complaints regarding alleged violation(s) of the Code (“Complaints”), review applicable waivers regarding the alleged violation(s), and determine if a Complaint should be dismissed under the criteria, as outlined herein.
- (2) Prospective BOR members shall be interviewed and appointed by a majority of the City Council present at a duly called meeting.

(B) Qualifications

- (1) All members must live within the City of Wylie city limits and be at least 18 years of age;
- (2) BOR members may not be:
 - a. The spouse or the domestic partner of the individual filing the Complaint (“Complainant”) or the individual who is the subject of the Complaint (“Respondent”) is the spouse or domestic partner.
 - b. Serving on any other Council appointed Board or Commission during their term on the BOR;
 - c. A City Council member or City of Wylie employee, or the spouse or domestic partner of a City Council member or City of Wylie employee;
 - d. An elected public official; or
 - e. A candidate for elected public office at the time of their term on the BOR.

(C) Terms of appointment / Limitations

- (1) BOR members may serve only one (1) term of two (2) consecutive years.
- (2) BOR members shall serve until any Complaints pending during their appointed term have been fully adjudicated by the BOR.
- (3) If a person selected to serve on the BOR pursuant to this subsection cannot fulfill his or her duties as a member of the BOR due to illness, travel, disqualification under the terms outlined above, or another bona fide reason, or otherwise refuses to serve on the BOR, that person shall be requested to confirm that fact with the City Secretary in writing within 15 calendar days of receipt of the service notification. In this event, the City Secretary shall repeat the process outlined herein until a substitute has been selected.

(D) Training / Removal

- (1) BOR members must attend training regarding the role and responsibilities of service on the BOR prior to handling a Complaint. The unexcused absence of any member of the BOR from three (3) consecutive meetings, unless the BOR has excused the absence for good and sufficient reasons, as determined by the BOR, shall constitute a resignation from the BOR.
- (2) A BOR member serves at the pleasure of the City Council and may be removed before the expiration of the member's term by the City Council in its sole discretion. Before removing a member, the BOR shall specify the cause for a recommendation of removal and shall give the BOR member the opportunity to present the member's defense to removal. The recommendation for the City Council to remove a BOR member shall be brought to the City Council for an official vote.

(E) Consultation with City Attorney

The City Attorney is authorized to issue to any City Official, upon reasonable request, formal written opinions regarding the applicability of the provisions of the conduct laws to an action the City Official is considering taking in the future. The BOR and/or the City Council may consult with the City Attorney or a designee of the City Attorney regarding legal issues which may arise in connection with this section and may request advisory assistance from the City Attorney in conducting hearings during any stage of the process. The City Attorney serves as legal counsel for the City Council and not any individual City Council member.

(F) Reviewing Attorney

- (1) The City Council shall approve a list of three (3) independent private attorneys recommended by the City Attorney who may individually serve as a "Reviewing Attorney" for Complaints filed under this section. The Reviewing Attorney shall be chosen by the City Manager by lot.
- (2) To be qualified, the Reviewing Attorney must be an attorney in good standing with the State Bar of Texas, have been licensed to practice in the State of Texas for at least ten (10) consecutive years, and have at least five (5) years of experience working with municipalities in Texas. The Reviewing Attorney may not be:
 - a. A City Council member or City of Wylie employee, or the spouse or domestic partner of a City Council member, Board member or City of Wylie employee;
 - b. An elected public official; or
 - c. A candidate for elected public office at the time of their service.

