

Wylie City Council Regular Meeting - Amended

October 26, 2021 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS & RECOGNITIONS

PR1. 1st Nine Weeks Wylie Way Students.

[PR2.](#) Recognition of Arbor Day in Texas on Friday, November 5, 2021.

PR3. Municipal Court Week.

PR4. Recognizing Officer Arroyo for National Night Out.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Council 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. Council requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Council 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 City Council 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 October 12, 2021 Regular and October 18, 2021 Special City Council Meeting minutes.
- [B.](#) Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for September 30, 2021.
- [C.](#) Consider, and place on file, the City of Wylie Monthly Investment Report for September 30, 2021.
- [D.](#) Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of September 30, 2021.
- [E.](#) Consider, and act upon, Resolution No. 2021-36(R), authorizing the Interim City Manager of the City of Wylie to enter into an interlocal cooperative purchasing agreement between Goodbuy Purchasing Cooperative and the City of Wylie for the use of competitively bid procurement contracts.
- [F.](#) Consider, and act upon, Resolution No. 2021-37(R) of the City Council of the City of Wylie, Texas approving the terms and conditions of an annual agreement for Fines and Fees Collection Services with Linebarger Googan Blair & Sampson LLP; in the estimated annual amount of \$20,000.00 and authorizing the Interim City Manager to sign any and all necessary documents.

- G. Consider, and act upon, approval of a Park Event Application for the Wylie Christian Care Center to hold a bake sale fundraiser event at Olde City Park on November 24, 2021.
- H. Consider, and act upon, a Final Plat, being a Replat for New Haven Wylie Addition, establishing two commercial lots on 3.03 acres, generally located at 800 Brown Street.
- I. Consider, and act upon, a recommendation to City Council regarding a Final Plat for Westgate Development Subdivision Addition, establishing two commercial lots on 6.024 acres, generally located at the northwest corner of FM 544 and Westgate Way.
- J. Consider, and act upon, a Final Plat for Lot 1, Block 1 of Dutch Bros Coffee Addition to establish one commercial lot on 1.022 acres, property located at 2817 FM 544.
- K. Consider, and act upon, Ordinance No. 2021-48 for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through service on 0.975 acres, property located at 2027 N State Highway 78. (ZC 2021-22)
- L. Consider, and act upon, Ordinance No. 2021-49 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.
- M. Consider, and act upon, Resolution No. 2021-38(R), ratifying Renaé Ollie as Acting City Manager in the absence of Brent Parker, Interim City Manager.

REGULAR AGENDA

- 1. Hold a Public Hearing, consider, and act upon, a request for a change of zoning from Commercial Corridor (CC) to Planned Development - Commercial Corridor / Multifamily (PD - CC/MF) on property generally located on the southwest corner of State Highway 78 and Wylie East Drive (ZC2021-21).
- 2. Consider, and act upon, a request by Manors at Woodbridge, Ltd. for a variance to the City's typical street section and right-of-way width.
- 3. Consider, and act upon, Ordinance No. 2021-50, rescinding and amending Ordinance No. 2021-05, to correct the legal description for Planned Development 2020-13.
- 4. Consider, and act upon, Ordinance No. 2021-51 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.
- 5. Consider, and act upon, the approval of the Employment Agreement between the City of Wylie, Texas and Brent Parker, and authorize the Mayor to execute the agreement.
- 6. Consider, and act upon, selection of search firm to assist with search for City Manager.

WORK SESSION

- WS1. Discuss Wylie Recreation Center cost of service study with PROS consultant.
- WS2. Discuss how to proceed with the dog park, splash pad, and Senior Center improvement projects.
- WS3. Discuss a proposed residential development on approximately 44 acres, generally located on the northeast corner of Skyview Drive and Avalon Park Road in the City of Wylie's Extra Territorial Jurisdiction.

[WS4.](#) Discuss RV temporary street parking.

[WS5.](#) Discuss live streaming Board and Commission meetings.

RECONVENE INTO REGULAR SESSION

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. Properties adjacent to McMillen Rd. between McCreary Rd. and Country Club Rd.

ES2. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 544/Cooper, Jackson/Oak, State Hwy 78/Ballard, 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).

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, 2021-4a, 2021-4b, 2021-4c, 2021-6a, 2021-6c, 2021-8a, 2021-8b, 2021-9c, 2021-9e, 2021-9f, and 2021-10a.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

READING OF ORDINANCES

Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on October 22, 2021 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 City Council should determine that a closed or executive meeting or session of the City Council 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 City Council at the date, hour and place given in this notice as the City Council 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.
- § 551.074 – Discussing personnel or to hear complaints against personnel.
- § 551.087 – Discussing certain economic development matters.
- § 551.073 – Discussing prospective gift or donation to the City.
- § 551.076 – Discussing deployment of security personnel or devices or security audit.



Wylie City Council

AGENDA REPORT

Department: Parks and Recreation

Account Code: _____

Prepared By: Rob Diaz

Subject

Recognition of Arbor Day in Texas on Friday, November 5, 2021.

Recommendation

Discussion

The Parks and Recreation Department will be offering free trees to the public on Friday, November 5, 2021, between 3:00 p.m. and 6:00 p.m. at the Wylie Recreation Center and Smith Library. Mayor Porter is scheduled to present the Arbor Day proclamation at the event.

Financial Summary/Strategic Goals



Wylie City Council

AGENDA REPORT

Department: City Secretary
Prepared By: Stephanie Storm

Account Code: _____

Subject

Consider, and act upon, approval of October 12, 2021 Regular and October 18, 2021 Special City Council Meeting minutes.

Recommendation

Motion to approve Item as presented.

Discussion

The minutes are attached for your consideration.

Financial Summary/Strategic Goals

Community Focused Government

Wylie City Council Regular Meeting

October 12, 2021 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

Mayor Matthew Porter called the regular meeting to order at 6:00 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, Councilman Timothy T. Wallis, and Councilman Garrett Mize.

Staff present included: City Manager Chris Holsted; Assistant City Manager Brent Parker; Assistant City Manager Renae Ollie; Police Chief Anthony Henderson; Fire Chief Brandon Blythe; Finance Director Melissa Beard; Parks and Recreation Director Rob Diaz; Public Works Director Tim Porter; Project Engineer Jenneen Elkhaid; Public Information Officer Craig Kelly; Economic Development Executive Director Jason Greiner; Planning Manager Jasen Haskins; City Attorney Richard Abernathy; City Secretary Stephanie Storm, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Forrester led the invocation and Councilman Williams led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

PR1. 1st Nine Weeks Wylie Way Students 1st - 4th Grade.

Mayor Porter and Mayor *pro tem* Forrester presented medallions to students demonstrating “Shining the Wylie Way.” Each nine weeks one student from each WISD campus is chosen as the “Wylie Way Student.”

PR2. Emergency Room Nurses Week

Mayor Porter recognized Emergency Room Nurses Week and expressed appreciation to all nurses.

PR3. Breast Cancer Awareness Month

Mayor Porter recognized Breast Cancer Awareness Month.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Council 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. Council requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

James and Joann Wilson, addressed Council speaking about concerns with trash near Beaver Creek Road and Green Meadows Way.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council 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 September 28, 2021 Regular City Council Meeting minutes.
- B. Consider, and act upon, Ordinance No. 2021-46 setting the time and place for all regular City Council Meetings in the 2022 calendar year.
- C. Consider, and act upon, Resolution No. 2021-32(R) of the City Council of the City of Wylie, Texas to ratify emergency repairs of the electrical system at Founders Park from Groves Electrical Service, Inc. in the amount of \$55,600.00.
- D. Consider, and act upon, the approval of the purchase of a Ford 450/Horton Type 1 Model 623 Ambulance from Professional Ambulance Sales & Service LLC (d.b.a. SERVS LLC) in the estimated amount of \$338,840.00 through a cooperative purchasing contract with Houston-Galveston Area Council Cooperative, and authorizing the City Manager to execute any necessary documents.
- E. Consider, and act upon, the approval of the purchase of Chevrolet vehicles in the estimated amount of \$564,000.00 through a cooperative purchasing contract with Sheriff's Association of Texas Vehicle Purchase Program, and authorizing the City Manager to execute any necessary documents.
- F. Consider, and act upon, the approval of the purchase of Ultra Low Sulfur Diesel and Unleaded Gasoline from Wylie Independent School District in the estimated amount of \$200,000.00 through the Collin County governmental Purchasing Forum agreement, and authorizing the City Manager to execute any necessary documents.
- G. Consider, and act upon, Ordinance No. 2021-47 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

Councilman Williams requested Item D and staff requested Item E be pulled from Consent Agenda and considered individually.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to approve Consent Agenda Items A-C, F, and G as presented. A vote was taken and motion passed 7-0.

REGULAR AGENDA

- D. Consider, and act upon, the approval of the purchase of a Ford 450/Horton Type 1 Model 623 Ambulance from Professional Ambulance Sales & Service LLC (d.b.a. SERVS LLC) in the estimated amount of \$338,840.00 through a cooperative purchasing contract with Houston-Galveston Area Council Cooperative, and authorizing the City Manager to execute any necessary documents.

Council Comments

Councilman Williams asked if this item is tied to the purchase on Item E. Purchasing Manager Hayes responded Item D does not relate to Item E.

Council Action

A motion was made by Councilman Williams, seconded by Councilman Strang, to approve Item D as presented. A vote was taken and the motion passed 7-0.

- E. Consider, and act upon, the approval of the purchase of Chevrolet vehicles in the estimated amount of \$564,000.00 through a cooperative purchasing contract with Sheriff's Association of Texas Vehicle Purchase Program, and authorizing the City Manager to execute any necessary documents.**

Staff Comments

Purchasing Manager Hayes addressed Council stating the agenda item was amended to correct the cooperative contract information and current lack of availability of the Police Tahoe units. The three-quarter-ton vehicles, which were included, are under a different cooperative purchasing contract and will be brought back at a future meeting. The Police Tahoe units are also not available under the cooperative contract and are being researched. The amended item now includes three replacement vehicles for the Meter Services and two one-ton vehicles for Public Works that are part of the Tarrant County Cooperative Purchasing Contract.

Council Action

A motion was made by Councilman Wallis, seconded by Councilman Strang, to approve the purchase of Chevrolet vehicles in the estimated amount of \$193,500 through a Tarrant County Cooperative Purchasing Contract, and authorizing the City Manager to execute any necessary documents. A vote was taken and the motion passed 7-0.

- 1. Consider, and act upon, adoption of Resolution No. 2021-33(R) determining a public necessity to acquire certain property for public use by eminent domain for rights-of-way (in fee simple), related improvements for the construction, expansion, access, repair, maintenance and replacement of public road commonly referred to as Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive); giving notice of an official determination of public necessity to acquire certain property for public use by eminent domain for such rights-of-way (in fee simple), and related improvements for the construction, expansion, access, repair, maintenance and replacement of Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive); authorizing the City manager of the City of Wylie, Texas, to establish procedures for acquiring the rights-of-way (in fee simple), and related improvements for the construction, expansion, access, repair, maintenance and replacement of Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive), offering to acquire said property right, voluntarily, from the landowners through the making of bona fide offers including making initial and final offers; authorizing the City Attorney to file proceedings in eminent domain to condemn the needed real property for public use, if needed; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.**

Mayor Porter convened the Council into Executive Session at 6:27 p.m. in regard to Item 1.

Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

A governmental body may not conduct a private consultation with its attorney except:

- (1) when the governmental body seeks the advice of its attorney about:
 - (A) pending or contemplated litigation; or
 - (B) a settlement offer; or
- (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 6:47 p.m.

Staff Comments

Public Works Director Porter addressed Council stating this item is for property on Eubanks close to Highway 78 that the City needs to acquire in order to move forward with an anticipated project to widen Eubanks.

Council Comments

Mayor Porter confirmed that the City has made multiple attempts to contact the land owner with no response. Public Works Director Porter replied that was correct.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, which stated “I move that the City Council of the City of Wylie, Texas authorize the use of the power of eminent domain to acquire property, in fee simple, located in the area described and depicted in Exhibit A to the Resolution under consideration by the City Council, for the purpose of the construction, expansion, access, repair, maintenance and replacement of Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive) and all appurtenances related thereto.” A vote was taken and the motion passed 7-0.

2. **Hold a Public Hearing to consider, and act upon, a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through service on 0.975 acres, property located at 2027 N State Highway 78. (ZC 2021-22)**

Staff Comments

Planning Manager Haskins addressed Council stating the applicant is requesting a Special Use Permit (SUP) on 0.975 acres located at 2027 N State Highway 78 to allow for a restaurant, Taco Casa, with drive-through service. The proposal includes a new 2,867 square foot structure and is proposed to have an exterior that consists of textured stone and split face CMU. Haskins stated review and approval of a separate site plan shall be required should this Special Use Permit be approved. The surrounding properties are zoned Commercial Corridor and have existing commercial uses such as automotive repair, restaurant, and general retail. There are no other drive-thru restaurants in the area, occupied or vacant. There are two drive-thru restaurants within a half mile that have approved site plans, Panda Express and Fuel City, but neither has begun construction. Haskins reported nine notifications were mailed; with no responses returned in favor or in opposition of the request.

Public Hearing

Mayor Porter opened the public hearing on Item 2 at 6:55 p.m. asking anyone present wishing to address Council to come forward.

Wes Hoblit, representing the property owner, addressed Council stating he was present to answer any questions Council may have.

Mayor Porter closed the public hearing at 6:56 p.m.

Council Comments

Councilman Williams asked if this SUP is limited to Taco Casa. Haskins replied it is limited to a restaurant use that would utilize the exact same site plan of Taco Casa, and if there were any modifications it would require a new SUP and site plan. Councilman Strang confirmed the SUP is for a two-lane drive-through. Haskins confirmed that is correct.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Williams, to approve Item 2 as presented. A vote was taken and the motion passed 7-0.

3. **Consider, and act upon, Resolution No. 2021-34(R) casting a nomination for a candidate for the Board of Directors of the Collin Central Appraisal District.**

Council Comments

Mayor Porter asked Council if any member had a nomination to put forth. Councilman Williams stated he would like to nominate Zewge Kagnew.

Council Action

A motion was made by Councilman Williams, seconded by Mayor *pro tem* Forrester, to approve Resolution No. 2021-34(R) casting a nomination for Zewge Kagne as a candidate for the Board of Directors of the Collin Central Appraisal District. A vote was taken and the motion passed 7-0.

Mayor Porter convened the Council into Work Session at 7:02 p.m.

WORK SESSION

WS1. Discuss and review the recent Comp Plan Public Open House and the draft Comp Plan goals - Joint with Planning and Zoning Commission and Comprehensive Plan Advisory Committee.

Planning Manager Haskins addressed Council stating staff and the consultant team from Freese and Nichols have completed a draft of the opening chapters of the Comprehensive Master Plan. As part of that process, the Comprehensive Plan Advisory Committee (CPAC) has met to provide input on the state of Wylie and goals for the future. Additionally, an open house was held, in-person and online, to solicit citizen input regarding the same. The next steps in the plan are drafting the goals for the Comp Plan. The last step before writing the plan begins in earnest, is input and guidance regarding the draft goals from the City Council during this work session with the P&Z Commission and CPAC.

Comprehensive Plan Advisory Committee and Planning and Zoning Commission members present included Sandra Stone, Todd Pickens, Ken Kocon, Jon Bailey, Eugene Hauptmann, James Byrne, Jared Larew, Jeremy Meier, Jason Greiner, Jacques Loraine, Matt Atkins, Joshua Butler, and Dan Norris.

Daniel Harrison, representing Freese and Nichols, addressed Council giving a presentation on the scope and schedule reminder; review input to-date including Wylie's current strengths and weaknesses and future opportunities and threats; review and discuss draft goals including seven Land Use and Design goals which are:

- LU-1. Use the FLU map and strategies contained within this comprehensive plan when making development decisions.
- LU-2. Promote Wylie's sense of community identity and small-town charm.
- LU-3. Strengthen Downtown Wylie as a vibrant and welcoming destination.
- LU-4. Plan for well-designed commercial centers and corridors.
- LU-5. Leverage the lakefront as a unique and desirable destination.
- LU-6. Support economic development efforts to ensure that Wylie is an economically resilient community.
- LU-7. Protect and conserve environmentally sensitive areas.

five Housing and Neighborhood goals which are:

- H-1. Preserve Wylie's existing neighborhoods that are currently thriving.
- H-2. Encourage compatible infill and redevelopment in aging neighborhoods.
- H-3. Ensure that Wylie's housing stock includes affordable housing options.
- H-4. Allow a variety of housing types and choices.
- H-5. Incorporate amenities and design features in future developments to ensure quality neighborhoods.

and five Transportation goals which are:

- T-1. Plan for a safe and efficient transportation network.
- T-2. Expand mobility and access for all Wylie residents.
- T-3. Promote pedestrian and bicycle connectivity throughout the community.
- T-4. Ensure continued regional communications for coordinated and efficient use of resources.
- T-5. Ensure that Wylie's transportation and mobility systems utilize nationwide best and innovative practices.

Feedback from Council members during the discussion regarding Land Use and Design goals included to update the land use map, adding more native plants and trees is important, preserving commercial corridor and identifying

areas where anchors might be appropriate to attract commercial property, complement and expand existing businesses, look at acquisition of land for park needs, and identify land located in the floodplain to preserve green space.

Feedback from Council members during the discussion regarding Housing and Neighborhood goals included preserving land use around established neighborhoods, encourage and foster neighborhood identity in established neighborhoods, improve eastside streets, take into account subdivisions approved by Council but have not been built and redevelopment areas, possible rewording of H-3, keep at single-family 10/24 and allow the developer to request a Planned Development, agree with living units above downtown and S. Ballard overlay, if property is zoned commercial would like to keep it that way, would be okay with true mixed use, identifying urban cores is important, keep plan flexible to allow for development that would increase commercial activity, identify general areas where multifamily is appropriate, have concerns with taking over maintenance of HOAs, and add more trails.

Feedback from Council members during the discussion regarding Transportation goals included not in favor with thin lanes for safety and accessibility, would like additional information on innovative transit alternatives, have hike and bike lanes in the City to allow for connection, do not like bike rentals, possible rewording or removal of T-5, keep Wylie, Wylie, focus on eco-friendly, and do not have interest with DART besides what is currently in the City.

Committee and Commission members Pickens, Butler, Kocon, Larew, Greiner, and Bailey addressed Council. The comments included: interested in RAW data from survey to compare with what was presented, would like to see certain trees not allowed to be planted and for tree mitigation strengthened for trees removed to develop, remove T-5, look at ways to improve the lack of downtown Wylie parking, look at other areas that could allow light and heavy industrial, protect the commercial that is left, keep as much green space as possible, ensure to include the S. Ballard overlay, and in reference to H-3 everyone matters.

Mayor Porter requested options and information for tree mitigation and restricting native use plants be gathered and brought back at a future meeting.

Mayor Porter recessed the Council into a break at 9:01 p.m.

Mayor Porter reconvened the Council into Work Session at 9:10 p.m.

WS2. Discuss the Downtown Wylie Traffic Impact Analysis project.

Public Works Director Porter addressed Council stating Lee Engineering is present for a presentation in preparation for the planned subject project kick-off meeting anticipated in October 2021. Stakeholders for the upcoming meeting include the Downtown Merchants, EDC, First Baptist Church staff, and local residents. Insights from City Council, as well as those from stakeholders, will be considered in developing a plan to move forward with the subject project.

Josh Smith, representing Lee Engineering, gave a presentation which included: reviewing previously established priorities and study area, discuss parking dimensions and how they influence design choices, review draft study scenarios such as two-way versus one-way, typical street configurations, and options for one-way transitions north and south of downtown, and gathering input to refine alternatives before a detailed analysis.

Consensus of Council included one-way flow of traffic and no parallel or perpendicular parking on Ballard Street, have Birmingham extended north to Brown Street, no narrower drive lane than what is currently on Ballard Street, and liked angled parking and larger sidewalks.

James Byrne, citizen, addressed Council stating he recommended Birmingham cross Highway 78 and liked one-way flow of traffic and angled parking proposed.

Jeremy Meier, Downtown Merchants Association, addressed Council requesting Council allow for the input of downtown merchants before parallel and one-way flow of traffic is removed from consideration.

Regarding the North Transition Options, the majority of Council preferred Option C, which is all southbound traffic shifts via Brown and north and southbound Ballard on original alignment.

Regarding the South Transition Options, the majority of Council preferred Option B, which is all southbound traffic on original alignment and northbound Ballard on original alignment.

WS3. Discuss traffic and parking issues around WISD schools.

Mayor Porter addressed Council stating there have been concerns received regarding drivers parking along residential streets during school pickup times blocking the flow of traffic, driveways, and mailboxes, as well as safety concerns with kids crossing the street between vehicles.

City Manager Holsted stated an ordinance was put in place a few years ago in the Cimarron neighborhood to prohibit students from parking during the school day in the neighborhood; however, it does not apply to the new concerns. Holsted stated one option could be to draft an ordinance prohibiting parking, stopping, and standing during morning drop off and afternoon pickup times. Holsted stated staff can also work with the school district on the concerns.

WISD School Board President Matt Atkins and WISD Director of Safety and Security, Brian Kelly, addressed Council. Atkins stated he looks forward to working with the City to ensure the safety of students and added there should be possible future improvements with the traffic as construction near the schools is wrapping up. Kelly stated the Wylie East drop off and pick up location has been changed recently and an email has been sent to parents notifying them, and the Wylie High School crosswalk is staffed with a security staff member during lunch to try to group the kids together to cross the road; however, the problem is occurring before and after school when the crosswalk is not staffed. Kelly stated the school wants to be a partner with the City in determining solutions to the concerns.

Council direction regarding neighborhoods surrounding schools, was for staff to work on drafting an ordinance that prohibits parking, stopping, and standing during drop off and pick up times to keep kids safe and prevent cars from blocking mailboxes and driveways. Mayor Porter stated regarding the concerns at the crosswalk near Wylie High School, they look forward to the findings of Lee Engineering.

WS4. Discuss November City Council meeting date.

City Secretary Storm addressed Council stating staff was requesting Council's direction on moving the regularly scheduled November 9, 2021 Council meeting to Monday, November 15, 2021 in order to hold the regularly scheduled meeting with the canvass for the Bond Election. Council's direction was to move the regular meeting to November 15, 2021.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 10:42 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 10:42 p.m.

Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

If A governmental body may not conduct a private consultation with its attorney except:

- (1) when the governmental body seeks the advice of its attorney about:
 - (A) pending or contemplated litigation; or
 - (B) a settlement offer; or
- (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

ES1. Receive legal advice regarding Code of Ordinances - Chapter 82, peddlers and solicitors' ordinance.

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.

ES2. Discuss Right-of-Way Acquisition for McMillen Drive and Eubanks Lane.

Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.

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

(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or

(2) to hear a complaint or charge against an officer or employee.

(b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

ES5. Discuss the performance and contract of the City Manager.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 2:10 a.m.

City Attorney Abernathy addressed Council stating the City Council has been in Executive Session to discuss the contract of the City Manager. He stated he understands the City Council has met with the City Manager in Executive Session and the parties have reached an agreement that Mr. Holsted would submit his resignation effective today subject to documentation of a six month severance to Mr. Holsted, payment of all accrued unpaid personal leave, vacation, and sick leave, a letter of recommendation that would be negotiated, and mutual releases that would be signed between the parties which would be completed by late Monday, October 18, 2021.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Duke, to accept the resignation of the City Manager subject to the finalization of the terms as stated by the City Attorney. A vote was taken and the motion passed 6-1 with Councilman Mize voting against.

Mayor Porter thanked Mr. Holsted and Mr. Abernathy for their time this evening.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 2:14 a.m.

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.

ES3. Consider the sale or acquisition of properties located at Ballard/Brown, FM 544/Cooper, Jackson/Oak, State Hwy 78/Ballard, 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).

ES4. 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, 2021-4a, 2021-4b, 2021-4c, 2021-6a, 2021-8a, 2021-8b, 2021-9c, 2021-9e, and 2021-9f.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 2:41 a.m.

READING OF ORDINANCES

Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.

City Secretary Storm read the captions to Ordinance Nos. 2021-46 and 2021-47 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Williams, to adjourn the meeting at 2:42 a.m. A vote was taken and motion passed 7-0.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Wylie City Council Special Meeting

October 18, 2021 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

Mayor Matthew Porter called the special meeting to order at 6:00 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, and Councilman Garrett Mize. Councilman Timothy T. Wallis was absent.

Staff present included: Assistant City Manager Brent Parker; Assistant City Manager Renae Ollie; Police Chief Anthony Henderson; Fire Chief Brandon Blythe; Parks and Recreation Director Rob Diaz; Public Works Director Tim Porter; Public Information Officer Craig Kelly; City Attorney Richard Abernathy; City Secretary Stephanie Storm, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Forrester led the invocation and Councilman Strang led the Pledge of Allegiance.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Council 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. Council requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

There were no citizens present wishing to address Council.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 6:03 p.m.

Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

If A governmental body may not conduct a private consultation with its attorney except:

- (1) when the governmental body seeks the advice of its attorney about:
 - (A) pending or contemplated litigation; or
 - (B) a settlement offer; or
- (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

ES1. Resolution No. 2021-35(R) approving payment to City Manager in excess of the contractual amount.

ES2. Severance Agreement with Chris Holsted.

ES3. City Manager's contract.

ES4. Appointment of Interim City Manager.

ES5. Selection of search firm to assist with search for City Manager.**Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.**

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

(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or

(2) to hear a complaint or charge against an officer or employee.

(b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

ES6. Resolution No. 2021-35(R) approving payment to City Manager in excess of the contractual amount.**ES7. Severance Agreement with Chris Holsted.****ES8. City Manager's contract and Chris Holsted's employment.****ES9. Appointment of Interim City Manager.****ES10. Selection of search firm to assist with search for City Manager.****RECONVENE INTO OPEN SESSION**

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 7:17 p.m.

COMMENTS ON AGENDA ITEMS

Any member of the public may address Council regarding an item that is listed on the Agenda before action is taken on the item. Members of the public must fill out a form prior to the meeting in order to speak. Council requests that comments be limited to three minutes for an individual, six minutes for a group.

There were no citizens present wishing to address Council.

REGULAR AGENDA

- 1. Hold a Public Hearing to consider, and act upon, resolution approving payment to City Manager in excess of the contractual amount.**

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 7:17 p.m. asking anyone present wishing to address Council to come forward.

No citizens were present wishing to address the Council.

Mayor Porter closed the public hearing at 7:18 p.m.

Council Action

No action taken by Council on this Item.

- 2. Consider, and act upon, Resolution No. 2021-35(R) approving payment to City Manager in excess of the contractual amount.**

Council Action

A motion was made by Councilman Strang, seconded by Councilman Duke, to approve Resolution No. 2021-35(R) as presented. A vote was taken and the motion passed 6-0 with Councilman Wallis absent.

- 3. Consider, and act upon, Severance Agreement with Chris Holsted and authorize the Mayor to take all actions necessary to effectuate the same.**

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve the Severance Agreement with Chris Holsted and authorize the Mayor to take all actions necessary to effectuate the same. A vote was taken and the motion passed 6-0 with Councilman Wallis absent.

- 4. Consider, and act upon, appointment of Interim City Manager.**

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to appoint Brent Parker as Interim City Manager pending the finalization of a contract. A vote was taken and the motion passed 6-0 with Councilman Wallis absent.

- 5. Consider, and act upon, City Manager's contract and employment of Chris Holsted.**

Council Action

No action taken by Council on this Item.

- 6. Consider, and act upon, selection of search firm to assist with search for City Manager.**

Council Comments

Mayor Porter stated at this time the Council would like to form a subcommittee consisting of three Council members to review search firms. Mayor Porter, Councilman Williams, Councilman Mize, and Councilman Duke expressed interest in serving on the subcommittee.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Williams, to form a subcommittee to select a search firm and appoint Mayor Porter, Councilman Williams, and Councilman Duke to serve on the subcommittee. A vote was taken and the motion passed 5-1 with Councilman Mize voting against and Councilman Wallis absent.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to adjourn the meeting at 7:24 p.m. A vote was taken and motion passed 6-0 with Councilman Wallis absent.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: Finance
Prepared By: Melissa Beard

Account Code: _____

Subject

Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for September 30, 2021.

Recommendation

Motion to accept the Item as presented.

Discussion

The Finance Department has prepared the attached reports for the City Council as required by the City Charter.

Financial Summary/Strategic Goals

CITY OF WYLIE

MONTHLY FINANCIAL REPORT

Preliminary 9/30/2021

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2020-2021	CURRENT MONTH ACTUAL 2020-2021	YTD ACTUAL 2020-2021	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 12/12%
GENERAL FUND REVENUE SUMMARY					
TAXES	32,899,113	629,502	33,451,643	101.68%	A
FRANCHISE FEES	2,840,000	11,557	2,330,439	82.06%	B
LICENSES AND PERMITS	916,852	138,268	1,273,144	138.86%	C
INTERGOVERNMENTAL REV.	7,610,714	277,962	7,822,382	102.78%	D
SERVICE FEES	3,872,224	393,314	3,937,942	101.70%	E
FINES AND FORFEITURES	331,450	32,243	287,355	86.70%	F
INTEREST INCOME	25,000	1,505	17,978	71.91%	G
MISCELLANEOUS INCOME	203,647	42,510	229,727	112.81%	
OTHER FINANCING SOURCES	2,434,008	0	2,524,891	103.73%	H
REVENUES	51,133,008	1,526,861	51,875,501	101.45%	
USE OF FUND BALANCE	0	0	0	0.00%	
USE OF CARRY-FORWARD FUNDS	1,015,111	NA	NA	NA	I
TOTAL REVENUES	52,148,119	1,526,861	51,875,501	99.48%	
GENERAL FUND EXPENDITURE SUMMARY					
CITY COUNCIL	95,507	3,571	54,014	56.56%	
CITY MANAGER	1,150,874	111,175	1,096,707	95.29%	
CITY SECRETARY	405,556	94,490	408,394	100.70%	J
CITY ATTORNEY	170,000	12,888	103,255	60.74%	
FINANCE	1,243,141	89,113	1,197,314	96.31%	
FACILITIES	904,390	88,118	775,534	85.75%	
MUNICIPAL COURT	518,534	39,882	401,790	77.49%	
HUMAN RESOURCES	723,207	48,107	646,119	89.34%	
PURCHASING	207,019	14,418	178,012	85.99%	
INFORMATION TECHNOLOGY	2,071,905	150,216	1,697,069	81.91%	
EMERGENCY OPERATIONS	91,215	-870	77,983	85.49%	K
POLICE	11,248,324	1,002,326	10,545,292	93.75%	
FIRE	9,775,027	1,145,944	9,222,854	94.35%	
EMERGENCY COMMUNICATIONS	2,019,270	115,692	1,690,380	83.71%	
ANIMAL CONTROL	580,540	33,681	424,600	73.14%	
PLANNING	324,384	23,021	287,561	88.65%	
BUILDING INSPECTION	586,632	46,034	556,624	94.88%	
CODE ENFORCEMENT	258,180	18,591	213,862	82.83%	
STREETS	4,483,147	428,266	2,891,455	64.50%	
PARKS	2,602,025	373,444	2,433,472	93.52%	
LIBRARY	2,067,736	191,133	1,901,354	91.95%	
COMBINED SERVICES	5,331,085	954,113	4,571,540	85.75%	
TOTAL EXPENDITURES	46,857,698	4,983,353	41,375,185	88.30%	
REVENUES OVER/(UNDER) EXPENDITURES	5,290,421	-3,456,492	10,500,316	11.18%	
<p>A. Property Tax Collections for FY20-21 as of September 30, 2021 are 100.79%, in comparison to FY19-20 for the same time period of 99.55%. Sales tax is on a 2 month lag and ten months of revenue is recorded. September 2021 is up 18.6% compared to September 2020.</p> <p>B. A majority of Franchise Fees are paid quarterly and not all September payments have been received.</p> <p>C. Licenses and Permits are up 24% from September YTD 2020. New Dwelling permit revenue is up 77% compared to September YTD 2020 mostly due to the new fee structure that was approved.</p> <p>D. Intergovernmental Rev: The majority of intergovernmental revenues come from WISD reimbursements and Fire Services which are billed quarterly. Includes funds for CARES funding that were transferred to General Fund and \$3 million from American Rescue Plan Act.</p> <p>E. Service Fees: Trash fees include 11 months of revenue with the remaining fees coming from other seasonal fees.</p> <p>F. Fines and Forfeitures are up 30% from September YTD 2020 which is a continued correction to the decreasing trend in fines. Code fines make up close to half of the increase.</p> <p>G. The Interest rate has declined from .20% in July 2020 when budget was prepared to .0188% for September 2021.</p> <p>H. Yearly transfer from Utility Fund. Also, includes insurance recoveries from the ice storm for \$15,443 and auction proceeds or \$93,287.</p> <p>I. Largest Carry Forward items: Department Software Solutions \$225,450, Rowlett Creek Dam Improvements \$110,000. Stone Road Rehab Project \$300,000</p> <p>J. Expense for Laserfiche RIO was moved from CARES funding. Item purchase was after December 31, 2020 which was the cutoff for using CARES funding.</p> <p>K. Winter Storm expenses - moved \$12,362 to 4B Sales Tax Fund to match expense with insurance recoveries recorded.</p>					

CITY OF WYLIE

MONTHLY FINANCIAL REPORT

Preliminary 9/30/2021

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2020-2021	CURRENT MONTH ACTUAL 2020-2021	YTD ACTUAL 2020-2021	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 100.00%
UTILITY FUND REVENUES SUMMARY					
SERVICE FEES	23,921,619	2,524,467	21,659,135	90.54%	L
INTEREST INCOME	18,000	819	8,732	48.51%	
MISCELLANEOUS INCOME	33,000	1,485	159,544	483.47%	M
OTHER FINANCING SOURCES	3,718	0	3,718	0.00%	N
REVENUES	23,976,337	2,526,771	21,831,129	91.05%	
USE OF FUND BALANCE	0	NA	0	0	
USE OF CARRY-FORWARD FUNDS	1,040,244	NA	NA	NA	O
TOTAL REVENUES	25,016,581	NA	21,831,129	87.27%	
UTILITY FUND EXPENDITURE SUMMARY					
UTILITY ADMINISTRATION	1,362,604	83,388	845,965	62.08%	
UTILITIES - WATER	4,643,731	191,199	1,672,256	36.01%	P
UTILITIES - SEWER	1,397,505	74,743	1,063,413	76.09%	
UTILITY BILLING	1,181,354	91,564	925,022	78.30%	
COMBINED SERVICES	15,782,415	6,618	14,840,431	94.03%	Q
TOTAL EXPENDITURES	24,367,609	447,512	19,347,087	79.40%	
REVENUES OVER/(UNDER) EXPENDITURES	648,972	2,079,259	2,484,042	7.87%	
L. Water revenue is at 87% for 11 months compared to 2020's 92%. FY2020 water revenue was at 108% at year end. Sewer revenue is tracking at 93% for 11 months. M. NTMWD settlement of \$68,400 and \$22K for the scrap water meters plus \$45K for gain on sales of vehicles and land. N. Insurance recovery from stolen brass fittings. O. Largest Carry Forward items: Energov Software \$150,300, Pump Station Backup Generators \$601,370, WW Treatment Plant Decommissioning Design \$100,000 P. Pump Station Generators and FM2514 Waterline Relocation will be carried forward to FY 2022 budget. Q. Annual transfer to the General Fund of \$2.4 million. Other expenses are payments to NTMWD for water minimum and sewer treatment.					



Wylie City Council

AGENDA REPORT

Department: Finance
Prepared By: Melissa Beard

Account Code: _____

Subject

Consider, and place on file, the City of Wylie Monthly Investment Report for September 30, 2021.

Recommendation

Motion to accept Item as presented.

Discussion

The Finance Department has prepared the attached reports for the City Council as required by the City Charter.

Financial Summary/Strategic Goals

City Of Wylie

2020-2021 Investment Report

September 30, 2021

Money Market Accounts:

Certificates of Deposit:

Treasury Bills:

Treasury Notes:

Government Agency Notes:

MMA
CCD
T-Bills
T-Notes
AN

Invest. Number	Principal Amount	Type Of Security	Interest Rate	Issuer	Purchase Date	Maturity Date
1	\$15,401,059.68	MMA	0.0279%	Texpool	12/31/2006	NA
2	\$15,948,250.25	MMA	0.0100%	TexStar	3/15/2011	NA
	\$31,349,309.93					

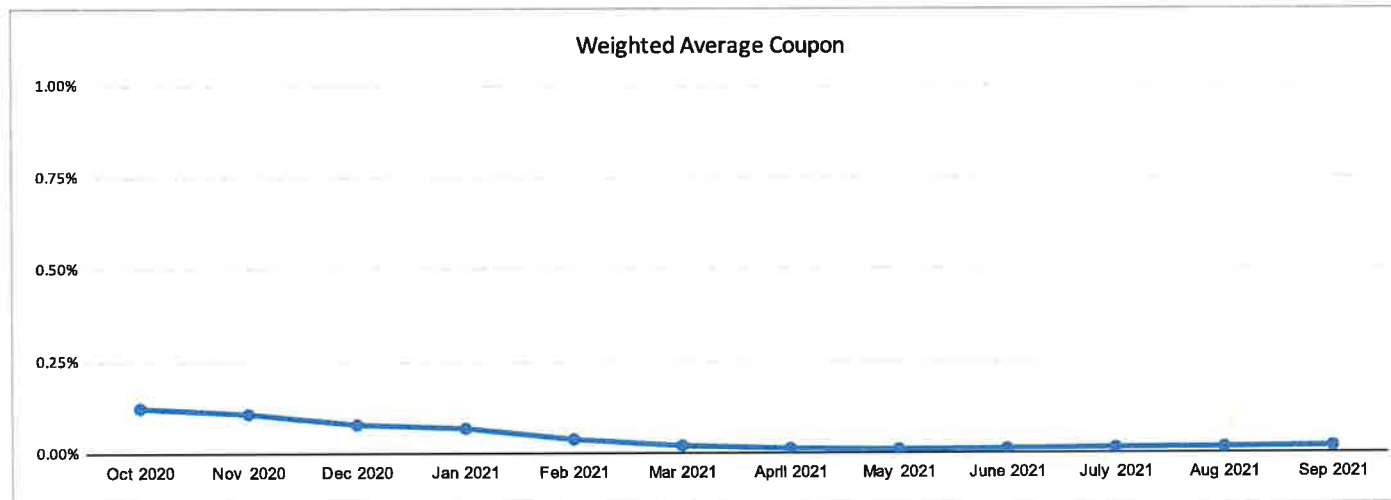
Total

Weighted Average Coupon:
Weighted Average Maturity (Days):

0.0188%
1.00

Money Markets:
Certificates of Deposits:

\$31,349,309.93
\$0.00
\$31,349,309.93



Melina Beaud 10-20-21
Finance Director/Investment Officer



Wylie City Council

AGENDA REPORT

Department: WEDC
Prepared By: Jason Greiner

Account Code: _____

Subject

Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of September 30, 2021.

Recommendation

Motion to approve Item as presented.