(G) Complaint Process

- (1) Filing Complaints. Any citizen of Wylie who believes that there has been a violation of the Code may file a sworn Complaint with the City Secretary. The Complaint shall:
 - a. Identify the person or persons who allegedly committed the violation;
 - b. Provide a statement of the facts on which the Complaint is based;
 - c. To the extent possible, identify the rule or rules allegedly violated; and
 - d. Be sworn to in the form of an affidavit and be based on personal knowledge of the affiant and be subject to the laws of perjury.
 - e. The Complainant may also recommend other sources of evidence that the Reviewing Attorney should consider and may request a hearing.
 - f. Complaints arising out of an event or a series of related events shall be addressed in one complaint. Complainants shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous Complaint. When two or more Complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the City may consolidate the complaints.
- (2) Confidentiality. No City Official shall reveal information relating to the filing or processing of a Complaint, except as required for the performance of Official duties. Documents relating to a Complaint will be maintained by the City Secretary in accordance with applicable records retention laws and are confidential, to the extent permitted by law.
- (3) Notice / Timelines / Representation
 - a. Days, as used herein, is defined as City business days.
 - b. All timelines provided herein must be followed, subject only to extensions approved in writing by the City Manager based on the individual circumstances surrounding the review of the Complaint.
 - c. A Complaint must be filed with the City Secretary within six (6) months of the date the Complainant knew, or with reasonable diligence should have known, of the events or series of events giving rise to the Complaint. The City Secretary shall not accept or process any Complaint that is filed more than six (6) months after the date of the violation alleged in the Complaint. Complaints not filed within this timeframe are barred and will be dismissed as untimely.
 - d. Within three (3) business days of receiving a Complaint, the City Secretary shall provide a copy of the full Complaint to the City Official who is the subject of the Complaint (“Respondent”), the City Attorney, the City Manager, and the Reviewing Attorney.
 - e. If the City Manager is not available or is implicated, the City Secretary will provide copies, as outlined herein.
 - f. The Reviewing Attorney, BOR, and/or City Council shall allow any person who is the subject of a Complaint to designate a representative if he or she wishes to be represented by someone *else* and to present evidence, according to rules adopted by the City Council.
- (4) Frivolous Complaint
 - a. For purposes of this section, a “frivolous complaint” is a sworn Complaint that is groundless and brought in bad faith or groundless and brought for the purpose of harassment.
 - b. By a vote of at least two-thirds of those present, the City Council may order a Complainant to show cause why the Complaint filed by the Complainant is not frivolous.
 - c. In deciding if a Complaint is frivolous, the City Council will be guided by Rule 13 of the Texas Rules Civil Procedure, and may also consider:

- i. The timing of the sworn Complaint with respect to when the facts supporting the alleged violation became known or should have become known to the Complainant, and with respect to the date of any pending election in which the Respondent is a candidate or is involved with a candidacy, if any;
- ii. The nature and type of any publicity surrounding the filing of the sworn Complaint, and the degree of participation by the Complainant in publicizing the fact that a sworn Complaint was filed;
- iii. The existence and nature of any relationship between the Respondent and the Complainant before the Complaint was filed;
- iv. If Respondent is a candidate for election to office, the existence and nature of any relationship between the Complainant and any candidate or group opposing the Respondent;
- v. Any evidence that the Complainant knew or reasonably should have known that the allegations in the Complaint were groundless; and
- vi. Any evidence of the Complainant's motives in filing the Complaint.
- d. Notice of an order to show cause shall be given to the Complainant, with a copy to the Respondent, and shall include:
 - i. An explanation of why the Complaint against a Respondent appears to be frivolous; and
 - ii. The date, time, and place of the hearing to be held under this section.
- e. Before making a determination that a sworn Complaint against a Respondent is frivolous, the City Council shall hold a hearing at which the Complainant may be heard and accompanied by his or her retained counsel.
- f. By a record vote of at least a simple majority of those present after the hearing under this section, the City Council may determine that a Complainant filed a frivolous Complaint and may recommend sanctions against that Complainant.
- g. Before imposing a sanction for filing a frivolous Complaint, the City Council shall consider the following factors:
 - i. The seriousness of the violation, including the nature, circumstances, consequences, extent, and gravity of the violation;
 - ii. The sanction necessary to deter future violations; and
 - iii. Any other matters that justice may require.
- h. The City Council may impose the following sanctions:
 - i. A civil penalty of not more than \$500;
 - ii. Imposition of attorneys' fees incurred by Respondent;
 - iii. Any other sanction permitted by law; and/or
 - iv. The City Council may notify the appropriate regulatory or supervisory agency for their appropriate action. This may include a referral for criminal prosecution if the facts so warrant.

(5) Review of Complaint

- a. Within seven (7) business days of receiving the Complaint from the City Secretary, the Reviewing Attorney shall issue a written advisory opinion, dismissing or referring the Complaint to the BOR:
 - i. Dismiss the Complaint if:
 - 1. The deadline for filing a Complaint has passed;
 - 2. The accused is not subject to the Code;
 - 3. The conduct alleged is not regulated under the Code;
 - 4. The Complaint is not completed as defined herein or signed and sworn to by the person filing the Complaint in the form of an affidavit; or

- 5. The person who is the subject of the Complaint had obtained a waiver permitting the conduct.
 - ii. Dismissal of a Complaint under this provision is final and non-appealable.
 - iii. If the Reviewing Attorney dismisses the Complaint, the Reviewing Attorney shall forward a copy of the dismissal to the Complainant, Respondent, City Council, and the Board on which the Respondent is a member, if applicable.
 - b. If the Reviewing Attorney does not dismiss the Complaint, as provided herein, the Reviewing Attorney shall refer the Complaint and the advisory opinion to the BOR for review under this provision. The Reviewing Attorney’s referral of the Complaint and advisory opinion to the BOR does not mean that any of the allegations of the Complaint are true or false or that any current City Official has or has not violated the Code.
 - c. If the Complaint is referred to the BOR for review, the Reviewing Attorney shall also copy his or her advisory opinion to the Complainant, the City Manager, and the City Attorney within seven (7) business days of receipt of the Complaint. For Complaints not dismissed by the Reviewing Attorney, and subsequently referred to the BOR, the notice to the Respondent will include notice of the Respondent’s option to file a written response to the advisory opinion with the City Secretary within seven (7) business days of receipt of the opinion from the Reviewing Attorney. The City Secretary will forward the Respondent’s written response to the BOR with the Complaint and the Reviewing Attorney’s advisory opinion.
- (6) Board of Review Process.
- a. The BOR shall meet within forty-five (45) days of receiving a referral of a Complaint from the Reviewing Attorney, unless extended by the City Council. The BOR will review the Complaint, the Reviewing Attorney’s advisory opinion, the Respondent’s response (if any), and applicable City policies, ordinances, and/or other related information (the “BOR Record”).
 - b. The BOR may dismiss a Complaint as provided below or, if not dismissed, refer the Complaint to the City Council for consideration as outlined herein.
- (7) The BOR Review and City Council Review / Hearing
- a. The BOR may dismiss a Complaint if:
 - i. The alleged violation is a minor or de minimis violation;
 - ii. The Complaint *is*, on its *face*, frivolous, groundless, or brought for purposes of harassment;
 - iii. The matter has become moot because the Respondent is no longer an elected official or Administrative Board or Advisory Board member; or
 - iv. The Respondent came into voluntary compliance.
 - c. The determination regarding whether a complaint is frivolous and subject to sanctions will be addressed by the City Council as outlined in Section 8(G)(3) herein.
 - d. The BOR will conduct its review of a Complaint not dismissed pursuant to paragraph 3.a.i. of this section at meetings which are open to the public.
 - e. The rules shall require the dismissal and the reason for dismissal to be submitted by the BOR in writing and available to the public within forty-five (45) days of considering the Complaint under paragraph 4.b. above, unless extended by the City Council. A dismissal under this provision by the BOR is final and non-appealable.
 - f. If the BOR does not dismiss the Complaint, the BOR will refer the Complaint, BOR Record to the City Council within forty-five (45) business days of considering the Complaint, unless extended by the City Council.