Discussion

Financial Summary/Strategic Goals

September Rev/Exp Report

Account Summary

For Fiscal: 2020-2021 Period Ending: 09/30/2021

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 111 - WYLIE ECONOMIC DEVEL CORP							
Revenue							
111-4000-40210	SALES TAX	2,968,437.00	2,968,437.00	307,681.15	3,137,275.28	168,838.28	105.69 %
111-4000-46110	ALLOCATED INTEREST EARNINGS	6,000.00	6,000.00	118.54	1,136.19	-4,863.81	81.06 %
111-4000-48110	RENTAL INCOME	153,240.00	153,240.00	6,335.00	130,420.00	-22,820.00	14.89 %
111-4000-48410	MISCELLANEOUS INCOME	0.00	0.00	0.00	1,435.00	1,435.00	0.00 %
111-4000-48430	GAIN/(LOSS) SALE OF CAP ASSETS	164,500.00	164,500.00	0.00	-31,208.00	-195,708.00	118.97 %
111-4000-49600	INSURANCE RECOVERIES	0.00	54,545.27	0.00	40,614.11	-13,931.16	25.54 %
	Revenue Total:	3,292,177.00	3,346,722.27	314,134.69	3,279,672.58	-67,049.69	2.00%
Expense							
111-5611-51110	SALARIES	240,920.00	240,920.00	18,642.66	236,755.22	4,164.78	1.73 %
111-5611-51130	OVERTIME	0.00	0.00	0.00	1,810.38	-1,810.38	0.00 %
111-5611-51140	LONGEVITY PAY	784.00	784.00	0.00	588.00	196.00	25.00 %
111-5611-51310	TMRS	37,464.00	37,464.00	2,949.30	36,551.44	912.56	2.44 %
111-5611-51410	HOSPITAL & LIFE INSURANCE	36,369.00	36,369.00	3,567.88	35,148.46	1,220.54	3.36 %
111-5611-51420	LONG-TERM DISABILITY	1,373.00	1,373.00	0.00	951.00	422.00	30.74 %
111-5611-51440	FICA	14,986.00	14,986.00	1,055.09	13,780.55	1,205.45	8.04 %
111-5611-51450	MEDICARE	3,505.00	3,505.00	246.75	3,222.88	282.12	8.05 %
111-5611-51470	WORKERS COMP PREMIUM	305.00	305.00	0.00	246.78	58.22	19.09 %
111-5611-51480	UNEMPLOYMENT COMP (TWC)	810.00	810.00	87.16	843.16	-33.16	-4.09 %
111-5611-52010	OFFICE SUPPLIES	5,000.00	5,000.00	1,193.07	6,001.68	-1,001.68	-20.03 %
111-5611-52040	POSTAGE & FREIGHT	300.00	300.00	0.00	30.55	269.45	89.82 %
111-5611-52810	FOOD SUPPLIES	6,100.00	6,100.00	101.57	1,197.84	4,902.16	80.36 %
111-5611-54610	FURNITURE & FIXTURES	0.00	0.00	1,563.94	25,201.94	-25,201.94	0.00 %
111-5611-54810	COMPUTER HARD/SOFTWARE	5,500.00	5,500.00	0.00	5,530.15	-30.15	-0.55 %
111-5611-54910	BUILDINGS	0.00	54,545.27	0.00	0.00	54,545.27	100.00 %
111-5611-56030	INCENTIVES	1,130,310.00	1,130,310.00	135,387.11	776,231.51	354,078.49	31.33 %
111-5611-56040	SPECIAL SERVICES	90,145.00	112,678.00	8,332.68	89,704.03	22,973.97	20.39 %
111-5611-56080	ADVERTISING	114,100.00	114,100.00	18,475.97	55,391.80	58,708.20	51.45 %
111-5611-56090	COMMUNITY DEVELOPMENT	44,550.00	44,550.00	2,714.36	17,637.05	26,912.95	60.41 %
111-5611-56110	COMMUNICATIONS	5,936.00	5,936.00	519.82	3,786.12	2,149.88	36.22 %
111-5611-56180	RENTAL	27,000.00	27,000.00	2,250.00	27,166.50	-166.50	-0.62 %
111-5611-56210	TRAVEL & TRAINING	62,600.00	62,600.00	760.16	12,785.88	49,814.12	79.58 %
111-5611-56250	DUES & SUBSCRIPTIONS	30,018.00	30,018.00	1,653.37	30,369.92	-351.92	-1.17 %
111-5611-56310	INSURANCE	2,803.00	4,770.00	0.00	4,769.50	0.50	0.01 %
111-5611-56510	AUDIT & LEGAL SERVICES	33,000.00	33,000.00	120.00	11,745.00	21,255.00	64.41 %
111-5611-56570	ENGINEERING/ARCHITECTURAL	87,500.00	87,500.00	0.00	43,383.39	44,116.61	50.42 %
111-5611-56610	UTILITIES-ELECTRIC	2,400.00	2,400.00	256.49	1,979.15	420.85	17.54 %
111-5611-57410	PRINCIPAL PAYMENT	199,863.00	342,015.00	47,900.66	365,461.11	-23,446.11	-6.86 %
111-5611-57415	INTEREST EXPENSE	342,015.00	199,863.00	17,039.18	206,140.15	-6,277.15	-3.14 %
111-5611-58110	LAND-PURCHASE PRICE	0.00	408,540.00	0.00	407,332.20	1,207.80	0.30 %
111-5611-58210	STREETS & ALLEYS	1,005,000.00	1,558,680.00	9,375.00	198,555.00	1,360,125.00	87.26 %
111-5611-58830	FURNITURE & FIXTURES	2,500.00	2,500.00	0.00	797.00	1,703.00	68.12 %
111-5611-58995	CONTRA CAPITAL OUTLAY	0.00	0.00	0.00	-407,332.20	407,332.20	0.00 %
	Expense Total:	3,533,156.00	4,574,421.27	274,192.22	2,213,763.14	2,360,658.13	51.61%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):		-240,979.00	-1,227,699.00	39,942.47	1,065,909.44	2,293,608.44	186.82%

Budget Report

For Fiscal: 2020-2021 Period Ending: 09/30/2021

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 922 - GEN LONG TERM DEBT (WEDC)						
Expense						
922-5611-57410 PRINCIPAL PAYMENT	0.00	0.00	-47,900.66	-365,461.11	365,461.11	0.00 %
Expense Total:	0.00	0.00	-47,900.66	-365,461.11	365,461.11	0.00%
Fund: 922 - GEN LONG TERM DEBT (WEDC) Total:	0.00	0.00	-47,900.66	-365,461.11	365,461.11	0.00%
Report Surplus (Deficit):	-240,979.00	-1,227,699.00	87,843.13	1,431,370.55	2,659,069.55	216.59%

Budget Report

For Fiscal: 2020-2021 Period Ending: 09/30/2021

Group Summary

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 111 - WYLIE ECONOMIC DEVEL CORP						
Revenue	3,292,177.00	3,346,722.27	314,134.69	3,279,672.58	-67,049.69	2.00%
Expense	3,533,156.00	4,574,421.27	274,192.22	2,213,763.14	2,360,658.13	51.61%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):	-240,979.00	-1,227,699.00	39,942.47	1,065,909.44	2,293,608.44	186.82%
Fund: 922 - GEN LONG TERM DEBT (WEDC)						
Expense	0.00	0.00	-47,900.66	-365,461.11	365,461.11	0.00%
Fund: 922 - GEN LONG TERM DEBT (WEDC) Total:	0.00	0.00	-47,900.66	-365,461.11	365,461.11	0.00%
Report Surplus (Deficit):	-240,979.00	-1,227,699.00	87,843.13	1,431,370.55	2,659,069.55	216.59%

Budget Report

For Fiscal: 2020-2021 Period Ending: 09/30/2021

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
111 - WYLIE ECONOMIC DEVEL COR	-240,979.00	-1,227,699.00	39,942.47	1,065,909.44	2,293,608.44
922 - GEN LONG TERM DEBT (WEDC	0.00	0.00	47,900.66	365,461.11	365,461.11
Report Surplus (Deficit):	-240,979.00	-1,227,699.00	87,843.13	1,431,370.55	2,659,069.55

Wylie Economic Development Corporation
Statement of Net Position
As of September 30, 2021

Assets

Cash and cash equivalents	\$ 2,972,757.96	
Receivables	\$ 60,000.00	Note 1
Inventories	\$ 12,435,269.70	
Prepaid Items	\$ -	
Total Assets	\$ 15,468,027.66	

Deferred Outflows of Resources

Pensions	\$ 95,608.55	
Total deferred outflows of resources	\$ 95,608.55	

Liabilities

Accounts Payable and other current liabilities	\$ 62,542.88	
Unearned Revenue	\$ 1,200.00	Note 2
Non current liabilities:		
Due within one year	\$ 29,531.01	Note 3
Due in more than one year	\$ 5,090,934.76	
Total Liabilities	\$ 5,184,208.65	

Deferred Inflows of Resources

Pensions	\$ (47,711.41)	
Total deferred inflows of resources	\$ (47,711.41)	

Net Position

Net investment in capital assets	\$ -	
Unrestricted	\$ 10,331,716.15	
Total Net Position	\$ 10,331,716.15	

Note 1: Includes incentives in the form of forgivable loans for \$60,000 (LUV-ROS)

Note 2: Deposits from rental property

Note 3: Liabilities due within one year includes compensated absences of \$20,727

September Balance Sheet

Account Summary

As Of 09/30/2021

Account	Name	Balance
Fund: 111 - WYLIE ECONOMIC DEVEL CORP		
Assets		
111-1000-10110	CLAIM ON CASH AND CASH EQUIV.	2,960,757.96
111-1000-10115	CASH - WEDC - INWOOD	0.00
111-1000-10135	ESCROW	10,000.00
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	12,435,269.70
111-1000-14118	INVENTORY - BAYCO/ SANDEN BLVD	0.00
111-1000-14310	PREPAID EXPENSES - MISC	0.00
111-1000-14410	DEFERRED OUTFLOWS	438,367.00
Total Assets:		15,906,394.66
		<u>15,906,394.66</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	50.02
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	9,249.78
111-2000-20131	EDWARD JONES DEFERRED COMP	0.00
111-2000-20132	EMP CARE FLITE	12.00
111-2000-20133	Unemployment Comp Payable	0.00
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	53,095.92
111-2000-20210	ACCOUNTS PAYABLE	0.00
111-2000-20530	PROPERTY TAXES PAYABLE	0.00
111-2000-20540	NOTES PAYABLE	438,367.00
111-2000-20810	DUE TO GENERAL FUND	0.00

Balance Sheet

As Of 09/30/2021

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:		502,022.72

Equity

111-3000-34110	FUND BALANCE - RESERVED	0.00
111-3000-34590	FUND BALANCE-UNRESERV/UNDESIG	14,338,375.34
Total Beginning Equity:		14,338,375.34
Total Revenue		3,279,672.58
Total Expense		2,213,675.98
Revenues Over/Under Expenses		1,065,996.60
Total Equity and Current Surplus (Deficit):		15,404,371.94
Total Liabilities, Equity and Current Surplus (Deficit):		<u>15,906,394.66</u>

Balance Sheet

As Of 09/30/2021

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	37,997.29
922-1000-19051	DEF OUTFLOW SDBF CONTRIBUTIONS	1,800.00
922-1000-19075	DEF OUTFLOW - INVESTMENT EXP	0.48
922-1000-19100	DEF OUTFLOW - ACT EXP/ASSUMP	55,810.78
922-1000-19125	(GAIN)/LOSS ON ASSUMPTION CHGS	-46,839.41
922-1000-19126	DEF INFLOW SDBF CONTRIBUTIONS	-872.00
Total Assets:		47,897.14
		<u>47,897.14</u>
Liability		
922-2000-20310	COMPENSATED ABSENCES PAYABLE	0.00
922-2000-20311	COMP ABSENCES PAYABLE-CURRENT	20,727.84
922-2000-21410	ACCRUED INTEREST PAYABLE	8,803.17
922-2000-28205	WEDC LOANS/CURRENT	0.00
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	4,068,345.47
922-2000-28245	ANB LOAN/DALLAS WHIRLPOOL	640,776.23
922-2000-28246	GOVCAP LOAN/KIRBY	0.00
922-2000-28247	JARRARD LOAN	174,168.89
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	199,184.17
922-2000-29151	SDBF LIABILITY	8,460.00
Total Liability:		5,120,465.77
Equity		
922-3000-34590	FUND BALANCE-UNRESERV/UNDESIG	-5,317,765.74
922-3000-35900	UNRESTRICTED NET POSITION	-120,264.00
Total Beginning Equity:		-5,438,029.74
Total Revenue		0.00
Total Expense		-365,461.11
Revenues Over/Under Expenses		365,461.11
Total Equity and Current Surplus (Deficit):		-5,072,568.63
Total Liabilities, Equity and Current Surplus (Deficit):		<u>47,897.14</u>

Wylie Economic Development Corporation

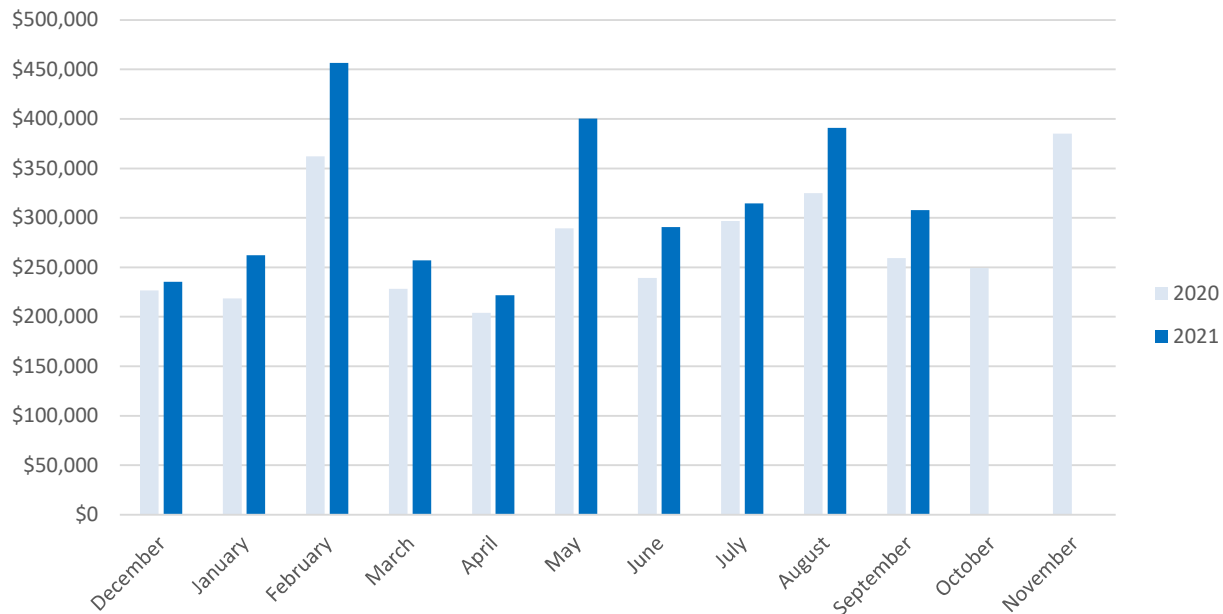
SALES TAX REPORT

September 30, 2021

BUDGETED YEAR

MONTH	FY 2018	FY 2019	FY 2020	FY 2021	DIFF 20 vs. 21	% DIFF 20 vs. 21
DECEMBER	\$ 184,848.59	\$ 214,867.15	\$ 226,663.94	\$ 235,381.33	\$ 8,717.39	3.85%
JANUARY	\$ 191,895.71	\$ 223,749.61	\$ 218,520.22	\$ 262,263.52	\$ 43,743.30	20.02%
FEBRUARY	\$ 275,667.83	\$ 307,366.66	\$ 362,129.18	\$ 456,571.35	\$ 94,442.17	26.08%
MARCH	\$ 182,852.50	\$ 208,222.32	\$ 228,091.34	\$ 257,187.91	\$ 29,096.57	12.76%
APRIL	\$ 163,484.89	\$ 182,499.53	\$ 203,895.57	\$ 221,881.55	\$ 17,985.98	8.82%
MAY	\$ 203,707.17	\$ 274,299.18	\$ 289,224.35	\$ 400,371.70	\$ 111,147.35	38.43%
JUNE	\$ 199,412.29	\$ 234,173.88	\$ 239,340.35	\$ 290,586.92	\$ 51,246.57	21.41%
JULY	\$ 213,976.64	\$ 215,107.94	\$ 296,954.00	\$ 314,559.10	\$ 17,605.10	5.93%
AUGUST	\$ 249,589.63	\$ 283,602.93	\$ 325,104.34	\$ 390,790.76	\$ 65,686.42	20.20%
SEPTEMBER	\$ 213,425.79	\$ 243,048.40	\$ 259,257.89	\$ 307,681.15	\$ 48,423.26	18.68%
OCTOBER	\$ 210,701.71	\$ 224,875.38	\$ 249,357.02			
NOVEMBER	\$ 273,196.62	\$ 308,324.41	\$ 384,953.89			
Sub-Total	\$ 2,562,759.35	\$ 2,920,137.37	\$ 3,283,492.09	\$ 3,137,275.28	\$ 488,094.10	17.62%
Total	\$ 2,562,759.35	\$ 2,920,137.37	\$ 3,283,492.09	\$ 3,137,275.28	\$ 488,094.10	17.62%

WEDC Sales Tax Analysis



*** Sales Tax collections typically take 2 months to be reflected as Revenue. SlsTx receipts are then accrued back 2 months.
 Example: September SlsTx Revenue is actually July SlsTx and is therefore the 10th allocation in FY21.



Wylie City Council

AGENDA REPORT

Department: Purchasing
Prepared By: Glenna Hayes

Account Code: Various

Subject

Consider, and act upon, Resolution No. 2021-36(R), authorizing the Interim City Manager of the City of Wylie to enter into an interlocal cooperative purchasing agreement between Goodbuy Purchasing Cooperative and the City of Wylie for the use of competitively bid procurement contracts.

Recommendation

Motion to approve the Item as presented.

Discussion

Section 791.025 of the Texas Government Code and Chapter 271.102 of the Texas Local Government Code permits Interlocal Agreements between local education and governmental agencies for the purchase of goods and services; thus, satisfying the requirement of the City to seek competitive bids for supplier contracts.

Staff recommends the approval of an interlocal cooperative purchasing agreement between the City of Wylie and the Goodbuy Purchasing Cooperative (Education Service Center Region 2) for the use of a cooperative purchase program as highly beneficial for the procurements of goods and services for the City.

Financial Summary/Strategic Goals

This item supports the City's goal of Financial Health, through the efficient use of resources.

RESOLUTION NO. 2021-36(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, HEREBY AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT BETWEEN GOODBUY PURCHASING COOPERATIVE AND THE CITY OF WYLIE PROVIDING FOR A COOPERATIVE PURCHASING PROGRAM FOR GOODS AND SERVICES.

WHEREAS, Chapter 271 of the Texas Local Government Code and Chapter 791 of the Texas Government Code do permit Interlocal Agreements between local governments for the purpose of purchasing goods and services; and

WHEREAS, Chapter 271 of the Texas Local Government Code and Chapter 791 of the Texas Government Code do satisfy the requirements of local governments to seek competitive bids for the purchase of goods and services through supplier contracts; and

WHEREAS, the City of Wylie is of the opinion that an Interlocal Purchasing Agreement between the City of Wylie and SAT will be highly beneficial to the taxpayers; and

WHEREAS, the competitive solicitation and selection process requires that suppliers allow participating public agencies to purchase goods, product and services on the same terms, conditions and pricing;

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

SECTION 1: The Mayor of the City of Wylie, Texas, is hereby authorized to enroll and participate in the purchasing cooperative with Goodbuy Purchasing Cooperative.; and that purchases made through such an agreement shall be deemed to meet the City's competitive purchasing requirements.

SECTION 2: The Interim City Manager of the City of Wylie, Texas is hereby authorized to execute on behalf of the City Council of the City of Wylie, Texas, an interlocal agreement between Goodbuy Purchasing Cooperative and the City of Wylie.

SECTION 3: A representative of the City of Wylie, Texas named as Glenna Hayes, Purchasing Manager, is authorized to sign and delivery any and all necessary requests and documents in connection therewith for and on behalf of the City of Wylie, Texas.

SECTION 4: This Resolution shall take effect immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas on this the 26th day of October 2021.

Matthew Porter, Mayor

ATTEST TO:

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: Courts, Utility Billing
Prepared By: Glenna Hayes

Account Code: 100-2000-20740; 611-5715-56040

Subject

Consider, and act upon, Resolution No. 2021-37(R) of the City Council of the City of Wylie, Texas approving the terms and conditions of an annual agreement for Fines and Fees Collection Services with Linebarger Goggan Blair & Sampson LLP; in the estimated annual amount of \$20,000.00 and authorizing the Interim City Manager to sign any and all necessary documents.

Recommendation

Motion to approve the Item as presented.

Discussion

Staff has determined that there is a substantial need for legal services for the collection of unpaid fines and fees for the Utility Billing and Courts Departments. These services are best provided by a legal firm which has the resources and services to locate individuals and collect the monies on a contingency fee basis (capped at 30% by Texas Code of Criminal Procedure Article 103.0021). Staff has also determined that it is in the City's best interest to obtain these services based on a contingency fee schedule rather than an hourly rate which could result in exorbitant fees.

The City has partnered with Linebarger Goggan Blair & Sampson, LLP, a well-qualified and competent firm, to perform the legal services. Linebarger Goggan Blair & Sampson, LLP, has provided specialized legal services for delinquent municipal court collections and closed utility accounts collection services to the City of Wylie since 2013 and the City has been well satisfied with the quality and outcome of the legal services provided.

Staff recommends an agreement with Linebarger Goggan Blair & Sampson, LLP in the estimated annual amount of \$20,000.00, as providing the best overall value to the City. This item will establish an annual contract with renewals.

Wylie #W2022-7-A

Financial Summary/Strategic Goals

This item meets the goal of Financial Health.

RESOLUTION NO. 2021-37(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, HEREBY AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN ANNUAL AGREEMENT BETWEEN LINEBARGER GOOGAN BLAIR & SAMPSON LLP AND THE CITY OF WYLIE PROVIDING FOR FINES AND FEES COLLECTION SERVICES.

WHEREAS, after having provided adequate notice as required by Sec. 2254.1036 of the Texas Government Code, the City of Wylie City Council desires to approve an Agreement for Fines & Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP; and

WHEREAS, after exercising due diligence the City of Wylie City Council finds and determines that: (i) there is a substantial need for the legal services to be provided pursuant to the Agreement for Fines & Fees Collection Services; (ii) these legal services cannot be adequately performed by the attorneys and/or supporting personnel of the City at a reasonable cost; (iii) these legal services cannot reasonably be obtained from attorneys in private practice under an agreement providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the application of the collection fee authorized by TX Code of Criminal Procedure Art. 103.0031 (for delinquent municipal court collections), and because the City of Wylie does not have the funds to pay the estimated amounts required under an agreement only for the payment of hourly fees; (iv) Linebarger Goggan Blair & Sampson, LLP, is well qualified and competent to perform the legal services required to comply with the terms of this agreement; (v) Linebarger Goggan Blair & Sampson, LLP, has provided specialized legal services for delinquent municipal court collections and closed utility accounts collection services to the City of Wylie since 2013 and the City of Wylie has been well satisfied with the quality and outcome of the legal services provided; and (vi) the agreement with Linebarger Goggan Blair & Sampson, LLP, was the result of an arm's length transaction between the City and Linebarger Goggan Blair & Sampson, LLP, and is fair and reasonable; and

WHEREAS, the City of Wylie City Council finds that it is in the public interest to approve the Agreement for Fines & Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP, and the findings set forth above appertaining to the agreement.

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

SECTION 1. The recitals set forth above in this Resolution are true and correct and are hereby incorporated herein.

SECTION 2. City of Wylie City Council hereby approves an annual Agreement for Fines & Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP and the findings appertaining to the agreement, and authorizes the Interim City Manager/Mayor to execute the agreement on behalf of the City of Wylie, Texas.

SECTION 3. All Resolutions, current or previous, in conflict with this Resolution are hereby repealed, and all Resolutions or portions thereof not in conflict with this Resolution shall remain in full force and effect.

SECTION 4: This Resolution shall take effect immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas on this the 26th day of October 2021.

Matthew Porter, Mayor

ATTEST TO:

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: Parks and Recreation
Prepared By: Rob Diaz

Account Code: _____

Subject

Consider, and act upon, approval of a Park Event Application for the Wylie Christian Care Center to hold a bake sale fundraiser event at Olde City Park on November 24, 2021.

Recommendation

Motion to approve Item as presented.

Discussion

The proposed Wylie Christian Care Center fundraiser event will be held on Saturday, November 24, 2021 at Olde City Park. This event has typically been held at other locations in years past, but due to COVID-19 concerns, and the central location in the City, the group is requesting to use the Olde City Park pavilion for the bake sale. Parks and Recreation staff will coordinate with the group on event logistics and set up. Staff has confirmed that a health permit with the Collin County will not be required for this event.

The Parks and Recreation Board will consider this event at their meeting on October 23, 2021.

Financial Summary/Strategic Goals



Parks & Recreation Department
 949 Hensley Lane, Building 200
 972-516-6340 | Parks@wylietexas.gov

Park Event Application

This application must be submitted a minimum of eight weeks prior to your event date. Special events, meetings, and gatherings (other than typical parties or picnics) will require submission of a Park Event Application prior to reservation approval. Please call the Parks Administration at 972-516-6340 if you have any questions pertaining to the Park Event Application.

Applicant Information

Name of Organization *

Wylie Community Christian Care Center

Website

wyliecommunitychristiancare.org

Are you a non profit? *

☒ Yes ☐ No

Please upload 501c3 Documents

Contact Information

Primary Contact Name *

Mary Warkentine

Event Information

Event Name/Title *

34th Annual Wylie Christian Care Thanksgiving Bake Sale

Event Type *

Fundraiser

Purpose of event *

Raise funds for the Wylie Community Christian Care Center

Event Location *

Olde City Park

112 S Ballard Avenue

Proposed Event Date *

11/24/2021

Alternative Event Date *

11/24/2021

Start Time*

07:30:00 AM

Include Setup

End Time*

03:00:00 PM

Include Cleanup

Anticipated number of Participating Vendors*

1

Anticipated Event Attendance*

75

Event Target Audience*

Wylie community area

Event Details*

Baked goods from Wylie area people are solicited for the sale. They are dropped off at the Wylie Christian Care Center on the day before the sale. Volunteers package, decorate, and price the items. They are delivered to the bake sale location early morning of the sale.

I have uploaded last years flyers.

Event Announcement and/or Flyers

WCCC - 33rd Annual Bake Sale.pdf

596.04KB

Bake Sale Flyer.pdf

126.08KB

NOTE:

If food is prepared on site or off-site and brought to the event location to be offered to the public, free or at cost, the vendor applicant must contact the Collin County Environmental Services Office in McKinney in order to inquire whether a Temporary/Short-Term Event Food Service/Health permit is required prior to the event. It is possible that a health inspector must examine food preparation and storage equipment to assure the health and safety of customers. Please contact the Environmental Services Specialist at 972-548-5528 or 972-548-5585. The Collin County website is www.collincountytx.gov.

Sec. 78-105 of the City Code of Ordinances states: It shall be unlawful for any person to solicit for sale, vend, peddle, sell or offer to sell any cold drinks, cigars, tobacco, cigarettes, fruits, candies, goods, wares or merchandise of any kind or nature whatsoever within the municipal parks or recreation or community center facility; provided, however, that this section shall not apply to any person, organization, firms or corporations, or the agents of any person, or organization, firm or corporation, or employee of any person who are recommended by the Parks and Recreation Board and approved by the City Council to operate a concession or concessions for the sale of specified goods, wares, and merchandise within the municipal parks or recreation or community center facilities of the city.

Signature

Date*

09/21/2021



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Consider, and act upon, a Final Plat, being a Replat for New Haven Wylie Addition, establishing two commercial lots on 3.03 acres, generally located at 800 Brown Street.

Recommendation

Motion to approve Item as presented.

Discussion

OWNER: New Haven Assisted Living of Wylie, LLC

APPLICANT: Claymoore Engineering

The applicant has submitted a Replat to subdivide Lot 1 into Lot 1R1 and Lot 1R2, Block A of New Haven Wylie Addition. The property was zoned Neighborhood Services with a Special Use Permit in 2016 to allow for an assisted living facility.

Lot 1R1 shall continue to contain the existing New Haven assisted living facility. Lot 1R2, at 1.09 acres and 125' depth, has no proposed development plan at this time. Rezoning of the new lot may be required if any future proposed development of Lot 1R2 is not consistent with the zoning exhibit of Special Use Permit Ordinance No. 2016-04.

The Replat utilizes the existing fire lane and utility easement of the original Final Plat, providing one access point from Brown Street with fire lanes that vary from 30' to 25' in width.

The plat is technically correct and abides by all aspects of the City of Wylie Subdivision Regulations. Approval is subject to additions and alterations as required by the City Engineering Department.

For conditional approval or disapproval City Council must provide a written statement of the reasons to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Gov't Code.

P&Z Commission Discussion

The Commission voted 5-0 to recommend approval.

Financial Summary/Strategic Goals

Planning Management



Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Consider, and act upon, a recommendation to City Council regarding a Final Plat for Westgate Development Subdivision Addition, establishing two commercial lots on 6.024 acres, generally located at the northwest corner of FM 544 and Westgate Way.

Recommendation

Motion to approve Item as presented.

Discussion

OWNER: LMB Partnership

APPLICANT: John Davis

The applicant has submitted a Final Plat for Lot 1 and 2, Block A of Westgate Development Subdivision. The preliminary plat for this development was approved in August 2020.

The property is zoned Commercial Corridor. Lot 1 is being developed as a Brakes Plus automobile repair shop, for which a site plan was approved in August 2020. Lot 2 has no development plan at this time.

The plat includes a 30' wide shared fire lane, access, and utility easement with access from FM 544. The platted fire lane and access easement extends to Lot 2 for future development, but shall only be stripped to 150' from FM 544 for coverage of the Brakes Plus automobile repair shop, due to Fire Design Standards and as approved on the site plan. Additional striping covering the entire fire lane to the north end of Lot 1 shall be provided when Lot 2 is developed.

An additional 24' wide access easement is provided that aligns with an existing access drive located east of the property. An access and parking agreement between the subject property and the property to the east exists as a separate document.

The plat is technically correct and abides by all aspects of the City of Wylie Subdivision Regulations. Approval is subject to additions and alterations as required by the City Engineering Department.

For conditional approval or disapproval City Council must provide a written statement of the reasons to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Gov't Code.

P&Z Commission Discussion

The Commission voted 5-0 to recommend approval.

Financial Summary/Strategic Goals

Planning Management



Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Consider, and act upon, a Final Plat for Lot 1, Block 1 of Dutch Bros Coffee Addition to establish one commercial lot on 1.022 acres, property located at 2817 FM 544.

Recommendation

Motion to approve Item as presented.

Discussion

OWNER: 2819 West FM 544 Ventures, LLC

APPLICANT: Morrison Shipley

The applicant has submitted a Final Plat for Lot 1, Block 1 of Dutch Bros Coffee Addition to establish one commercial lot on 1.022 acres. The property is located at 2817 FM 544 and is zoned Commercial Corridor/Special Use Permit (CC/SUP) that allows for a restaurant with drive-through service. The preliminary plat for this property was approved in July 2021.

The purpose of the plat is to create one commercial lot and establish fire lane, access, utility, and visibility easements for the development of a Dutch Bros Coffee Restaurant.

The plat provides fire lane access from Springwell Parkway and FM 544.

Approval is subject to additions and alterations as required by the City Engineering Department.

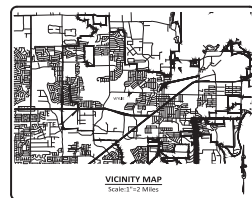
For conditional approval or disapproval City Council must provide a written statement of the reasons to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Gov't Code.

P&Z Commission Discussion

The Commission voted 5-0 to recommend approval.

Financial Summary/Strategic Goals

Planning Management



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That MMCG DBR DFW, LLC, a Texas Limited Liability Company, acting herein by and through its (its) duly authorized officers, does hereby adopt this plat designating the herein above described property as Dutch Bros Coffee Addition Lot 1, Block 1, an addition to the City of Wylie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Wylie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof.

The City of Wylie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wylie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Wylie, Texas. WITNESS, my hand, this ____ day of _____, 20____.

BY:

Authorized Signature of Owner

Printed Name and Title

STATE OF TEXAS §
COUNTY OF §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed. Given under my hand and seal of office, this ____ day of _____, 20____.

Notary Public in and for the State of Texas

My Commission Expires On:

OWNER'S CERTIFICATE AND DEDICATION:

STATE OF TEXAS
COUNTY OF COLLIN

Whereas MMCG DBR DFW, LLC, is the owner of two parcels of Land located in the Moses Sparks Survey, Abstract No. 849, and being a part of McCord's Little S Subdivision, an unrecorded subdivision in the City of Wylie, Collin County, Texas as described in Special Warranty Deed Instrument 20210007001811640 in the office of the County Clerk, Collin County, Texas and more particularly described as follows:

Beginning at an existing aluminum Texas Department of Transportation monument marking the north right of way of F.M. 544 said monument depicted on the Final Plat of McCord's 3 Addition, Lot 3, Block 1 as a Control Monument

THENCE North 45°26'53" West a distance of 27.79 feet to a point on the east right of way of Springwell Parkway marked by a one-half inch (1/2") rebar with Cole Design Group cap.

THENCE along said Springwell Parkway east right of way, North 00°17'55" West a distance of 205.61 feet to a one-half inch (1/2") rebar with Cole Design Group cap on the south line of an unrecorded ten-foot (10') alley of said McCord's Addition.

THENCE departing the east right of way of Springwell Parkway and traveling along said south line of alley, South 84°33'06" East a distance of 90.02 feet to a one-half inch (1/2") rebar with Cole Design Group cap.

THENCE Continuing along said alley the following courses and distances:

South 00°57'27" East a distance of 5.00 feet to a one-half inch (1/2") rebar with Cole Design Group cap;
South 84°33'06" East through a one-half inch (1/2") rebar with Cole Design Group cap at a distance of 14.49 feet, to a one-half inch (1/2") rebar with Cole Design Group cap for corner at a distance of 34.00 feet;

North 00°04'09" East a distance of 5.00 feet to a one-half inch (1/2") rebar with Cole Design Group cap;
South 84°33'06" East a distance of 86.02 feet to a one-half inch (1/2") rebar with Cole Design Group cap marking the Northwest Corner of Lot 3, McCord's 3 Addition, Block 1.

THENCE departing said south line of alley and along the west line of said Lot 3, South 00°12'11" East a distance of 204.30 to a corner bearing on the north line of F.M. 544 and from which a one-half inch rebar with Precise Land Surveying cap bears North 00°48'22" East a distance of 1.60 feet.

THENCE along said north right of way, South 89°44'14" West through a one-half inch (1/2") rebar with Cole Design Group cap at a distance of 105.04, for a total distance of 189.03 feet to the Point of Beginning, containing 1.022 acres, more or less.

Approval Block:
"RECOMMENDED FOR APPROVAL"

Chairman, Planning & Zoning Commission
City of Wylie, Texas

Date

"APPROVED FOR CONSTRUCTION"

Mayor, City of Wylie, Texas

Date

"ACCEPTED"

Mayor, City of Wylie, Texas

Date

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing final plat of the _____ subdivision or addition to the City of Wylie was submitted to the City Council on the ____ day of _____, 20____, and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easement, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this ____ day of _____, A.D., 20____.

City Secretary
City of Wylie, Texas

NOTES:

1. Bearings are based on the Texas Coordinate System, North Central Zone (42002), NAD 83 (2011 adjusted) all elevations are based on NAVD83 Geoid 128. Horizontal and Vertical measurements calculated by utilizing the Leica Smartnet RTK Network.
2. NOTICE: Selling a portion of this addition be metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and withholding of utility and building permits.
3. The approximate total land area as shown on this survey, is 1.022 acres, more or less (the "Property").
4. Property lies within FEMA flood zone X as shown Panel 415 of 500, Map Number 48085C00151 revised June 2, 2009. Zone X status area determined to be outside the 0.2% annual chance floodplain.
5. The new legal description describes the same real estate as the record description shown herein.

FINAL PLAT of DUTCH BROS COFFEE ADDITION LOT 1, BLOCK 1

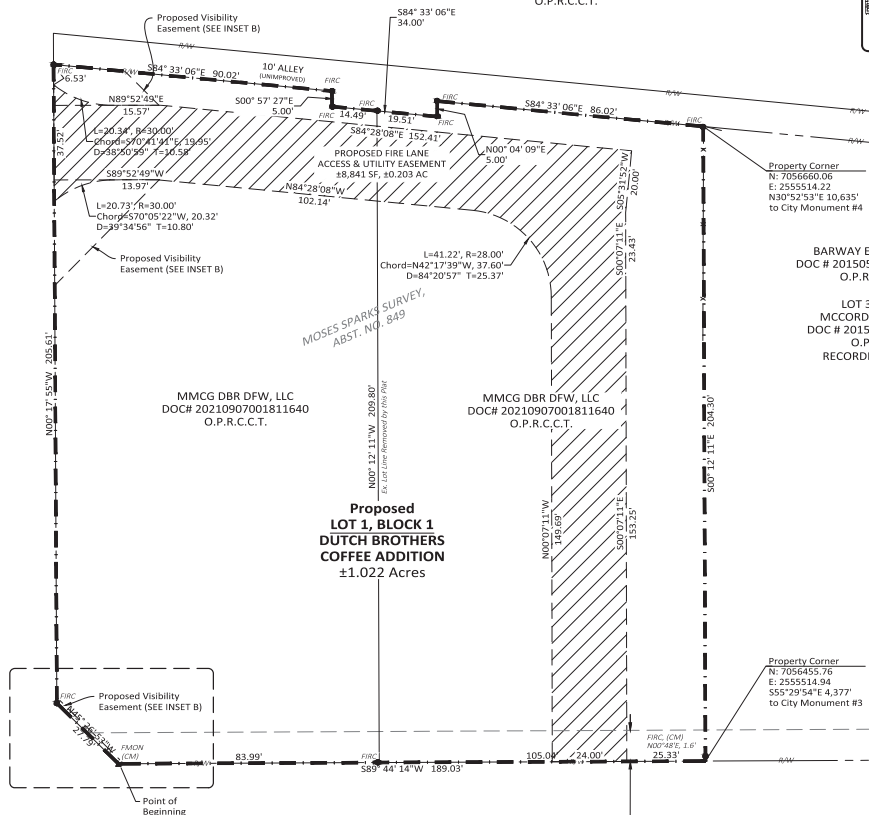
2817-19 W. FM 544
WYLIE, TX 75098

BEING 1.022 ACRES SITUATED IN THE
MOSES SPARKS SURVEY, ABSTRACT NO. 849
CITY OF WYLIE, COLLIN COUNTY, TEXAS

OWNER
MMCG DBR DFW, LLC
SARA MOORE
5750 GENESIS COURT, SUITE 103
FISCO, TX 75034
PHONE: 214-308-0008
EMAIL: SMO@MMCG.COM

SURVEYOR
MORRISON SHIPLEY ENGINEERS, INC.
CLAYTON CROTTIS, RPLS
5750 GENESIS CT, STE 130
FISCO, TX 75034
PHONE: 972-472-2009
EMAIL: CCROTTIS@MORRISONSHIPLEY.COM

DALLAS AREA RAPID
TRANSIT PROPERTY
ACQUISITION CORPORATION
VOLUME 3424, PAGE 126
O.P.R.C.C.T.



Proposed
LOT 1, BLOCK 1
DUTCH BROS
COFFEE ADDITION
±1.022 Acres

FM 544
(120' WIDE R/W)

Date of Plat or Map: 9/24/2021.

KNOW ALL MEN BY THESE PRESENTS:

That I, Clayton D. Crotts, RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Wylie.

FOR REVIEW AND COMMENT ONLY
"PRELIMINARY. THIS DOCUMENT
SHALL NOT BE RECORDED FOR ANY PURPOSE
AND SHALL NOT BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY DOCUMENT"

Clayton D. Crotts, RPLS
Texas Registration No. 6855

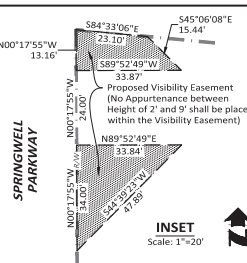
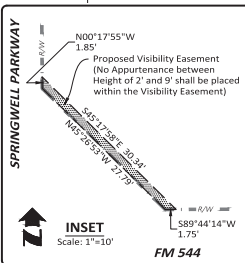


STATE OF TEXAS §
COUNTY OF §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed. Given under my hand and seal of office, this ____ day of _____, 20____.

Notary Public in and for the State of Texas

My Commission Expires On:



**MORRISON
SHIPLEY**

TPEIS Firm No. #4434 ENG. #10194341 SURV.
5750 GENESIS CT, STE 130 - FISCO, TX 75034
972.472.2009 - MORRISONSHIPLEY.COM



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2021-48 for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through service on 0.975 acres, property located at 2027 N State Highway 78. (ZC 2021-22)

Recommendation

Motion to approve Item as presented.

Discussion

On October 12, 2021 City Council approved a zoning change from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) for commercial development on 0.975 acres to allow for a restaurant with a drive-through use located at 2027 N State Highway 78, being Zoning Case 2021-22.

Final approval of Zoning Case 2021-22 requires an Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

The subject Ordinance allows for the rezoning. Exhibit A (Legal Description), Exhibit B (Zoning Exhibit), and Exhibit C (SUP Conditions) are included and made a part of this Ordinance.

The above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

Financial Summary/Strategic Goals

N/A

ORDINANCE NO. 2021-48

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF WYLIE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY, ZONING CASE NUMBER 2021-22, FROM COMMERCIAL CORRIDOR DISTRICT (CC) TO COMMERCIAL CORRIDOR - SPECIAL USE PERMIT (CC-SUP), TO ALLOW FOR COMMERCIAL DEVELOPMENT OF A RESTAURANT WITH A DRIVE-THRU; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Wylie, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

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

SECTION 1: That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Wylie, to give the hereinafter described property a new zoning classification of Commercial Corridor - Special Use Permit (CC-SUP), said property being described in Exhibit A (Legal Description), hereto and made a part hereof for all purposes.

SECTION 2: That a Zoning Exhibit and Special Use Permit Conditions are an integral component of the development of the property and are attached as Exhibits B and C, respectively.

SECTION 3: That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

SECTION 5: Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

SECTION 6: Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7: This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

SECTION 8: The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

DULY PASSED AND APPROVED by the **City Council of the City of Wylie, Texas**, this 26th day of October, 2021.

Matthew Porter, Mayor

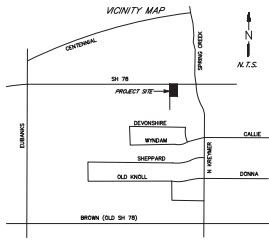
ATTEST:

Stephanie Storm, City Secretary

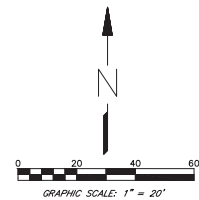
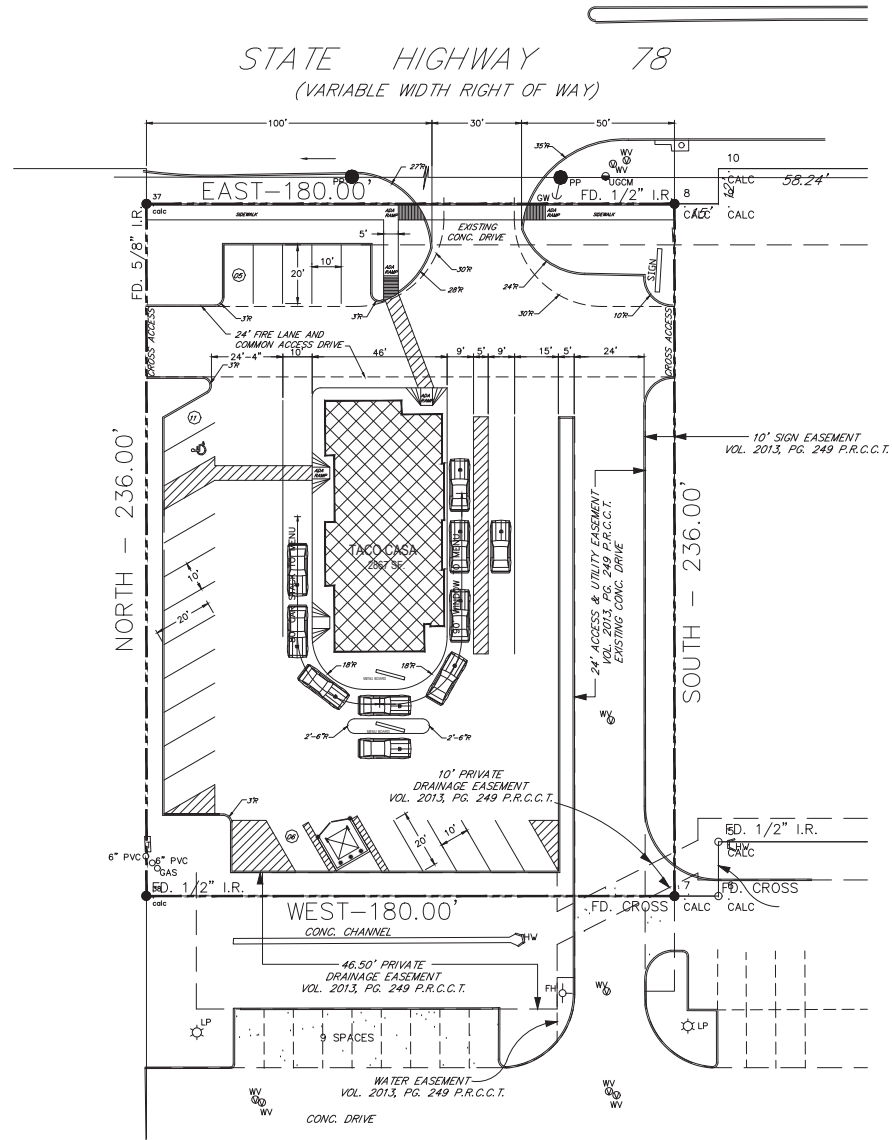
DATE OF PUBLICATION: November 3, 2021, *in* The Wylie News

Legal Description

BLK A, Lot 5 of WYLIE RETAIL OFFICE PARK ADDITION



VICINITY MAP



**NOTICE
DESIGN SET ONLY
NOT FOR CONSTRUCTION**
THESE DOCUMENTS (PLANS AND SPECIFICATIONS) ARE THE PROPERTY OF THE ENGINEER. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THESE DOCUMENTS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

PREPARED BY



TACO CASA
WYLLIE, TEXAS

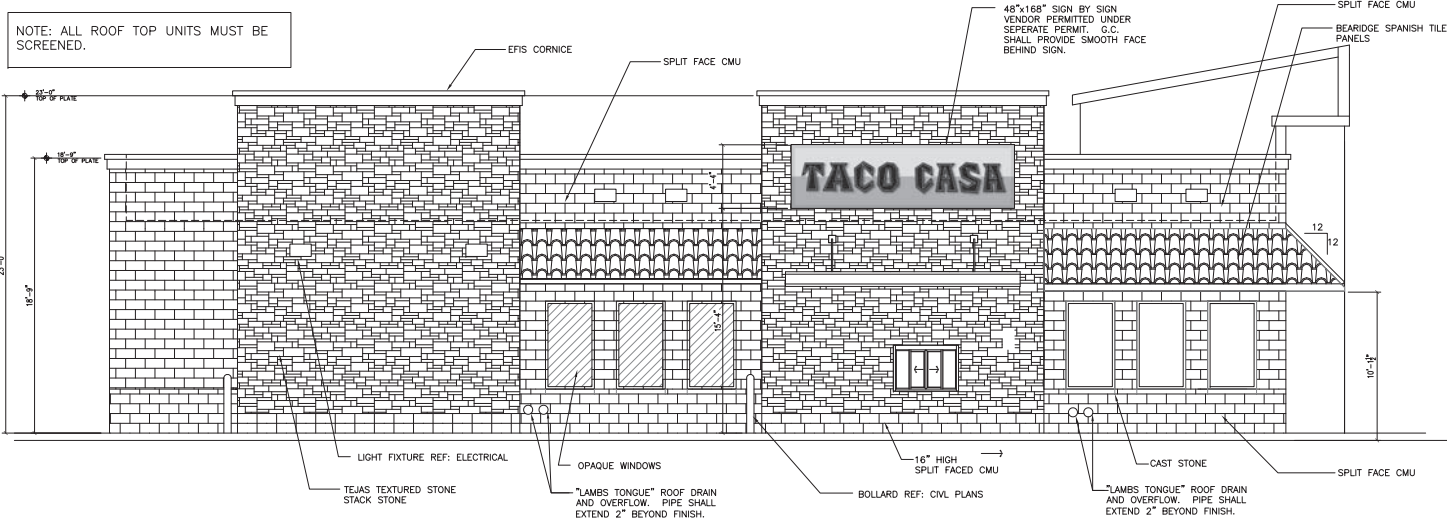
PROJECT NO.