(7) City Council Review / Hearing

- a. Not later than 15 business days after the BOR forwards a Complaint to the City Council for consideration, or 15 business days after the BOR’s deadline to issue a decision, the City Secretary shall notify in writing the City Council, the Complainant and the Respondent of the date, time and location of a hearing on the Complaint. Such written notice shall be sent to the Complainant and the Respondent by email, mail, and/or certified mail, return receipt requested. If the hearing is not held within 45 business days after receipt of the Complaint, the City Secretary shall notify both the Complainant and the Respondent of the reasons for the delay.
- b. All hearings shall be conducted in accordance with the Texas Open Meetings Act, Tex. Government Code Chapter 551. The City Council shall have the right to hold the hearing in open or closed session as permitted by applicable laws and regulations. Additionally, the City Council shall establish time limits and other rules of procedure for a hearing and relating to the participation of any person in the hearing. Subject to the rules of procedure established by the City Council for the hearing:
 - i. Both the Complainant and the Respondent shall have the right to a full and complete hearing with the opportunity to call witnesses and present evidence on his/her behalf.
 - ii. All proceedings of the hearing shall be recorded by audio recording if a court reporter is not used, or reduced to writing by a court reporter if present for the hearing. If a court reporter is not used, the audio recording shall be filed with the City Secretary within such time as specified by the City Council. If a court reporter is used, the court reporter’s transcript of the hearing shall be filed with the City Secretary within such time as is specified by the City Council.
 - iii. The procedures established by the City Council shall allow the Complainant and the Respondent sufficient time to examine and respond to any evidence not presented to them in advance of the hearing.
 - iv. The rules shall require the City Council to schedule the hearing at a time that is reasonably convenient to both the person who submitted the Complaint and the subject of the Complaint.
- g. The City Council shall consider the BOR Record, the Complaint, the Respondent’s response (if any), and the advisory opinion of the Reviewing Attorney, and evidence submitted in the course of the hearing. The final action, decision, or vote of the council with regard to the Complaint shall be taken or made only in a meeting that is open to the public. The City Council shall base its finding of whether a violation occurred on a preponderance of the evidence. Only members of the City Council present for the hearing may participate in its decision.
- h. The City Council shall consider, when it makes findings and recommendations, the severity of offense; the presence or absence of any intention to conceal, deceive, or mislead; whether the violation was deliberate, negligent, or inadvertent; and whether the incident was isolated or part of a pattern.
- i. The City Council shall dismiss a Complaint if the Complainant does not appear at the hearing and if, in the opinion of the City Council, it would be unfair to the Respondent to proceed without the Respondent having the opportunity to question and address the issues raised in the Complaint.
- j. A City Council member may not participate in the Complaint review process and/or hearing if the member is the subject of the Complaint or is the Complainant, or if the Respondent or Complainant is related to the City Council member within a prohibited level of affinity or consanguinity.

k. The decision of the City Council is final and non-appealable.

(H) Findings / Consequences

- (1) City Officials deemed to be in violation of the Code are subject to consequences, including but not limited to the following:
 - a. Censure - If the violation did not involve a matter of public concern and the City Council finds that a violation of this Code occurred, the City Council may issue a censure of the City Official, to the extent permitted by law.
 - b. Letter of Notification – The City Council may issue a letter of notification if the City Council finds that a violation of this Code was clearly unintentional. A letter of notification must advise the City Official of any steps to be taken to avoid future violations.
 - c. Letter of Admonition – The City Council may issue a letter of admonition if the City Council finds that a violation of this Code was minor, but where the circumstances call for a more substantial response than a letter of notification.
 - d. Reprimand – To the extent permitted by law, City Council may issue a reprimand if the City Council finds that a violation of this Code was not minor and was committed intentionally or through reckless disregard.
 - e. Removal from Leadership Position – In addition to, or in place of, the consequences outlined above, the City Council may remove a City Official from any leadership position held by that City Official as a member of the body in which the City Official serves.
 - f. Removal from Administrative Boards and Advisory Boards – In addition to, or in place of, the consequences outlined above, the City Council may remove an appointed City Official from Administrative Boards and Advisory Boards.

Section 9. Other Obligations

This Code is cumulative of, and supplemental to, applicable state and federal laws and regulations. Compliance with the provisions of this Code shall not excuse or relieve any person from any obligation imposed by state or federal law regarding conduct, financial reporting, lobbying activities, or any other issue addressed herein.

Even if a City Official is not prohibited from taking official action by this Code, action may be prohibited by duly promulgated personnel rules, which may be more stringent.

Section 10. Effective Date

This Code shall take effect on January, 11, 2022, following its adoption and publication as required by law (the “Effective Date”).