CLIENT

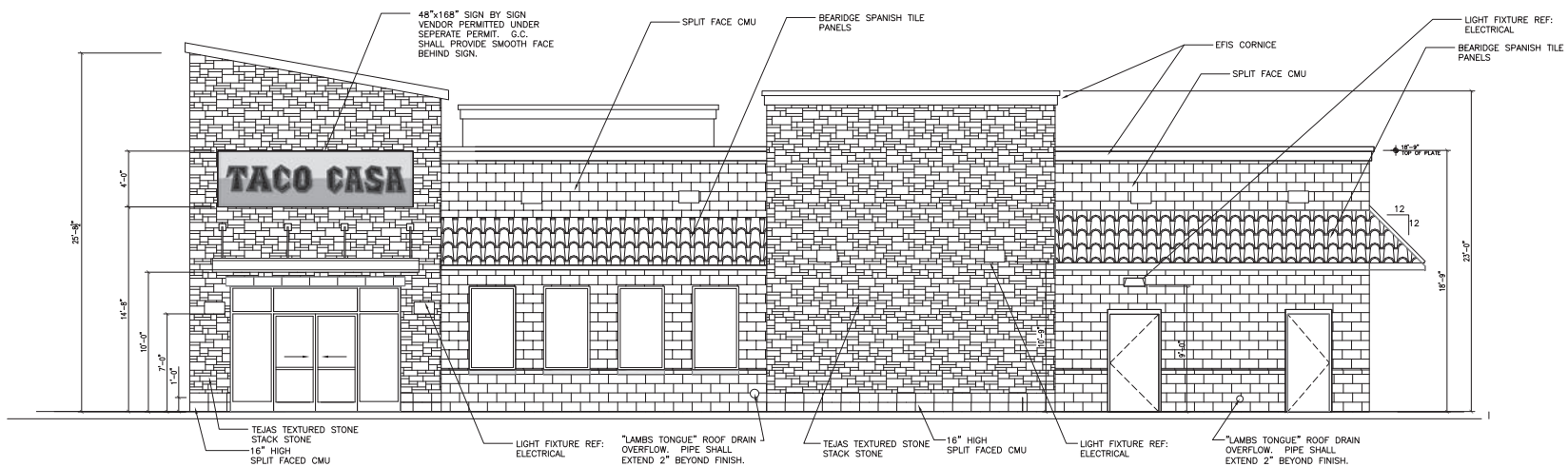
SUBJECT

SITE PLAN

DRAWN BY	CHECKED BY
ORG. DATE: 8/11/2021 REV. DATE: 8/24/2021 SHEET NO. 1 1"=20'-0"	S1



C1 EXTERIOR ELEVATION - LEFT SIDE DRIVE-THRU



NOTES:
1. "TACO CASA" SIGNAGE SUPPLIED BY OWNER AND INSTALLED BY G.C. COORDINATE ELECTRICAL REQUIREMENTS WITH SIGN SUPPLIER. ALL SIGNAGE SHALL PERMITTED UNDER SEPERATE PERMIT.
2. "NO SMOKING SIGN" SHALL BE INSTALLED AT EACH ENTRY DOOR. SIGN LETTERS TO BE AT LEAST 1" IN HEIGHT.

0 2' 4' 8'
SCALE: 1/4" = 1'-0"

A1 EXTERIOR ELEVATION - RIGHT SIDE

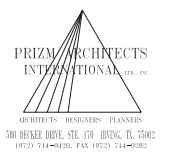
SCALE: 1/4" = 1'-0"

TACO CASA

These designs, drawings and specifications are the property of Pizrm Architects International LTD. Inc. and shall not be copied or reproduced without its written consent. These designs, drawings and specifications are specific and to be only used on 2027 N STATE HWY 78, WYLE, TEXAS

THIS DOCUMENT IS FOR INTERIM REVIEW ONLY AND NOT INTENDED TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
RODNEY C. ST. JOHN
REGISTERED ARCHITECT
TEXAS NO. 14791

8/6/21



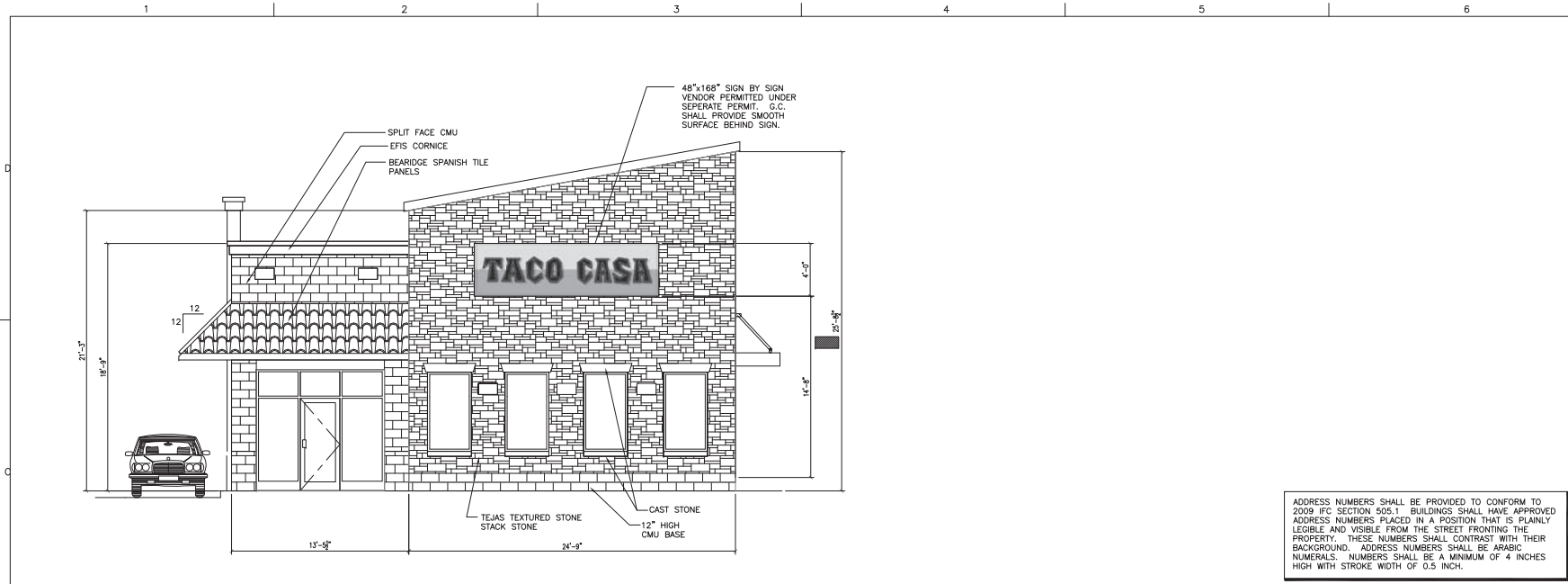
REVISIONS:

TACO CASA

2027 N STATE HWY 78
WYLE, TEXAS

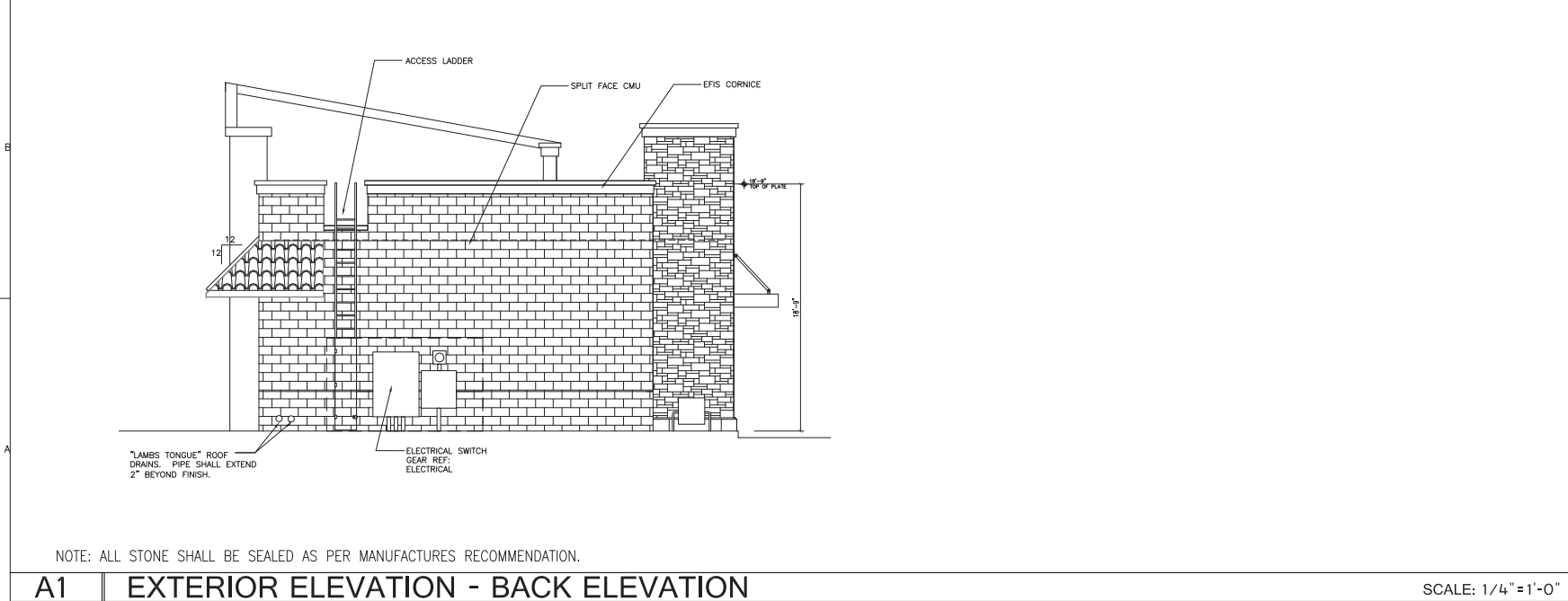
PROJECT NUMBER: 0.022.1019
ISSUED: 8/5/21
DRAWN BY: PA
CHECKED BY: RCS
FILENAME: WOOD-PROTO

EXTERIOR ELEVATIONS
A4.0



C1 EXTERIOR ELEVATION -FRONT ELEVATION

SCALE: 1/4"=1'-0"



A1 EXTERIOR ELEVATION - BACK ELEVATION

SCALE: 1/4"=1'-0"

TACO CASA

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RODNEY C. St. JOHN
REGISTERED ARCHITECT
TEXAS NO. 14791

8/6/21

PRIZM ARCHITECTS INTERNATIONAL LTD. INC.

ARCHITECTS - ENGINEERS - PLANNERS

300 BRICKER DRIVE, STE. 170 BIRMINGHAM, AL 35202
(972) 714-0430, FAX (972) 714-0382

REVISIONS:

NO.	DESCRIPTION	DATE

TACO CASA

2027 N STATE HWY 78
WYLIE, TEXAS

PROJECT NUMBER: 0.022.1019
ISSUED: 8/5/21
DRAWN BY: PA
CHECKED BY: RCS
FILENAME: WOOD-PROTO

EXTERIOR ELEVATIONS

A4.1

Wylie Retail Office Park**EXHIBIT "B"****Conditions For Special Use Permit****I. PURPOSE:**

The purpose of this Special Use Permit is to allow for a restaurant with drive-in or drive-through service use.

II. GENERAL CONDITIONS:

1. This Special Use Permit shall not affect any regulations within the Zoning Ordinance (adopted as of April 2021), except as specifically provided herein.
2. The design and development of the Wylie Retail Office Park development shall take place in general accordance with the Zoning Exhibit (Exhibit C).

III. SPECIAL CONDITIONS:

1. This SUP shall be voided, and the property reverted to the underlying Commercial Corridor zoning should the use cease and approval of a new site plan be required.



Wylie City Council

AGENDA REPORT

Department: Finance
Prepared By: Melissa Beard

Account Code: See Exhibit A

Subject

Consider, and act upon, Ordinance No. 2021-49 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

Recommendation

Motion to approve Item as presented.

Discussion

Budget amendments are generally intended to cover unanticipated and/or unavoidable revenue and expenditure adjustments to the adopted budget. The detail attached in Exhibit A is to transfer budgeted funds from the Combined Services Department Budget to the City Manager Department Budget to cover expenses for the Severance Agreement and Release for the former City Manager.

Financial Summary/Strategic Goals

The transfer of these funds is budget neutral. The Combined Services budget has \$264,695 included this year as the dollar amount required to balance the budget after receiving the final calculated numbers from the tax office. There is an additional \$100,000 included in the budget for miscellaneous items.

ORDINANCE NO. 2021-49**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2021-43, WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2021-2022; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council heretofore adopted Ordinance No. 2021-43 setting forth the Budget for Fiscal Year 2021-2022 beginning October 1, 2021, and ending September 30, 2022; and,

WHEREAS, the City Departments and Divisions routinely review their budget appropriations to determine if any changes are necessary; and

WHEREAS, based upon said review the City staff now recommends that certain amendments to the Budget be considered by the City Council; see Exhibit A; and,

WHEREAS, the City Council has the authority to make amendments to the City Budget under Article VII, Section 4 of the City Charter, as well as State law; and,

WHEREAS, the City Council has determined that the proposed amendments to the FY 2021-2022 Budget; see Exhibit A, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WYLIE, TEXAS:

SECTION I: The proposed amendments to the FY 2021-2022 Budget of the City of Wylie; Exhibit A, as heretofore adopted by Ordinance No. 2021-49, are completely adopted and approved as amendments to the said FY 2021-2022 Budget.

SECTION II: All portions of the existing FY 2021-2022 Budget and Ordinance No. 2021-43, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

SECTION III: Should any paragraph, sentence, sub-division, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

SECTION IV: This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

SECTION V: That all other ordinances and code provisions in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other provisions of the Wylie City Code not in conflict herewith shall remain in full force and effect.

SECTION VI: The repeal of any ordinance, or parts thereof, by the enactment of the Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue,

nor as affecting any rights of the municipality under any section or provision of any ordinances at the time of passage of this ordinance.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 26th day of October 2021.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Budget Amendment
City Manager Severance Payment

Exhibit A

Fund	Department	Account Number	Account Description	Debit	Credit
100	5181	56040	Special Services		295,335.58
100	5112	51110	Salaries	252,531.49	
100	5112	51310	TMRS	39,142.38	
100	5112	51450	Medicare	3,661.71	
				<u>295,335.58</u>	<u>295,335.58</u>



Wylie City Council

AGENDA REPORT

Department: City Manager
 Prepared By: Stephanie Storm

Account Code: _____

Subject

Consider, and act upon, Resolution No. 2021-38(R), ratifying Renaé Ollie as Acting City Manager in the absence of Brent Parker, Interim City Manager.

Recommendation

Motion to approve Item as presented.

Discussion

Article IV, Section 1.D. of the Wylie City Charter requires the City Manager, within 30 days of taking office, to designate a staff member to serve as the Acting City Manager in his absence. A letter designating the Acting City Manager is to be filed with the City Secretary and ratified by the City Council. Renaé Ollie has been designated by Brent Parker to function in this capacity, in the event of his absence or disability.

A letter is on file from Interim City Manager Brent Parker, effective October 19, 2021, designating the current Assistant City Manager, Renaé Ollie.

Financial Summary/Strategic Goals

Community Focused Government

RESOLUTION NO. 2021-38(R)**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS,
RATIFYING RENAÉ OLLIE AS ACTING CITY MANAGER IN THE EVENT OF
THE ABSENCE OF BRENT PARKER, INTERIM CITY MANAGER.**

WHEREAS, Article IV, Section 1(D), of the Wylie City Charter requires the City Manager, within 30 days of taking office, to designate a staff member to serve as the Acting City Manager in their absence, and;

WHEREAS, Brent Parker has filed with the City Secretary a letter designating Renaé Ollie as Acting City Manager in the event of his absence or disability.

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

SECTION 1: Renaé Ollie is hereby ratified as Acting City Manager in the absence or disability of Brent Parker.

SECTION 2: This Resolution shall take effect immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas on this the 26th day of October 2021.

Matthew Porter, Mayor

ATTEST TO:

Stephanie Storm, City Secretary

**Our Mission...**

*...to be responsible stewards of the public trust,
to strive for excellence in public service
and to Enhance the quality of life for all.*

October 19, 2021

Stephanie Storm
City Secretary
City of Wylie

Stephanie,

Per Article IV, Section 1 (D) of the City Charter, the City Manager is required to designate an alternate within 30 days after taking office by filing a letter with the City Secretary. The designated alternate will be considered for ratification by the City Council on the October 26, 2021 meeting.

In the event of my absence or disability, I am designation Renae` Ollie as Acting City Manager.

A handwritten signature in blue ink, appearing to read 'J. Brent Parker'.

J. Brent Parker
Interim City Manager



Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Hold a Public Hearing, consider, and act upon, a request for a change of zoning from Commercial Corridor (CC) to Planned Development - Commercial Corridor / Multifamily (PD - CC/MF) on property generally located on the southwest corner of State Highway 78 and Wylie East Drive (ZC2021-21).

Recommendation

Motion to approve withdrawal as requested.

Discussion

OWNER: 78/Hooper Ltd

APPLICANT: DHI Communities

APPLICANT HAS REQUESTED TO WITHDRAW THE APPLICATION

The applicant is requesting to rezone ~22 acres located at the southwest corner of State Highway 78 and Wylie East Drive from Commercial Corridor (CC) to Planned Development - Commercial Corridor / Multifamily (PD- CC/MF).

The requested rezoning to a Planned Development is to allow for a horizontal mixed-use community, consisting of two sub-districts containing a mix of commercial and residential uses.

The proposed residential sub-district consists of one lot on ~16 acres. The buildings consist of 40 one-bedroom duplex style buildings with a total of 80 units, 62 two-bedroom single-family style units, and seven three-bedroom single-family style units, for a total building count of 109 and a unit count of 149. The PD Conditions allow for a maximum density of 9.5 dwelling units per acre, and the zoning exhibit currently shows a density of ~9.4. The PD Conditions limit the structure height to 14' to allow for single story structures. For reference, multi-family regulations in the Zoning Ordinance allow for 15 units per acre and a maximum height of 40'.

The proposed unit mix specifies one-bedroom units at a minimum of 750 sq. ft., two-bedroom units at 1,000 sq. ft., and three-bedroom units at 1,300 sq. ft. The residential sub-district has a total of 265 parking spaces for a parking ratio of ~1.75 spaces per unit. For reference, the regulations from the Zoning Ordinance require a minimum of 900 sq. ft., 1,000 sq. ft., and 1,200 sq. ft. for one, two, and three-bedroom units, respectively; with a parking ratio of two spaces per unit.

The PD Conditions and zoning exhibit shall require a 40' landscape buffer with a sidewalk on the south side of the property adjacent to Cimarron Estates, a one-acre open space/retention pond in the southeast corner of the property, and pedestrian connections to all commercial development to facilitate non-vehicular movement between the various uses.

The proposed commercial sub-district consists of four tracts totaling six acres along the frontage of SH 78. All uses allowed in the Community Retail zoning district shall be allowed by right. Additionally, the applicant is proposing that a motor vehicle

fueling station be allowed by-right on Tract 4 and the restaurant with drive-thru use be allowed by-right on any of Tracts 1, 2, or 3.

To promote mixed-use concurrency of development, the PD Conditions require that either Tract 4 or two of three remaining tracts to submit site plans before any residential unit be occupied and that at least Tract 4 or two of the other three commercial tracts be completed prior to 75% of the residential units are occupied.

The current Comp Plan identifies this property as General Urban which can allow for multi-family within a mixed-use development. The property is adjacent to single-family homes to the south and east. Property to the west is undeveloped and zoned Commercial Corridor, while the property to the north, across SH 78, is zoned as a Planned Development for Light Industrial and Commercial development.

A Traffic Impact Analysis provided by the applicant found that the roadways and intersections in the study area do not suffer a lower Level of Service (LOS) out to 2025 while generating ~1,700 vehicle trips per day. The zoning exhibit provides for decel lanes on SH 78 at the main entrance and on southbound Wylie East Drive. Additionally, a median cut with a decel lane is proposed at the main entrance on SH 78.

If approved, this development will require the review and approval of a site plan and plat. All development within this subject property shall be required to adhere to design requirements of the planned development requirements and the zoning exhibit.

Notifications/Responses: 52 notifications were mailed to property owners as required by state law. Of those notifications, two responses were received in opposition with none in favor.

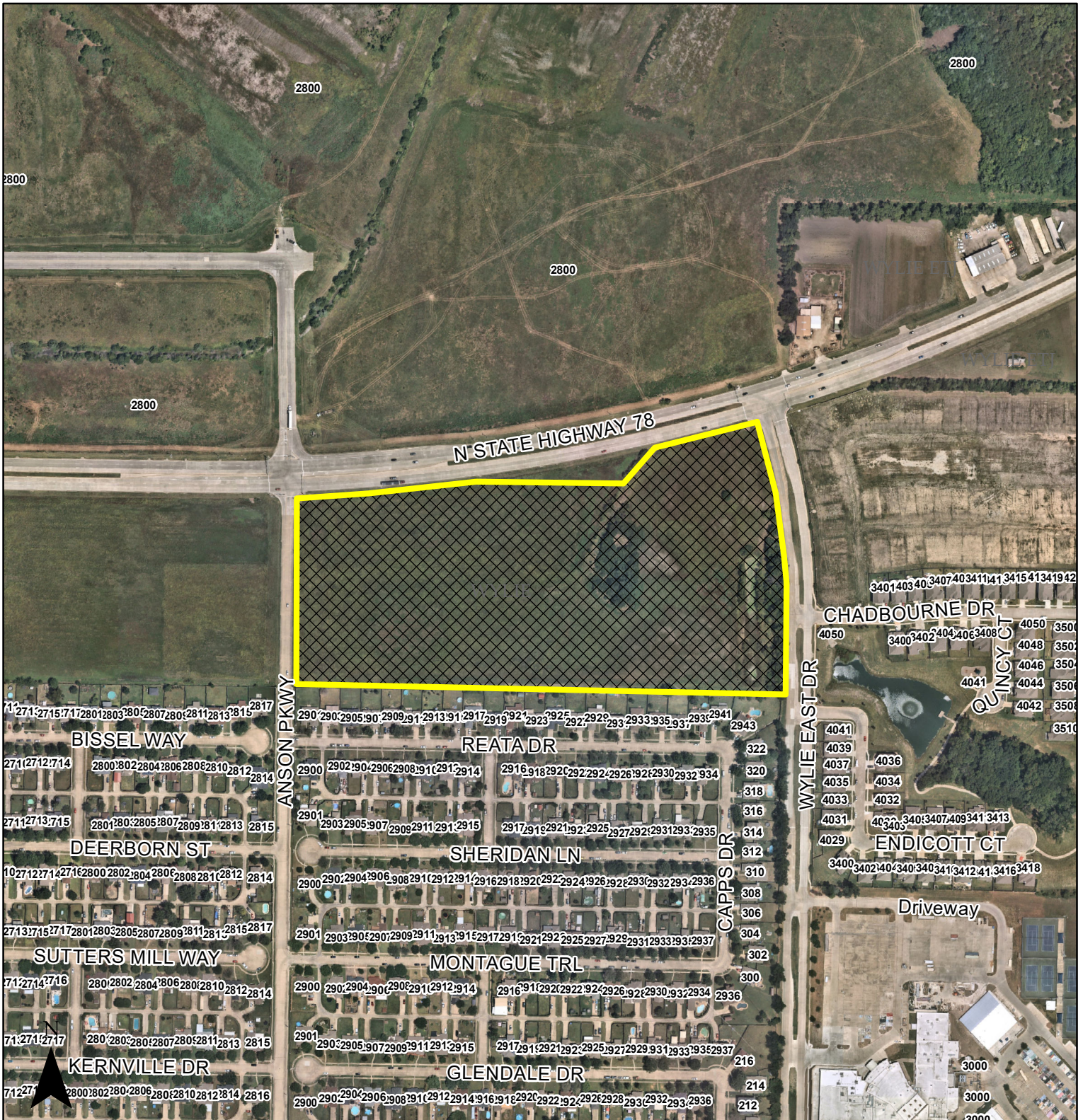
P&Z Commission Discussion

After discussion and public comments regarding the parking ratio being too low, a lack of site amenities such as a neighborhood park, and the best use of this property which is currently zoned Commercial Corridor, the Commission voted 4-1 to recommend disapproval.

Financial Summary/Strategic Goals

Planning Management

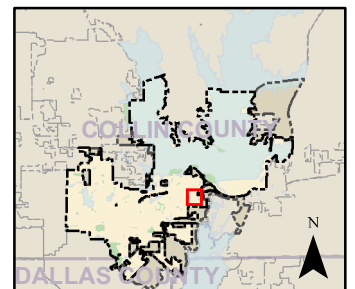
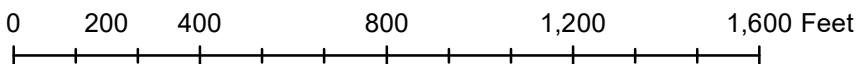
Locator Map



ZC 2021-21; Ascend at Wylie



Subject Property



PLANNED DEVELOPMENT STANDARDS

EXHIBIT "B"

ASCEND AT WYLIE

I. PURPOSE

The intent of the Ascend at Wylie development is to provide a unique commercial and low density rental single-family community that balances the land between State Highway 78 and the existing residential neighborhood.

This first-class community will offer a desirable rental alternative for the growing suburban area and will bolster retail patronage along State Highway 78.

II. GENERAL CONDITIONS:

- A. This Planned development District shall not affect any regulations within the Code of Ordinances, except as specifically provided herein.
- B. All regulations of the underlying Multifamily District, as set forth in Article 3, 4, 5, and 7 of the Comprehensive Zoning Ordinance (adopted as of March 2021) shall apply herein.
- C. All commercial lots shall follow the standards set in the Zoning Ordinance (adopted as of March 2021).
- D. To ensure concurrency of residential and commercial development, a site plan for either Tract 4 or two of the remaining commercial tracts (Tracts 1, 2, or 3) in the zoning exhibit shall be submitted to the city prior to any residential structure receiving a final inspection or Certificate of Occupancy. Additionally, Tract 4 or two of the remaining commercial tracts (Tracts 1, 2, 3) shall receive a CO from the City prior to the completion (issuance of CO or final inspection) of 75% of the residential units.

III. SPECIAL CONDITIONS:

- A. The following conditions apply to the multi-family residential district:

- 1. Figure 3-6 is amended as follows:

Dwelling Regulations	
Minimum Square Footage	1 BR- 750 sf; 2 BR- 1,000 sf; 3 BR – 1,300 sf
Maximum Density	9.5 Dwelling Units/Gross Acre

Building Separation between detached buildings	7' minimum
Eave Separation between detached buildings	5' minimum
Design Standards Level of Achievement	See Section 3.4 Residential Design Standards
Yard Requirements- Main Structures	
Front Yard (feet)	10 from any street frontage
Side Yard (feet)	10 from any interior lot line
Rear Yard (feet)	10 from any interior lot line
Height of Structures	
Main Structure (feet)	14 - eave

2. Section 3.4.D Land Design Requirements amended as follows:

a. Perimeter Walkways and Landscaping:

- i. Perimeter concrete walkways shall be no less in width than 5 ft. Perimeter landscaping shall be a mixture of large/ canopy and small/ ornamental trees along Anson Parkway and Wylie East Drive. The above description shall be in conformance with base design standards and considered a desirable design attribute.

b. Lighting and Furnishings along open space easements and trails:

- i. Trees shall be placed at a maximum of 30 ft. o.c. with ground- level lights. The project shall not be required to furnish the open space easements and trails with exercise apparatus or benches. The above description shall be in conformance with base design standards and considered a desirable design attribute.

c. The southern landscape buffer shall consist of a 40 ft. wide space that includes a meandering five-foot sidewalk. Trees, shrubs and/or grasses, and sod will be planted within this landscape buffer.

3. Section 3.4 E Street and Sidewalk Design Standards amended as follows:

a. Curvilinear Streets:

- i. Streets as designed on the zoning exhibit shall be considered in conformance with base design standards.

b. Entry Features and Medians:

- i. Decorative entrance and decorative paving along State Highway 78 entrance shall be required. The above description shall be in conformance with base design standards and furthermore shall be considered a desirable design attribute.

c. Pedestrian Crosswalks:

- i. 10-ft wide connected system of ADA compliant stamped concrete walkways shall be provided at the entrances of Anson Parkway and Wylie East Dr. The above shall be considered in conformance with base design standards and furthermore shall be considered a desirable design attribute.
- ii. Pedestrian connections shall be provided between the residential and commercial districts. Connections shall be maintained by the owner of the residential district.

4. Section 3.4.F Architectural Design Standards amended as follows:

a. Building Bulk and Articulation

- i. Building articulation as depicted in the attached elevation and zoning exhibit shall be considered in conformance with base design standards.

b. House Numbers

- i. Unit numbers shall be posted on a wall plaque and will be lit from an overhead porch light or sconce. This shall be considered a desirable design attribute.

c. Exterior Façade Material:

- i. Exterior Elevations shall generally comply with the figures immediately below:



FRONT ELEVATION



- d. Porch
 - i. Community patios shall average 50 square feet in aggregate for all front and back patios and shall be covered by roof lines or pitched covers incorporated into the roof lines of the structure. This shall be considered a desirable attribute.
- e. Roof Pitch:
 - i. 6:12 minimum roof pitch; with articulation, dormers or hip gables.
- f. Roof Eaves:
 - i. Hardie Board siding shall be considered in conformance with design standards.
- g. Repetition of floor plan and elevations:
 - i. The development shall produce repeating floor plans and elevations throughout the community as depicted in the zoning exhibit. The floor plan layout and elevation makeup depicted on the zoning exhibit shall be considered in conformance with the base design standards.
- h. Landscaping:
 - i. A minimum of 2 caliper inches of new or existing trees and 3 shrubs per unit shall be required located in accordance with the approved landscape plan. Automated, subsurface irrigation system, decomposed granite, and/or artificial turf material shall be permitted in private gated yards.

5. Section 5.2.B Residential and Lodging Uses amended as follows:

a. Single Family Dwelling:

- i. All units shall provide laundry facilities consisting of one washer and one dryer connections for each dwelling unit.
- ii. The development shall not be required to provide a central playground.

b. Screening

- i. A semi-solid screening wall comprised primarily of wrought iron with masonry columns (not less than six, nor more than eight feet in height) shall be constructed along the entire property line separating the district from public rights-of-way, except where visibility triangles or easements are required.
- ii. A semi-solid fence shall be provided at all single-family backyard fencing. The fence shall be comprised of vertical or horizontal wooden planks that are at a minimum of five feet in height.

B. The following conditions apply to the commercial district tracts:

1. All allowable uses that are associated with Zoning District CR Community Retail District shall be allowed. All other uses are prohibited, unless expressly contained herein.

- a. A motor vehicle fueling station and convenience store shall be allowed by right on Tract 4.
- b. A restaurant with drive-thru use shall be allowed by right on Tracts 1, 2, or 3.

2. Exterior Elevations shall generally comply with the figures immediately below:







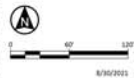
prepared for

D.R. HORTON
America's Builder

PLANNING • LANDSCAPE ARCHITECTURE

STRAND

5009 TECHNOLOGY BLVD WEST | DALLAS TEXAS 75220 | 972.820.8204

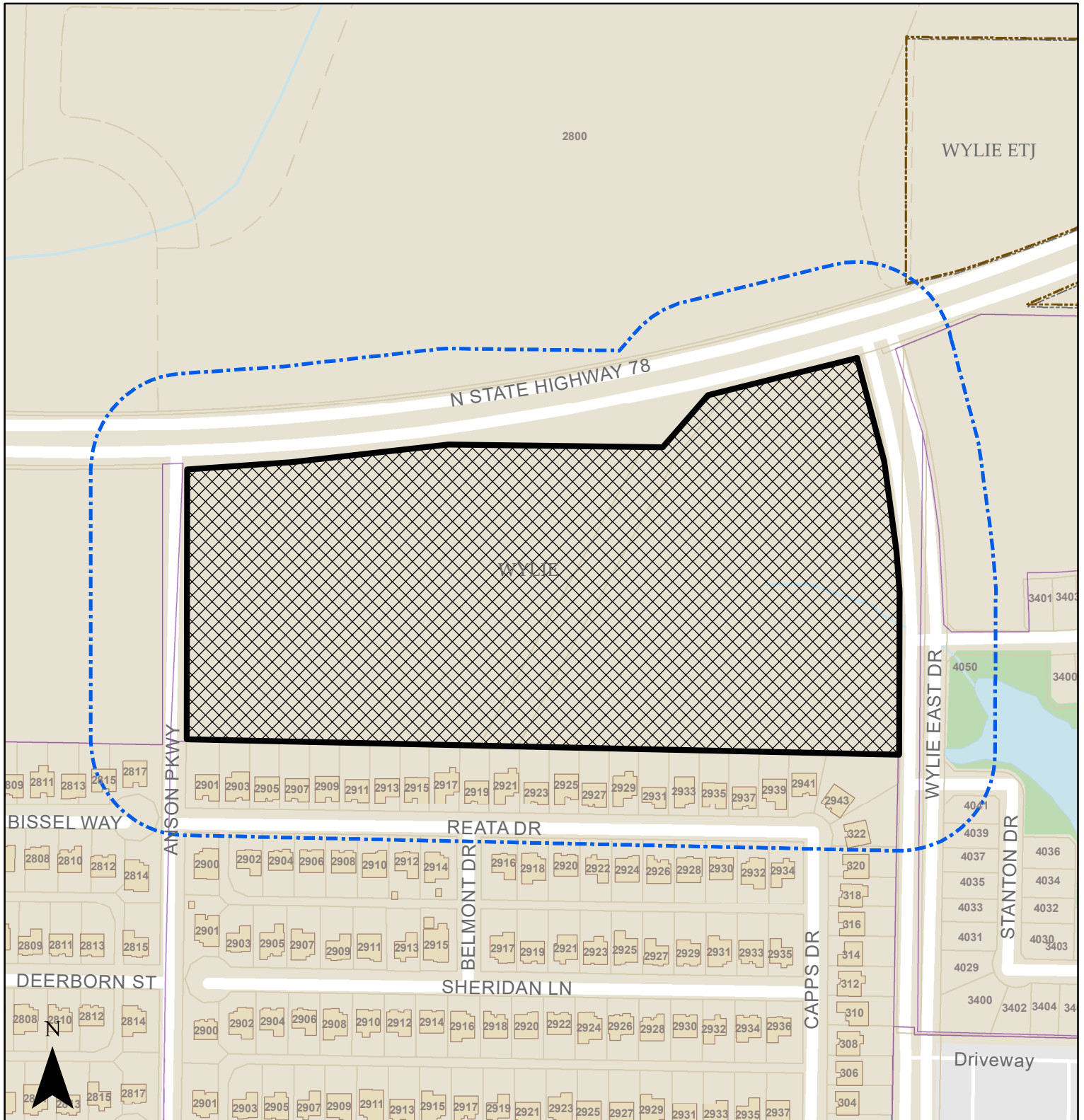


± 22 ACRES OF LAND
CASITA TRACT
SCHEMATIC PLAN
OPTION - 7


CASITA TRACT - PRELIMINARY UNITS COUNT TABLE				
RESIDENTIAL TYPE	BUILDING	UNITS	PERCENTAGE	BEDROOM
DUPLEX	40	80	53.7%	80
2 BEDROOM	62	62	41.6%	124
3 BEDROOM	7	7	4.7%	21
TOTAL	109	149	100.0%	225
RESIDENTIAL NET ACREAGE	+/- 15.95 ACRE			
DENSITY (DU/AC)	9.34			

CASITA TRACT - PRELIMINARY PARKING (PARKING SPACE SIZE 10' x 20')		
TYPE	SPACE	PERCENTAGE
OPEN PARKING	94	35.5%
COVERED PARKING	166	62.6%
GARAGE PARKING	5	1.9%
TOTAL	265	100.0%
PARKING PER D.U.	1.78	
PARKING PER BEDROOM	1.18	

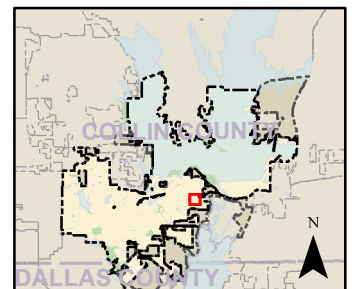
Notification Map



ZC 2021-21; Ascend at Wylie

 200 Foot Notification Buffer  Subject Property

0 135 270 540 810 1,080 Feet



PUBLIC COMMENT FORM

(Please type or use black ink)

Department of Planning
300 Country Club Road
Building 100
Wylie, Texas 75098

I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2021-21.

☒ I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2021-21.

Please feel free to contact the Planning Department at 972.516.6320 with questions or concerns

Date, Location & Time of
Planning & Zoning
Commission meeting:

Tuesday, October 5, 2021 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
City Council meeting:

Tuesday, October 26, 2021 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Vanessa Huben
(please print)

Address: 2937 REATA PR.

WYLIE, TX. 75098

Signature: Vanessa B. Huben

Date: 9-16-2021

COMMENTS: Against Zone change

1. Crime comes with Multi-Family dwellings
2. TAX BURDENS ON MYSELF AND SURROUNDING NEIGHBORS
3. TRAFFIC ON HWY 78 BETWEEN 544 AND HWY 205 CAN BE HORRIFIC
Especially when there are accidents. We have the
intermodal already which causes more traffic.
4. OVERBURDEN AND OVER-POPULATION OF SCHOOLS/TEACHERS;
STUDENT RATIO TOO MUCH.
5. GREEN SPACE - I MOVED HERE BECAUSE OF LAND,
TREES, WILDLIFE. THIS AREA IS BECOMING TOO
OVER-POPULATED AND INDUSTRIAL.
6. STRAIN ON OUR POLICE FORCE, MULTI-FAMILY
Dwellings bring more crime. That is why I
MOVED HERE. NO MULTI-FAMILY DWELLINGS.

September 16, 2021

Dear Wylie Zoning Council,

I am writing to express my strong opposition to Zoning Case # 2021-21, the proposed rezoning at Hwy 78 between Anson Road and Wylie East Road. While the local community may be unable to prevent development, the development itself will be detrimental to the area. Nearly all residents in the Cimarron Estates neighborhood are completely opposed to the addition of multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on North Hwy 78 already spans the distance between 544 and Hwy 205, and the stretch of highway is routinely backed up by traffic, (including 18 wheelers), during rush hour. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for Wylie East High School and other schools in the area. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to school in the mornings. In general, the area traffic is continuing to increase, and heavy traffic, with extremely large vehicles, is already common. Schools in the area are already at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail. Multi family developments should be located more within the city limits, conveniently located to shopping, entertainment, and other conveniences, and *not* located in a single home, residential neighborhood.

This area was formerly a greenbelt, wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. Unfortunately, nature is rapidly becoming a thing of the past here in Wylie, and nature is something many of us moved here for. Fresh air, trees, wildlife and less of the hustle and bustle of the larger cities such as Plano, McKinney, Frisco and Richardson. Many of us left those cities to move here, to Wylie, for a small town feel. We would like to keep that "small town" feel. Let's keep Wylie simple, fresh and clean! The reason we all like it here, the reason we moved here, the reason we stay here.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multi-family dwellings are inconsistent with the neighborhoods developed in this area. I was disappointed that only a few notices were mailed. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood, Cimarron Estates. No matter if the apartments are high-rent or low-income rent, it will destroy our community.

I strongly urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many.

Thank you for your continued service and support of our community.

Best regards,



Vanessa R. Huben

PUBLIC COMMENT FORM*(Please type or use black ink)*

Department of Planning
300 Country Club Road
Building 100
Wylie, Texas 75098

I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2021-21.



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Date, Location & Time of
City Council meeting:

Tuesday, October 26, 2021 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

R 8/4300 B 00 801

Name:

TIMOTHY & CAROLINA TEAMANN
(please print)

Address:

2930 REATA DR.
WYLIE TX. 75098-7517

Signature:

Timothy M. Teamann, Carolina F. Teamann

Date:

9.16.21

COMMENTS:

- 1) THE CURRENT ZONING OF "COMMERCIAL" IS MORE APPROPRIATE FOR THIS LOCATION
- 2) TRAFFIC/SAFETY CONCERNS - CIMARRON ESTATES PHASE II HAS ONLY ANSON RD. TO ACCESS HIGHWAY 78, THIS TYPE OF DEVELOPMENT WOULD CREATE A NUMBER OF ISSUES
- 3) W.I.S.D. IS NEAR CAPACITY - ADD TAX REVENUE NOT STUDENTS - BEST ZONING DECISIONS RESULT IN BETTER TAX EQUITY FOR WYLIE RESIDENTS

THANKS



Wylie City Council

AGENDA REPORT

Department: Public Works
 Prepared By: Tim Porter

Account Code: _____

Subject

Consider, and act upon, a request by Manors at Woodbridge, Ltd. for a variance to the City's typical street section and right-of-way width.

Recommendation

Motion to approve the Item as presented.