Section 11. Distribution and Training

- (A) Every person shall be provided reasonable opportunity to review this Code as a condition of their candidacy and/or application to be a City Official. At the time of application for a position of City Official, every applicant shall be furnished with a copy of this Code.
- (B) Individuals seated as City Officials on the Effective Date of this Ordinance shall be bound by it and shall sign a written acknowledgement of receipt and understanding of this Code within 30 days of the Effective Date. All City Officials elected, appointed or retained following the Effective Date of this Code shall sign a written acknowledgement of receipt and understanding of this Code before

- performing any of the duties or functions of the City Official's position.
- (C) The City Attorney or City Manager as designated by the City Council shall develop educational materials and conduct educational programs for the City Officials on the provisions of this Code, the City Charter, and Chapters 171 and 176 of the Texas Local Government Code. Such materials and programs shall be designed to maximize understanding of the obligations imposed by these conduct laws.

Section 12. Severability

If any provision of this Code is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application of this Code to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Code which can be given effect without the invalid or unconstitutional provision or application.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 11th day of January, 2022.

Matthew O. Porter
 Matthew Porter, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**

Stephanie Storm
 Stephanie Storm



Date of publication in *The Wylie News* – January 19, 2022




The Farmersville Times • Murphy Monitor • The Princeton Herald • The Sachse News • THE WYLIE NEWS

STATE OF TEXAS
COUNTY OF COLLIN

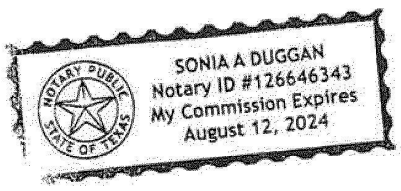
Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C & S Media, dba *The Wylie News*, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:


City of Wylie
Legal Notice – Ordinance No. 2022-01 & Ordinance No. 2021-55
was published in said newspaper on the following date(s), to-wit:
January 19, 2022



Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 20th day of January, 2022, to certify which witness my hand and seal of office.





Notary Public in and for
The State of Texas

My commission expires 08/12/2024.



Wylie Economic Development Board

AGENDA REPORT

Meeting Date: May 20, 2022
Prepared By: Jason Greiner
Date Prepared: 5/13/22

Item Number: DS4
Account Code:
Exhibits:

Subject
Discuss issues surrounding the FY 2022-2023 WEDC Budget.

Recommendation
No action is requested by staff for this item.

Discussion
As requested at the April 22, 2022 Board Meeting, Staff has reviewed the WEDC's deferred outflows and calculated the operational expenses for the next six months. Staff will discuss this information with the Board to help determine the adequate amount to allocate for a cash reserve or rainy day fund. Staff would like to point out that this information will fluctuate drastically based on deferred outflows remaining for the FY. Staff would like to suggest that this information be added to the Treasurer's Report on a quarterly basis.
Staff will discuss the FY 2022-2023 WEDC Budget and approved Budget Calendar for the City of Wylie.



Wylie Economic Development Board

AGENDA REPORT

Meeting Date: May 20, 2022; Prepared By: Jason Greiner; Date Prepared: 5/13/22; Item Number: DS5; Account Code; Exhibits: 2

Subject: Staff report: WEDC Property Update, Downtown Parking, Engineering Report, Upcoming Events, and WEDC Activities/Programs.

Recommendation: No action is requested by staff for this item.

Discussion: Staff report: WEDC Property Update, Downtown Parking, Engineering Report, Upcoming Events, and WEDC Activities/Programs. WEDC Property Update: Demolition- 103 S Ballard; Property Acquisition- UP Lot/N Keefer; Additional Information; Downtown Parking: - No Update, pending closing of UP lot next to 401 N Keefer

Engineering Report:

Drainage Studies- FM 544/Cooper

- TxDOT as-builts have been reviewed by engineering. Detention will be required, but not as much as initially thought.
- Staff has been unsuccessful in trying to get the last set of culvert plans. Engineering is reaching back out to TxDOT one last time.

Water Line Installation- FM 544/Cooper

- KCS Permit has been issued
- BHC has updated the water line plans to reflect the approved alignment
- Flagging and boring have been scheduled for the first week of June
- Final Approvals from the City and CalHar for the Joint-Restraints have been requested by Staff

Water Line Relocation- State Hwy 78/Brown

- NTMWD Board Awarded the Bid to Dowager Construction
- The NTMWD Easment has been filed with the County
- Survey update and easement documents are still in process for Oncor – Requested Update
- Oncor ROW approval is pending for the relocation of the utility poles at the intersection
- Tree removal is complete and the grubbing and grinding of the trees should be complete this week
- The press release was issued for the tree removal and initial site development

Flood Study- Hooper/Steel

- Preliminary Hydrologic and Hydraulic modeling is completed
- Cardinal Strategies has performed internal QC on the data and scheduled a conference call with Staff and Engineering on 4/11. They are still investigating reclamation options but Staff has reviewed the draft pre vs. post floodplain maps.
- Plans to wrap up the study in the next few weeks
- Staff received the flood study from Cardinal Strategies. The proposed development of several sites around Steel and Hooper Road could cause slight increases in 100-yr peak discharge from the project site draining to Unnamed Tributary to Maxwell Creek. These would be considered adverse to other properties as the floodplain is not contained within the channel and the roadway infrastructure is undersized. In order to maximize the useability of the site, several alternatives were investigated to help reclaim floodplain and improve infrastructure to reduce the flood risk in the immediate area. Alternatives 1-3 build upon the next one and while each alternative helps to reclaim floodplain, on-site detention will be required to meet the local standards. Alternative 4 includes a regional pond further upstream to help reduce flow rates and flood risk. This option will eliminate the need to provide on-site detention and reduce infrastructure sizing at Steel and Hooper.

Flood Study- State Hwy 78/Alanis

- The FEMA data has been received and reviewed (note: FEMA did not send hydrologic data, which was anticipated to be provided with the data request)
 - Follow-up coordination with FEMA to request hydrologic data from FIS study has yielded no additional data and FEMA has not responded as of 5/10
- Reclamation options are being updated to consider 100-year FEMA flows with check using the 500-year FEMA flows in lieu of 100-year fully developed flows (conservative approach since we do not have the hydrologic data from FEMA)
- FEMA data request delay has impacted schedule and we anticipate the floodplain workmap and conceptual floodplain exhibits will be complete 6/3/22.
- The next step will be to prepare the mass grading construction plans – estimated completion end of June.

Temporary Access Agreements:

- Additional request received via email from The Cross Church for use of the property on Marble. They are requesting access to use the property for Carnival Parking, but the construction project is anticipated to start before the June 13-20 event. The request to use the former muffler shop was denied, but staff proposed alternative locations at 300 East Brown Street. Please note that the request is only for parking, so staff will not bring back a Temporary Access Agreement.
- Staff will need more time to properly prepare the documentation for the proposed Farmer’s Market on Ballard Avenue. There’s still interest, but timing has been an issue with the demolition and recent events downtown.

Upcoming Events:

- ICSC Las Vegas- May 22-25
- Council/CPAC Work Session- May 31
- Please see the attached Marketing Calendar for the full list of upcoming events

WEDC Activities/Programs:

- Sales tax revenues for the month of May are up 0.2%
- Overall sales tax revenues for FY22 are up 11.12%
- WEDC welcomed Administrative Assistant Marissa Butts to the team on April 25 and Summer Intern Will Kelly on May 16



1 - 4 p.m. Sunday, May 1

Kids Ages 2-5 Race 500 Inches Down
Ballard Ave. in Historic Downtown Wylie
\$15 Entry Fee Includes T-shirt; Benefits Special Olympics
Pedal Cars Provided By Local Businesses



DiscoverWylie.com



Taste of Wylie
— 2022 —

**11 AM - 1 PM MONDAY, MAY 2
OLDE CITY PARK**

Sample foods from 24 local restaurants and
food trucks while supporting area food pantries
NEW LAYOUT MEANS LESS TIME STANDING IN LINE!

LIMITED TICKETS - PURCHASE ONLINE

**\$15 ADULTS \$10 SENIORS 60+
\$10 CHILDREN 6-12
FREE CHILDREN 5 AND UNDER**



05/20/2022 Item DS5.