Discussion

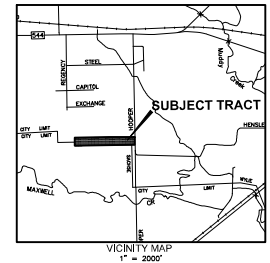
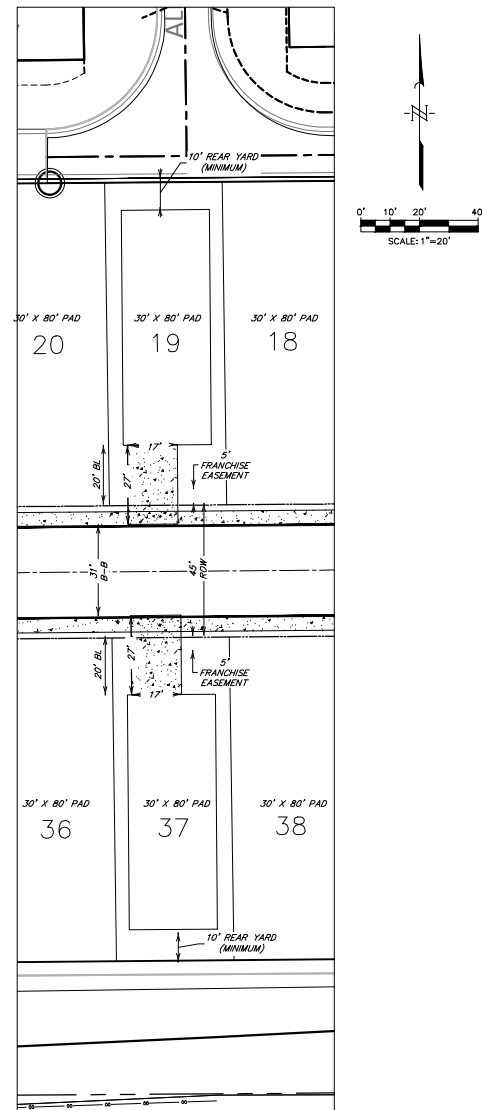
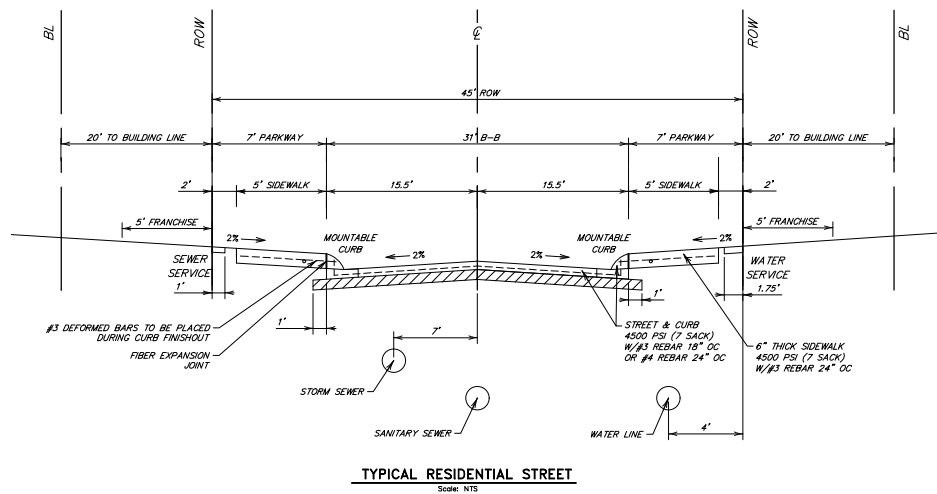
Manors at Woodbridge, Ltd. is requesting a variance to the City's typical street section and ROW width as the result of a boundary conflict between Manors at Woodbridge and the neighboring properties to the north (Woodbridge Town Homes) and south (North Texas Municipal Water District). The Manors at Woodbridge property was zoned by the City of Wylie in January 2021, preliminary plat approved in April 2021, and construction began in July 2021.

When construction started, NTMWD claimed there was a discrepancy between the surveys and NTMWD owns a portion of the property that Manors at Woodbridge purchased. After investigation, the NTMWD surveyor agreed that the Manors at Woodbridge property contained the correct overall dimensions, but the location of the property needed to shift to the north to correct the potential survey errors and keep the existing lot layout. However, this shift forces the Manors at Woodbridge property onto the previously platted and constructed Woodbridge Town Home Development.

In order to reconcile the loss of overall property width and acreage with approved lot sizes in the Planned Development (PD) Conditions, City staff, Manors at Woodbridge and Woodbridge Town Homes have collaboratively worked together to design a street section moving the sidewalk to the back of the curb (in accordance with City Thoroughfare Design Standards, Section V.A.2) and utilizing a mountable curb to allow the ROW to decrease five (5) feet from 50' (City Thoroughfare Design Standards, Section II.A) to 45' while holding the depth of the driveways and minimum depth of the lot to 110' as approved in the PD. The paved street section width stays the same. See exhibits for examples of the typical street cross section and lot dimensions.

The applicant has also submitted a request to City Council to reconsider the January 26, 2021 City Council meeting agenda item which approved the adoption of Ordinance No. 2021-05. That request is also on this agenda for consideration, and would only replace the existing legal description with the corrected legal description.

Financial Summary/Strategic Goals



MANORS AT WOODBRIDGE – REVISED BOUNDARY SETBACKS AND EASEMENTS

LEGEND

- SANITARY SEWER
- WATER
- STORM DRAIN
- EASEMENT LINE
- PAVING BACK OF CURB
- 5' SIDEWALK
- STREET LIGHT

10/12/2021

CITY OF WYLIE
COLLIN COUNTY, TEXAS

Disclaimer: This product is offered for information purpose and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on the ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones | Carter, concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



JONES | CARTER

Texas Board of Professional Engineers Registration No. F-439
4500 Mercantile Plaza Drive, Suite 210 • Fort Worth, Texas 76137 682.268.2200

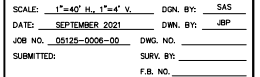
PROPOSED BACK OF CURB	
PROPOSED PAVEMENT CENTERLINE	
PROPOSED RIGHT OF WAY	
PROPOSED VALLEY GUTTER	
PROPOSED SIDEWALK/CONCRETE FLUME	
CURB RETURN	
POINT OF INTERSECTING CURB RETURNS	
SANITARY SEWER EASEMENT	
DRAINAGE EASEMENT	
STAMPED CONCRETE CROSS-WALK	
CURB RAMP	

1. All Curbs are to be Monolithic 6" Mountable Curbs, Unless Noted Otherwise.
2. All Dimensions are to Back of Curb Unless Otherwise Noted.
3. See Sheet 31 for Signage Details.
4. Pavement sections and subgrade shall reference and be constructed per the geotechnical recommendations.
5. Compacted fill to 95% standard proctor density in maximum 8-inch lifts.
6. All curb returns have 20' Radius unless otherwise noted.

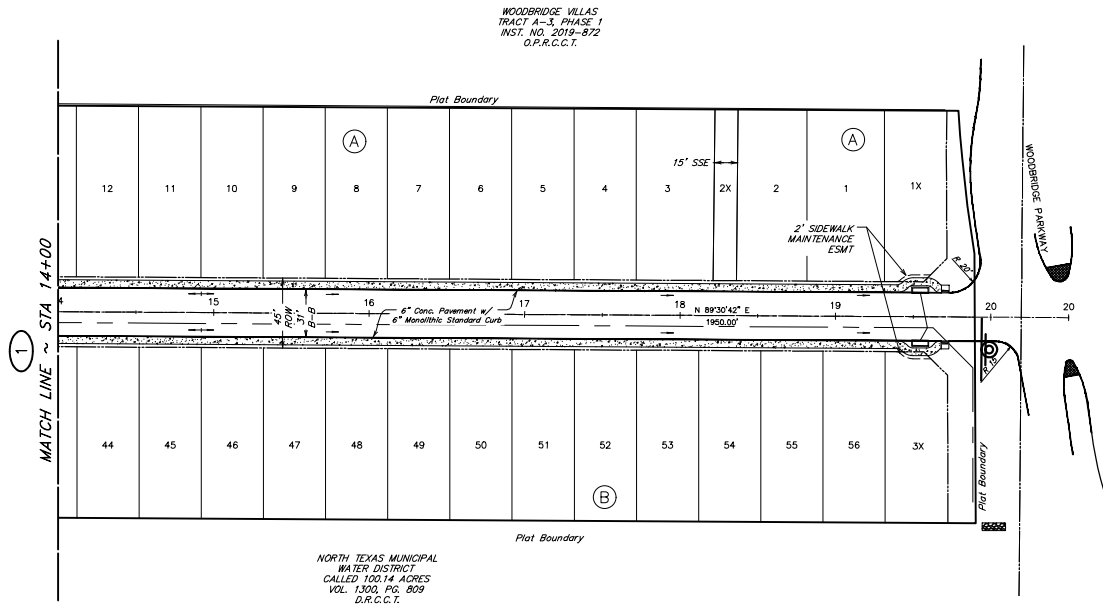


DIAL 811
48 HOURS PRIOR TO CONSTRUCTION

MANORS AT WOODBRIDGE
WOODLAND DRIVE
(1 OF 2)














K:\05125\05125-0006-00 Manors of Woodbridge\2 Design Phase\CAD\Exhibits\20211011 - Revised Paving Plans 45' ROW\Paving Plan - Revised.dwg Oct 15, 2021 - 11:36am cad



BENCH MARK
CM #3

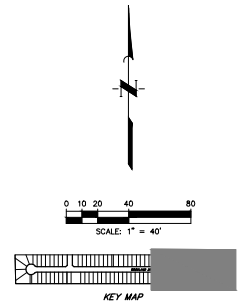
MONUMENT LOCATED ON THE SOUTHWESTERLY SIDE OF WYLLIE HIGH SCHOOL FOOTBALL STADIUM AND NEAR THE NORTHWEST CORNER OF FOUNDERS PARK SPORTS FIELDS. APPROXIMATELY 31.5'± SOUTH OF B.C., 41.6'± NORTH OF B.C., AND 6.5'± WEST OF B.C., AND 111'± NORTH OF CHAIN LINK FENCE AROUND FOUNDERS PARK SPORTS FIELDS.
ELEVATION = 520.307

LEGEND:

- | | |
|---|------------------------------------|
|  | PROPOSED BACK OF CURB |
|  | PROPOSED PAVEMENT CENTERLINE |
|  | PROPOSED RIGHT OF WAY |
|  | PROPOSED VALLEY GUTTER |
|  | PROPOSED SIDEWALK |
|  | CURB RETURN |
|  | POINT OF INTERSECTING CURB RETURNS |
|  | SANITARY SEWER EASEMENT |
|  | DRAINAGE EASEMENT |
|  | STAMPED CONCRETE CROSS-WALK |
|  | CURB RAMP |

NOTES:

1. All Curbs are to be Monolithic 6" Mountable Curbs, Unless Noted Otherwise.
2. All Dimensions are to Back of Curb Unless Otherwise Noted.
3. See Sheet 31 for Signage Details.
4. Pavement sections and subgrade shall reference and be constructed per the geotechnical recommendations.
5. Compacted fill to 95% standard proctor density in maximum 8-inch lifts.
6. All curb returns have 20' Radius unless otherwise noted.



!!CAUTION!!
Contractor to Verify
Exact Location &
Depth of Exist
Facilities Prior to any
Construction Activities

CAUTION!!!

DIAL 811
48 HOURS PRIOR TO CONSTRUCTION

MANORS AT WOODBRIDGE, LTD.
CITY OF WYLIE
COLLIN COUNTY, TEXAS

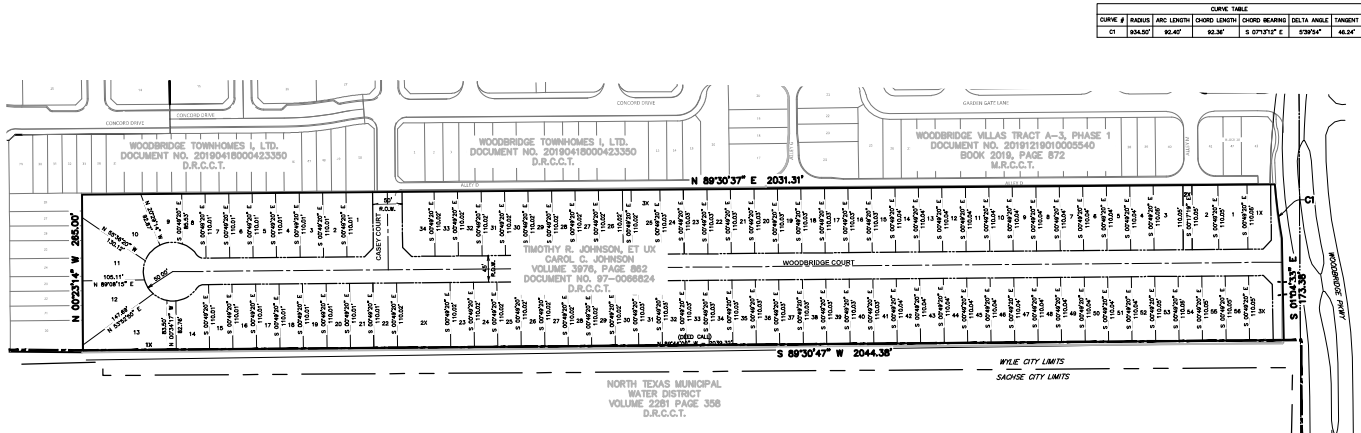
MANORS AT WOODBRIDGE

WOODLAND DRIVE
(2 OF 2)



SCALE: $1''=40'$ H₁ $1''=4'$ V. DGN. BY: SAS
DATE: SEPTEMBER 2021 DWN. BY: JBP
JOB NO. 05125-0006-00 DWG. NO. _____
SUBMITTED: SURV. BY: _____
F.B. NO. _____

SHEET NO.
2



FIELD NOTES

BEING a 12.418 acre tract of land situated in the William Sachse Headright Survey, Abstract No. 605 and, City of Wylie, Collin County, Texas, and being the remainder of a called 13.041 acre tract of land described in deed to Timothy R. Johnson and Carol C. Johnson, recorded in Volume 3976, Page 862, Deed Records, Collin County, Texas, (D.R.C.C.T.), and more particularly described as follows:

BEGINNING at a 5/8" iron rod with cap stamped "Jones Carter" set for the northeast corner of said 12.418 acre tract, same being the east right-of-way line of Woodbridge Parkway (variable width at this point);

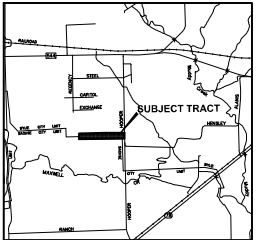
THENCE Southeasterly along a non-tangent curve to the left having a central angle of 05 Degrees 39 Minutes 54 Seconds, a radius of 934.50 feet, an arc distance of 92.40 feet and a chord bearing and distance of South 07 Degrees 13 Minutes 12 Seconds East, 92.36 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

THENCE South 01 Degrees 04 Minutes 33 Seconds East, along the west right-of-way line of said Woodbridge Parkway and the east line of said 12.418 acre tract, a distance of 173.38 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for the southeast corner of said 12.418 acre tract, being in the north line of a called 100.14 acre tract of land described in deed to North Texas Municipal Water District, recorded in Volume 1300, Page 809, D.R.C.C.T.;

THENCE South 89 Degrees 30 Minutes 47 Seconds West, along the common line between said 12.418 acre tract and said 100.14 acre tract, a distance of 2044.38 feet to a 5/8" iron rod (with red cap) found for the southwest corner of said 12.418 acre tract, being the southerly southeast corner of Tract 3A, a called 15.628 acre tract of land as described in deed to Woodbridge Townhomes I, Ltd., recorded in Document No. 20190418000423350, Official Public Records, Collin County, Texas, (O.P.R.C.C.T.), from which a 5/8" iron rod found bears South 17 Degrees 57 Minutes 21 Seconds East, a distance of 17.50 feet, a 1/2" iron rod found bears South 18 Degrees 08 Minutes 10 Seconds East, a distance of 17.86 feet and a 1/2" iron rod found bears South 02 Degrees 47 Minutes 33 Seconds East, a distance of 16.87;

THENCE North 00 Degrees 23 Minutes 14 Seconds West, along the west line of said 12.418 acre tract and southerly east line of said Tract 3A a distance of 265.00 feet to a 1/2" iron rod with yellow cap stamped "JVC" found for corner in the southerly line of said Tract 3A;

THENCE North 89 Degrees 30 Minutes 37 Seconds East, along the south line of said Tract 3A, passing at 1165.24 feet a 1/2" iron rod with cap stamped "JVC" found for the southwest corner of Woodbridge Villas Tract A-3, Phase 1, on addition to the City of Wylie, Collin County, Texas, according to the plat thereof recorded in Instrument No. 2019-872, O.P.R.C.C.T., and continuing for a total distance of 2031.31 feet to the POINT OF BEGINNING and containing 12.418 acres of land more or less.

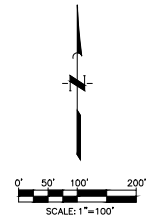


VICINITY MAP
1" = 1/2-MILE

MANORS AT
WOODBIDGE —
BOUNDARY

LEGEND

- LOT LINE
- RIGHT OF WAY LINE
- ROADWAY CENTERLINE



10/15/2021

CITY OF WYLIE
COLLIN COUNTY, TEXAS

Disclaimer: This product is offered for information purpose and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on the ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones | Carter, concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2021-50, rescinding and amending Ordinance No. 2021-05, to correct the legal description for Planned Development 2020-13.

Recommendation

Motion to approve Item as presented.

Discussion

The applicant has requested, in writing, that Council rescind and amend Ordinance No. 2021-05 to correct the legal description for Planned Development 2020-13.

Since Council's approval of Zoning Case 2020-13 and adoption of Ordinance No. 2021-05 in January 2021, the applicant has discovered that the originally provided legal description is incorrect. Generally, the majority of the correction is an adjustment of the southern property line northward between 5-15' with a reduction of the overall property by 0.40 acres. A graphic comparison of the old and new legal description has been provided by the applicant and is included for reference.

Adjacent property owners are aware of, and have been involved in, the reconciliation process. Should the amended Ordinance request be approved, the property line adjustments will not adversely affect the development of those properties or their current zoning.

The remainder of the original Ordinance remains intact, including zoning exhibits and PD Conditions.

Financial Summary/Strategic Goals

Planning Management

ORDINANCE NO. 2021-50

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF WYLIE, AS HERETOFORE AMENDED, BY RESCINDING AND AMENDING ORDINANCE NO. 2021-05, ZONING CASE NUMBER 2020-13, TO CORRECT THE LEGAL DESCRIPTION ON THE PLANNED DEVELOPMENT - SINGLE FAMILY (PD-SF), TO ALLOW FOR A SINGLE FAMILY PLANNED COMMUNITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Wylie, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

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

SECTION 1: That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Wylie, to give the hereinafter described property a zoning classification of Planned Development - Single Family (PD-SF), said property being described in Exhibit A (Legal Description), hereto and made a part hereof for all purposes.

SECTION 2: That Planned Development Conditions and a Zoning Exhibit are an integral component of the development of the property and are attached as Exhibits B and C, respectively.

SECTION 3: That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

SECTION 5: Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

SECTION 6: Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7: This ordinance shall be in full force and effect from and after its adoption by the City

Council and publication of its caption as the law and the City Charter provide in such cases.

SECTION 8: The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 26th day of October 2021.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

DATE OF PUBLICATION: November 3, 2021, in The Wylie News

Exhibit "A"

Legal Description

BEING a 12.418 acre tract of land situated in the William Sachse Headright Survey, Abstract No. 605 and, City of Wylie, Collin County, Texas, and being the remainder of a called 13.041 acre tract of land described in deed to Timothy R. Johnson and Carol C. Johnson, recorded in Volume 3976, Page 862, Deed Records, Collin County, Texas, (D.R.C.C.T.), and more particularly described as follows:

BEGINNING at a 5/8" iron rod with cap stamped "Jones Carter" set for the northeast corner of said 12.418 acre tract, same being the east right-of way line of Woodbridge Parkway (variable width at this point);

THENCE Southeasterly along a non-tangent curve to the left having a central angle of 05 Degrees 39 Minutes 54 Seconds, a radius of 934.50 feet, an arc distance of 92.40 feet and a chord bearing and distance of South 07 Degrees 13 Minutes 12 Seconds East, 92.36 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

THENCE South 01 Degrees 04 Minutes 33 Seconds East, along the west right-of-way line of said Woodbridge Parkway and the east line of said 12.418 acre tract, a distance of 173.38 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for the southeast corner of said 12.418 acre tract, being in the north line of a called 100.14 acre tract of land described in deed to North Texas Municipal Water District, recorded in Volume 1300, Page 809, D.R.C.C.T.;

THENCE South 89 Degrees 30 Minutes 47 Seconds West, along the common line between said 12.418 acre tract and said 100.14 acre tract, a distance of 2044.38 feet to a 5/8" iron rod (with red cap) found for the southwest corner of said 12.418 acre tract, being the southerly southeast corner of Tract 3A, a called 15.628 acre tract of land as described in deed to Woodbridge Townhomes I, Ltd., recorded in Document No. 20190418000423350, Official Public Records, Collin County, Texas, (O.P.R.C.C.T.), from which a 5/8" iron rod found bears South 17 Degrees 57 Minutes 21 Seconds East, a distance of 17.50 feet, a 1/2" iron rod found bears South 18 Degrees 08 Minutes 10 Seconds East, a distance of 17.86 feet and a 1/2" iron rod found bears South 02 Degrees 47 Minutes 33 Seconds East, a distance of 16.87;

THENCE North 00 Degrees 23 Minutes 14 Seconds West, along the west line of said 12.418 acre tract and southerly east line of said Tract 3A a distance of 265.00 feet to a 1/2" iron rod with yellow cap stamped "JVC" found for corner in the southerly line of said Tract 3A;

THENCE North 89 Degrees 30 Minutes 37 Seconds East, along the south line of said Tract 3A, passing at 1165.24 feet a 1/2" iron rod with cap stamped "JVC" found for the southwest corner of Woodbridge Villas Tract A-3, Phase 1, an addition to the City of Wylie, Collin County, Texas, according to the plat thereof recorded in Instrument No. 2019-872, O.P.R.C.C.T., and continuing for a total distance of 2031.31 feet to the **POINT OF BEGINNING** and containing 12.418 acres of land more or less.

PLANNED DEVELOPMENT STANDARDS

EXHIBIT “B”

MANORS AT WOODBRIDGE

I. PURPOSE

The intent of Manors at Woodbridge is to establish a long-lasting, high-quality community that contributes to the suburban lifestyle in the City of Wylie. The detached patio homes offered in Manors at Woodbridge are very desirable for growing suburban areas and offer a differentiated product type not currently available in Wylie. Additionally, the patio homes in Manors at Woodbridge will generate a cohesive and complementary housing product adjacent to the Woodbridge Townhome community to the north. With the difficult configuration and location of the site next to a former landfill, patio homes are the highest and best use at this location.

II. GENERAL CONDITIONS:

1. This Planned Development District shall not affect any regulations within the Code of Ordinances, except as specifically provided herein.
2. All regulations of the Single Family 10/24 set forth in Article 3, Section 3.2 of the Comprehensive Zoning Ordinance (adopted as of 2019) shall apply except for the following:

Figure 3-4 - Planned Development – Single Family (PD – SF)	
Lot Size (<i>Minimum</i>)	
Lot Area (sq. ft.)	4400
Lot Width (feet)	40
Lot width of corner Lots (feet)	45
Lot Depth (feet)	110
Lot Depth of Cul-de-sac Lots (feet)	88 (<i>average depth of 107</i>)
Dwelling Regulations	
Minimum Square Footage	1800
Design Standards Level of Achievement	See Section IV Design Conditions
Yard Requirements – Main Structures	
Front Yard (feet)	20
Front Yard of Cul-de-sac Lots (feet)	15
Side Yard (feet)	5
Side Yard of Corner Lots (feet)	5 & 10
Rear Yard (feet)	10
Rear Yard of Cul-de-sac Lots (feet)	5
Lot Coverage	75%

Height of Structures	
Main Structure (feet)	36

III. SPECIAL CONDITIONS:

1. Maximum number of residential lots not to exceed 90 lots.
2. No alleys shall be required within the Planned Development.
3. All homes within the community shall have front entry garages.
4. J-swing garage entries are not required.
5. 10' stamped concrete crosswalk shall be generally located in the center of the community. Final location to be determined during engineering design and approved by City of Wylie staff.
6. A pocket park of a minimum of 10,000 square feet, and with amenities, shall be included as generally depicted on the zoning exhibits. The park may be relocated and combined with other open space in the same subdivision, subject to City of Wylie staff approval, should site development or engineering require such modifications.
7. The pocket park shall be completed prior to certificate of occupancy / final inspection of any home.
8. All open space and common area lots, including the pocket park, shall be owned, and maintained by the Homeowners Association in perpetuity.
9. The City shall not accept the public improvements nor will a building permit be issued for Manors at Woodbridge unless/until the extension and improvement of Casey Court (located within the Woodbridge Villas subdivision) is completed from Concord Drive south to "Street A" (shown on the Zoning Plan) of Manors at Woodbridge. This is further detailed on Exhibit "C-1" attached hereto.

IV. DESIGN CONDITIONS:

A. Land Design Standards

1. No public open space easements are required in the Planned Development.
2. There shall be a 40' buffer with a 6' decorative metal fence with masonry columns every 50' built along Woodbridge Parkway.
3. Desirables, as listed in the zoning ordinance, shall not be required.

B. Street and Sidewalk Standards

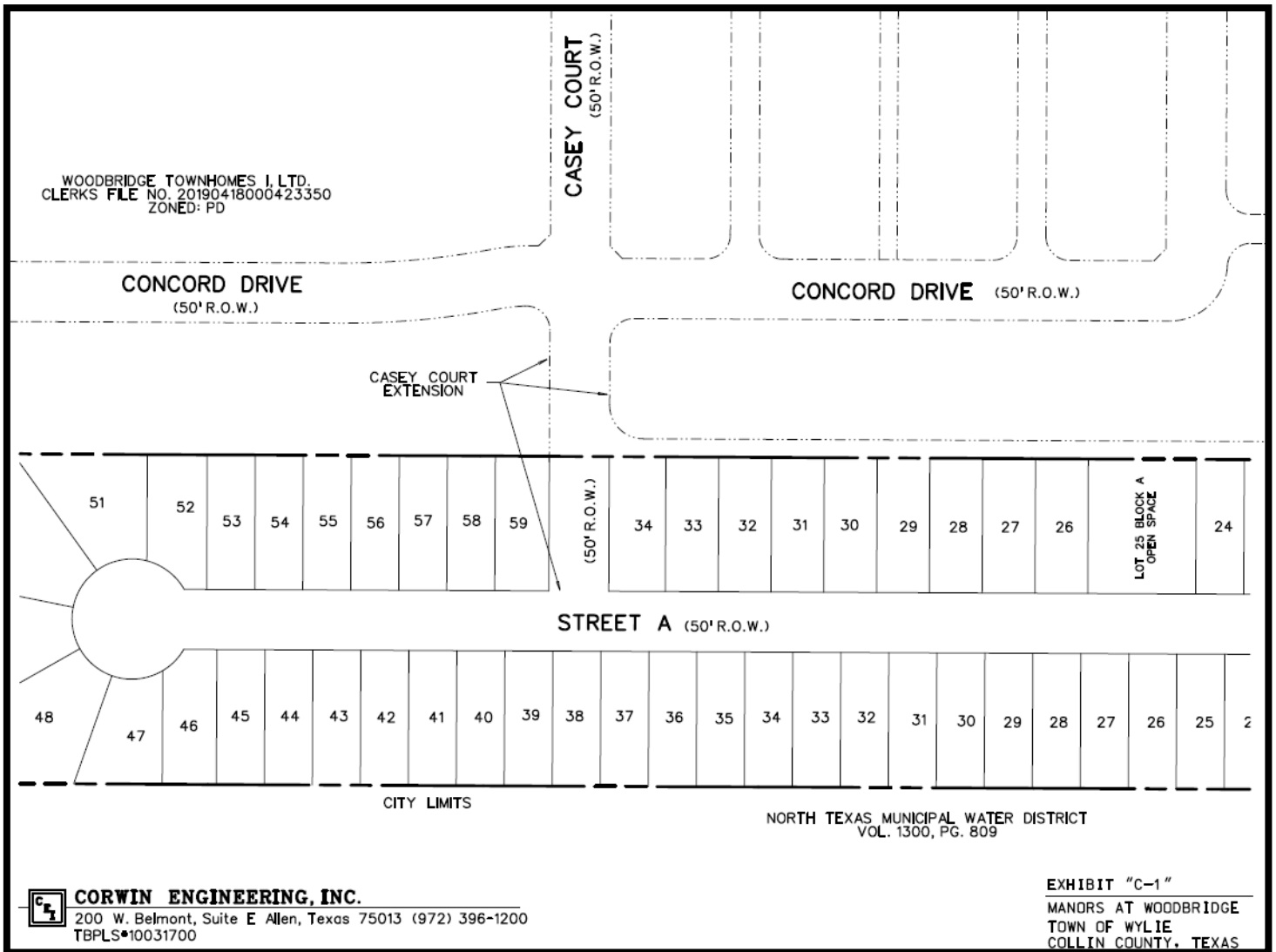
1. No curvilinear streets shall be required in the Planned Development.
2. A stone monument identifying the subdivision shall be placed in Lot 1 Block A open space. The monument shall be made with more than 1 type/color of stone.
3. All crosswalks within the subdivision shall be 7' wide with distinctive striping connecting to a pedestrian sidewalk system with pedestrian ramps complying with the American with Disabilities Act.
4. A minimum 4' wide, dedicated lead walk, separate from a driveway, shall provide connection between the house and the driveway. This lead walk shall not connect to the street.

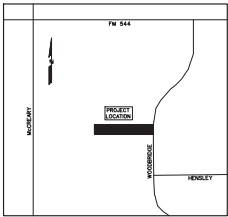
5. A mailbox cluster shall be provided in the subdivision.
6. Streetlights on decorative poles every 350' placed on alternating sides of the street throughout the subdivision.
7. Two or more different types/color of stone on the subdivision monument shall be a desirable provided in this section.

C. Architectural Standards

1. At least 20% of the façade shall be offset a minimum of 1' either protruding from or recessed back from the remainder of the façade.
2. The minimum masonry percentage shall be 85% overall. The remaining 15% shall be cementitious fiber cement material.
3. 2nd story front elevation set back over brick shall be allowed with cementitious fiberboard.
4. A front-facing hip roof which faces the street, and which comprises greater than 35% of the total width of a house's façade shall be broken up with dormers or other architecturally compatible appurtenances.
5. Each single-family residential unit shall have a combined patio and/or porch total covered area of a minimum of 150 total square feet of floor area.
6. Minimum of 8:12 front elevation roof pitch on front elevations, except 3:12 roof pitches on porches/patios or dormers.
7. Architectural laminated shingles shall be used. 3-Tab Shingles are prohibited.
8. In order to encourage variety, the exterior facades of houses on the same side of the street shall vary within every 4 houses. The same exterior facade of home cannot be directly across the street from each other. When a house is constructed, the same combination of brick, stone, masonry-like materials, and paint shall not be used on other houses within four (4) lots on either side of that house. This shall be monitored by the Architectural Control Committee.
9. 3 car (or more) garages are prohibited.
10. Each garage shall be a minimum of 400 square feet.
11. Each garage shall incorporate at least two of the following architectural features:
 - a. Sconce lighting
 - b. Decorative banding or molding
 - c. Decorative overhangs above garage doors
 - d. Eyebrow soldier course over garage doors
 - e. Decorative brackets on garage doors
 - f. Columns flanking garage doors.
12. A minimum 6' board on board cedar fence shall be built along the rear lot line by the home builder.
13. Each residential dwelling shall have an established front lawn with 1 tree and 5 shrubs. Each residential dwelling shall also have 1 tree in the backyard.
14. Two desirables shall be provided in this section. An automated, subsurface irrigation system and board on board fencing.















EXHIBIT "C-1"





LOCATION N.T.S.

LEGEND

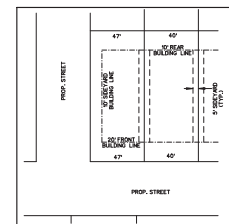
- | | |
|---|-------------------------------|
|  | PROP. WATER LINE |
|  | PROP. FIRE HYDRANT AND VALVE |
|  | PROP. GATE VALVE |
|  | PROP. FLUSH VALVE |
|  | EXIST. WATER LINE |
|  | EXIST. FIRE HYDRANT AND VALVE |
|  | PROP. SANITARY SEWER |
|  | PROP. MANHOLE |
|  | PROP. CLEANOUT |
|  | EXIST. SANITARY SEWER |
|  | EXIST. MANHOLE |
|  | PROP. STORM SEWER |
|  | PROP. CURB INLETS |
|  | PROP. CONC. HEADWALL |

NOTE:

ALL OPEN SPACES TO BE OWNED AND
MAINTAINED BY THE HOA.

Exhibit "C"

NORTH TEXAS MUNICIPAL WATER DISTRICT
VOL. 1300, PG. 809



TYPICAL LOT/PAD
110' LOT DEPTH
40' LOT WIDTH
80' PAD DEPTH
30' PAD WIDTH

TYPICAL DETAIL
N.T.S.

ZONING PLAN
MANORS AT WOODBRIDGE
90 TOTAL SINGLE FAMILY LOTS
3 TOTAL OPEN SPACE LOTS

OUT OF THE
WM. SACHSE SURVEY, ABSTRACT NO. 835
IN THE

IN THE
CITY OF WYLIE
COLLIN COUNTY, TEXAS

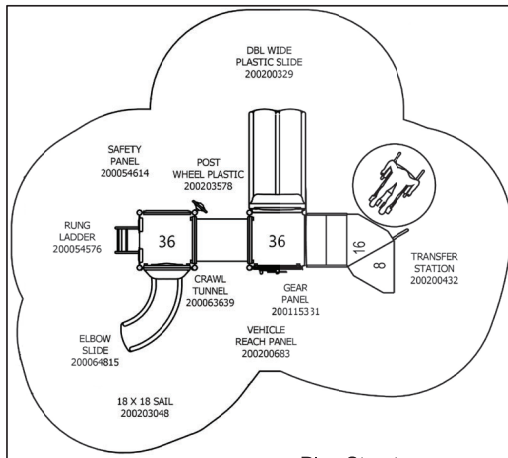
APPLICANT
SKORBURG COMPANY, LTD.
8214 WESTCHESTER DRIVE, STE. 900
DALLAS, TEXAS 75225

OWNER
TIMOTHY & CAROL JOHNSON
932 HOOPER ROAD
WYLIE, TEXAS 75098

CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
WARREN CORWIN

DECEMBER 2020 SCALE 1"=100'

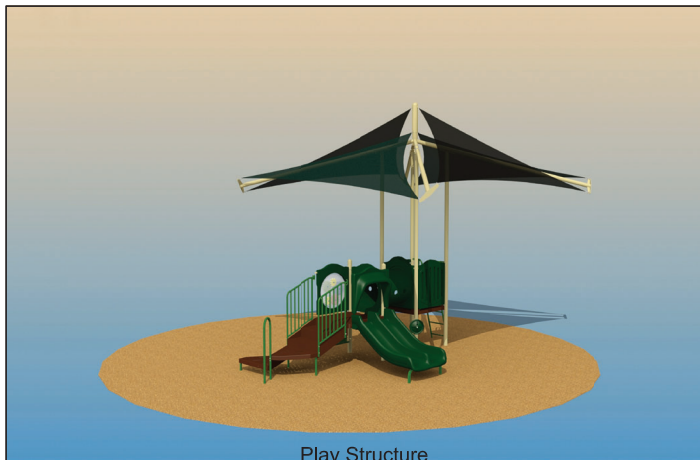
EX. ZONING AG/30
PROPOSED ZONING PD



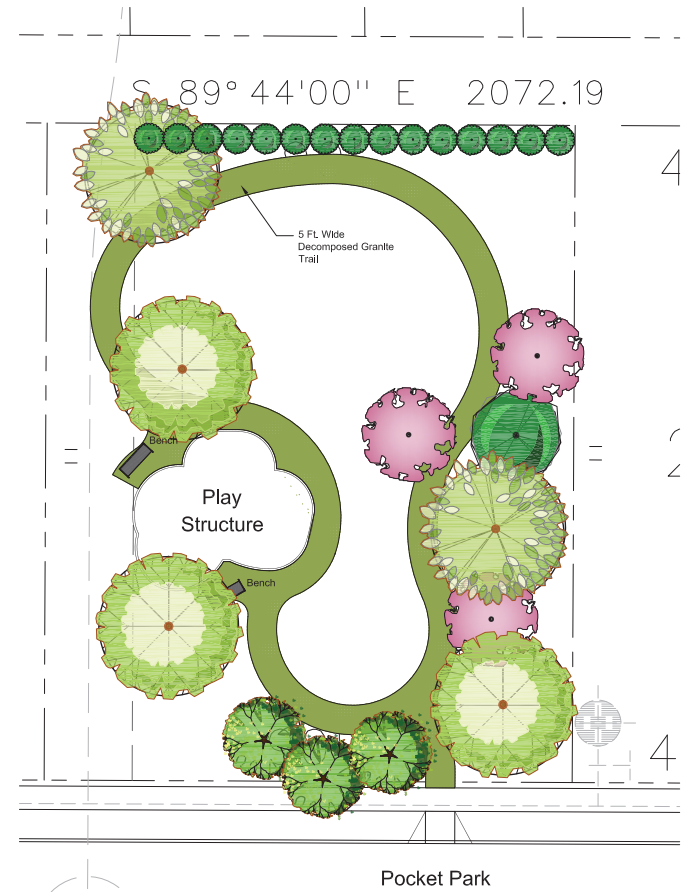
Play Structure

Pocket Park Features

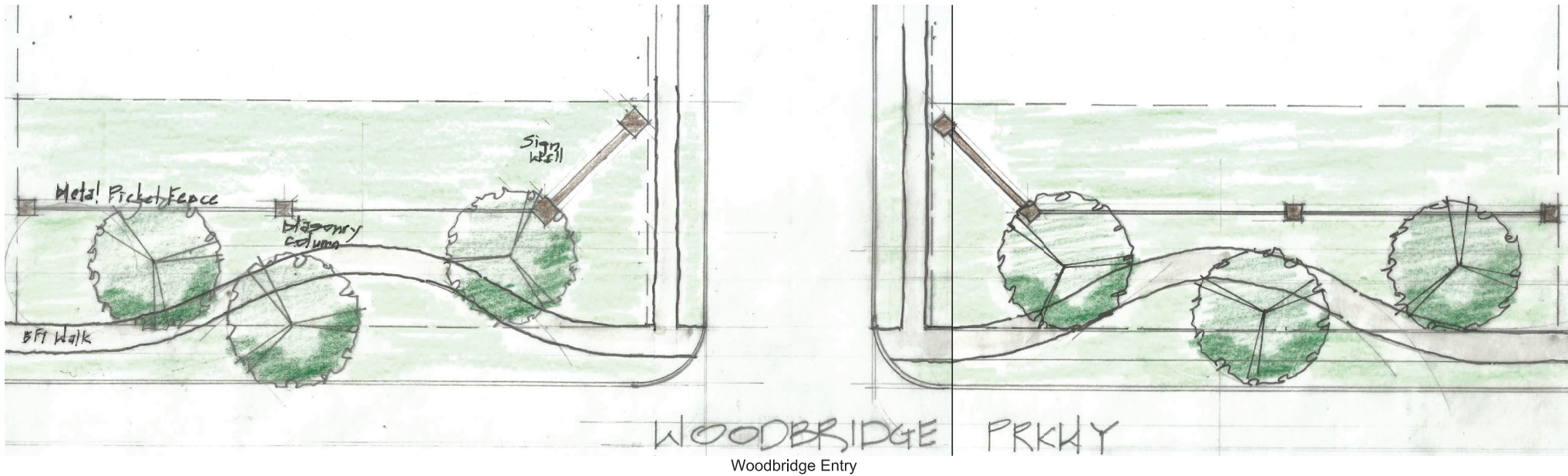
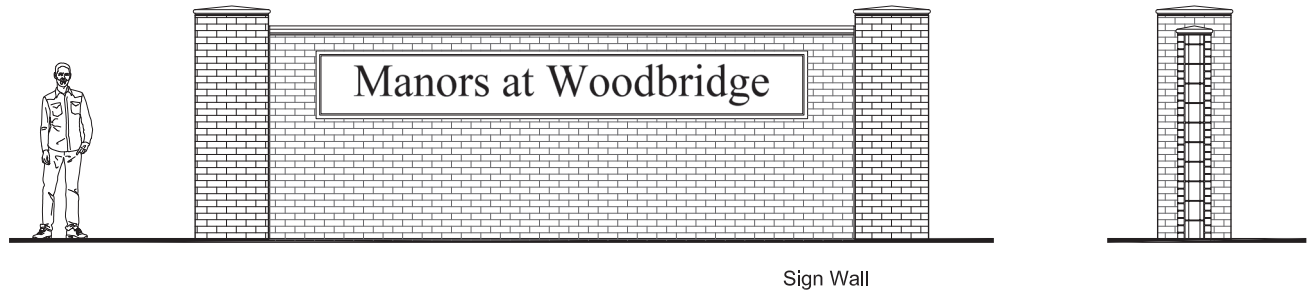
- Play Structure
- 5 Ft. Wide Decomposed Granite Trail
- 2 Park Benches
- Landscape and Trees



Play Structure



Manors at Woodbridge Parkway
Skorburg Company



Manors at Woodbridge Parkway
Skorburg Company

SINGLE PHASE DEVELOPMENT SCHEDULE

MANORS AT WOODBRIDGE

Zoning Submittal.....	11/16/2020
Zoning Submittal.....	12/10/2020
Planning and Zoning	12/15/2020
City Council.....	1/12/2021
City Council.....	1/26/2021
First Preliminary Plat Submittal.....	2/15/2021
Second Preliminary Plat Submittal.....	3/1/2021
Preliminary Plat Approval.....	4/13/2021
Plan Set Submittal.....	3Q2021
Break Ground.....	4Q2021

Manors at Woodbridge, Ltd.
By Manors at Woodbridge, GP Corporation
8214 Westchester Drive, Suite 900, Dallas, Texas 75225
Phone: 214-522-4945 * Fax: 214-522-7244

October 19, 2021

Jasen Haskins

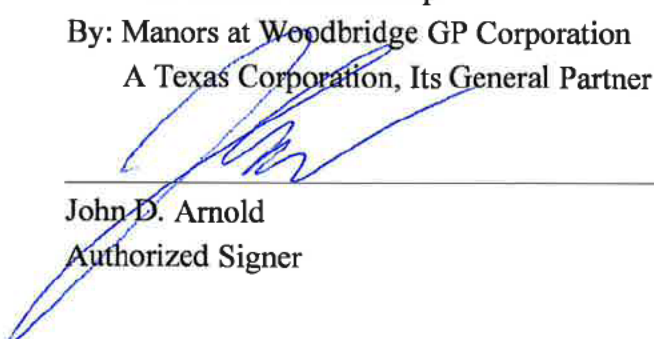
City of Wylie
300 Country Club Road
Wylie, Texas 75098
jasen.haskins@wylietexas.gov
Ph: 972-516-6324

RE: Ordinance #2021-05 Manors at Woodbridge Request for Legal Description Change

Dear Mr. Haskins,

Manors at Woodbridge, Ltd. is requesting a reconsideration of PD Ordinance #2021-05 due to a change in the legal description of the property

Sincerely,
Manors at Woodbridge, Ltd.
A Texas Limited Partnership
By: Manors at Woodbridge GP Corporation
A Texas Corporation, Its General Partner



John D. Arnold
Authorized Signer



Jasen Haskins <jasen.haskins@wylietexas.gov>

Manors at Woodbridge

Daryl Herzog [REDACTED]
To: Jasen Haskins <jasen.haskins@wylietexas.gov>
Cc: John Arnold [REDACTED]

Wed, Oct 20, 2021 at 2:29 PM

Mr. Haskins,

Herzog Development is aware of the proposed right-of-way changes which Skorborg Company is requesting for the Manors at Woodbridge. We are also aware of Manors proposed boundary change to match up with Woodbridge Villas and Woodbridge Townhomes boundaries on the south of our property, as well as Manors boundary changes to their south to match up with the northern boundary of North Texas Municipal Water District's landfill. Herzog Development supports Skorborg's request and feels that it is a good solution given the constraints the Skorborg Company has been forced to work with.

Thank you,

Daryl Herzog

President

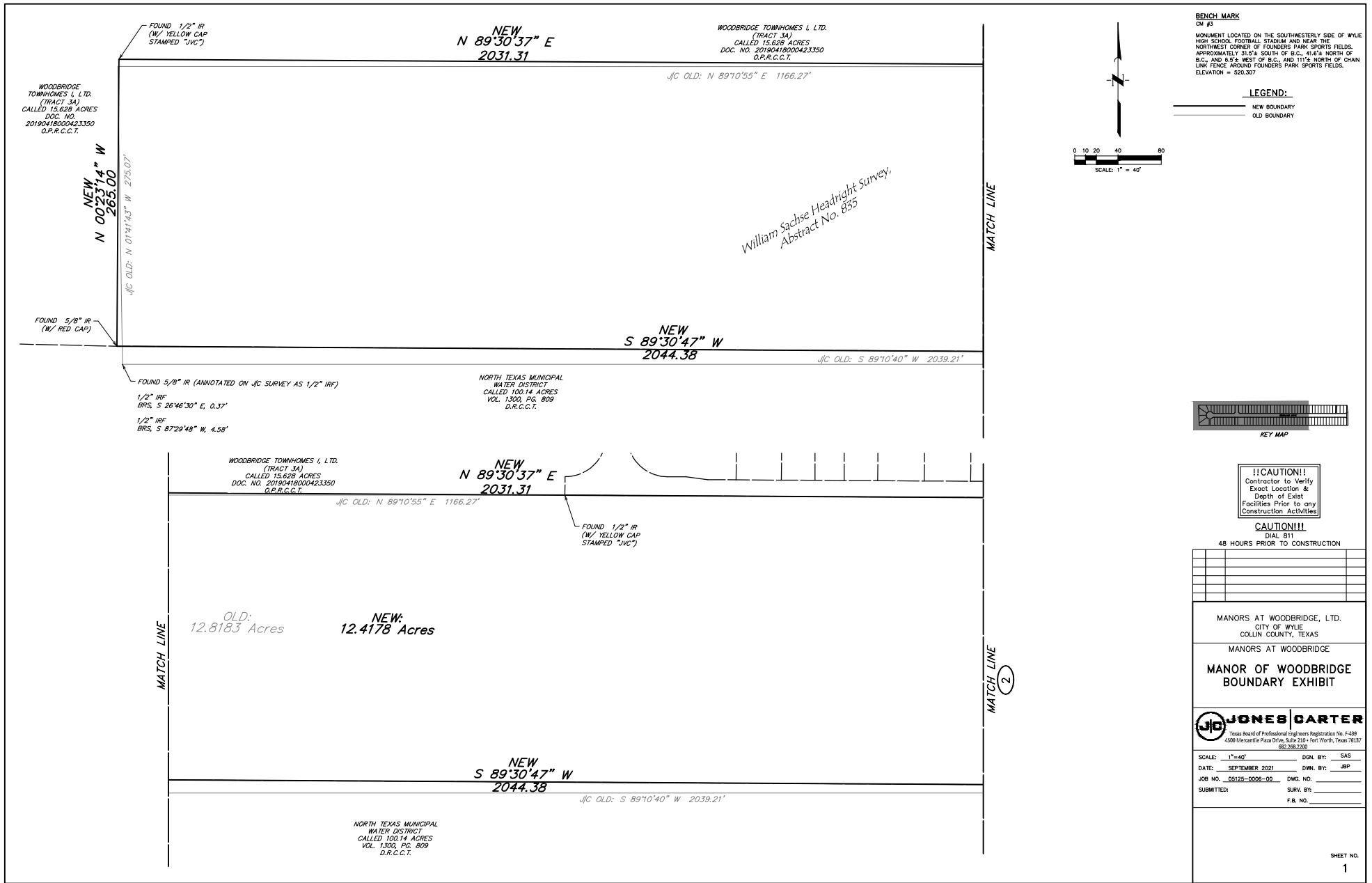
Herzog Development, LLC

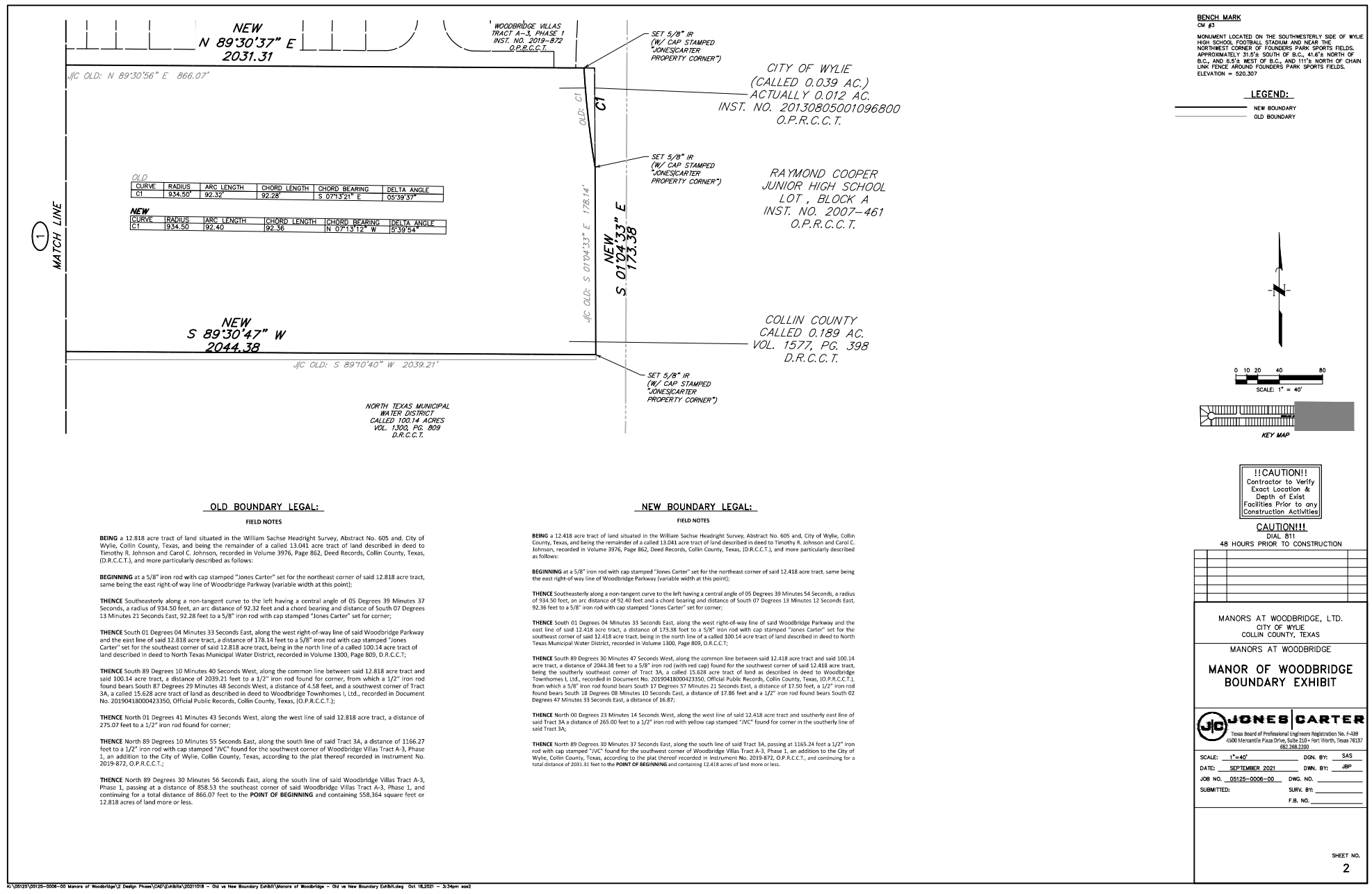
800 E Campbell Rd., Suite 130

Richardson, Texas 75081

[REDACTED]

[REDACTED]







Wylie City Council

AGENDA REPORT

Department: Finance
Prepared By: Melissa Beard

Account Code: See Exhibit A

Subject

Consider, and act upon, Ordinance No. 2021-51 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

Recommendation

Motion to approve Item as presented.

Discussion

Budget amendments are generally intended to cover unanticipated and/or unavoidable revenue and expenditure adjustments to the adopted budget. The detail attached in Exhibit A has two components:

- 1) To transfer excess General Fund Fund Balance to a new fund, GFFB Community Investment (Fund 470). The total amount transferred to this fund is \$6,250,000 which is allocated to various expense accounts.
- 2) To increase the Library budget \$120,000 for the purchase of a book sorter, and to increase the Fire Department budget \$250,000 for the purchase of LifePak heart monitors.

Financial Summary/Strategic Goals

The overall effect of this amendment is to increase the General Fund budget by \$6,620,000, which will reduce the fund balance by the same amount. It also increases the available funds in Fund 470 by \$6,250,000 for projects agreed upon by council to be funded with excess fund balance.

ORDINANCE NO. 2021-51

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2021-43, WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2021-2022; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council heretofore adopted Ordinance No. 2021-43 setting forth the Budget for Fiscal Year 2021-2022 beginning October 1, 2021, and ending September 30, 2022; and,

WHEREAS, the City Departments and Divisions routinely review their budget appropriations to determine if any changes are necessary; and

WHEREAS, based upon said review the City staff now recommends that certain amendments to the Budget be considered by the City Council; see Exhibit A; and,

WHEREAS, the City Council has the authority to make amendments to the City Budget under Article VII, Section 4 of the City Charter, as well as State law; and,

WHEREAS, the City Council has determined that the proposed amendments to the FY 2021-2022 Budget; see Exhibit A, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WYLIE, TEXAS:

SECTION I: The proposed amendments to the FY 2021-2022 Budget of the City of Wylie; Exhibit A, as heretofore adopted by Ordinance No. 2021-51, are completely adopted and approved as amendments to the said FY 2021-2022 Budget.

SECTION II: All portions of the existing FY 2021-2022 Budget and Ordinance No. 2021-43, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

SECTION III: Should any paragraph, sentence, sub-division, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

SECTION IV: This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

SECTION V: That all other ordinances and code provisions in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other provisions of the Wylie City Code not in conflict herewith shall remain in full force and effect.

SECTION VI: The repeal of any ordinance, or parts thereof, by the enactment of the Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue,

nor as affecting any rights of the municipality under any section or provision of any ordinances at the time of passage of this ordinance.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 26th day of October, 2021.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Budget Amendment
General Fund Fund Balance for Community Investment

Exhibit A

Fund	Department	Account Number	Account Description	Debit	Credit	Project Name
100	5181	59430	Transfer to Capital Project Fund	6,250,000.00		Transfer GF Fund Balance for Community Investment
100	5551	58850	Major Tools & Equipment	120,000.00		Library Book Sorter
100	5231	58850	Major Tools & Equipment	250,000.00		Life Pak 15 Heart Monitors
			Fund 100	6,620,000.00	0.00	
470	4000	49111	Transfer from General Fund		6,250,000.00	GF Fund Balance Transfer for Community Investment
470	5470	58910	Buildings	750,000.00		Senior Center Remodel
470	5470	58150	Land Betterments	1,300,000.00		Two Splashpads
470	5470	58150	Land Betterments	700,000.00		Dog Park
470	5470	54220	Sidewalks	600,000.00		Sidewalks
470	5470	54230	Drainage	500,000.00		Storm Drainage Facilities
470	5470	58510	Motor Vehicles	2,400,000.00		Two Quint Replacements
			Fund 470	6,250,000.00	6,250,000.00	



Wylie City Council

AGENDA REPORT

Department: City Manager
Prepared By: Stephanie Storm

Account Code: _____

Subject

Consider, and act upon, the approval of the Employment Agreement between the City of Wylie, Texas and Brent Parker, and authorize the Mayor to execute the agreement.

Recommendation

Motion to approve Item as presented.

Discussion

Financial Summary/Strategic Goals

EMPLOYMENT AGREEMENT
BRENT PARKER

THIS AGREEMENT (the "Agreement"), made and entered into this 26th day of October, 2021 by and between the CITY OF WYLIE, TEXAS, a municipal corporation chartered under the Constitution of the State of Texas as a home-rule city, ("Wylie"), and Brent Parker ("Parker" or "Interim City Manager"), both of which parties hereto understand and agree as follows:

WHEREAS, Parker is currently the Assistant City Manager of the City of Wylie ("Wylie") and the City Manager has resigned;

WHEREAS, Wylie desires to employ Parker as Interim City Manager of Wylie and during the time the Wylie City Council searches for a new City Manager;

WHEREAS, it is the desire of the Wylie City Council to provide certain benefits, establish certain conditions of employment and to set certain working conditions of Parker during his tenure as Interim City Manager; and

WHEREAS, Parker desires to accept employment as Interim City Manager on the terms outlined herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein contained, and hereinbefore stated, the parties hereto agree as follows:

SECTION 1: DUTIES

Wylie City Council hereby agrees to employ Parker as Interim City Manager to perform the functions and duties commensurate with such position and to perform such other directly related lawful duties and functions as the Wylie City Council shall from time-to-time assign.

SECTION 2: TERM

A. Nothing in this Agreement is intended, nor shall same be construed, to in anywise create a limitation of term of Parker's employment as Interim City Manager at Wylie for less than an indefinite term.

B. Likewise, nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Wylie City Council to terminate the services of Parker as Interim City Manager at any time with or without cause, subject to the provisions set forth in Section 3 of this Agreement.

C. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Parker to resign at any time from his position as Interim City Manager with Wylie, subject to the provisions set forth in Section 3, Paragraph C, of this Agreement.

D. No property interest, express or implied, is created in Parker's title as Interim City Manager.

E. Nothing in this agreement shall prevent or otherwise interfere with Parker's right

to return to his previous position as Assistant City Manager at the conclusion of his employment as Interim City Manager except as provided by Section 3.B.

SECTION 3: TERMINATION AND RESIGNATION

A. In the event Parker is terminated without cause as defined herein by the Wylie City Council after the effective date of this Agreement and during such time Parker is willing and able to perform his duties of Interim City Manager, then, in that event, Parker shall have the right to return to his previous position as Assistant City Manager.

B. In the event Parker is terminated "for cause," Parker is not entitled to his previous position as Interim City Manager and Wylie shall have no obligation to pay or provide the benefits set forth in this Agreement, save and except payment of any and all accrued but unpaid personal leave days. The term "for cause" for purposes of this Agreement is defined as follows in this Subsection 3.B.:

1. Any willful breach, disregard or habitual neglect of duties set forth herein formally communicated in writing or orally to Parker from the Wylie City Council;

2. Insubordination or failure to comply with lawful written or oral Wylie City Council directives;

3. Failure to comply with the City Council's written or oral policies or the City Council's written administrative regulations;

4. Drunkenness or excessive use of alcoholic beverages;

5. Illegal use of drugs, hallucinogens or other substances regulated by the Texas Controlled Substances Act;

6. Conviction of a felony or crime involving moral turpitude;

7. Failure to meet the City's written standards of professional conduct or the City of Wylie's Code of Ethics;

8. Immorality, which is conduct the Wylie City Council determines is not in conformity with the accepted moral standards of the community. Immorality is not confined to sexual matters, but includes conduct inconsistent with rectitude or indicative of corruption, indecency or depravity;

9. Assault on a person;

10. Knowingly falsifying records or documents related to the City of Wylie's activities;

11. Conscious misrepresentation of facts to the Wylie City Council or other City officials in the conduct of the City's business; or

C. In the event Parker voluntarily resigns his position as Interim City Manager with Wylie before expiration of the aforesaid term of employment, then Parker shall give Wylie fourteen (14) days' notice in advance, unless both parties agree otherwise. Parker shall be entitled to return to his previous position as Assistant City Manager so long as the resignation is not in lieu of termination "for cause" as defined in Subsection 3.B.

SECTION 4: SALARY

A. Wylie agrees to pay Parker for his services rendered pursuant hereto an annual base salary of two hundred three thousand eight hundred twenty two and .01/100 Dollars (\$203,822.01) payable in installments under the same terms as other employees of Wylie are paid ("Salary").

B. Parker agrees that he shall not be eligible for salary adjustments during the term of this Agreement unless the terms of this Agreement are amended.

SECTION 5: PERFORMANCE EVALUATION

The Wylie City Council may from time to time evaluate Parker's job performance as Interim City Manager and provide input on his work.

SECTION 6: HOURS OF WORK

The parties agree Parker is an exempt employee expected to engage in those hours of work which are necessary to fulfill the obligations of Parker's position, and, therefore, does not have set hours of work and is available at all times. Parker acknowledges that the proper performance of duties as Interim City Manager will often require the performance of necessary services at other times and for more extended periods. Parker agrees to devote such additional time as is necessary for the full and proper performance of duties and that the compensation herein provided for includes compensation for the performance of all such services; however, it is the desire of Wylie that reasonable compensatory time off be permitted Parker, such as is customary for all other exempt employees, so long as such compensatory time off does not interfere with the normal conduct of the Interim City Manager's office.

SECTION 7: EMPLOYMENT BENEFITS

As Interim City Manager, Parker shall continue to accrue sick leave, vacation, life and health insurance coverage and other personal and fringe benefits in the same manner he accrues as Assistant City Manager.

Vacation days taken by the Interim City Manager will be taken at such time(s) as will least interfere with the performance of the Interim City Manager's duties as set forth in this Agreement.

SECTION 8: OUTSIDE EMPLOYMENT AND INVESTMENTS

Parker acknowledges, for and during the term of this Agreement, that Parker shall devote his full time and effort to performance of the duties required hereunder and shall not undertake, nor accept, any outside or other employment which would in any wise limit Parker's performance

of his duties hereunder or his availability for performance of duties hereunder without the prior consent of the Wylie City Council; provided, however, Parker is not precluded from occasional teaching, writing or lecturing. It is further understood and agreed that because of the duties of Parker within and on behalf of Wylie and its citizenry, Parker shall not, during the term of this Agreement, individually, as a partner, joint venture, officer or shareholder, invest or participate in any business venture conducting business in the corporate limits of Wylie, except as to stock ownership in any company whose capital stock is publicly held and regularly traded, without the prior consent of the Wylie City Council. For and during the term of this Agreement, Parker further agrees, except as to Parker's personal residence or residential property acquired or held for future use as Parker's personal residence, not to invest, without the prior approval of the Wylie City Council, in any other real estate or real property improvements within the corporate limits of Wylie.

SECTION 9: INDEMNIFICATION

Wylie shall indemnify Parker against expenses (including attorneys' fees) and amounts paid in settlement actually and reasonably incurred by him in connection with the defense of any civil, criminal or administrative action, suit or proceeding in which he is made a party or with which he is threatened, by reason of being or because of any act as an employee of Wylie within the course and scope of his duties and employment hereunder if he acted in good faith and in a manner in which he reasonably believed to be in or not opposed to the best interest of Wylie, and with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful. Notwithstanding the foregoing, he shall not be entitled to indemnification regarding any matter in which he fails to notify Wylie of a claim within a reasonable time or fails to cooperate in the defense of such claim, but only to the extent that the defense of such claim is prejudiced by his failure to give notice or to cooperate.

SECTION 10: BONDING

Wylie shall bear the full cost of any fidelity or other bonds required of Parker under any law or ordinance.

SECTION 11: OTHER TERMS AND CONDITIONS OF EMPLOYMENT

The Wylie City Council shall fix any such other terms and conditions of employment as they may determine from time-to-time, relating to the performance of Parker, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Wylie City Charter, or any other law and are added to this Agreement through amendment.

SECTION 12: GENERAL PROVISIONS

A. Controlling Law. This Agreement shall be governed by the laws of the State of Texas and it shall be performable in Collin County, Texas.

B. Complete Agreement. This Agreement embodies the entire understanding and agreement of the parties and supersedes all other agreements and understandings, both written and oral. Any additions, deletions or modifications to the terms and conditions of this Agreement,

including, but not limited to, changes in the terms of the Agreement, shall be made only by written addendum signed by both parties. Any prior agreement between the parties, oral or written, is terminated and superseded by this Agreement by the parties' mutual consent as of the effective date of this Agreement.

C. Notice. Any notice required or permitted to be delivered hereunder shall be deemed to be delivered, whether or not actually received, when deposited in the United States Mail, postage pre-paid, certified mail, return receipt requested, addressed to either party, as the case may be, at the addresses contained below:

City of Wylie
Attn: Matthew Porter, Mayor
300 Country Club Dr #100
Wylie, Texas 75098

Mr. Brent Parker

D. Multiple Originals. This Agreement is executed in two (2) originals, one for Wylie and one for the Interim City Manager, each of which shall constitute but one and the same instrument.

E. Severability. If any provision or any portion thereof contained in this Agreement is held to be unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

F. This Agreement shall be effective as of the 18th day of October, 2021 ("Effective Date").

IN WITNESS WHEREOF, Wylie has caused this Agreement to be signed and executed on its behalf by its City Council and Parker has signed and executed this Agreement, both in duplicate, on the day and year first above written.

Matthew Porter
Mayor

Brent Parker
Interim City Manager



Wylie City Council

AGENDA REPORT

Department: Parks and Recreation
Prepared By: Robert Diaz

Account Code: _____

Subject

Discuss Wylie Recreation Center cost of service study with PROS consultant.

Recommendation

Discussion

In May 2021, the City entered in to a contract with PROS Consulting to perform a cost of service study for the Parks and Recreation Department. One of the main focus areas of the study was the Wylie Recreation Center. Michael Svetz, Principal Consultant with PROS, will present the findings for the Wylie Recreation Center in a work session with the City Council. During this work session the City Council will have an opportunity to discuss with the consultant his findings.

Financial Summary/Strategic Goals

There is not a Financial Summary included in this report.

Strategic Goals: *Health, Safety and Well-Being; Community Focused Government; Culture, Planning Management.*

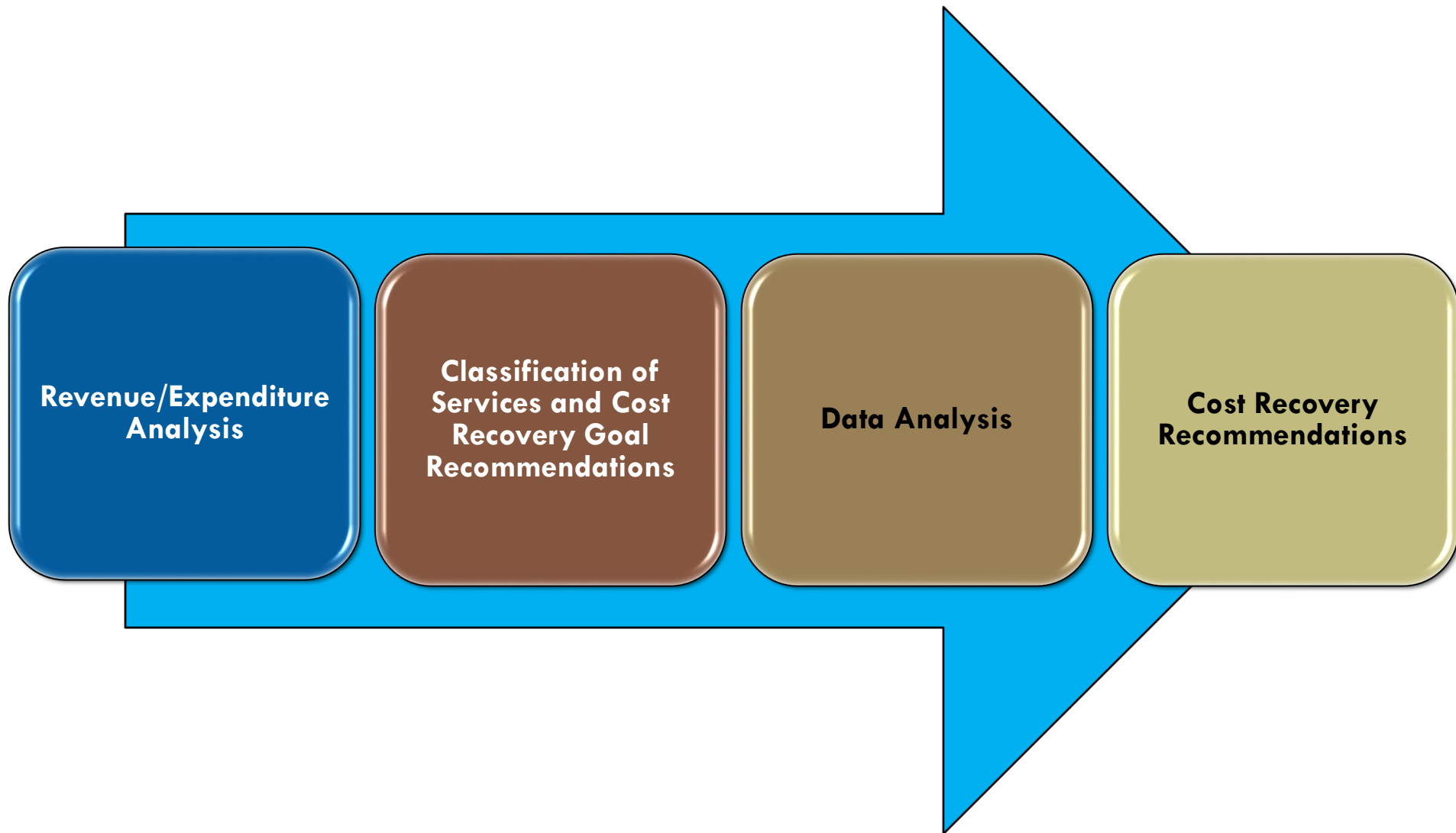
Wylie Parks and Recreation Cost of Service Study

Agenda

- **Methodology for Conducting the Cost of Service**
- **Core Programs/Services Evaluated**
- **Recreation Center Analysis**
- **Questions**

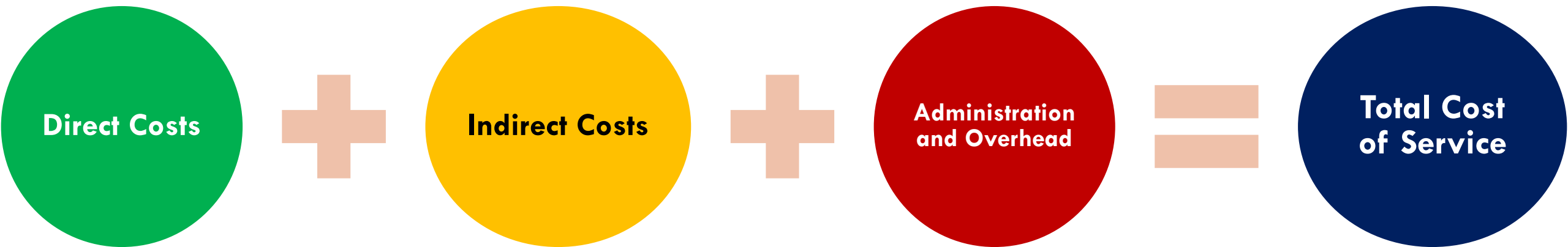


Methodology

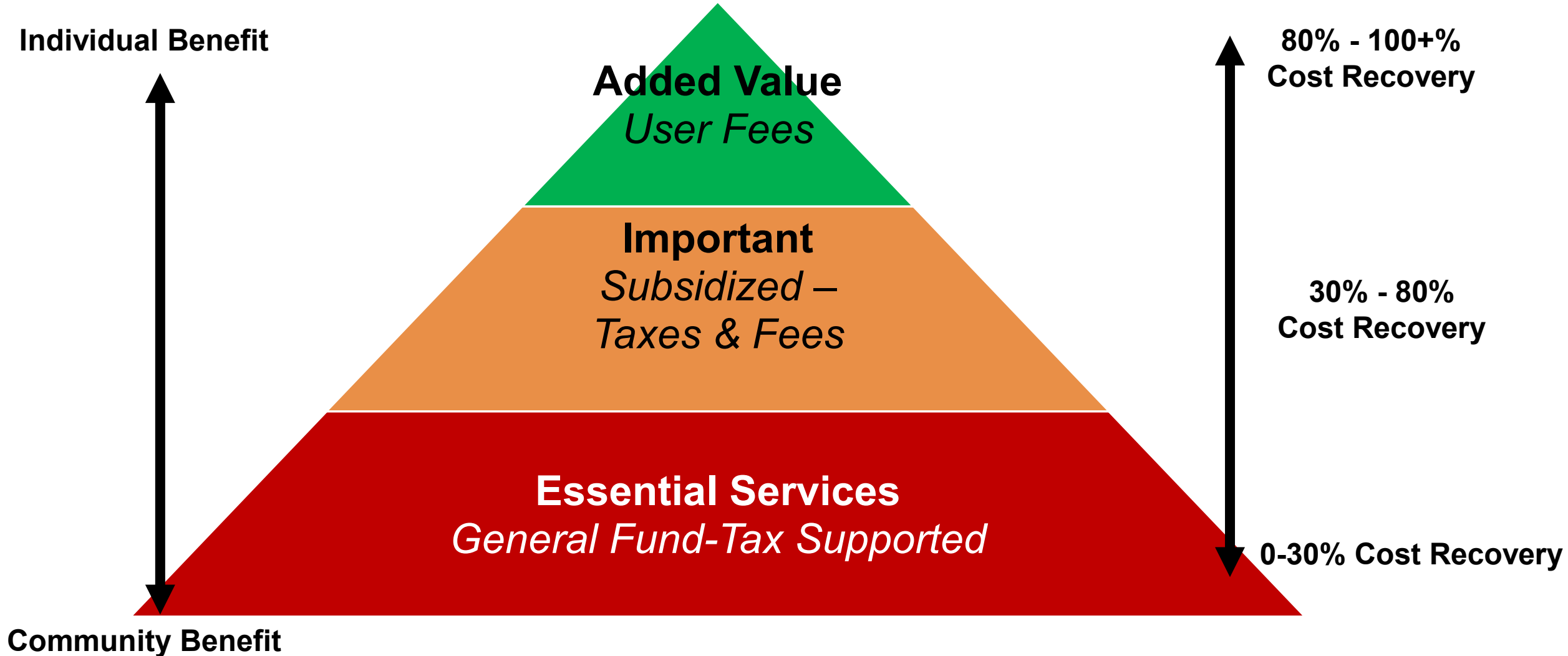


Overview

Total Cost of Service Concept



Service Classification



Cost Recovery Approach





Core Program/Service Areas Evaluated

Core Program/Service Areas Evaluated

Core Program/Service
ATHLETIC FIELD RENTALS
BROWN HOUSE OPERATIONS
RECREATION CENTER OPERATIONS
SENIOR CENTER OPERATIONS
SHELTER RESERVATIONS
STONEHAVEN HOUSE OPERATIONS



Recreation Center Analysis

Recreation Center Amenities

- **Fitness Center**
 - **Three-lane indoor track measuring 1/10th of a mile**
 - **Locker rooms**
 - **Climbing wall**
 - **Gymnasium (basketball/volleyball gym)**
 - **Meeting rooms**
 - **Childcare room**
-
- **Please Note: A Swimming Pool is NOT offered at the facility**

Recreation Center Historical Financial Performance

DIRECT COSTS ONLY

FISCAL YEAR	Direct Cost Expenditures (ACTUAL)	Revenues (ACTUAL)	Cost Recovery Rate
FY11	\$1,020,777	\$532,182	52%
FY12	\$1,425,515	\$655,958	46%
FY13	\$1,183,502	\$643,054	54%
FY14	\$1,363,884	\$668,471	49%
FY15	\$1,340,775	\$710,029	53%
FY16	\$1,387,894	\$713,371	51%
FY17	\$1,513,278	\$758,996	50%
FY18	\$1,718,906	\$783,436	46%
FY19	\$1,778,349	\$870,619	49%
FY20	\$1,806,238	\$217,540	12%
FY21	\$1,658,595	\$615,830	37%

 **Covid-19**
 **Covid-19**

Average DIRECT Cost Recovery (including COVID years): 45%

Core Programs/Services

Core Program/Service
FEE BASED PROGRAMS/SERVICES
FACILITY RESERVATIONS
CHILD CARE
MEMBERSHIPS
DAY PASS
EMPLOYEE PASS
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS

Current Full Cost of Service

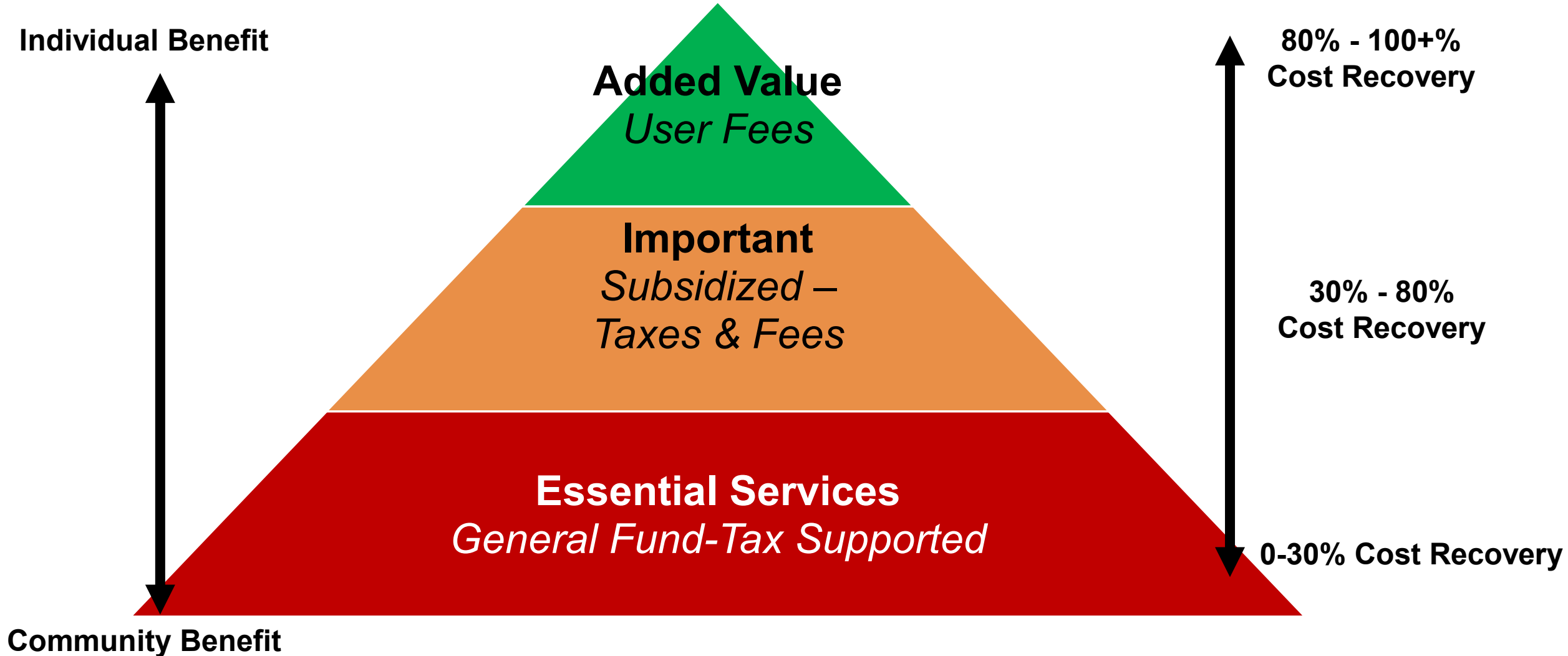
10/26/2021 Item WS1.

Revenues	Current
FEE BASED PROGRAMS/SERVICES	\$217,185
FACILITY RESERVATIONS	\$17,277
CHILD CARE	\$3,390
MEMBERSHIPS	\$569,230
DAY PASS	\$22,838
EMPLOYEE PASS	\$0
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$0
Total	\$829,919
Expenditures	Current
FEE BASED PROGRAMS/SERVICES	\$527,472
FACILITY RESERVATIONS	\$65,180
CHILD CARE	\$79,108
MEMBERSHIPS	\$834,862
DAY PASS	\$195,754
EMPLOYEE PASS	\$9,788
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$322,994
Total	\$2,035,158
Annual Net Gain/Loss	(\$1,205,239)
Total Cost Recovery	41%
Total Number of Annual Visits	426,840
Tax Subsidy per Experience/Visit	(\$2.82)

➔ **Membership Revenue = 69% of all revenue generated by Rec Center**

➔ **Free Community Services and Facility Improvements = 16% of Rec Center Annual Operating Budget**

Service Classification Analysis





Recreation Center – Cost Recovery Option 1 – 66%

Cost Recovery Goals by Program Area

10/26/2021 Item WS1.

Core Program Area	Current Cost Recovery	Goal - Year 1	Goal - Year 2	Goal - Year 3
FEE BASED PROGRAMS/SERVICES	41%	61%	61%	60%
FACILITY RESERVATIONS	27%	82%	82%	80%
CHILD CARE	4%	6%	6%	5%
MEMBERSHIPS	68%	82%	90%	95%
DAY PASS	12%	24%	26%	25%
EMPLOYEE PASS	0%	0%	0%	0%
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	0%	0%	0%	0%
Total Cost Recovery	41%	55%	58%	66%

Membership Fee Example

10/26/2021 Item WS1.

Membership Type	Current Membership Fee	66% Cost Recovery Option Year Three Membership Fee
Resident 1 Month Auto Renew Adult	\$ 22	\$ 40
Resident 1 Month Auto Renew Family	\$ 40	\$ 55
Resident 1 Month Auto Renew Youth	\$ 10	\$ 30
Resident 1 Month Auto Renew Senior	\$ 10	\$ 30
Resident 1 Month Adult	\$ 22	\$ 40
Resident 1 Month Family	\$ 40	\$ 55
Resident 1 Month Youth	\$ 10	\$ 30
Resident 1 Month Senior	\$ 10	\$ 30
Resident 1 Year Adult	\$ 175	\$ 325
Resident 1 Year Family	\$ 325	\$ 450
Resident 1 Year Youth	\$ 105	\$ 250
Resident 1 Year Senior	\$ 105	\$ 250

Three Year Financial Performance Summary

10/26/2021 Item WS1.

Revenues	Current	1st Year	2nd Year	3rd Year
FEE BASED PROGRAMS/SERVICES	\$217,185	\$328,863	\$338,729	\$348,891
FACILITY RESERVATIONS	\$17,277	\$55,220	\$56,877	\$58,583
CHILD CARE	\$3,390	\$5,192	\$5,347	\$5,508
MEMBERSHIPS	\$569,230	\$705,080	\$797,475	\$997,065
DAY PASS	\$22,838	\$49,337	\$54,418	\$64,580
EMPLOYEE PASS	\$0	\$0	\$0	\$0
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$0	\$0	\$0	\$0
Total	\$829,919	\$1,143,692	\$1,252,846	\$1,474,627
Expenditures	Current	1st Year	2nd Year	3rd Year
FEE BASED PROGRAMS/SERVICES	\$527,472	\$543,296	\$559,595	\$576,383
FACILITY RESERVATIONS	\$65,180	\$67,136	\$69,150	\$71,224
CHILD CARE	\$79,108	\$81,482	\$83,926	\$86,444
MEMBERSHIPS	\$834,862	\$859,908	\$885,705	\$912,276
DAY PASS	\$195,754	\$201,626	\$207,675	\$213,905
EMPLOYEE PASS	\$9,788	\$10,081	\$10,384	\$10,695
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$322,994	\$332,684	\$342,664	\$352,944
Total	\$2,035,158	\$2,096,213	\$2,159,099	\$2,223,872
Annual Net Gain/Loss	(\$1,205,239)	(\$952,521)	(\$906,253)	(\$749,246)
Total Cost Recovery	41%	55%	58%	66%
Total Number of Annual Visits	426,840	426,840	426,840	426,840
Tax Subsidy per Experience/Visit	(\$2.82)	(\$2.23)	(\$2.12)	(\$1.76)



Recreation Center – Cost Recovery Option 2 – 87%

Cost Recovery Goals by Program Area

10/26/2021 Item WS1.

Core Program Area	Current Cost Recovery	Goal - Year 1	Goal - Year 2	Goal - Year 3
FEE BASED PROGRAMS/SERVICES	41%	61%	61%	61%
FACILITY RESERVATIONS	27%	100%	100%	100%
CHILD CARE	4%	6%	6%	6%
MEMBERSHIPS	68%	111%	143%	157%
DAY PASS	12%	24%	26%	30%
EMPLOYEE PASS	0%	0%	0%	0%
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	0%	0%	0%	0%
Total Cost Recovery	41%	67%	80%	87%

Membership Fee Example

10/26/2021 Item WS1.

Membership Type	Current Membership Fee	87% Cost Recovery Option Year Three Membership Fee
Resident 1 Month Auto Renew Adult	\$ 22	\$ 50
Resident 1 Month Auto Renew Family	\$ 40	\$ 80
Resident 1 Month Auto Renew Youth	\$ 10	\$ 40
Resident 1 Month Auto Renew Senior	\$ 10	\$ 40
Resident 1 Month Adult	\$ 22	\$ 50
Resident 1 Month Family	\$ 40	\$ 80
Resident 1 Month Youth	\$ 10	\$ 40
Resident 1 Month Senior	\$ 10	\$ 40
Resident 1 Year Adult	\$ 175	\$ 425
Resident 1 Year Family	\$ 325	\$ 675
Resident 1 Year Youth	\$ 105	\$ 325
Resident 1 Year Senior	\$ 105	\$ 325

Three Year Financial Performance Summary

10/26/2021 Item WS1.