People's Choice Tasting
Sanctioned by Outlaw BBQ Association

**3:30 - 5:30 p.m. May 14
Olde City Park**

Purchase \$15 tasting ticket in advance



Car Show • Chili Cook-Off • Arts & Crafts • Food & Fun

SAT., JUNE 25

**HISTORIC DOWNTOWN WYLIE
ON BALLARD AVENUE**

ARTS & CRAFTS
10 am - 9 pm
Olde City Park
WylieTexas.gov

MUSIC
1 - 9 pm
Olde City Park

CAR SHOW
4 - 9 pm
Pre-register
Eventbrite



2022 April **Board Meeting – 22nd**

Day	Time	Meeting/Event
5	8:30 am	WDMA Meeting
6		Wylie ISD - Career Day
8		TEDC Sales Tax Training - Tyler - tq
12	11:30 am	HR Alliance
12	6:00 pm	City Council
15	CLOSED	Good Friday
22	8:30 am	WEDC – Board Meeting
20	11:30 am	Chamber Lunch ‘n Learn – Social Media 301
25-26		CDFA - Intro Tax Increment Finance WebCourse
26	6:00 pm	City Council – Small Business Week Proclamation ***
27-28		CDFA - Advanced Tax Increment Finance WebCourse
29	5:00 pm	Chamber of Commerce Cornament
30	10:00-12:30 pm	CC Commissioners Court/CC Historical Commission Preservation Celebration

2022 May **Board Meeting – 20th**

Day	Time	Meeting/Event
1-7		Small Business Week (SBW Activities listed below)
1	1:00-5:00 pm	SBW – Pedal Car Race
2	11:00 am	SBW – Taste of Wylie – Olde City Park
3	8:30-9:30 am	WDMA Meeting – SBW Focus
4	3:00-7:00 pm	SBW– Dream Big, Be Brave and Survive the Rest - Women’s Leadership Conference – aw/rh
5		SBW – Cinco De Mayo Promotion
5	6:30 am	Christian Prayer Breakfast of Collin County
5	5:00-7:00 pm	SBW – Wylie Young Professionals Event – Landon Winery
7		SBW – Sip & Shop Downtown
9-13		Economic Development Week
10	6:00 pm	City Council - Economic Development Week Proclamation & TIRZ Work Session
13		TEDC Sales Tax Training- Waco
14	3:30- 5:30 pm	BBQ on Ballard- Olde City Park
15		City of Wylie Boards & Commissions Application Deadline
17		WISD’s Internship Signing Day
17-18		TEDC Women in ED Conference – Austin – aw/rh
18		Chamber Lunch n Learn – Attracting and Retaining Workforce
20	7:00 am	WEDC – Board Meeting
22-25		ICSC 2022 Las Vegas – Las Vegas – mp, bp, ro, gm, bb, jg
24	11:30 am	Wylie Chamber of Commerce Luncheon- Leadership Wylie Class 18 Graduation
30	11:30 am	Memorial Day Ceremony- “The Legacy of War”- Olde City Park
30	CLOSED	Memorial Day
31	6:00 pm	RESCHEDULED - City Council Meeting & Joint CPAC/Council Work Session

2022 June **Board Meeting -15th**

Day	Time	Meeting/Event
10		TEDC Sales Tax Workshop
12-14		IEDC Economic Future Forum – Richardson - jq
14	6:00 pm	City Council & CPAC Joint Workshop
15	8:30 am	WEDC- Board Meeting

<u>21-24</u>		<u>TEDC 2022 Summer Basic Economic Development Course- Corpus Christi</u>
<u>22-24</u>		<u>TEDC Mid-Year Conference- Corpus Christi</u>
<u>25</u>		<u>Bluegrass on Ballard</u>
<u>28</u>	<u>5:30 pm</u>	<u>Reception for Outgoing Board/Commission Members</u>
<u>28</u>	<u>6:00 pm</u>	<u>City Council</u>
<u>28</u>	<u>11:30 am</u>	<u>Wylie Chamber of Commerce – Monthly Luncheon</u>

Around the Corner...

- City Council- WEDC Budget Work Session – July 12
- City Council- Final Budget Work Session – July 26
- City Council/CPAC: Joint Public Hearing – July 26
- TEDC- Sales Tax Workshop, DFW/Garland - September 16
- TEDC- Sales Tax Workshop, Houston - October 7
- TEDC 2022 Fall Basic Economic Development Course, Richardson - November 1-4
- TEDC- Sales Tax Workshop, Austin- November 18
- TEDC- Sales Tax Workshop, Virtual- Available December 2-16