Revenues	Current	1st Year	2nd Year	3rd Year
FEE BASED PROGRAMS/SERVICES	\$217,185	\$328,863	\$338,729	\$348,891
FACILITY RESERVATIONS	\$17,277	\$67,136	\$69,150	\$71,224
CHILD CARE	\$3,390	\$5,192	\$5,347	\$5,508
MEMBERSHIPS	\$569,230	\$957,195	\$1,262,625	\$1,435,775
DAY PASS	\$22,838	\$49,337	\$54,418	\$64,580
EMPLOYEE PASS	\$0	\$0	\$0	\$0
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$0	\$0	\$0	\$0
Total	\$829,919	\$1,407,723	\$1,730,269	\$1,925,978
Expenditures	Current	1st Year	2nd Year	3rd Year
FEE BASED PROGRAMS/SERVICES	\$527,472	\$543,296	\$559,595	\$576,383
FACILITY RESERVATIONS	\$65,180	\$67,136	\$69,150	\$71,224
CHILD CARE	\$79,108	\$81,482	\$83,926	\$86,444
MEMBERSHIPS	\$834,862	\$859,908	\$885,705	\$912,276
DAY PASS	\$195,754	\$201,626	\$207,675	\$213,905
EMPLOYEE PASS	\$9,788	\$10,081	\$10,384	\$10,695
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$322,994	\$332,684	\$342,664	\$352,944
Total	\$2,035,158	\$2,096,213	\$2,159,099	\$2,223,872
Annual Net Gain/Loss	(\$1,205,239)	(\$688,490)	(\$428,830)	(\$297,894)
Total Cost Recovery	41%	67%	80%	87%
Total Number of Annual Visits	426,840	426,840	426,840	426,840
Tax Subsidy per Experience/Visit	(\$2.82)	(\$1.61)	(\$1.00)	(\$0.70)



Recreation Center – Cost Recovery Option 3 – 100+%

Cost Recovery Goals by Program Area

10/26/2021 Item WS1.

Core Program Area	Current Cost Recovery	Goal - Year 1	Goal - Year 2	Goal - Year 3
FEE BASED PROGRAMS/SERVICES	41%	61%	61%	61%
FACILITY RESERVATIONS	27%	100%	100%	100%
CHILD CARE	4%	6%	6%	6%
MEMBERSHIPS	68%	163%	185%	200%
DAY PASS	12%	24%	26%	30%
EMPLOYEE PASS	0%	0%	0%	0%
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	0%	0%	0%	0%
Total Cost Recovery	41%	88%	98%	104%

Membership Fee Example

10/26/2021 Item WS1.

Membership Type	Current Membership Fee	100+% Cost Recovery Option Year Three Membership Fee
Resident 1 Month Auto Renew Adult	\$ 22	\$ 65
Resident 1 Month Auto Renew Family	\$ 40	\$ 90
Resident 1 Month Auto Renew Youth	\$ 10	\$ 55
Resident 1 Month Auto Renew Senior	\$ 10	\$ 55
Resident 1 Month Adult	\$ 22	\$ 65
Resident 1 Month Family	\$ 40	\$ 90
Resident 1 Month Youth	\$ 10	\$ 55
Resident 1 Month Senior	\$ 10	\$ 55
Resident 1 Year Adult	\$ 175	\$ 550
Resident 1 Year Family	\$ 325	\$ 750
Resident 1 Year Youth	\$ 105	\$ 450
Resident 1 Year Senior	\$ 105	\$ 450

Three Year Financial Performance Summary

10/26/2021 Item WS1.

Revenues	Current	1st Year	2nd Year	3rd Year
FEE BASED PROGRAMS/SERVICES	\$217,185	\$328,863	\$338,729	\$348,891
FACILITY RESERVATIONS	\$17,277	\$67,136	\$69,150	\$71,224
CHILD CARE	\$3,390	\$5,192	\$5,347	\$5,508
MEMBERSHIPS	\$569,230	\$1,400,180	\$1,641,100	\$1,821,560
DAY PASS	\$22,838	\$49,337	\$54,418	\$64,580
EMPLOYEE PASS	\$0	\$0	\$0	\$0
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$0	\$0	\$0	\$0
Total	\$829,919	\$1,850,708	\$2,108,744	\$2,311,763
Expenditures	Current	1st Year	2nd Year	3rd Year
FEE BASED PROGRAMS/SERVICES	\$527,472	\$543,296	\$559,595	\$576,383
FACILITY RESERVATIONS	\$65,180	\$67,136	\$69,150	\$71,224
CHILD CARE	\$79,108	\$81,482	\$83,926	\$86,444
MEMBERSHIPS	\$834,862	\$859,908	\$885,705	\$912,276
DAY PASS	\$195,754	\$201,626	\$207,675	\$213,905
EMPLOYEE PASS	\$9,788	\$10,081	\$10,384	\$10,695
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$322,994	\$332,684	\$342,664	\$352,944
Total	\$2,035,158	\$2,096,213	\$2,159,099	\$2,223,872
Annual Net Gain/Loss	(\$1,205,239)	(\$245,505)	(\$50,355)	\$87,891
Total Cost Recovery	41%	88%	98%	104%
Total Number of Annual Visits	426,840	426,840	426,840	426,840
Tax Subsidy per Experience/Visit	(\$2.82)	(\$0.58)	(\$0.12)	\$0.21

Overall Membership Fee Changes

Summary of Three Options

10/26/2021 Item WS1.

Membership Type	Current Membership Fee	66% Cost Recovery Option Year Three Membership Fee	87% Cost Recovery Option Year Three Membership Fee	100+% Cost Recovery Option Year Three Membership Fee
Resident 1 Month Auto Renew Adult	\$ 22	\$ 40	\$ 50	\$ 65
Resident 1 Month Auto Renew Family	\$ 40	\$ 55	\$ 80	\$ 90
Resident 1 Month Auto Renew Youth	\$ 10	\$ 30	\$ 40	\$ 55
Resident 1 Month Auto Renew Senior	\$ 10	\$ 30	\$ 40	\$ 55
Resident 1 Month Adult	\$ 22	\$ 40	\$ 50	\$ 65
Resident 1 Month Family	\$ 40	\$ 55	\$ 80	\$ 90
Resident 1 Month Youth	\$ 10	\$ 30	\$ 40	\$ 55
Resident 1 Month Senior	\$ 10	\$ 30	\$ 40	\$ 55
Resident 1 Year Adult	\$ 175	\$ 325	\$ 425	\$ 550
Resident 1 Year Family	\$ 325	\$ 450	\$ 675	\$ 750
Resident 1 Year Youth	\$ 105	\$ 250	\$ 325	\$ 450
Resident 1 Year Senior	\$ 105	\$ 250	\$ 325	\$ 450

Overall Financial Performance

Summary of Three Options

10/26/2021 Item WS1.

Revenues	Current	66% Cost Recovery	87% Cost Recovery	100+% Cost Recovery
FEE BASED PROGRAMS/SERVICES	\$217,185	\$348,891	\$348,891	\$348,891
FACILITY RESERVATIONS	\$17,277	\$58,583	\$71,224	\$71,224
CHILD CARE	\$3,390	\$5,508	\$5,508	\$5,508
MEMBERSHIPS	\$569,230	\$997,065	\$1,435,775	\$1,821,560
DAY PASS	\$22,838	\$64,580	\$64,580	\$64,580
EMPLOYEE PASS	\$0	\$0	\$0	\$0
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$0	\$0	\$0	\$0
Total	\$829,919	\$1,474,627	\$1,925,978	\$2,311,763
Expenditures	Current	66% Cost Recovery	87% Cost Recovery	100+% Cost Recovery
FEE BASED PROGRAMS/SERVICES	\$527,472	\$576,383	\$576,383	\$576,383
FACILITY RESERVATIONS	\$65,180	\$71,224	\$71,224	\$71,224
CHILD CARE	\$79,108	\$86,444	\$86,444	\$86,444
MEMBERSHIPS	\$834,862	\$912,276	\$912,276	\$912,276
DAY PASS	\$195,754	\$213,905	\$213,905	\$213,905
EMPLOYEE PASS	\$9,788	\$10,695	\$10,695	\$10,695
COMMUNITY SERVICES/REC CENTER IMPROVEMENTS	\$322,994	\$352,944	\$352,944	\$352,944
Total	\$2,035,158	\$2,223,872	\$2,223,872	\$2,223,872
Annual Net Gain/Loss	(\$1,205,239)	(\$749,246)	(\$297,894)	\$87,891
Total Cost Recovery	41%	66%	87%	104%
Total Number of Annual Visits	426,840	426,840	426,840	426,840
Tax Subsidy per Experience/Visit	(\$2.82)	(\$1.76)	(\$0.70)	\$0.21



QUESTIONS?



Wylie City Council

AGENDA REPORT

Department: Parks and Recreation
 Prepared By: Robert Diaz

Account Code: _____

Subject

Discuss how to proceed with the dog park, splash pad, and Senior Center improvement projects.

Recommendation

Discussion

Staff will be discussing with the City Council the many options to design and construct the proposed dog park, splash pad, and Senior Center projects.

Financial Summary/Strategic Goals

There is not a Financial Summary included in this report.

Strategic Goals: *Health, Safety and Well-Being; Community Focused Government; Culture, Planning Management.*

Dog Park & Splash Pads Procurement Process Discussion

Wylie City Council Work Session October 26, 2021



Design and Construction Methodologies

Dog Park and Splash Pads

Construction is expressly processed under Gov. Code Chapter 2269

- Options:
 - Design Build Methodology ; or
 - Job Order Contracting (JOC) ; or
 - **Hire Landscape Architectural Firm (PSPO) and complete a bid process**

Design Build Procurement Method

Design Build Procurement Methodology

- The City contracts with a single firm to provide both design and construction of a “building”
- 2 Step Process
 1. Request for Qualifications (RFQ) to review the professional architect
 2. Request for Proposal (RFP) to the selected firm for the project.

Staff Comments:

- This methodology is specific to the construction or rehabilitation of a “building”, and does not apply to these projects.
- RFQ is a lengthy selection process

JOB ORDER CONTRACTING (JOC)

JOC is for the maintenance, repair, alteration, renovation or minor construction of a facility.

Staff Comments:

- This is new construction, and JOC is not intended for this type of project.

Recommendation: Design under MAPES/PSPO and Complete a Bid Process

- **Hire an independent Landscape Architect to complete the design; providing plans for bid documents**
 - Select the most qualified Landscape Architect under the Master Agreement for Professional and Engineering Services (MAPES).
 - Request a detailed proposal from the firm, and begin negotiations towards a contract.
 - Sign a Professional Services Project Order (PSPO)
- **Complete a bid process: (Options)**
 - Competitive sealed bid (low bid) or
 - CMAR (no value add for this type of project) or
 - **Competitive Sealed Proposal (CSP, recommended as the most flexibility)**
- Potential cost savings, utilize the cooperative purchasing contracts for buying equipment.



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Discuss a proposed residential development on approximately 44 acres, generally located on the northeast corner of Skyview Drive and Avalon Park Road in the City of Wylie's Extra Territorial Jurisdiction.

Recommendation

Discussion

The developer's representative has requested a work session with City Council to discuss a proposed development generally located on the northeast corner of Skyview Drive and Avalon Park Road.

The proposal consists of 348 duplex style rental units ranging from 763 to 2,619 square feet each on ~43.8 acres.

This property is currently in the City of Wylie's Extra Territorial Jurisdiction (ETJ) therefore annexation would be required. Annexation with a developer agreement has been proposed by the developer. However, prior to application, staff recommended a work session with Council due to the nature of the development and the requirements annexation places upon the City, such as utilities, waste collection, and public safety.

In addition to any general discussion with the developer, staff is requesting Council discussion on the following:

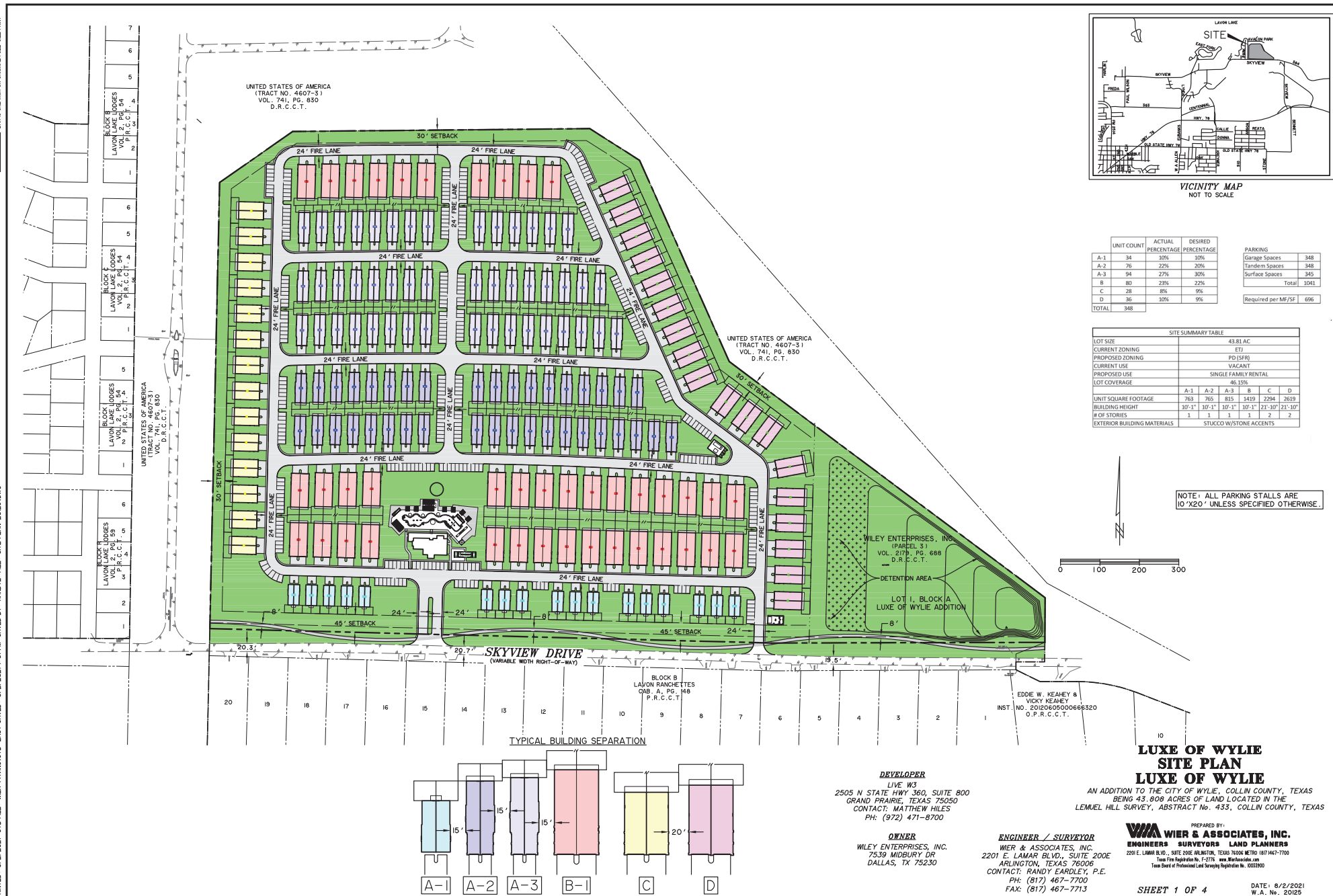
- The requirement of a Traffic Impact Analysis (TIA) in conjunction with any development agreement prior to annexation due to location of the proposal and surrounding roads.
- Expansion of the CCN and related studies due to the property not being within the City's, or any jurisdiction's, sewer service area (CCN), the distance to available sewer lines, and the City sewer system having been designed in accordance with the current CCN boundaries.
- Screening of the property from public ROW and the surrounding Avalon Park.

Financial Summary/Strategic Goals

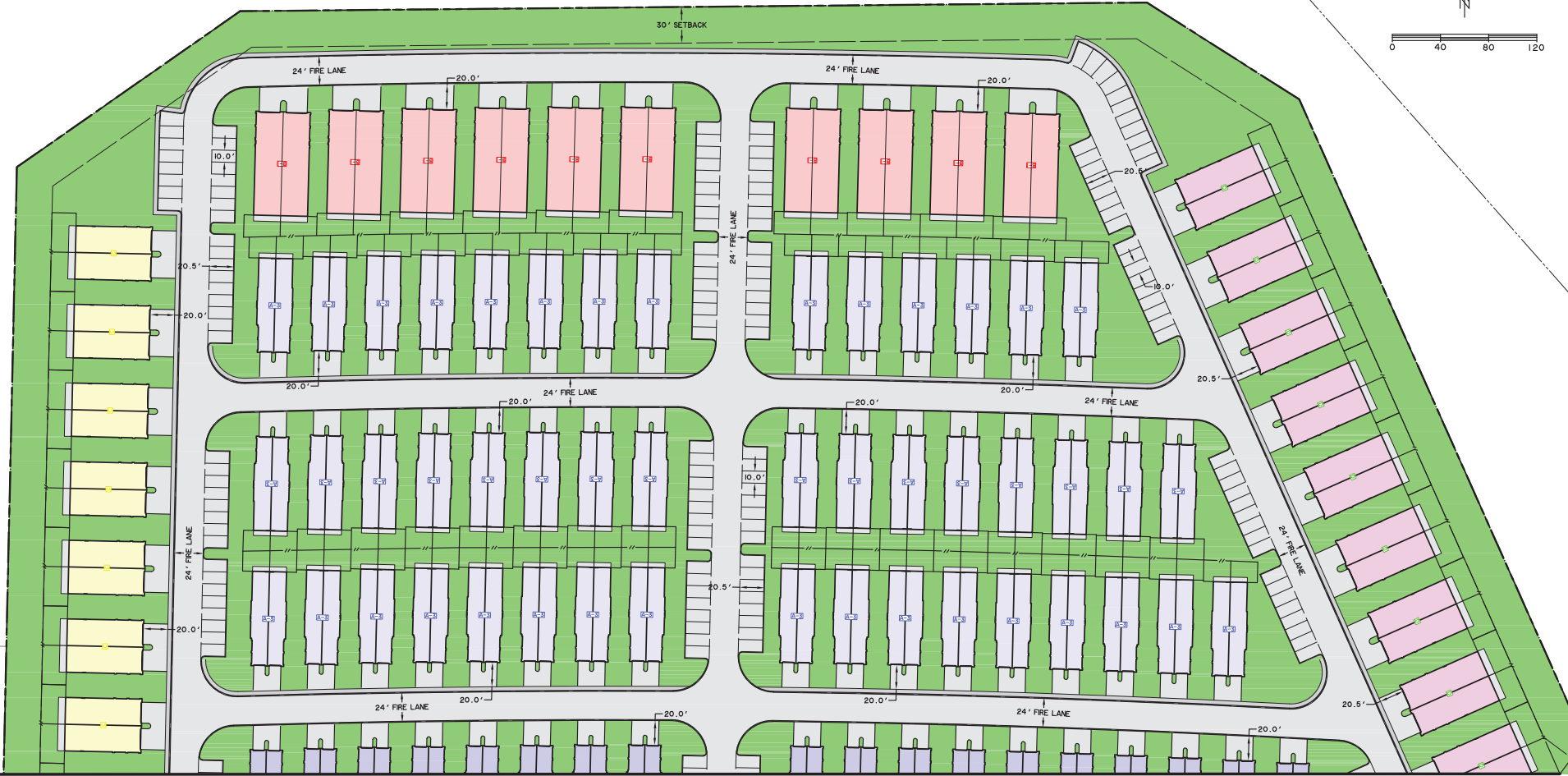
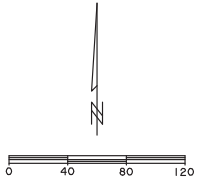
Planning Management

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UNITED STATES OF AMERICA
(TRACT NO. 4607-3)
VOL. 741, PG. 630
D.R.C.C.T.



MATCH LINE - SHEET 3

DEVELOPER

LIVE W3
2505 N STATE HWY 360, SUITE 800
GRAND PRAIRIE, TEXAS 75050
CONTACT: MATTHEW HILES
PH: (972) 471-8700

OWNER

WILEY ENTERPRISES, INC.
7539 MIDBURY DR
DALLAS, TX 75230

ENGINEER / SURVEYOR

WIER & ASSOCIATES, INC.
2201 E. LAMAR BLVD., SUITE 200E
ARLINGTON, TEXAS 76006
CONTACT: RANDY EARDLEY, P.E.
PH: (817) 467-7700
FAX: (817) 467-7713

**LUXE OF WYLIE
SITE PLAN
LUXE OF WYLIE**

AN ADDITION TO THE CITY OF WYLIE, COLLIN COUNTY, TEXAS
BEING 43.808 ACRES OF LAND LOCATED IN THE
LENMEL HILL SURVEY, ABSTRACT No. 433, COLLIN COUNTY, TEXAS

PREPARED BY:
W&A WIER & ASSOCIATES, INC.
ENGINEERS / SURVEYORS / LAND PLANNERS
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817) 467-7700
Texas Fire Registration No. F-2776 www.WierAssociates.com
Texas Survey or Professional Land Surveying Registration No. 50335050

SHEET 2 OF 4

DATE: 8/2/2021
W.A. No. 20125

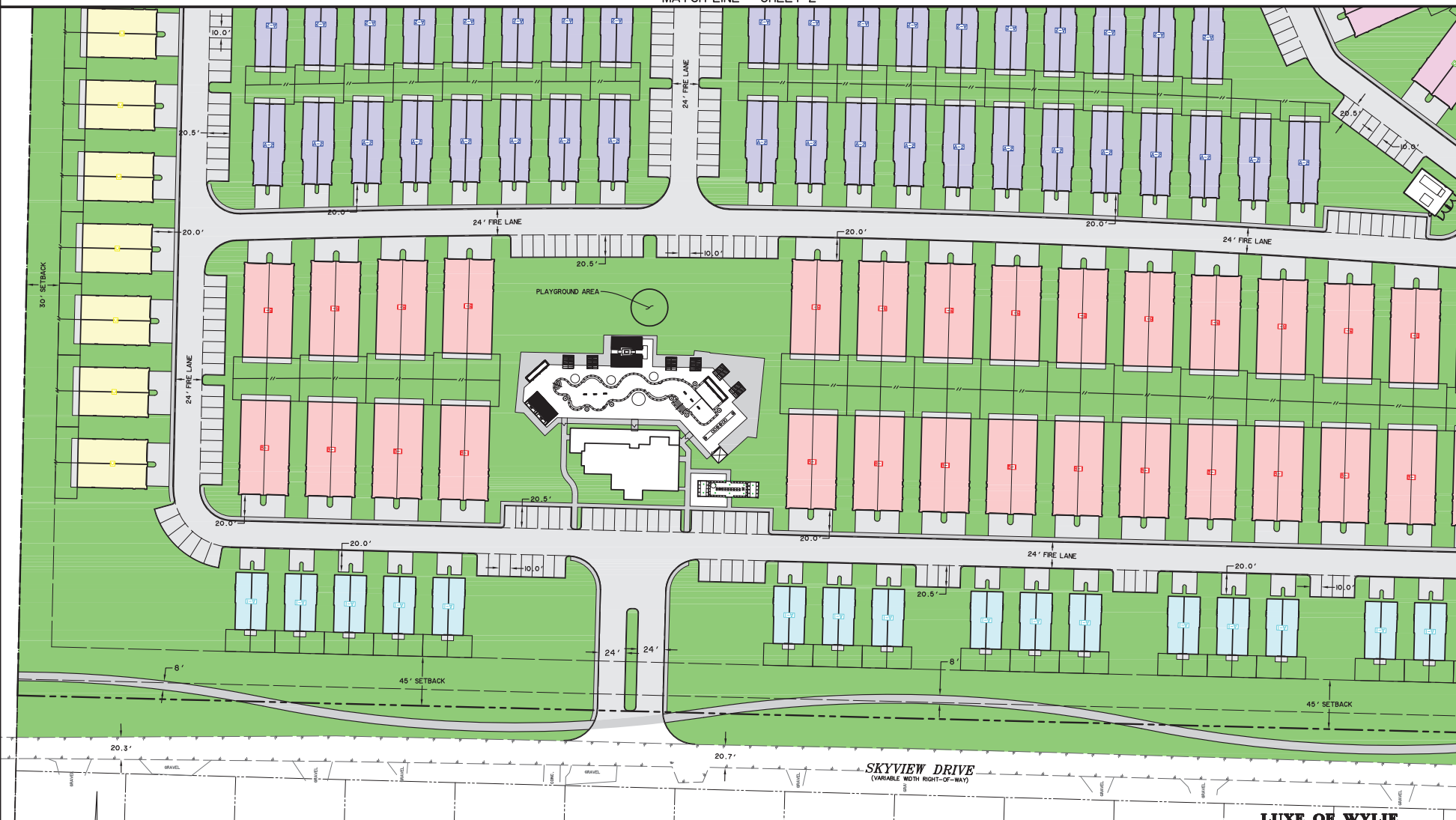
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MATCH LINE - SHEET 2



MATCH LINE - SHEET 4

0 40 80 120

DEVELOPER

LIVE W3
2505 N STATE HWY 360, SUITE 800
GRAND PRAIRIE, TEXAS 75050
CONTACT: MATTHEW HILES
PH: (972) 471-8700

OWNER

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7539 MIDBURY DR
DALLAS, TX 75230

ENGINEER / SURVEYOR

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AN ADDITION TO THE CITY OF WYLIE, COLLIN COUNTY, TEXAS
BEING 43.808 ACRES OF LAND LOCATED IN THE
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PREPARED BY

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ENGINEERS SURVEYORS LAND PLANNERS
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817) 467-7700
Texas Fire Registration No. F-2776 www.wierassociates.com
Texas Survey or Professional Land Surveying Registration No. 00333500

SHEET 3 OF 4

DATE: 8/2/2021
W.A. No. 20125

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MATCH LINE - SHEET 3



DEVELOPER
LIVE W3
2505 N STATE HWY 360, SUITE 800
GRAND PRAIRIE, TEXAS 75050
CONTACT: MATTHEW HILES
PH: (972) 471-8700

OWNER
WILEY ENTERPRISES, INC.
7539 MIDBURY DR
DALLAS, TX 75230

ENGINEER / SURVEYOR
WIER & ASSOCIATES, INC.
2201 E. LAMAR BLVD., SUITE 200E
ARLINGTON, TEXAS 76006
CONTACT: RANDY EARDLEY, P.E.
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FAX: (817) 467-7713

LUXE OF WYLIE SITE PLAN LUXE OF WYLIE

AN ADDITION TO THE CITY OF WYLIE, COLLIN COUNTY, TEXAS
BEING 43.808 ACRES OF LAND LOCATED IN THE
LENMEL HILL SURVEY, ABSTRACT No. 433, COLLIN COUNTY, TEXAS

W&A WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817) 467-7700
Texas Fire Registration No. F-2776 www.WierAssociates.com
Texas Surveyor License Registration No. 5033950

SHEET 4 OF 4

DATE: 8/2/2021
W.A. No. 20125

WYLIE, TX
BUILDING TYPE A1



WYLIE, TX
BUILDING TYPE A3



WYLIE, TX
BUILDING TYPE A5



LUXURY
LIVING



ELEMENT ARCHITECTS

WYLIE, TX
BUILDING TYPE B5



WYLIE, TX
BUILDING TYPE C3



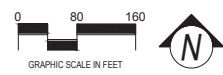
WYLIE, TX
BUILDING TYPE D3

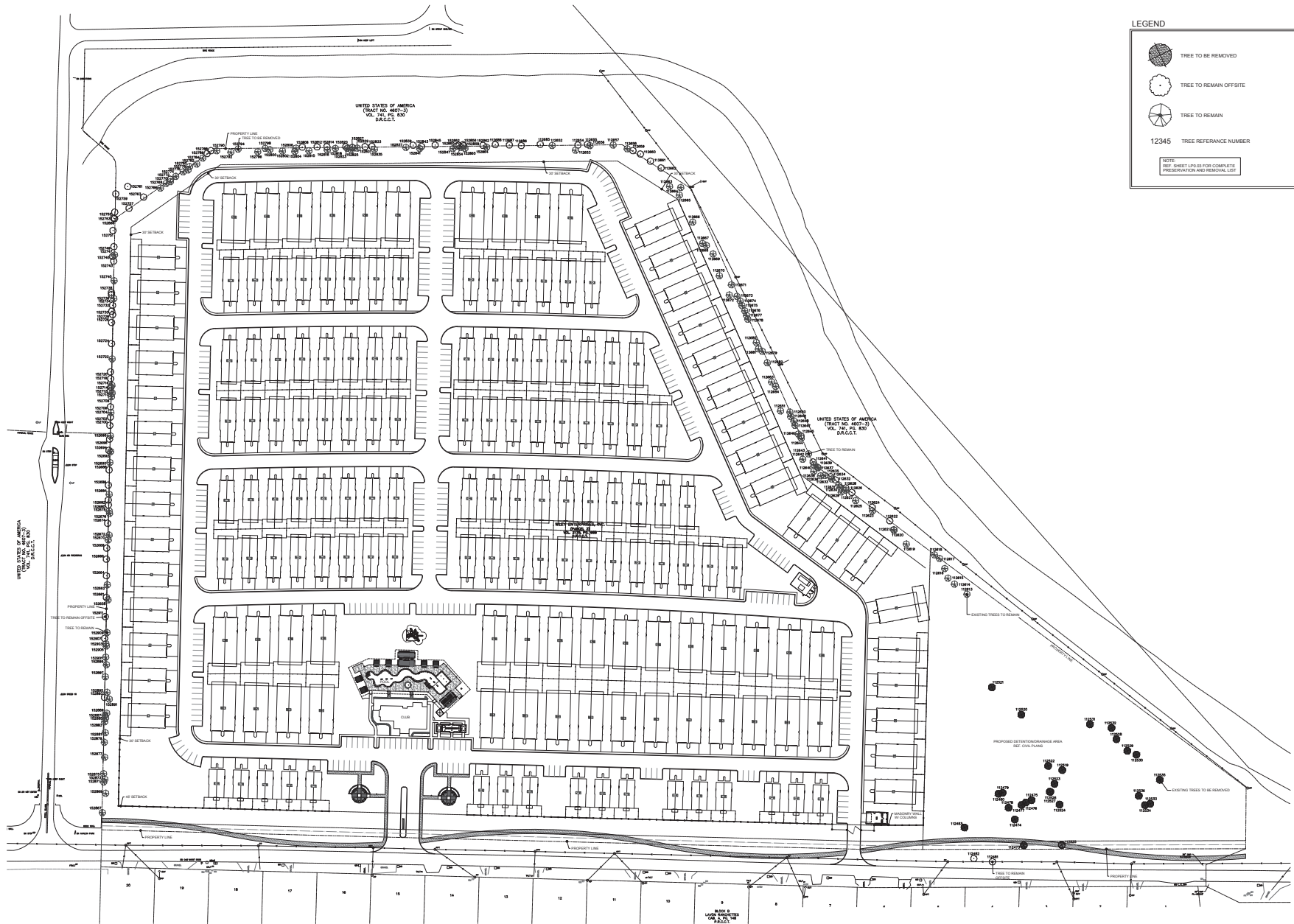


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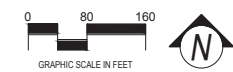
LUXURY
LIVING

Ea
ELEMENT ARCHITECTS





TREE PRESERVATION PLAN
SCALE: 1" = 80'-0"



LEGEND

- TREE TO BE REMOVED
- TREE TO REMAIN OFFSITE
- TREE TO REMAIN
- 12345 TREE REFERENCE NUMBER

NOTE: SEE SHEET LP0.03 FOR COMPLETE PRESERVATION AND REMOVAL LIST

ISSUES:

07-05-21	ISSUE FOR REVIEW

REVISIONS:

CLIENT:
W3 LUXURY LIVING
 2505 N. STATE HIGHWAY 380
 Suite 800
 GRAND PRAIRIE, TX 75050
 (972) 471-8700
 CONTACT: MATTHEW HILES

W3 WYLIE
SKYVIEW DRIVE
 WYLIE, TEXAS

mgg
 landscape architects
 MEEKS DESIGN GROUP, INC.
 1755 N. COLLINS BLVD., SUITE 300
 RICHARDSON, TX 75080
 PH (972) 690-2474
 C (214) 354-6534
 rnmw@mggland.com



ISSUE FOR REVIEW

W3 WYLIE
 WYLIE, TEXAS
 JOB NUMBER: 1908-2103

TREE PRESERVATION PLAN

LP0.02

TREE TABLE			
POINT NUMBER	NORTHING	EASTING	DESCRIPTION
152911	7066426.71	2581177.15	30" HACKBERRY
152909	7066398.37	2581174.71	24" HACKBERRY
152907	7066387.90	2581175.05	11" HACKBERRY MULTI-TRUNK
152905	7066373.58	2581161.12	6" HACKBERRY MULTI-TRUNK
152903	706637.37	2581175.50	11" HACKBERRY MULTI-TRUNK
152901	7066354.61	2581174.88	11" ELM
152899	7066334.80	2581172.89	11" ELM MULTI-TRUNK
152897	7066315.32	2581173.08	12" HACKBERRY MULTI-TRUNK
152895	7066287.92	2581162.42	26" HACKBERRY
152893	7066278.51	2581177.85	13" HACKBERRY MULTI-TRUNK
152891	7066275.17	2581166.71	8" HACKBERRY MULTI-TRUNK
152889	7066249.30	2581181.87	6" HACKBERRY MULTI-TRUNK
152887	7066245.77	2581178.61	14" HACKBERRY MULTI-TRUNK
152885	7066240.53	2581179.90	8" HACKBERRY MULTI-TRUNK
152883	7066233.46	2581176.29	6" HACKBERRY
152881	7066213.10	2581178.16	22" HACKBERRY
152879	7066196.40	2581177.52	18" HACKBERRY
152877	7066187.73	2581178.08	21" HACKBERRY
152875	7066137.25	2581176.11	12" ELM
152873	7066128.58	2581183.66	8" HACKBERRY

TREE TABLE			
POINT NUMBER	NORTHING	EASTING	DESCRIPTION
152871	7066118.96	2581183.82	6" ELM MULTI-TRUNK
152869	7066110.44	2581182.30	10" ELM
152867	7066064.73	2581176.67	6" HACKBERRY MULTI-TRUNK
152866	7066164.58	2581196.45	10" HACKBERRY
152864	7067308.74	2581880.89	11" HACKBERRY
152862	7067311.18	2581875.87	11" HACKBERRY
152860	7067304.37	2581846.62	10" HACKBERRY
152858	7067309.51	2581943.73	8" HACKBERRY
152856	7067307.89	2581842.95	8" HACKBERRY
152854	7067307.89	2581837.58	11" HACKBERRY
152852	7067309.52	2581832.90	6" HACKBERRY
152850	7067309.18	2581830.07	13" HACKBERRY
152847	7067306.18	2581821.23	12" HACKBERRY
152845	7067309.02	2581788.57	13" HACKBERRY MULTI-TRUNK
152843	7067309.40	2581766.39	18" HACKBERRY
152841	7067307.43	2581757.16	8" HACKBERRY
152839	7067309.87	2581748.19	18" HACKBERRY
152837	7067314.14	2581733.39	10" HACKBERRY MULTI-TRUNK
152835	7067303.70	2581673.68	14" HACKBERRY MULTI-TRUNK
152833	7067305.53	2581670.44	16" HACKBERRY

TREE TABLE			
POINT NUMBER	NORTHING	EASTING	DESCRIPTION
152831	7067304.70	2581659.91	13" HACKBERRY
152829	7067305.00	2581645.61	6" HACKBERRY
152827	7067303.38	2581635.92	6" HACKBERRY MULTI-TRUNK
152825	7067301.85	2581633.95	10" HACKBERRY
152823	7067302.20	2581627.61	8" HACKBERRY
152820	7067302.83	2581624.90	10" HACKBERRY MULTI-TRUNK
152818	7067304.42	2581605.73	6" HACKBERRY MULTI-TRUNK
152816	7067303.27	2581590.04	6" HACKBERRY
152814	7067307.77	2581589.53	28" ELM MULTI-TRUNK
152812	7067308.24	2581570.36	11" HACKBERRY
152810	7067303.34	2581554.57	11" HACKBERRY MULTI-TRUNK
152808	7067302.72	2581543.54	10" HACKBERRY
152806	7067305.45	2581532.86	10" HACKBERRY
152804	7067304.43	2581532.48	12" HACKBERRY MULTI-TRUNK
152802	7067300.55	2581507.84	6" HACKBERRY MULTI-TRUNK
152800	7067305.83	2581486.04	14" HACKBERRY MULTI-TRUNK
152798	7067303.74	2581475.52	10" HACKBERRY
152796	7067311.79	2581457.43	22" HACKBERRY MULTI-TRUNK
152794	7067314.25	2581417.71	13" HACKBERRY MULTI-TRUNK
152792	7067319.21	2581405.36	14" HACKBERRY

TREE TABLE			
POINT NUMBER	NORTHING	EASTING	DESCRIPTION
152790	7067301.48	2581376.11	8" HACKBERRY
152788	7067299.78	2581369.84	6" HACKBERRY
152786	7067293.25	2581360.34	14" HACKBERRY
152784	7067280.57	2581350.38	17" HACKBERRY
152782	7067274.84	2581340.56	14" HACKBERRY
152780	7067266.92	2581328.85	6" HACKBERRY
152778	7067262.68	2581324.81	13" HACKBERRY
152776	7067298.10	2581315.70	12" HACKBERRY
152774	7067246.82	2581304.50	6" HACKBERRY
152772	7067243.46	2581295.70	8" HACKBERRY
152770	7067241.68	2581291.58	10" HACKBERRY
152768	7067237.86	2581286.06	10" BOIS D'ARC
152766	7067230.92	2581277.45	14" HACKBERRY MULTI-TRUNK
152763	7067214.89	2581242.23	11" HACKBERRY MULTI-TRUNK
152761	7067223.93	2581220.91	6" HACKBERRY MULTI-TRUNK
152759	7067210.74	2581200.79	6" CEDAR
152757	7067183.92	2581211.56	6" HACKBERRY MULTI-TRUNK
152755	7067176.56	2581196.79	20" HACKBERRY
152753	7067165.19	2581186.17	12" HACKBERRY
152751	7067142.31	2581163.75	10" HACKBERRY

TREE TABLE			
POINT NUMBER	NORTHING	EASTING	DESCRIPTION
152749	7067110.90	2581187.27	26" HACKBERRY
152747	7067097.12	2581189.02	10" HACKBERRY
152745	7067093.85	2581187.03	11" HACKBERRY
152743	7067093.00	2581188.78	13" HACKBERRY MULTI-TRUNK
152740	7067048.69	2581184.45	13" HACKBERRY MULTI-TRUNK
152738	7067026.83	2581184.55	8" HACKBERRY MULTI-TRUNK
152736	7067021.44	2581187.38	6" HACKBERRY MULTI-TRUNK
152734	7067010.57	2581185.73	24" HACKBERRY MULTI-TRUNK
152732	7067003.52	2581186.00	10" HACKBERRY
152730	7066992.85	2581184.07	10" HACKBERRY
152728	7066986.61	2581184.15	10" HACKBERRY MULTI-TRUNK
152726	7066971.58	2581175.20	15" HACKBERRY
152724	7066931.90	2581180.36	6" HACKBERRY MULTI-TRUNK
152722	7066905.58	2581182.87	21" HACKBERRY MULTI-TRUNK
152720	7066881.51	2581181.50	18" HACKBERRY MULTI-TRUNK
152718	7066868.54	2581185.54	8" HACKBERRY
152716	7066856.29	2581189.11	12" HACKBERRY MULTI-TRUNK
152714	7066852.88	2581188.32	14" HACKBERRY
152712	7066845.24	2581188.04	12" HACKBERRY
152710	7066841.87	2581188.88	10" HACKBERRY

TREE TABLE			
POINT NUMBER	NORTHING	EASTING	DESCRIPTION
152708	7066935.19	2581188.38	8" HACKBERRY
152706	7066916.29	2581188.80	10" HACKBERRY MULTI-TRUNK
152704	7066905.76	2581188.78	14" HACKBERRY
152702	7066797.88	2581188.21	10" HACKBERRY MULTI-TRUNK
152700	7066782.20	2581183.80	8" HACKBERRY
152698	7066761.65	2581186.52	22" HACKBERRY MULTI-TRUNK
152696	7066755.77	2581184.47	11" HACKBERRY MULTI-TRUNK
152694	7066735.12	2581183.29	10" HACKBERRY MULTI-TRUNK
152692	7066732.53	2581186.21	10" HACKBERRY
152690	7066710.70	2581184.69	10" HACKBERRY MULTI-TRUNK
152688	7066698.88	2581183.50	10" HACKBERRY MULTI-TRUNK
152686	7066671.33	2581185.06	6" HACKBERRY
152684	7066654.36	2581182.43	18" HACKBERRY
152682	7066643.28	2581181.01	13" HACKBERRY MULTI-TRUNK
152680	7066634.80	2581181.26	10" HACKBERRY
152678	7066623.11	2581183.33	6" HACKBERRY MULTI-TRUNK
152676	7066618.80	2581182.40	8" HACKBERRY
152674	7066599.04	2581179.31	10" HACKBERRY
152672	7066576.26	2581186.05	8" HACKBERRY
152670	7066569.93	2581177.64	24" HACKBERRY

TREE TABLE			
POINT NUMBER	NORTHING	EASTING	DESCRIPTION
152668	7066554.49	2581177.54	20" HACKBERRY
152666	7066533.80	2581177.49	6" ELM
152664	7066503.93	2581176.34	18" HACKBERRY
152662	7066487.36	2581176.97	21" HACKBERRY
152661	7066463.86	2581179.01	18" ELM
152658	7066459.35	2581178.78	12" HACKBERRY
152656	7067301.41	2581900.97	10" HACKBERRY
152654	7067300.84	2581927.00	6" HACKBERRY
152652	7067299.67	2581949.10	12" HACKBERRY
152650	7067302.19	2581984.22	10" HACKBERRY
152648	7066533.99	2582019.71	12" HACKBERRY
152646	7066502.09	2582042.25	12" HACKBERRY
152644	7066587.58	2582404.24	12" HACKBERRY
152642	7066623.40	2582387.84	12" HACKBERRY
152640	7066635.33	2582385.99	12" HACKBERRY
152638	7066619.05	2582394.93	10" HACKBERRY
152636	7066678.42	2582368.15	12" HACKBERRY
152634	7066685.21	2582368.03	15" HACKBERRY
152632	7066693.86	2582362.60	10" HACKBERRY
152630	7066703.58	2582357.38	12" HACKBERRY

TREE TABLE			
POINT NUMBER	NORTHING	EASTING	DESCRIPTION
152624	7067012.06	2582354.19	12" HACKBERRY
152622	7067020.65	2582346.26	12" HACKBERRY
152620	7067023.22	2582333.93	12" HACKBERRY
152618	7067094.07	2582337.84	10" HACKBERRY
152616	7067098.73	2582315.60	12" HACKBERRY
152614	7067099.17	2582303.93	12" HACKBERRY
152612	7067114.92	2582291.56	12" HACKBERRY
152610	7067116.54	2582284.51	12" HACKBERRY
152608	7067156.07	2582266.22	12" HACKBERRY
152606	7067206.13	2582241.54	12" HACKBERRY
152604	7067222.08	2582244.12	12" HACKBERRY
152602	7067224.12	2582223.48	12" HACKBERRY
152600	7067256.34	2582207.84	12" HACKBERRY
152598	7067270.87	2582188.24	12" HACKBERRY
152596	7067284.10	2582169.82	12" HACKBERRY
152594	7067290.32	2582155.80	12" HACKBERRY
152592	7067293.79	2582145.01	12" HACKBERRY
152590	7067300.69	2582118.97	12" HACKBERRY
152588	7067299.61	2582076.14	12" HACKBERRY
152586	7067302.00	2582071.41	12" HACKBERRY

TREE TABLE			
POINT NUMBER	NORTHING	EASTING	DESCRIPTION
152654	7067300.76	2582053.98	12" HACKBERRY
152653	7067291.14	2582049.31	12" HACKBERRY
152652	7067296.64	2582006.18	10" HACKBERRY
152651	7066806.55	2582438.74	10" HACKBERRY
152650	7066806.55	2582446.20	8" HACKBERRY
152649	7066798.33	2582447.53	15" HACKBERRY
152648	7066789.97	2582453.47	15" HACKBERRY
152647	7066781.99	2582455.56	8" HACKBERRY
152646	7066765.88	2582461.68	12" HACKBERRY
152645	7066762.14	2582466.76	12" HACKBERRY
152644	7066758.11	2582467.14	6" HACKBERRY
152643	7066729.19	2582480.68	12" HACKBERRY
152642	7066718.21	2582469.91	10" HACKBERRY
152641	7066714.31	2582488.12	6" HACKBERRY
152640	7066708.87	2582490.66	12" HACKBERRY
152639	7066703.40	2582486.44	12" HACKBERRY
152638	7066696.74	2582490.31	12" HACKBERRY
152637	7066704.54	2582496.99	12" HACKBERRY
152636	7066688.56	2582503.88	12" HACKBERRY
152635	7066688.34	2582516.94	12" HACKBERRY

DESCRIPTION	
6	12" HACKBERRY
8	12" HACKBERRY
2	12" HACKBERRY
4	10" HACKBERRY
7	10" HACKBERRY
8	10" HACKBERRY
4	10" HACKBERRY
9	10" HACKBERRY
3	10" HACKBERRY
1	10" HACKBERRY
1	18" HACKBERRY
0	12" HACKBERRY
7	12" HACKBERRY
6	12" HACKBERRY
6	10" HACKBERRY
4	15" HACKBERRY
9	15" HACKBERRY
8	15" HACKBERRY
4	10" HACKBERRY
1	10" HACKBERRY
6	10" HACKBERRY

GENERAL LANDSCAPE & MAINTENANCE NOTES:

A. THE OWNER, TENANT, AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING, AND SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING.

B. LANDSCAPE AREAS SHALL BE KEPT FREE OF LITTER, TRASH, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT A PART OF THE LANDSCAPING.

C. NO SUBSTITUTIONS FOR PLAN MATERIALS IS ALLOWED, WITHOUT WRITTEN AND STAMPED APPROVAL BY THE DIRECTOR ON A REVISED LANDSCAPE PLAN.

D. THE RIGHT OF WAY ADJACENT TO REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE ADJACENT OWNER IN THE SAME MANNER AS THE REQUIRED LANDSCAPE AREA. ALL DRIVEWAYS WILL MAINTAIN VISIBILITY AS APPROVED BY THE DIRECTOR. ALL PLANTINGS INTENDED FOR EROSION CONTROL WILL BE MAINTAINED. THE TOWN MAY REQUIRE RE-VEGETATION TO PREVENT EROSION OR SLIPPAGE.

E. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE, WITHIN THIRTY (30) DAYS OR A DATE APPROVED BY THE DIRECTOR, BASED ON CURRENT SEASONS AND WEATHER CONDITIONS (I.E. DROUGHT OR FREEZE).

F. WHEN POWER LINES ARE PRESENT, TREES SHALL NOT BE PLANTED UNDERNEATH AND SHOULD BE ORIENTED IN A MANNER TO AVOID CONFLICT. SUBSTITUTION OF PLANT MATERIAL IS NOT ALLOWED WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE DIRECTOR.

G. REQUIRED LANDSCAPED OPEN AREAS AND DISTURBED SOIL AREAS SHALL BE COMPLETELY COVERED WITH LIVING PLANT MATERIAL, PER THE LANDSCAPE ORDINANCE.

H. ALL STREETSCAPE FURNITURE (BENCHES, BOLLARDS, LAMPPOSTS, TRASH RECEPTACLES, PATIO FURNITURE, BIKE RACKS, ETC.) SHALL BE A CHIP AND FLAKE RESISTANT METAL, DECORATIVE, AND GENERALLY BLACK "STORM CLOUD" IN COLOR.

IRRIGATION NOTES:

ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPO-TRANSPARATION (ET) WEATHER BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.

A FULL SET OF IRRIGATION PLANS SHALL BE SUBMITTED TO THE CITY FOR APPROVAL / PERMIT PRIOR TO INSTALLATION.

LANDSCAPE REQUIREMENTS

TOTAL LANDSCAPE

TOTAL SITE AREA = 1,908,267 SQ FT (43.81 ACRES)

LANDSCAPE EDGE ALONG STREET R.O.W.

REQUIRED: (1) 3" SHADE TREE EVERY 50 LINEAR FEET OF STREET FRONTAGE WITH 40' LANDSCAPE BUFFER

REQUIRED: 2,117 LINEAR FT OF FRONTAGE / 50 = 42.34 TREES

PROVIDED: 43 SHADE TREES ALONG STREET FRONTAGE

INTERIOR PARKING LOT LANDSCAPING

REQUIRED: 90 SQ FT X 347 = 17,350 SQ FT

PROVIDED: 17,350+ SQ FT

LANDSCAPING IN YARDS

REQUIRED: 10% OF SITE TO BE LANDSCAPED

1,908,267 SQ FT X 10% = 190,827 SQ FT

PROVIDED: 190,827+ SQ FT

TREE MITIGATION

REQUIRED: PROTECTED TREES 6" CAL+ THAT ARE HEALTHY AND GROWING ON SITE MUST BE PRESERVED OR REPLACED BASED ON RECOMMENDATIONS FROM THE TREE BOARD.

SEE SHEET LP0.02 & LP0.03 FOR EXISTING TREES TO BE REMOVED

LEGEND



EXISTING TREE TO REMAIN
(REF. SHEET PL0.02 & PL0.03)



EXISTING TREE TO REMOVE
(REF. SHEET PL0.03 FOR COMPLETE REMOVAL LIST)



PROPOSED 3" CAL. SHADE TREE



PROPOSED ORNAMENTAL TREE



TYP. SHRUB PLANTING

OWNER INFORMATION:

W3 LUXURY LIVING
2505 N. STATE HIGHWAY 360
SUITE 800
GRAND PRairie, TX 75050
(972) 471-8700

LANDSCAPE ARCHITECT

MEERKS DESIGN GROUP, INC.
HERB MEERKS
1100 CENTENAL BLVD #270
DALLAS, TX 75081
(972) 496-7474

SITE IRRIGATION

IRRIGATION SYSTEM WILL BE DESIGNED AND INSTALLED BY A LICENSED IRRIGATOR

TYPICAL PLANT LIST

TYPICAL LARGE CANOPY TREE LIST:

SHUMARD'S RED OAK
CEDAR ELM
BALD CYPRESS
QUERCUS SHUMARDII
ULMUS CRASIFOLIA
QUERCUS VIRGINIANA
TAXODIUM DISTICHUM

TYPICAL SHRUB LIST:

DWF. BURFORD HOLLY
ABELIA
CENIZO (TEXAS SAGE)
PLUM DELIGHT
MAIDEN GRASS
ILEX CORNUTA 'BURFORDII NANA'
ABELIA X GRANDIFLORA
LEUCOPHYLLUM FRUTESCENS
LOROPETALUM CHINENSIS 'PLUM DELIGHT'
MISCANTHUS SINENSIS

TYPICAL ORNAMENTAL TREE LIST:

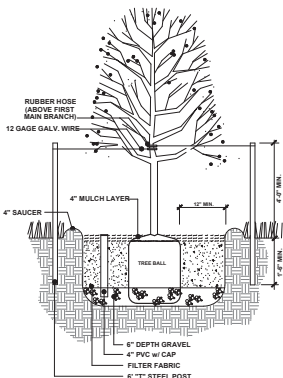
MEXICAN PLUM
CAPE MYRTLE
TEXAS RED BUD
SAVANNAH HOLLY
PRUNUS MEXICANA
LAGERSTROEMIA INDICA
CERCIS CANADENSIS 'TEXANA'
ILEX X ATTENUATA 'SAVANNAH'

NOTE PLANT TYP. SPEC'S

SHADE TREE: Minimum 3" Cal. measured 18" above soil line
Min. 12'-14' ht. w/ 6'-8' min. spread

ORNAMENTAL TREE: Minimum 2" Cal. measured 6" above soil line
Min. 8'-10' ht. w/ 5'-6' min. spread

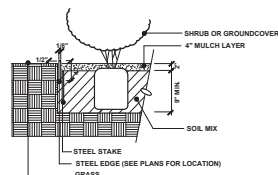
LARGE SHRUBS: Min. 24" ht., 18" min. spread,
Plant 36" O.C., Container Only



TREE STAKING AND PLANTING

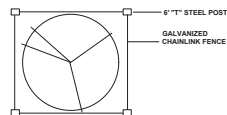
UP TO 3" CALIPER, 30 GALLON AND SMALLER

N.T.S.



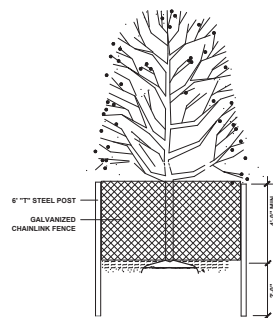
BED-PREP W/STEEL EDGE

N.T.S.



TREE PROTECTION DETAIL
PLAN VIEW

NOTE:
A PROTECTIVE BARRIER, BEGINNING AT THE OUTSIDE OF THE DRIPLINE OF THE TREE TO PROTECT THE ROOT ZONE SHALL BE ERECTED AND MAINTAINED UNTIL CONSTRUCTION IS COMPLETED.

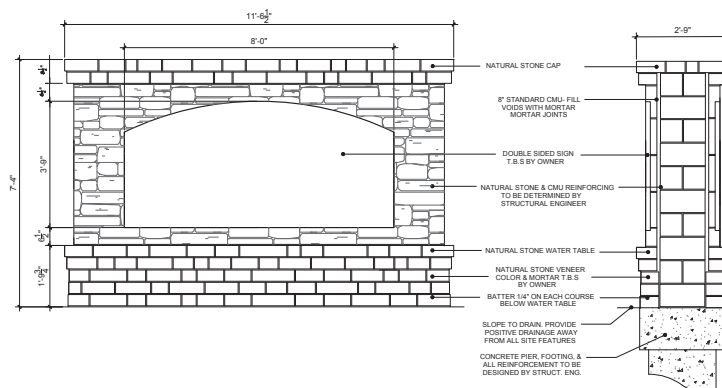


TREE PROTECTION DETAIL
ELEVATION

N.T.S.

TYP. TREE PROTECTION DETAIL

N.T.S.



TYP. MONUMENT SIGN DETAIL

1/2"=1'-0"

ISSUES:

07-08-21	ISSUE FOR REVIEW

REVISIONS:

CLIENT:

W3 LUXURY LIVING
2505 N. STATE HIGHWAY 360
Suite 800
GRAND PRairie, TX 75050
(972) 471-8700

CONTACT: MATTHEW HILES

W3 WYLIE
SKYVIEW DRIVE
WYLIE, TEXAS

MEERKS DESIGN GROUP, INC.
1765 N. COLLINS BLVD., SUITE 300
RICHARDSON, TX 75080
PH (972) 690-7474
C (214) 354-6034
mmeerks@meerksgroup.com

ISSUE FOR REVIEW

W3 WYLIE
WYLIE, TEXAS
JOB NUMBER: 1608-2103

PLANTING LIST & DETAILS
LP0.04



Wylie City Council

AGENDA REPORT

Department: City Manager
Prepared By: Stephanie Storm

Account Code: _____

Subject

Discuss RV temporary street parking.

Recommendation

Discussion

Financial Summary/Strategic Goals

Sec. 110-186. - Parking regulations for commercial vehicles, vehicles exceeding 25 feet in length, and vehicles containing hazardous materials.

- (a) Parking of any vehicle, trailer or combination thereof exceeding 25 feet in length on any street, alley or other public way is hereby prohibited.
- (b) Commercial vehicles of less than 25 feet in length, exclusive of passenger cars, may not be parked in residential districts unless they are parked on private property with the consent of the owner of the property.
- (c) Any vehicle containing hazardous materials is prohibited from parking anywhere within a residential district, or within 1,000 feet of such district.
- (d) Any vehicle containing hazardous materials is prohibited from parking on the streets, alleys or other public ways of the city.
- (e) Parking of vehicles containing hazardous materials on private property shall be allowed only in industrial districts.
- (f) For the purposes of this section, the term "hazardous materials" shall have the same meaning as the term is defined in Ordinance No. 93-18, as currently existing or hereafter codified or amended.
- (g) Any vehicle in violation of this section shall be subject to impoundment as provided in section 110-242, which shall be in addition to any other penalties or fines as provided in this chapter.

(Code 1991, ch. 10, §§ 20.18, 20.20; Code 1997, § 110-256; Code 2005, § 110-186; Ord. No. 78-17, art. VI, § 17, 5-23-1978; Ord. No. 79-9, § 2, 2-13-1979; Ord. No. 93-26, § II, 5-11-1993; Ord. No. 93-60, § II(10-20.18), 5-25-1993)

Sec. 110-187. - Overnight parking.

Overnight parking for storage on any paved street is hereby prohibited. The term "overnight parking for storage" means the habitual parking or storing of cars, trucks (through or local), tractors, boats, trailers, campers or other vehicles on paved streets or rights-of-way during hours from sundown to sunup, except temporarily disabled vehicles which are protected by flares or other approved signal devices. It is not the intention of this section to prohibit or interfere with passenger cars, and up to three-quarter-ton pickups to be parked overnight.

(Code 1991, ch. 10, § 20.19; Code 1997, § 110-257; Code 2005, § 110-187; Ord. No. 79-9, § 1, 2-13-1979)

ORDINANCE NO. 93-60

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING SECTION 20.18 AND 20.20 OF THE WYLIE CITY CODE REGARDING THE PARKING OF VEHICLES EXCEEDING 25 FEET IN LENGTH ON PUBLIC RIGHT OF WAYS, PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS AND REGULATING THE PARKING OF VEHICLES CONTAINING HAZARDOUS MATERIALS; REPEALING ALL CONFLICTING ORDINANCES; CONTAINING A PENALTY CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, parking of commercial vehicles and vehicles exceeding 25 feet in length in residential districts within the City of Wylie continues to be a concern of the Council; and,

WHEREAS, the City Council has determined that the health safety and welfare of the citizens of the City may be adversely effected by parking of vehicles containing hazardous materials in residential districts and upon public right of ways; and,

WHEREAS, the City Council desires to take appropriate action to provide reasonable protection against the potential danger of such materials within the City;

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

SECTION I

That Sections 10-20.18 "Vehicles Exceeding Length of Twenty-Five (25) Feet" and Section 10-20.20 "Commercial Vehicles Not to be Parked on Residential District Property" be, and they hereby deleted from the Wylie City Code.

SECTION II

That the following Section 10-20.18 be, and it hereby is, added to the Wylie City Code:

"Section 10-20.18 Parking Regulations For Commercial Vehicles, Vehicles Exceeding 25 Feet In Length, and Vehicles Containing Hazardous Materials.

a) Parking of any vehicle, trailer, or combination thereof, exceeding 25 feet length on any street, alley, or other public way is hereby prohibited.

b) Commercial vehicles, of less than 25 feet in length, exclusive of passenger cars, may

not be parked in residential districts unless they are parked on private property with the consent of the owner of the property.

c) Any vehicle containing hazardous materials is prohibited from parking anywhere within a residential district, or within 1,000 feet thereof.

d) Any vehicle containing hazardous materials is prohibited from parking on the streets, alleys, or other public ways of the City.

e) Parking of vehicles containing hazardous materials on private property shall be allowed only in Industrial Districts.

f) For the purposes of this Ordinance the term hazardous materials shall have the same meaning as the term is defined in Ordinance No. 93-18 as currently existing or hereafter codified or amended.

g) Any vehicle in violation of this section shall be subject to impoundment as provided in Section 10-20.01 of this Code, which shall be in addition to any other penalties or fines as herein provided."

SECTION III

Any person violating the provisions of this ordinance, or any part hereof, commits an unlawful act and shall be subject to the general penalty provisions of the Wylie City Code as set forth in Section 1-1.06 thereof, as the same now exists or is hereafter amended.

SECTION IV

Should any paragraph, sentence, sub-division, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

SECTION V

This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

SECTION VI

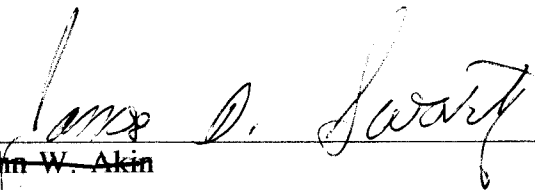
That all other ordinances and code provisions in conflict herewith are hereby repealed to the


extent of any such conflict or consistency and all other provisions of the Wylie City Code not in conflict herewith shall remain in full force and effect.

SECTION VII

The repeal of any ordinance, of parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this ^{25th} ~~14th~~ day of May, 1993.

By 
~~John W. Akin~~
Mayor

ATTEST: 
Mary Nichols
City Secretary

Approved: _____
Steven P. Deiter
City Attorney

ORDINANCE NO. 93-26

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING SECTION 20.18 AND 20.20 OF THE WYLIE CITY CODE REGARDING THE PARKING OF VEHICLES EXCEEDING 25 FEET IN LENGTH ON PUBLIC RIGHT OF WAYS, PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS AND REGULATING THE PARKING OF VEHICLES CONTAINING HAZARDOUS MATERIALS; REPEALING ALL CONFLICTING ORDINANCES; CONTAINING A PENALTY CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, parking of commercial vehicles and vehicles exceeding 25 feet in length in residential districts within the City of Wylie continues to be a concern of the Council; and,

WHEREAS, the City Council has determined that the health safety and welfare of the citizens of the City may be adversely effected by parking of vehicles containing hazardous materials in residential districts and upon public right of ways; and,

WHEREAS, the City Council desires to take appropriate action to provide reasonable protection against the potential danger of such materials within the City;

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

SECTION I

That Sections 10-20.18 "Vehicles Exceeding Length of Twenty-Five (25) Feet" and Section 10-20.20 "Commercial Vehicles Not to be Parked on Residential District Property" be, and they hereby deleted from the Wylie City Code.

SECTION II

That the following Section 10-20.18 be, and it hereby is, added to the Wylie City Code:

"Section 10-20.18 Parking Regulations For Commercial Vehicles, Vehicles Exceeding 25 Feet In Length, and Vehicles Containing Hazardous Materials.

- a) Parking of any vehicle, trailer, or combination thereof, exceeding 25 feet length on any street, alley, or other public way is hereby prohibited.
- b) Commercial vehicles, of less than 25 feet in length, exclusive of passenger cars, may not be parked in residential districts unless they are parked on private property with the consent

of the owner of the property.

c) Any vehicle containing hazardous materials is prohibited from parking anywhere within a residential district, or within 1,000 feet thereof.

d) Any vehicle containing hazardous materials is prohibited from parking on the streets, alleys, or other public ways of the City.

e) Parking of vehicles containing hazardous materials on private property shall be allowed only in Industrial Districts.

f) For the purposes of this Ordinance the term hazardous materials shall have the same meaning as the term is defined in Ordinance No. 93-18 as currently existing or hereafter codified or amended.

g) Any vehicle in violation of this section shall be subject to impoundment as provided in Section 10-20.01 of this Code, which shall be in addition to any other penalties or fines as herein provided."

SECTION III

Any person violating the provisions of this ordinance, or any part hereof, commits an unlawful act and shall be subject to the general penalty provisions of the Wylie City Code as set forth in Section 1-1.06 thereof, as the same now exists or is hereafter amended.

SECTION IV

Should any paragraph, sentence, sub-division, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

SECTION V

This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

SECTION VI

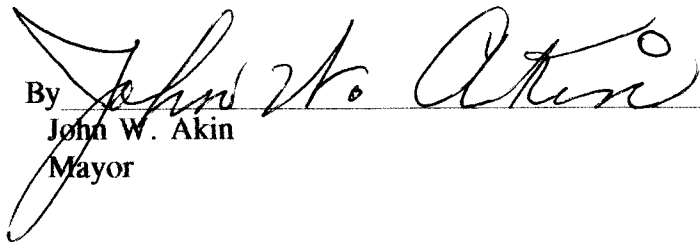
That all other ordinances and code provisions in conflict herewith are hereby repealed to the extent of any such conflict or consistency and all other provisions of the Wylie City Code not

in conflict herewith shall remain in full force and effect.

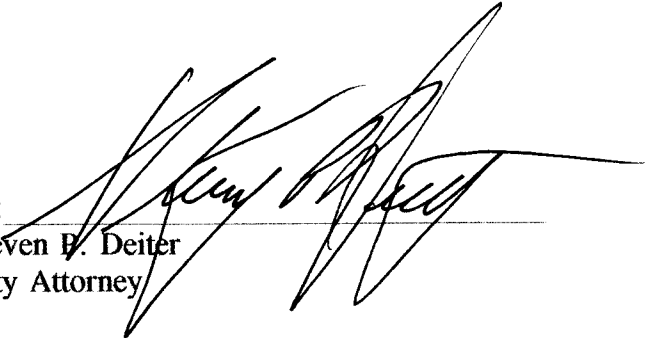
SECTION VII

The repeal of any ordinance, of parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 11th day of May, 1993.

By 
John W. Akin
Mayor

ATTEST: 
Mary Nichols
City Secretary

Approved: 
Steven P. Deiter
City Attorney

ORDINANCE #79-9

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE #78-17 OF THE CITY SECTIONS 18; OVERNIGHT PARKING; SECTION 19; COMMERCIAL VEHICLES PARKED ON RESIDENTIAL DISTRICT PROPERTY; PROVIDING PENALTIES.

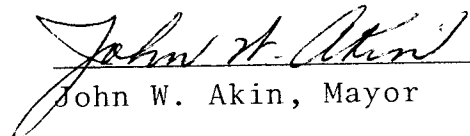
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:

SECTION 1. Amend Section 18; OVERNIGHT PARKING. Overnight parking for storage on any paved street is hereby prohibited. "Overnight parking for storage" is hereby defined as the habitual parking or storing of cars, trucks, (through or local), tractors, boats, trailers, campers or other vehicles on paved streets or right-of-ways during hours from sundown to sunup, except temporarily disabled vehicles which are protected by flares or other approved signal devices. It is not the intention of this section to prohibit or interfere with passenger cars, and up to three quarter (3/4) ton pickups to be parked overnight.


SECTION 2. Amend Section 19: COMMERCIAL VEHICLES PARKED ON RESIDENTIAL DISTRICT PROPERTY. Local commercial vehicles, or through commercial vehicles, are permitted in residential districts as long as they are parked on the owners property or have permission from the property owner. These trucks are limited to one per lot or tract of land. Cab and Chassis with fifth wheels or bob tails are permitted without the trailers on residential district property.

SECTION 3. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00).

PASSED AND APPROVED THIS 13th day of February, 1979.


John W. Akin, Mayor

ATTEST:


Sarah A. Connelly, City Secretary

AN ORDINANCE PRESCRIBING REGULATIONS FOR TRAFFIC, BOTH VEHICULAR AND PEDESTRIAN, IN AND THROUGH THE CITY OF WYLIE, TEXAS REPEALING ORDINANCE # 71-15, ORDINANCE # 73-1, ORDINANCE # 10-10-61, ORDINANCE # 62-10, ORDINANCE # 78-9.

ARTICLE I—GENERAL TRAFFIC REGULATIONS

DEFINITION OF TERMS; AUTHORITY TO DIRECT TRAFFIC; OBEDIENCE TO TRAFFIC OFFICERS; INCLUSIONS AND EXEMPTIONS; ILLEGAL RIDING PROHIBITED; RIDING MOTORCYCLES RESTRICTED; BOARDING OR ALIGHTING FROM MOVING VEHICLES PROHIBITED; CLINGING TO MOVING VEHICLES PROHIBITED; ROLLER SKATES, COASTERS, ETC., PROHIBITED; DEPOSITING OF GLASS, NAILS, ETC.; PROJECTING LOADS; REMOVAL OR DAMAGE OF TRAFFIC BARRIERS; POLLUTION AND PREVENTION OF NOISE.

ARTICLE II—TRAFFIC ACCIDENTS

ACCIDENTS INVOLVING DAMAGE TO VEHICLES; DUTY TO GIVE INFORMATION AND RENDER AID; DUTY UPON STRIKING UNATTENDED VEHICLE; DUTY UPON STRIKING FIXTURES ON PUBLIC THOROUGHFARE; REPORTING ACCIDENTS; REPORTING DAMAGED VEHICLES; REMOVING VEHICLE FROM SCENE; MOVING OR REMOVAL OF WRECKED VEHICLE BY WRECKER TRUCK.

ARTICLE III—GENERAL OPERATION OF VEHICLES

DRIVING; PASSING; TURNING; SIGNALS; DRIVING ON LANED ROADWAYS; DRIVING ON DIVIDED STREETS; RIGHT-OF-WAY; BACKING

RESTRICTED; EMERGENCY VEHICLES AND SCHOOL BUSES; OBSTRUCTIONS; FOLLOWING OF VEHICLES; DRIVING OVER FIRE HOSE; PARADES AND PROCESSIONS; DRIVING AREAS PROHIBITED AND RESTRICTED; "DIGGING OUT" PROHIBITED; CONTROL OF VEHICLE REQUIRED; OPENING DOORS INTO TRAFFIC RESTRICTED; "CORNER CUTTING" PROHIBITED; RESTRICTED ACCESS; OVERLOADING OR CROWDING OF VEHICLES RESTRICTED.

ARTICLE IV—TRAFFIC CONTROL DEVICES

CONFORMITY WITH MANUAL AND SPECIFICATIONS OF STATE HIGHWAY DEPARTMENT; POWERS AND DUTIES OF TRAFFIC ENGINEER; OBEDIENCE TO DEVICES; NECESSITY OF SIGNS; RATIFICATION OF EXISTING DEVICES; UNAUTHORIZED SIGNS, SIGNALS, MARKINGS, OR DEVICES; ALTERING, DAMAGING, ETC., OF DEVICES; INSTALLATION OF TRAFFIC LIGHTS; TRAFFIC-CONTROL SIGNAL LEGEND; FLASHING SIGNALS; RAILROAD CROSSINGS; PEDESTRIAN "WALK" AND "DON'T WALK" SIGNALS; STOP INTERSECTION; "YIELD" SIGNS; DESIGNATION OF CROSSWALKS, ZONES, AND MARKING OF TRAFFIC LANES; ONE-WAY STREETS AND ALLEYS; PROHIBITED TURNS AT INTERSECTIONS; TURNING MARKER; NO PASSING ZONE; TRUCK ROUTES.

ARTICLE V—SPEED REGULATIONS

GENERAL SPEED LIMITS; SPECIFIC SPEED LIMITS; RACING PROHIBITED; MINIMUM LIMITS; EXEMPTIONS.

ARTICLE VI—STOPPING, STANDING, AND PARKING OF VEHICLES

PRESUMPTION THAT OWNER OF VEHICLE IS VIOLATOR; IMPOUNDMENT OF STANDING OR PARKED VEHICLES; UNATTENDED VEHICLES; PROHIBITED PARKING; EMERGING FROM ALLEY, DRIVEWAY, OR BUILDING; ENTERING INTERSECTION OR CROSSWALK AREA; DESIGNATION AND MARKING OF SPECIAL PARKING STALLS AND AREAS; PARKING IN PROHIBITED AREAS; PARALLEL AND ANGLE PARKING; PARKING OR STANDING IN ALLEYS RESTRICTED; PARKING IN EXCESS OF FORTY-EIGHT (48) HOURS PROHIBITED; STARTING A PARKED VEHICLE; DESIGNATION OF LOADING AND UNLOADING ZONES; USE OF PASSENGER ZONES; USE OF FREIGHT ZONES; PERMIT FOR BACKING TO CURB FOR LOADING AND UNLOADING; VEHICLES EXCEEDING LENGTH OF TWENTY-FIVE (25) FEET; OVERNIGHT PARKING; COMMERCIAL VEHICLES NOT TO BE PARKED ON RESIDENTIAL DISTRICT PROPERTY.

ARTICLE VII—RESERVED**ARTICLE VIII—PEDESTRIANS**

APPLICATION OF ARTICLE; RIGHT-OF-WAY; CROSSING RESTRICTIONS; WALKING ON ROADWAYS; HITCHHIKING; DUTY OF DRIVERS TO PEDESTRIANS; USE OF CROSSWALK; BLIND PEDESTRIANS.

ARTICLE IX—PENALTY AND SEVERABILITY

PENALTY; SEVERABILITY.

ARTICLE X-DECLARING AN EMERGENCY

WHEREAS, in order to ensure to the people the maximum use and benefits of the public streets of the City and yet retain the maximum degree of safety to prevent injury to persons and property, it is deemed necessary to prescribe regulations controlling both vehicular and pedestrian traffic; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF Wylie , TEXAS:

ARTICLE I—GENERAL TRAFFIC REGULATIONS

SECTION I: DEFINITION OF TERMS. When used in this Ordinance, the following words and phrases shall have the meaning herein ascribed to them:

- a. Alley. "Alley" shall mean any public way in the City extending either partly through, or through any City block in the rear of City lots and in a direction generally from avenue to avenue, and being not more than twenty feet (20') in width and capable of being traversed by a vehicle.
- b. Authorized Emergency Vehicle. "Authorized emergency vehicle" shall mean any Fire Department vehicle, Police vehicle, or public or private ambulance for which permits have been issued by the State Board of Health; emergency vehicles of City departments or public service corporations as are designated or authorized by the City

Council; and private vehicles operated by volunteer firemen while answering a fire alarm.

- c. Bus. "Bus" shall mean any commercial vehicle carrying passengers for hire and operating over and along a fixed route.
- d. Bus Stop. "Bus stop" shall mean any section of the roadway along the edge thereof authorized by order of the City Council and marked by signs reading "Bus Stop" as a place for the sole use and convenience of the general public to board and depart from any bus.
- e. Business District. "Business district" shall mean any territory contiguous to, and including, a roadway when—within any six hundred feet (600') along such roadway—there are buildings in use for business or industrial purposes which occupy three hundred feet (300') of frontage on one side or three hundred feet (300') collectively on both sides of the roadway.
- f. Crosswalk. "Crosswalk" shall mean that part of a roadway at any intersection included within the connection of lateral lines of the sidewalks on opposite sides of the street, whether marked or not, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway. The word, "crosswalk," also includes any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface of the roadway.

- g. Digging Out. "Digging out" shall mean the practice of starting any motor vehicle from a standing position by applying a sudden burst of power, and recognized by spinning wheels and the noise of tires on the surface of the roadway.
- h. Driver. "Driver" shall mean any person who drives or is in actual physical control of the movement of a vehicle.
- i. Driveway, Private. "Private driveway" shall mean any entrance or exit from the sidewalk or sidewalk area of any street affording a means of ingress or egress for vehicles to or from any private property, or the entrance or exit of any private garage into or from any alley.
- j. Driveway, Public. "Public driveway" shall mean any entrance or exit crossing the sidewalk or sidewalk area of any street affording a means of ingress or egress for vehicles on or off any public property.
- k. Intersection. "Intersection" shall mean the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral curb lines or, if none, then the lateral boundary lines of the roadway of two (2) streets which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict. Where a street includes two (2) roadways, thirty feet (30') or more apart, then every crossing of each roadway of such divided street

by an intersecting street shall be regarded as a separate intersection. In the event that such intersecting streets also include two (2) roadways thirty feet (30') or more apart, then every crossing of two (2) roadways of such streets shall be regarded as a separate intersection.

- l. Laned Roadway. "Laned roadway" shall mean a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.
- m. Limited-Access or Controlled-Access Highway. "Limited-access" or "controlled-access" highway shall mean any highway, street, or roadway in respect to which owners or occupants of abutting property or land and other persons have no legal right of access to or from same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.
- n. Loading Zone. "Loading zone" shall mean that portion of any roadway set apart, marked, and numbered for the sole use of the public as a place for loading or unloading passengers, merchandise, or other cargo.
- o. Motor Vehicle. "Motor vehicle" shall mean every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.
- p. Motorcycle. "Motorcycle" shall mean every motor vehicle having a saddle for the use of

the rider and designated to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

- q. No Parking Zone. "No Parking Zone" shall mean a space on the roadway adjacent to the curb, whether marked by official sign or not, in which no vehicle may be parked.
- r. Official Traffic-control Devices. "Official traffic-control devices" shall mean all signs, signals, markings, and devices not inconsistent with this Ordinance which are placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.
- s. Park or Parking. "Park" or "parking" shall mean the standing of a vehicle—occupied or unoccupied—otherwise than a temporary stopping of such vehicle for the purpose of, and while actually engaged in, loading or unloading passengers, merchandise, or other cargo; except an involuntary stopping of such vehicle by reason of mechanical failure or by direction of a police officer.
- t. Parking Stall or Parking Space. "Parking stall" or "parking space" shall mean that portion or section of a roadway adjacent to the curbing or edge, set apart, marked, and bounded by lines painted or marked upon the surface of the roadway and extending into the roadway for the use of parking vehicles; or that portion of any alley marked by official signs showing such space to be a parking zone.

- u. Pedestrian. "Pedestrian" shall mean any person afoot or walking.
- v. Policeman or Police Officer. "Policeman" or "Police officer" shall mean any member of the Police Department of the City authorized by law to make arrests for traffic offenses.
- w. Residential District. "Residential district" shall mean the territory contiguous to and including a street not comprising a business district, when the property on such street for a distance of three hundred feet (300') or more is, in the main, improved with residences.
- x. Right-of-way. "Right-of-way" shall mean the privilege of the immediate use of a roadway.
- y. Roadway. "Roadway" shall mean that portion of a street improved, designed or ordinarily used for vehicular travel. In the event a street includes two (2) or more separate roadways, the term, "roadway," shall refer to any such roadway separately, but not to all such roadways collectively.
- z. Safety Zone. "Safety zone" shall mean the area or space officially set apart within or along a roadway for the exclusive use of pedestrians, and which is protected, or so marked, or so indicated by adequate and plainly visible signs at all times while set apart as a safety zone.

- aa. Sidewalk. "Sidewalk" shall mean that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines, which is intended for the use of pedestrians.
- bb. Stop. "Stop" shall mean the complete cessation of motion of a motor vehicle or pedestrian.
- cc. Stop, Stopping, or Standing. "Stop," "stopping," or "standing" shall mean any stopping or standing of a vehicle—whether occupied or not—when prohibited, except when necessary to avoid conflict with other traffic or when in compliance with the direction of a police officer or traffic-control sign or signal.
- dd. Street or Highway. "Street" or "highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to use by the public for purposes of vehicular travel.
- ee. Traffic. "Traffic" shall mean pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while such are using any street for purposes of travel.
- ff. Traffic-control Signal. "Traffic-control device shall mean any device—whether manually, electrically, or mechanically operated—by which traffic is alternately directed to stop and to proceed.

- gg. Truck. "Truck" shall mean a motor vehicle designed primarily for the transportation of cargo.
- hh. U-Turn. "U-turn" shall mean turning, or causing the turning of, a vehicle so that when such turning is completed that such vehicle will be heading in the opposite direction from that in which it was headed before such turning was begun, whether or not such vehicle is pulled into a driveway or any space beyond the curb line of the street.
- ii. Vehicle. "Vehicle" shall mean any device in, upon, or by which any person or property may be, or is, transported upon any street within the corporate limits of the City, except devices moved by human power or used exclusively upon stationary rails or tracks.

SECTION 2: AUTHORITY TO DIRECT TRAFFIC.

- a. Officers of Police Department. Officers of the Police Department, or such officers as are assigned by the Chief of Police, are hereby authorized to direct all traffic by voice, hand, or signal in conformance with this Ordinance and other traffic laws. In the event of fire or other emergencies, to expedite traffic, or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of this Ordinance and other traffic laws.

- b. Officers of Fire Department. Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

SECTION 3: OBEDIENCE TO TRAFFIC OFFICERS. No person shall willfully fail to or refuse to comply with any lawful order or direction of a police officer or fire department official given to direct or control traffic as authorized by this Ordinance.

SECTION 4: INCLUSIONS AND EXEMPTIONS.

- a. Persons Propelling Pushcarts, Riding Animals, etc. Every person propelling any pushcart or riding any animal upon a roadway and every person driving any animal-drawn vehicle shall be subject to the provisions of this Ordinance applicable to the driver of any vehicle, except those provisions which, by their very nature, can have no such application.
- b. Drivers of Government Vehicles. The provisions of this Ordinance shall apply to the drivers of any vehicle owned by or used in the service of the United States Government, this State, Centennial County, or this City; and it shall be unlawful for any such driver to violate any of the provisions of this Ordinance, except as otherwise permitted herein or by State statutes.
- c. Workmen and Equipment. The provisions of this Article shall not apply to persons, motor vehicles, or other equipment while actually engaged in work upon the surface of a highway

or street, but shall apply to such persons and vehicles when traveling to and from work.

d. Emergency Vehicles.

- 1) The provisions of this Ordinance regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles, except 1) that a driver, when operating any such vehicle in an emergency or in the immediate pursuit of an actual or suspected violator of the law, or 2) when otherwise directed by a police officer, may:
 - a) Park or stand, notwithstanding the provisions of this Ordinance;
 - b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - c) Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property;
 - d) Exceed the *prima facie* speed limits established by this Ordinance so long as life and property are not endangered; provided, however, that this exception shall not apply to ambulances.
- 2) The exemptions granted above shall apply only when the driver of the vehicle sounds a siren, bell, or exhaust whistle as may be reasonably necessary, and when the vehicle displays a lighted red lamp visible from the front as a warning to others.

e. Minors. Any male or female minor who has passed the fourteenth (14th) birthday, but has not reached the seventeenth (17th) birthday, and who drives or operates an automobile or any other motor vehicle on any street, alley, public way, overpass, or avenue within the corporate limits of the City in such a way as to violate any traffic Ordinance of the City shall, upon conviction, be guilty of a misdemeanor and shall be punished by a fine of not more than two hundred dollars(\$200). No such minor, after conviction or a plea of guilty and the imposition of a fine, shall be committed to jail in default of payment of the fine imposed, but the Court imposing such fine shall have power to suspend and take possession of such minor's operators license and retain the same until such fine has been paid.

If any such minor shall drive any motor vehicle upon any street, alley, public way, overpass, or avenue within the corporate limits of the City without having a valid operators license authorizing such driving, such minor shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not more than two hundred dollars (\$200).

SECTION 5: ILLEGAL RIDING PROHIBITED. No person shall ride on any vehicle upon any portion thereof not designated or intended for the use of passengers. However, this provision shall not apply to any employee engaged in the necessary discharge of his duty or to a person seated within truck bodies or spaces intended for merchandise.

SECTION 6: RIDING MOTORCYCLES RESTRICTED. A person operating a motorcycle shall not ride other than upon the permanent and regular seat attached thereto, nor shall any other person; nor shall any other person ride upon such motorcycle other than upon a firmly attached seat to the rear or to the side of the motorcycle.

SECTION 7: BOARDING OR ALIGHTING FROM MOVING VEHICLES PROHIBITED. No person shall board or alight from any vehicle while such vehicle is in motion.

SECTION 8: CLINGING TO MOVING VEHICLE PROHIBITED. No person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall attach the same or himself to any moving vehicle upon any roadway.

SECTION 9: ROLLER SKATES, COASTERS, ETC., PROHIBITED. No person upon roller skates, or riding in or by means of any coaster, skateboard, toy vehicle, or similar device shall go upon any roadway, except while crossing the street on a crosswalk, and when so crossing, such person shall be granted all the rights and shall be subject to all the regulations applicable to pedestrians.

SECTION 10: DEPOSITING OF GLASS, NAILS, ETC.

a. Prohibited. No person shall throw or deposit upon any street or alley any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon such streets or alleys.

b. Removal of Materials.

1) Any person who drops or permits to be

dropped or thrown upon any street or alley any destructive or injurious materials shall immediately remove the same or cause it to be removed.

- 2) Any person removing a wrecked or damaged vehicle from any street or alley shall remove any glass or other injurious substance dropped upon such street or alley from the vehicle.

SECTION 11: PROJECTING LOADS. Whenever the load upon any vehicle extends to the rear four feet (4') or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, between thirty (30) minutes after sunset and thirty (30) minutes before sunrise, a red light or lantern plainly visible from a distance of at least five hundred feet (500') to the side and rear of the vehicle. Such red light shall be in addition to the red rear lights required for every vehicle. At any other time, there shall be displayed at the extreme rear end of such load, a red flag or cloth not less than twelve inches (12") square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear.

SECTION 12: REMOVAL OR DAMAGE OF TRAFFIC BARRIERS. It shall be unlawful for any person, other than a City employee, to remove or damage any barrier erected under the direction of the Chief of Police or Street Superintendent either in closing a street or for the purpose of warning traffic of an obstruction in the street.

SECTION 13: POLLUTION AND PREVENTION OF NOISE.

- a. Noise. Every motor vehicle shall, at all times, be equipped with a muffler in

good working condition and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, by-pass, or similar device upon any motor vehicle in the City.

- b. Fumes and Smoke. The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

ARTICLE II—TRAFFIC ACCIDENTS

SECTION 1: ACCIDENTS INVOLVING DAMAGE TO VEHICLES.

The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible, and shall forthwith return to said damaged vehicle and remain on the scene of such accident until he has fulfilled the requirements of Section 2 of this Article. Every such stop shall be made in such a way as not to obstruct traffic.

SECTION 2: DUTY TO GIVE INFORMATION AND RENDER AID.

The driver of any vehicle involved in an accident resulting in injuries to, or death of, any person or damage to any vehicle which is driven or attended by any person shall give his name, address, and the registration number of the vehicle being driven; and shall, upon request, exhibit his or her operators or chauffeurs license to the person struck, or to the driver or occupant of or persons attending any vehicle collided with, or to any peace officer; and shall render assistance to any person injured in such accident, including the carrying, or the making of arrangements for the carrying,

of such persons to a physician, surgeon, or hospital for medical or surgical treatment—if it is apparent that such treatment is necessary, or if such carrying is requested by an injured person.

SECTION 3: DUTY UPON STRIKING AN UNATTENDED VEHICLE. The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver or owner of the vehicle striking the unattended vehicle; or shall leave—securely fastened and in a conspicuous place—in or on the vehicle struck, a notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof.

SECTION 4: DUTY UPON STRIKING FIXTURES ON PUBLIC THOROUGHFARE. The driver of any vehicle involved in an accident resulting only in damage of fixtures which are legally upon or adjacent to a street, roadway, or highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact, and notify such owner of the driver's name and address and of the registration number of the vehicle being driven; and shall, upon request and, if available, exhibit his operators or chauffeurs license and make report of such accident when and as required in Section 5.

SECTION 5: REPORTING ACCIDENTS.

a. Accident Reports Required.

- 1) The driver of any vehicle involved in any accident within the City resulting in an injury to, or death of, any person or damage to any property, to an apparent

extent of twenty-five dollars (\$25) or more, shall immediately by the quickest means of communication give notice of such accident to the Police Department.

- 2) The Police Department may require any driver of any vehicle involved in an accident of which a report must be made as provided herein, to file a supplemental report whenever the original report is insufficient, and it is hereby made the duty of all persons witnessing any accident or collision of a vehicle of any kind to report the same to the Police Department.

- b. Filing of Report. Every law enforcement officer, other than members of the City Police Department and State Department of Public Safety, who, in the regular course of duty, investigates a motor vehicle accident of which a report must be made, shall either at the time of and at the scene of the accident or thereafter by interviewing the participants or witnesses and within twenty-four (24) hours after completing such investigation, file a written report of such accident with the Police Department. Every such accident report shall be made on the appropriate form provided by the Police Department and shall contain all of the information required therein, unless information is not available. Such reports shall be without prejudice to the officer so reporting and shall be for the confidential use of the Police Department and the City Traffic Engineer.

- c. Inability to Report. When the driver or operator of a vehicle is unable physically to make the required accident report and, if there were other occupant(s) of the vehicle at the time of the accident who are capable of making the report, such occupant or occupants shall make or cause to be made said report.

SECTION 6: REPORTING OF DAMAGED VEHICLES. The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of being involved in an accident or struck by any bullet of which report must be made as provided by State Law, shall report to the Police Department within twenty-four (24) hours after such motor vehicle is received and give the engine number, registration number, and the name and address of the owner or operator of such vehicle.

SECTION 7: REMOVING VEHICLE FROM SCENE. It shall be unlawful for the driver or any other person to remove any vehicle involved in an accident from the scene of the accident until authorized to do so by a police officer of the Police Department of this City; provided, however, that this Section shall not apply if there exists or arises a duty on the part of such driver or other person in control of such vehicle to use said vehicle in carrying any person injured in said accident to a physician or surgeon for medical or surgical treatment.

SECTION 8: MOVING OR REMOVAL OF WRECKED VEHICLE BY WRECKER TRUCKS. It shall be unlawful for the operator of any vehicle equipped with a crane, hoist, winch, or towing device who has answered a call to, or is attending, the

scene of any collision or accident of one or more vehicles on any highway or street in the City to remove, or attempt to remove, any vehicle involved in such collision or accident, or in any way to interfere with or change the position of any such vehicle—except upon authority or direction and in the presence of a police officer of the City—unless such change is made or attempted for the purpose of releasing a person or persons imprisoned within or under such vehicle; provided, however, that it shall be unlawful for such operator of any such vehicle equipped with a crane, hoist, winch, or towing device to remove any vehicle from the scene of the accident or collision without the consent of the owner of the vehicle so removed, unless directed by a police officer to remove such vehicle as a public safety measure or for the protection of private property.

ARTICLE III—GENERAL OPERATION OF VEHICLES

SECTION 1: DRIVING. Upon all roadways, the driver of a vehicle shall drive upon the right half of the roadway, except as follows:

- a. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movements;
- b. When the right half of the street is closed to traffic while under construction or repair;
- c. Upon a street divided into three (3) marked lanes for traffic under the rules applicable thereto;
- d. Upon a street designated and sign-posted for one-way traffic.

SECTION 2: PASSING.**a. Vehicles Proceeding in Same Direction.**

Except as provided in Subsection C of this Section, the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass on the left thereof at a safe distance and shall not again drive to the right side of the street until safely clear of the overtaken vehicle. No vehicle shall be driven on the left side of the center of a street in overtaking and passing another vehicle while proceeding in the same direction unless such left side is clearly visible and is free of on-coming traffic for a sufficient distance ahead to permit such overtaking and passing to be made completely without interfering with the safe operation of any vehicle approaching from the opposite direction by any overtaking vehicle. In every event, the overtaking vehicle must return to the right-hand side of the street before coming within one hundred feet (100') of any vehicle approaching from the opposite direction.

No vehicle shall, at any time, be driven to the left of the street for the purpose of passing a vehicle proceeding in the same direction when approaching within one hundred feet (100') of, or traversing, any intersection or railroad grade crossing or when approaching within one hundred feet (100') of any bridge, viaduct, or tunnel.

- b. Duty of Driver of Overtaken Vehicle. It shall be the duty of the driver of a vehicle, upon audible signal that such vehicle is about to be overtaken on the left, to give way to the right in favor of the overtaking vehicle, and the speed of such vehicle shall not be increased until completely passed by the overtaking vehicle.
- c. Passing on Right-hand Side Restricted.
- 1) The driver of a vehicle may overtake and pass to the right of a vehicle proceeding in the same direction only under the following conditions:
 - a) When the overtaken vehicle is making, or about to make, a left turn;
 - b) When a vehicle is being driven upon a street or highway with unobstructed pavement of sufficient width for two (2) or more lines of moving traffic in each direction and not occupied by parked vehicles;
 - 2) Whenever a vehicle may be overtaken and passed on the right under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the street.
- d. Vehicles Proceeding in Opposite Direction. Drivers of vehicles proceeding in opposite directions shall pass each other to the right and, upon streets having width for

not more than one line of traffic in each direction, each driver shall give to the other at least one-half (1/2) of the main-traveled portion of the street, as nearly as possible.

SECTION 3: TURNING.

- a. Turning Movement—Generally. The driver of a vehicle intending to turn at any intersection shall do so as follows:
- 1) Both the approach for a right turn and the actual right turn shall be made as close as practical to the right-hand curb or edge of the roadway.
 - 2) The approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof; and, after entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.
 - 3) The approach for a left turn from a two-way street into a one-way street shall be made in the portion of the right-of-way of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.

- 4) Where both streets or roadways are one-way, both the approach for a left turn, and the left turn, shall be made as close as practical to the left-hand curb or edge of the roadway.
- b. Limitations Upon U-Turns.
- 1) It shall be unlawful for the operator of any vehicle to turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without backing or without otherwise interfering with other traffic.
 - 2) A complete turn shall not be made at any intersection of any two (2) streets, or upon any street or alley in the City, where the City Council may determine that it is unsafe to make a complete turn and shall have caused to be posted at such place in the street or alley a sign showing that a complete turn is prohibited.

SECTION 4: SIGNALS.

a. Stopping and Turning Signals.

- 1) When any other traffic may be affected by turning movements, no person shall turn any vehicle without giving a signal of his intention to turn right or left. Such signals shall be given continuously during not less than the last one hundred feet (100') traveled by the vehicle before turning.

- 2) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to the driver of any vehicle immediately to the rear, when there is opportunity to give such signal.
 - 3) A stop or turn signal required by this Section shall be given by means of the hand and arm, or by a signal lamp or mechanical signal device of a type approved by the State Department of Public Safety; provided, however, that when the body of the vehicle or the body and load of a vehicle project twenty-four inches (24") or more to the left of the center of the steering-wheel—or under any condition when a hand and arm signal would not be visible both to the front and rear of the vehicle—the vehicle must be equipped with, and the signals must be given by, such turn-indicating lamp or device.
 - 4) The signal lamp provided for in this Section shall be used to indicate an intention to turn, change lanes, or start from a parking position, and shall not be flashed on a moving vehicle as a courtesy or as a "to pass" signal to operators of other vehicles approaching from the rear.
- b. Manner of Giving Turning Signals. All signals required by Subsection a, when given

by hand and arm, shall be given from the left side of the vehicle in the following manner, and such signals shall be indicated as follows:

- 1) Left Turn. Hand and arm extended horizontally.
- 2) Right Turn. Hand and arm extended upward.
- 3) Stop or Decrease Speed. Hand and arm extended downward.

SECTION 5: DRIVING ON LANED ROADWAYS. Whenever any roadway has been divided into two (2) or more clearly-marked lanes for traffic, the following rules, in addition to all other consistent herewith, shall apply:

- a. Lane Restriction. The driver of a vehicle shall drive as nearly as practical entirely within a single lane, and shall not move from such lane until the driver has first ascertained that such movement can be made with safety.
- b. Three-Lane Roadway. Upon a roadway which is divided into three (3) lanes, the driver of a vehicle shall not drive in the center lane, except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign-posted to give notice of such allocation.

- c. Designated Lanes. Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction, regardless of the center of the roadway; and drivers of vehicles shall obey the directions of every such sign.

SECTION 6: DRIVING ON DIVIDED STREETS. Whenever any street or highway within the City has been divided into two (2) roadways by leaving an intervening space or by a physical barrier or clearly-indicated dividing sections so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway, and no vehicle shall be driven over, across, or within any such divided space, barrier, or section, except through an opening therein, at a cross-over, or at an intersection.

SECTION 7: RIGHT-OF-WAY.

a. At Intersections.

- 1) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different street or highway. When two (2) vehicles enter an intersection which is not controlled by a traffic sign or device, from different streets at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.
- 2) When two (2) vehicles going in opposite directions approach one another on the

same street and the driver of one of the vehicles desires to turn off said street, the turning vehicle shall yield the right-of-way to the vehicle which continues on the street in the original direction. In the event that both drivers desire to turn off, then the vehicle turning to the right has the right-of-way over the vehicle turning to the left.

- b. When Turning Left. The driver of the vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection, or so close thereto, as to constitute an immediate hazard; but such driver, having so yielded and having given a signal when and as required by this Ordinance, may make such left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn.

SECTION 8: BACKING RESTRICTED. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

SECTION 9: EMERGENCY VEHICLES AND SCHOOL BUSES.

- a. Approach of Authorized Emergency Vehicle. Upon the immediate approach of an authorized emergency vehicle equipped with at least one

lighted lamp exhibiting red light visible, under normal atmospheric conditions, from a distance of five hundred feet (500') to the front of such vehicle and—when the driver of such vehicle is giving audible signal by siren, exhaust whistle, or bell—the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway which is clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

This Subsection shall not operate to relieve the driver of any authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using any highway or roadway.

b. Meeting or Overtaking Stopped School Bus.

The driver of a vehicle upon any of the public streets or highways within the City limits shall, upon meeting or overtaking from either direction, any school bus which as stopped on the highway for the purpose of loading or unloading any school children, stop such vehicle when warning lights on such school bus are activated. It shall be unlawful for any vehicle to proceed as long as such warning lights remain activated; however, if any school bus has stopped for the purpose

of loading or unloading any children on a divided highway, then approaching traffic may continue at a safe and prudent speed.

SECTION 10: OBSTRUCTIONS.

- a. Traffic. It shall be unlawful for any person to stop, drive, or propel a vehicle in such manner as to block or obstruct the traffic on any street or alley in the City.
- b. Intersections or Crosswalks. No driver shall enter any intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle being operated without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

SECTION 11: FOLLOWING OF VEHICLES.

- a. Distance. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon, and the condition of, the street.
- b. Emergency Vehicles. No driver of any vehicle, other than one on official business, shall follow any fire apparatus traveling in response to a fire alarm, or shall follow closer than five hundred feet (500'), any other emergency vehicle which is on an emergency call, nor shall such driver drive into or park such vehicle within the block where the fire apparatus has stopped to answer a fire alarm.

- 3) Each driver in a funeral or other authorized procession shall drive as near to the right-hand side of the roadway as possible and shall follow the vehicle ahead as closely as is practical and safe.

SECTION 14: DRIVING AREAS PROHIBITED AND RESTRICTED.

- a. Sidewalks. Any driver of any vehicle who shall drive such vehicle upon or across any sidewalk or sidewalk area of any street within the City, except on a driveway, public or private, shall be deemed guilty of a misdemeanor.
- b. Safety Zone. No driver of any vehicle shall, at any time, drive through or within a safety zone.
- c. Fresh Pavement. It shall be unlawful for any person to drive any vehicle upon any portion of any street in the City that has been freshly paved, unless all barriers or signal lights have been lawfully removed therefrom, indicating that the street is ready for travel.
- d. Other. It shall be unlawful for any person to drive or operate any vehicle whatsoever through or upon, or to park such vehicle upon, any park, hospital ground, or other public property within the City except upon officially designated roadways or parking lots.

SECTION 15: "DIGGING OUT" PROHIBITED. Any driver of any motor vehicle who shall use such vehicle to "dig out" or shall cause any such vehicle to make unnecessary noises by reason of operating such vehicle in such manner as to cause

the wheels thereof to spin or slide on the roadway of any street when starting such vehicle or while making any turning movement, shall be deemed guilty of a misdemeanor.

SECTION 16: CONTROL OF VEHICLE REQUIRED. It shall be the duty of every person who shall operate any vehicle within the City to keep the same under control at all times and to avoid, whenever possible, colliding with any other vehicle or person.

SECTION 17: OPENING DOORS INTO TRAFFIC RESTRICTED. No person shall open the door of a motor vehicle on the side available to moving traffic unless, and until, it is reasonably safe to do so, nor shall any person leave a door of a motor vehicle open on the side available to traffic for a period of time longer than necessary to load or unload passengers.

SECTION 18: "CORNER CUTTING" PROHIBITED. It shall be unlawful for any person to drive a vehicle over any sidewalk area or through any driveway, parking lot, or any business entrance at any intersection—making either a right or left turn—except for the purpose of coming to a complete stop to obtain or render some service or to make a sale or purchase. It is the intention of this Section to prohibit "corner cutting"—the driving of any vehicle from one street into another across any sidewalk and/or through any parking lot and/or driveway.

SECTION 19: RESTRICTED ACCESS. No person shall drive his vehicle onto or from any limited roadway except at such entrances and exits as are established by public authority.

SECTION 20: OVERLOADING OR CROWDING OF VEHICLES RESTRICTED. No person shall drive a vehicle when it is

loaded with material or passengers so as to obstruct the view of the driver to the front or sides of the vehicle, or so as to interfere with the driver's control over the driving mechanism of the vehicle.

No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the side, or as to interfere with the control over the driving mechanism of the vehicle.

ARTICLE IV—TRAFFIC-CONTROL DEVICES

Section 1: All traffic control devices including signs, signals and markings (pavement and/or curb) installed or used for the purpose of directing and controlling traffic within the City of Wylie shall conform with the Texas Manual on Uniform Traffic Control Devices for Streets and Highways, Volumes I and II (hereafter called the Manual). Article 6701d, Vernon's Civil Statutes states; all signs, signals and markings erected or used by the City of Wylie shall be uniform and be located so far as practicable according to the directions shown in the Manual throughout the city. All existing traffic control devices and those erected in the future by the city being consistent with the Manual, State law and this Ordinance shall be official traffic control devices.

SECTION 2: POWERS AND DUTIES OF TRAFFIC ENGINEER.

The Traffic Engineer shall place and maintain traffic-control signs, signals, and devices when, and as, required under this Ordinance to make effective the provisions of this Ordinance, and may place and maintain such additional traffic-control devices as are deemed necessary to regulate traffic under this Ordinance or under State Law or to guide or warn traffic. It shall be the duty of the Traffic Engineer to supervise the installation and proper timing and maintenance of traffic-control devices.

SECTION 3: OBEDIENCE TO DEVICES. The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto which has been placed in accordance with this Ordinance and other traffic ordinances of the City, unless otherwise directed by a police officer, subject to the exception granted the driver of an authorized emergency vehicle.

SECTION 4: NECESSITY OF SIGNS. No provisions of this Ordinance which require the placing of signs shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such sections shall be effective even though no signs are erected or in place.

SECTION 5: RATIFICATION OF EXISTING DEVICES. All traffic-control signs, signals, devices, and markings placed and erected prior to the adoption of this Ordinance and in use for the purpose of regulating, warning, or guiding traffic are hereby affirmed, ratified, and declared to be official traffic-control devices; provided such traffic-control devices are not inconsistent with the provisions of this Ordinance or State Law.

SECTION 6: UNAUTHORIZED SIGNS, SIGNALS, MARKINGS, OR DEVICES.

- a. Prohibited or Restricted. No person shall place, maintain, or display upon or in view of any road, street, or highway any unauthorized sign, signal, marking, or device which purports to be, is an imitation of, or resembles an official traffic-control

SECTION 9: TRAFFIC-CONTROL SIGNAL LEGEND. When traffic is controlled 1) by a traffic-control signal exhibiting the word, "Go," "Caution," or "Stop;" 2) by exhibiting different colored lights successively one at a time; or 3) with arrows, the following colors only shall be used, and the following terms and lights shall indicate and apply to drivers of vehicles and to pedestrians:

a. Green Light Alone or Word, "Go."

- 1) Vehicular traffic facing the signal may proceed straight through or turn right or left, unless a sign at such place prohibits either such turn; but vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or in an adjacent crosswalk at the time such signal is exhibited.
- 2) Pedestrian facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

b. Yellow Light Alone or Word, "Caution," When Shown Following the Green or "Go" Signal.

- 1) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.
- 2) Pedestrians facing such signals are thereby advised that there is insufficient time to cross the roadway, and any

pedestrian then starting to cross shall yield the right-of-way to all vehicles.

c. Red Light Alone or Word, "Stop."

- 1) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection, or, if none, then before entering the intersection, and shall remain until the green light or "Go" is shown alone; provided that, after stopping and yielding to all pedestrians and vehicles, the driver of the vehicle may enter the intersection for the purpose of making a right turn only, if no sign is in place indicating that such turn cannot be legally made.
- 2) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

d. Red Light With Green Arrow.

- 1) Vehicular traffic facing such signal may cautiously enter intersection only to make the movement indicated by such arrow, but shall yield the right-of-way to any pedestrian lawfully within the crosswalk and to other traffic lawfully using the intersection.
- 2) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this Section shall be applicable, except as to those provisions which, by their nature, can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such signs or markings, the stop shall be made at the signal.

SECTION 10: FLASHING SIGNALS. Whenever flashing red or yellow signals are used, they shall require the obedience of vehicular traffic as follows:

- a. Flashing Red (Stop Signal). When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at the limit line, when marked, and the right to proceed shall be subject to the rules applicable after making a stop at any stop sign.
- b. Flashing Yellow (Caution Signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or pass such signal only with caution.

SECTION 11: RAILROAD CROSSINGS. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this Section, the driver of such vehicle shall stop within fifty feet (50'), but no less than fifteen feet (15'), from the nearest rail and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

- a. A clearly visible electrical or mechanical sign or device gives warning of an immediate approach of a railroad train;
- b. A crossing gate is lowered or a human flagman gives, or continues to give, a signal of the approach of, or passage of, a railroad train;
- c. A railroad train approaching within approximately fifteen hundred feet (1500') of the highway crossing emits a signal audible from such distance, and such railroad train by reason of its speed or nearness to such crossing is an immediate hazard;
- d. An approaching railroad train is plainly visible and is in hazardous proximity of such crossing.

No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed, or is being opened or closed.

SECTION 12: PEDESTRIAN "WALK" AND "DON'T WALK" SIGNALS. Whenever special pedestrian-control signals exhibiting the words, "Walk" or "Don't Walk," are in place, such signals shall indicate the following:

- a. Walk. Pedestrian facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.
- b. Don't Walk. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the "Walk" signal

may proceed to the sidewalk or safety zone while the "Don't Walk" signal is showing.

SECTION 13: STOP INTERSECTION. The City Traffic Engineer, with the approval of the City Council, may designate any street intersection as a "Stop" intersection and designate the streets upon which vehicles shall stop before entering such intersection. Whenever any intersection has been so designated, the Traffic Engineer shall cause the same to be identified by the erection of "Stop" signs indicating which vehicles approaching such intersection shall stop. It shall be the duty of the driver of any vehicle approaching such sign to bring such vehicle to a complete stop at such sign or at a nearby marked stop line before entering the intersection, except when directed to proceed by a police officer or a traffic-control signal. After having so stopped, such driver shall yield the right-of-way to other vehicles which have entered the intersection or which are approaching so closely as to constitute an immediate hazard. Such driver, after having so yielded, may proceed, and the drivers of all other vehicles approaching on the intersecting street shall yield the right-of-way to the vehicle so proceeding into or across the intersection.

SECTION 14: "YIELD" SIGNS. The Traffic Engineer, as authorized from time to time by the City Council, may install and maintain "Yield" right-of-way signs at intersections where a special hazard may exist or any place vehicles shall be required to yield the right-of-way. The driver of a vehicle approaching a "Yield" right-of-way sign shall, in obedience to such sign, slow down to a speed not in excess of fifteen (15) miles per hour; or shall stop, if necessary, and yield the right-of-way to any pedestrian crossing the roadway being traveled or to any vehicle in the intersection or approaching so closely on another street as to constitute an immediate hazard.

SECTION 15: DESIGNATION OF CROSSWALKS, ZONES, AND MARKING OF TRAFFIC LANES. The Traffic Engineer is hereby authorized to:

- a. Designate and maintain—by appropriate devices, marks, or lines upon the surface of the roadway—crosswalks at any intersection where, in his opinion, there is particular danger to pedestrians crossing the roadway and at such other places as the Traffic Engineer may deem necessary;
- b. Establish safety, quiet, play, and other zones of such kind and character and at such places as may be deemed necessary for the protection of the public;
- c. Mark lanes for traffic on street pavements at such places as may be deemed advisable and which are consistent with the provisions of this Ordinance and other traffic ordinances of the City.

SECTION 16: ONE-WAY STREETS AND ALLEYS. Whenever any Ordinance of the City Council designates any one-way street or alley, the Traffic Engineer shall place and maintain signs giving notice thereof. No such regulation shall be effective until such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

Upon those streets, or parts of streets, or in those alleys which are designated "One way" streets or alleys, vehicular traffic shall move only in the indicated direction where signs indicating the direction of traffic are erected and maintained at every intersection and where movement in the opposite direction is thereby prohibited.

SECTION 17: PROHIBITED TURNS AT INTERSECTIONS.

- a. Authority for Restrictions. The Traffic Engineer is hereby authorized, subject to the approval of the City Council, to determine those intersections at which drivers of vehicles shall not make a right, left, and/or U-turn, and shall place proper signs at such intersections. The making of any such turn may be prohibited between certain hours of any day and permitted at other hours; in which case, the same shall be plainly indicated on a sign, and such sign may be removed when such turns are permitted. Whenever authorized signs are erected indicating that no right, left, or U-turn is permitted, no driver of a vehicle shall disobey the directions on such signs.
- b. U-Turn. No driver of any vehicle shall make a U-turn at any intersection within the City where a traffic-control signal light is suspended and operating.

SECTION 18: TURNING MARKER.

- a. Authority for Placement. The City Traffic Engineer, with the approval of the City Council, is authorized to place markers, buttons, or signs (within or adjacent to intersections) indicating the course to be traveled by vehicles turning at such intersections; and such course to be traveled as so indicated, may conform to, but not be limited to, those locations prescribed by any provision of this Ordinance, State Law, or City ordinances, rules, or regulations.

- b. Compliance Required. When authorized markers, buttons, or other indicators are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the direction of such indicators.

SECTION 19: NO PASSING ZONE. The City Council is hereby authorized to determine by resolutions those portions of any highway in the City where overtaking and passing or driving on the left side of the roadway would be expressly hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones; and, when such signs or markings are in place and clearly visible to any ordinarily observant person, every driver of a vehicle shall obey the directions thereof.

SECTION 20: TRUCK ROUTES.

- a. Authority to Establish. The Traffic Engineer, as authorized from time to time by the City Council, may designate such truck routes within the City as may be necessary for the proper flow of traffic through the City.
- b. Compliance Required. It shall be unlawful for any truck with the gross vehicular weight rating of over eighteen thousand (18,000) pounds [or eighteen thousand (18,000) pounds gross cargo weight rating in the case of a truck trailer or tractor trailer unit] to use, travel upon, or be driven over any street, avenue, or highway within the City not designated as a truck route (See Subsection a) of this Section); provided, however,

that if the point of origin or destination (for commercial purposes only) for any such truck shall be off such truck route, then such truck may proceed by the shortest possible route to the nearest truck route.

- C. Truck Routes. The following streets and parts of streets are designed as truck routes under this ordinance:

<u>NAME OF STREET</u>	<u>LIMITS</u>
Brown Street	West of Ballard St.
Ballard St. to East Stone St.	East of Ballard

ARTICLE V-SPEED REGULATIONS

SECTION 1: GENERAL SPEED LIMITS.

- a. Maximum Speed Limit. No Person shall operate or drive any vehicle on any street within the City at a speed greater than thirty (30) miles per hour, or on any alley within the City at a speed greater than ten (10) miles per hour, unless signs which designate a different speed are erected in accordance with this Ordinance.
- b. Reasonable and Prudent Speed Limit. Notwithstanding any other provisions of this Ordinance, no person shall drive a vehicle on a street, or alley at a speed that is greater than is reasonable and prudent under existing conditions, having regard for the actual and potential hazards then existing. In every event, speeds shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on, or entering upon, the street in compliance with legal requirements, and it shall be the duty of all persons to use such care.

- c. Reduction of Speed. The driver of every vehicle shall, consistent with the requirements of Subsection 1-b of this Section, drive at an appropriate reduced speed when approaching a hillcrest, when traveling upon any narrow or winding roadway, or alley and when a special hazard exists with respect to pedestrians or other traffic, or by reason of weather or street, alley or highway conditions.

SECTION 2: SPECIFIC SPEED LIMITS.

- a. Authority to Establish. The City Council may alter the maximum speed limit on any street or alley, or portion thereof, as established by this Ordinance within the City in accord with the provisions of Article 6701d, Section 169, of VERNON'S ANNOTATED CIVIL STATUTES. Whenever signs are posted giving notice of the maximum legal speed limit so established for a particular street or portion thereof, it shall be unlawful for any person to drive or operate any vehicle at a rate of speed in excess of such limit.
- b. Speed Limits Established. Pursuant to the provisions of the preceding Subsection, the following speed limits are hereby established for the streets and portions of streets enumerated below:

<u>LOCATION</u>	<u>SPEED LIMIT</u>
Stone Rd.	35 MPH
Extending East from F.M. 544 (E. Stone St.) where F.M. 544 turns South to East City Limit Line.	

c. School Zone. It shall be unlawful for any person to operate, or drive, any vehicle at a speed greater than the speed designated or posted, or to overtake or pass any other vehicle in any school zone as may be marked or designated within the City during the hours indicated upon signs erected in such zone, or whenever children are present in such zones. School Zone hours are hereby designated as from 7:00 o'clock am to 9:00 o'clock am. and from 2:00 o'clock pm. to 4:00 o'clock pm. on days when the schools are in session.

SECTION 3: RACING PROHIBITED. Any person who shall race or engage in a contest for speed between motor vehicles of any kind upon any public street or alley within the City shall be deemed guilty of a misdemeanor. The fact that the actual speed attained by any vehicle engaged in racing or in contest for speed is less than the PRIMA FACIE legal speed limit shall be no defense to a complaint of racing or engaging in a contest for speed in violation of this Section.

SECTION 4: MINIMUM LIMITS. No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or compliance with law.

SECTION 5: EXEMPTIONS. The provisions of this Ordinance and other ordinances of the City regulating the speed of vehicles shall not apply to vehicles of the Fire Department when responding to a call, nor to police patrol vehicles, physicians' vehicles, or ambulances when actually engaged in responding to emergency calls; provided, however, that this Section shall not authorize any ambulance driver to exceed the speed of forty-five (45) miles per hour, or the speed limit, whichever is greater.

ARTICLE VI—STOPPING, STANDING, AND PARKING OF VEHICLES

SECTION 1: PRESUMPTION THAT OWNER OF VEHICLE IS VIOLATOR. In any prosecution charging the violation of any ordinance or regulation governing the standing or parking of a vehicle, proof that any particular vehicle described in the complaint was parked in violation of any such ordinance or regulation, together with proof that the defendant named in the complaint was the registered owner of such vehicle at the time of such parking, shall constitute in evidence a *prima facie* presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

**SECTION 2: IMPOUNDMENT OF STANDING OR PARKED
VEHICLES.**

a. Authority. Any vehicle which shall be, or remain, standing or parked upon any public street, avenue, way, alley, or other public place may, under the following circumstances, be removed by, or upon order of, the Chief of Police and placed in storage in a privately-operated garage or other place designated or maintained by the City:

- 1) When any vehicle is found upon a street, avenue, alley, way, or public place and a report has been previously made that such vehicle has been stolen, or a complaint has been filed and a warrant issued thereon, charging that such vehicle has been stolen or converted in violation of the law;
- 2) When any police officer of the City has reasonable grounds to believe that any vehicle has been abandoned;
- 3) When any police officer arrests any person driving, or in control of, a vehicle for an alleged offense and such officer is (or may be) required by law to take the one arrested immediately before a magistrate; or, if the arrested person is immediately taken before a magistrate; or when the arrested person is the sole occupant or the owner of the vehicle and is immediately placed in custody;

- 4) When a vehicle is so disabled that its normal operation is impossible or impractical and the person in charge of the vehicle is incapacitated by reason of physical injury or other causes to such an extent as to be unable to provide for its removal or custody, or cannot be found, or is not in the immediate vicinity of such vehicle;
 - 5) When any vehicle is left standing or parked unattended for more than forty-eight (48) hours in violation of any applicable provision of State Law, City ordinance, rules or regulations; provided, however—that in the event such vehicle is parked or standing immediately in front of, or immediately adjacent to, property owned by the owner of such vehicle, or property rented by such owner—before such vehicle shall be removed, the owner thereof shall be given written notice after the expiration of forty-eight (48) hours and shall be given an additional twenty-four (24) hours to remove or cause to be removed such vehicle. Such written notice may be given by depositing the same, addressed to the owner at the address given on the registration receipt of the vehicle or his last known address, in the United States Mail.
- b. Claiming of Vehicle by Owner. In order to obtain possession of any vehicle stored under the provisions of this Section, the claimant

must produce satisfactory evidence of the ownership or right to possession within thirty (30) days from the date of such storage, and, in addition thereto, must pay all charges for storage and removal of such vehicle in addition to any fine.

- c. Sale of Vehicle. If the vehicle removed under this Section is not claimed within thirty (30) days from the date of storage, the same may be sold by the City or the garage where the same is stored for recovery of charges, as provided by law.
- d. Impounding Fees. An impounding fee of five dollars (\$5) and a storage fee of fifty cents (\$.50) per day is hereby assessed against, and shall be collected from, the owner or driver of any vehicle impounded by virtue of the provisions of this Section before the release of any such vehicle. The payment of this impounding fee shall not excuse such owner or driver from the charge of violating any applicable provisions of State Law, this Ordinance, or other rules or regulations.
- e. Liability to City. The provisions of this Section shall not be construed to relieve from, or lessen the responsibility of, any person who shall leave his vehicle parked on the streets of the City in such a manner that the same may be impounded; nor shall the City be held as assuming any such liability by reason of the impounding, or the causing to be impounded, of such vehicle.

SECTION 3: UNATTENDED VEHICLES. No person driving, or in charge of, a motor vehicle shall permit it to stand unattended without first stopping the engine and effectively setting the brakes thereon, and, when standing upon any grade, turning the front wheels toward the curb or side of the roadway.

SECTION 4: PROHIBITED PARKING.

- a. Specified Places. No person shall stop, stand, or park a vehicle—except when necessary to avoid conflict with other traffic or in compliance with law, the direction of a police officer, or a traffic-control device—in any of the following places:
- 1) On a sidewalk or sidewalk area;
 - 2) In front of a public or private driveway;
 - 3) Within an intersection;
 - 4) Within fifteen feet (15') of a fire hydrant, except within an officially-marked parking stall;
 - 5) On a crosswalk;
 - 6) Within twenty feet (20') of a crosswalk at an intersection, except within an officially-marked parking stall;
 - 7) Within thirty feet (30') of the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
 - 8) Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite

the end of a safety zone, unless a different length is indicated by sign or marking;

- 9) Within fifty feet (50') of the nearest rail of a railroad crossing;
- 10) Within twenty feet (20') of the driveway entrance to any fire station, or on the side of a street opposite the entrance to any fire station, or within seventy-five feet (75') of such entrance (when properly sign-posted).
- 11) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- 12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- 13) Upon any bridge or other elevated structure upon a highway, or within a highway tunnel;
- 14) At any place where official signs prohibit stopping, standing, or parking.

b. Moving of Vehicles. No person shall move a vehicle not lawfully under his control into any prohibited area specified above or any distance from a curb, except as permitted by law.

c. Specified Purposes. No person shall park a vehicle upon any street in the City for the principal purpose of:

- 1) Displaying such vehicle for sale;
- 2) Washing, greasing, or repairing such vehicle, except such repairs as necessitated by an emergency;

3) Advertising, except by permit issued by the Chief of Police and under the conditions stipulated therein.

d. Specified Minimum Roadway. No person shall stop, stand, or park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet (10') of width of either lane of a roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or, when necessary, in obedience to traffic regulations, traffic signs, or signals of a police officer.

SECTION 5: EMERGING FROM ALLEY, DRIVEWAY, OR BUILDING. The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto a sidewalk area extending across any alleyway or driveway, thereby yielding the right-of-way to any pedestrian as may be necessary to avoid collision; and, upon entering the roadway, such driver shall yield the right-of-way to all vehicles approaching on the roadway.

SECTION 6: ENTERING INTERSECTION OR CROSSWALK AREA. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle being operated without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indicating otherwise.

SECTION 7: DESIGNATION AND MARKING OF SPECIAL PARKING STALLS AND AREAS. The Traffic Engineer shall cause parking stalls to be maintained and marked off in and on such streets, or parts thereof, as may be designated by the City Council from time to time; and such person shall cause spaces in which parking is prohibited to be maintained and marked off in and on such streets, and parts thereof, as may be designated by the City Council from time to time. The Traffic Engineer shall also cause time-limit parking areas to be marked off and maintained in and on such streets, or parts thereof, as may be designated by the City Council from time to time. All such spaces or areas shall be clearly indicated by appropriate signs or by marking on the pavement or curb.

In areas designated as time-limit parking areas, parking may be limited to any period prescribed by the Council—the same areas to be designated with clearly distinguished markings or signs at both ends of the time-limit areas and at reasonable intervals between the beginning and ending of such time-limit areas, indicating the time allowed for parking in such area.

Any prohibition of, or time limit on, parking established under this Section shall apply on such days and between such hours as prescribed by the City Council.

SECTION 8: PARKING IN PROHIBITED AREAS. It shall be unlawful for any person to cause, allow, permit, or suffer any vehicle registered in such person's name or owned and operated by such person or in such person's possession or under such person's control to be or remain in any space or area in which parking is prohibited, as provided in Section 7, or in a time-limit parking area for a longer period of time than that designated by the markings on the street or by clearly visible signs.

SECTION 9: PARALLEL AND ANGLE PARKING.

- a. Parallel Parking. No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway and headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within twelve inches (12") of the curb or edge of the roadway, except as otherwise provided in this Ordinance. On one-way streets, vehicles may be parked on the left side of the street with the left-hand wheels within twelve inches (12") of the curb or edge of the roadway, unless signs prohibit such parking.
- b. Angle Parking. The Traffic Engineer, with the approval of the City Council, shall determine upon which streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated on any Federal-aid or State highway within this City unless the State Highway Commission has determined by resolution or order, entered into its minutes, that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused, or required, to drive upon the left side of the street or upon any railroad track.
- c. Compliance. Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other

than at the angle to, and with the hood or front end of such vehicle next to, the curb or edge of the roadway indicated by such signs or markings.

- d. Marked Stalls. Whenever parking spaces are marked by lines on the pavement, whether for parallel or angle parking, a vehicle must be parked entirely within the lines of the parking space.

SECTION 10: PARKING OR STANDING IN ALLEYS RESTRICTED.

- a. Obstruction of Alley. No person shall park a vehicle within an alley in such a manner or under such conditions as to block the free passage of other vehicles in such alley.
- b. Parking Within Fire Limits. Notwithstanding the provisions of Subsection a. of this Section, it shall be unlawful for any person to park a vehicle in the alley within the fire limits of the City, except when such vehicle is actually being used for the purpose of loading or unloading merchandise or passengers.

SECTION 11: PARKING IN EXCESS OF FORTY-EIGHT (48) HOURS PROHIBITED. It shall be unlawful for the owner or operator of any vehicle to allow, cause, or permit such vehicle to remain standing or parked on any street, alley, avenue, or public way within the City for more than forty-eight (48) hours continuously.

SECTION 12: STARTING A PARKED VEHICLE. No person shall start a vehicle which is stopped, standing, or parked

unless, and until, such movement can be made with safety.

SECTION 13: DESIGNATION OF LOADING AND UNLOADING ZONES. The City Traffic Engineer is hereby authorized to determine and designate the locations of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions therefor are applicable.

SECTION 14: USE OF PASSENGER ZONES. No person shall stop, stand, or park a vehicle for any purpose or period of time, other than for the expeditious loading or unloading of passengers, in any place marked as a passenger curb-loading zone during the hours when the regulation applicable to such curb-loading zones is effective, and then only for a period of time not to exceed three (3) minutes; except when such spaces are adjacent to, and serving, a hotel or bus station, then such period of time shall not exceed fifteen (15) minutes.

SECTION 15: USE OF FREIGHT ZONE. No person shall stop, stand, or park a vehicle for any length of time in any place marked as a freight curb-loading zone during the hours so set aside, except that commercial vehicles may so stop, stand, or park for the expeditious loading and unloading, or pick-up and delivery, of material. In no case shall stop for unloading, loading, pick-up, or delivery of material exceed thirty (30) minutes.

The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb-loading zone for the purpose of, and while actually engaged in, unloading or loading passengers when such stopping, standing, or parking does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or

about to enter such zone.

SECTION 16: PERMIT FOR BACKING TO CURB FOR LOADING OR UNLOADING. The Traffic Engineer is authorized to issue special permits for such fee, as may be determined by the City Council from time to time, to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permit may be issued either to the owner or lessee of real property, or to the owner of the vehicle, and shall grant to such person the privilege as therein stated and as authorized herein, and it shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

SECTION 17: VEHICLES EXCEEDING LENGTH OF TWENTY-FIVE (25) FEET. It shall be unlawful for any person to park any vehicle, trailer, or combination thereof which shall exceed twenty-five (25) feet in length on the streets, alleys, or other public ways of the City.

SECTION 18: OVERNIGHT PARKING. Overnight parking for storage on any paved street is hereby prohibited. "Overnight parking for storage" is hereby defined as the habitual parking or storing of cars, trucks (through or local), tractors or other vehicles on paved streets or right-of-ways during hours from sundown to sun-up, except temporarily disabled vehicles which are protected by flares or other approved signal devices. It is not the intention of this section to prohibit or interfere with passenger cars, and up to three-quarters (3/4) ton pickups to be parked overnight.

SECTION 19: COMMERCIAL VEHICLES NOT TO BE PARKED ON RESIDENTIAL DISTRICT PROPERTY. Local commercial vehicles, or through commercial vehicles shall not be parked on any lot or tract of land zoned Residential District, except those used during construction of the Residential District.

ARTICLE VII RESERVED

ARTICLE VIII—PEDESTRIANS

SECTION 1: APPLICATION OF ARTICLE. Pedestrians shall be subject to traffic-control signals as provided in this Ordinance, but in all other places pedestrians shall be granted those rights and be subject to those restrictions stated in this Article.

SECTION 2: RIGHT-OF-WAY.

- a. Within Crosswalks. When traffic-control signals are not in place or are not in operation, the driver of vehicle shall yield the right-of-way—slowing down or stopping if need be—to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger; but no pedestrian shall suddenly leave the curb or a place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

Whenever any vehicle is stopped at a marked crosswalk, or at any unmarked crosswalk at an intersection, in order to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

- b. Other. Every pedestrian crossing a roadway at any point other than within a marked crosswalk, or within an unmarked crosswalk at any intersection, shall yield the right-of-way to all vehicles upon the roadway.

Any pedestrian crossing the roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

SECTION 3: CROSSING RESTRICTIONS.

- a. Between Adjacent Intersections. Pedestrians shall cross roadways only at a marked crosswalk when crossing between adjacent intersections at which traffic-control signals are in operation.
- b. Crosswalks at Intersections.
 - 1) Any crossing by any pedestrian of any intersection within the corporate limits of the City shall be made within the crosswalks of such intersection.
 - 2) It shall be unlawful for a pedestrian to cross the street at any place other than at an intersection, but when any such crossing is made by any pedestrian, such pedestrian shall yield the right-of-way

to all vehicles upon such street approaching such place of crossing and in proximity thereto. It shall be unlawful for any pedestrian to cause any vehicle to stop or to cause any interference with the movement of any vehicle by reason of such crossing at such place.

- c. Crossing at Right Angles. No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk.

SECTION 4: WALKING ON ROADWAYS.

- a. With Sidewalks Provided. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- b. Without Sidewalks Provided. Where sidewalks are not provided, any pedestrian walking along or upon a street or highway shall, when practical, walk only on the left side of the roadway or upon its shoulder facing traffic which may approach from the opposite direction.

SECTION 5: HITCHHIKING. It shall be unlawful for any person to stand in any street or other roadway in the City for the purpose of hitchhiking or otherwise soliciting a ride from the driver of any vehicle.

SECTION 6: DUTY OF DRIVERS TO PEDESTRIAN. Notwithstanding the foregoing provisions of this Ordinance, every

driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway, shall give warning by sounding a horn when necessary, and shall exercise proper precautions upon observing any child or any confused or incapacitated person upon any roadway.

SECTION 7: USE OF CROSSWALK. Pedestrians shall move, whenever possible, upon the right half of the crosswalk.

SECTION 8: BLIND PEDESTRIANS. It shall be unlawful for any person, except persons wholly or partially blind, to carry or use on the public streets of the City any cane or walking stick which is white in color or white with a red end.

Any driver of any vehicle, operator of a motor-driven vehicle, or pedestrian who approaches or comes in contact with a person who is wholly or partially blind and is carrying such walking stick or cane as above described, shall immediately come to a full stop and take such other precautions as may be deemed necessary to avoid accident or injury to the person carrying such cane or walking stick.

ARTICLE IX—PENALTY AND SEVERABILITY.

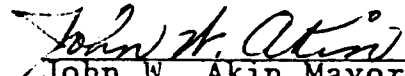
SECTION 1: PENALTY. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and, upon conviction, shall be subject to a fine of not more than two hundred dollars (\$200), unless otherwise specified in other sections of this Ordinance. Each transaction in violation of any of the provisions hereof shall be deemed a separate offense.

SECTION 2: SEVERABILITY. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are separable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of unconstitutional or invalid phrases, clauses, sentences, paragraphs, or sections.

ARTICLE X - DECLARING AN EMERGENCY.

The fact that there are no adequate controls creates a hazard and endangers the health, safety, and welfare of the City of Wylie, it is hereby declared to be an emergency and this Ordinance shall take effect upon final passage hereof.

Passed and Approved this 23rd day of May, 1978.


John W. Akin, Mayor

ATTEST:


Barbara Ellis, City Secretary

Approved as to Form:


Ted Kent, City Attorney



Wylie City Council

AGENDA REPORT

Department: City Manager
Prepared By: Stephanie Storm

Account Code: _____

Subject

Discuss live streaming Board and Commission meetings.

Recommendation

Discussion

Staff is requesting Council's direction to live stream Board and Commission meetings for the purposes of encouraging accessibility and transparency for the residents of the City of Wylie.

The City currently live streams and indexes all City Council and Planning and Zoning Commission meetings.

Financial Summary/Strategic Goals

Community Focused Government