

Wylie City Council Regular Meeting

April 25, 2023 – 6:00 PM

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



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS & RECOGNITIONS

PR1. Small Business Week.

PR2. Military Brats 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.

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 the April 11, 2023 Regular City Council Meeting minutes.
- B. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of March 31, 2023.
- C. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for March 31, 2023.
- D. Consider, and place on file, the City of Wylie Monthly Investment Report for March 31, 2023.
- E. Consider, and act upon, Ordinance No. 2023-16 for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a restaurant with drive- thru on 0.7866 acres, property located at 3008 W FM 544 (ZC 2023-04).
- E. Consider, and act upon, Ordinance No. 2023-17 for a change in zoning from Manufactured Home (MH) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a motor vehicle fueling station with convenience store and car wash on 1.793 acres, property located at 1001 S. Highway 78 (ZC 2023-05).
- G. Consider, and act upon, Ordinance No. 2023-18 for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Planned Development (CC-PD) on 10.485 acres generally located on the southeast corner of State Highway 78 and Kreymer Lane (ZC 2023-02).
- H. Consider, and place on file, the Animal Shelter Advisory Board report to City Council.

- I. Consider, and place on file, the Animal Shelter Advisory Board Bylaws and Rules of Procedure.

REGULAR AGENDA

1. Consider, and act upon, the appointment of a board member to the North Texas Municipal Water District (NTMWD) Board to fill an expired term of June 1, 2023 to May 31, 2025.
2. Consider, and act upon, Ordinance No. 2023-19, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 78 (Parks and Recreation), Article IX (Cemeteries) to Disband and remove the Cemetery Advisory Board.

WORK SESSION

- WS1. Discuss results of the Downtown Drainage Study.

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. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, FM 1378/Parker, Jackson/Oak, Regency/Steel, State Hwy 78/Alanis, State Hwy 78/Ballard, and State Hwy 78/Brown.

- ES2. Discussion concerning real property for the FM 544 Capital Improvements Project.

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: 2021-2d, 2021-5a, 2021-6a, 2021-6c, 2021-8a, 2021-9b, 2021-9f, 2022-1b, 2022-1c, 2022-7b, 2022-10d, 2023-1a, 2023-1b, 2023-1c, 2023-1d, 2023-2d, 2023-3a, 2023-3b, and 2023-4a.

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 April 21, 2023 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: City Secretary
Prepared By: Stephanie Storm

Account Code: _____

Subject

Consider, and act upon, approval of the April 11, 2023 Regular City Council Meeting minutes.

Recommendation

Motion to approve the Item as presented.

Discussion

The minutes are attached for your consideration.

Wylie City Council Regular Meeting Minutes

April 11, 2023 – 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 6:01 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 (6:05), and Councilman Garrett Mize.

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Fire Chief Brandon Blythe; Police Lieutenant Trey Cotten; Finance Director Melissa Brown; Public Information Officer Craig Kelly; City Secretary Stephanie Storm; City Engineer Tim Porter; Community Services Director Jasen Haskins; Parks and Recreation Director Carmen Powlen; Wylie Economic Development Executive Director Jason Greiner; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PRESENTATIONS & RECOGNITIONS

PR1. National Public Safety Telecommunicator Week.

Councilman Wallis took his seat at the dais at 6:05 p.m.

Mayor Porter presented a proclamation proclaiming April 10-16, 2023 as National Public Safety Telecommunicator Week in Wylie, Texas. Telecommunicator staff was present to accept the Proclamation.

PR2. Sexual Assault Awareness Month.

Mayor Porter presented a proclamation proclaiming April 2023 as Sexual Assault Awareness Month in Wylie, Texas. Stephen Hood, representing The Turning Point, and Police Lieutenant Cotten were present to accept the Proclamation.

PR3. Blue Star Banner Presentation.

Tonya and Bubba Miller, and Dalton Hooker were present to accept the Blue Star Banner in honor of their son Dalton who is currently serving in the Air Force and recently graduated from the Air Force Engineering Apprentice school.

Mayor Porter recessed the Council into a short recess at 6:24 p.m.

Mayor Porter reconvened the Council at 6:29 p.m.

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.

No persons came forward to address the Council.

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 the March 28, 2023 Regular City Council Meeting minutes.**
- B. Consider, and act upon, the approval of a request to remodel and extend the existing patio and relocate the ADA ramp on a restaurant use, located at 302 N. Ballard within the Downtown Historic District.**
- C. Consider, and act upon, Resolution No. 2023-05(R) supporting a rent-based community to provide economically attainable rental housing for very low to moderate income households, located at 511 W. Brown Street.**
- D. Consider, and act upon, a Preliminary Plat for Dominion of Pleasant Valley Phase 7 creating 113 single-family residential lots and five open space lots on 71.635 acres, generally located at the southwest intersection of Dominion Drive and Pleasant Valley Road.**
- E. Consider, and act upon, Ordinance No. 2023-12 for an amendment to the Browngate Pointe Planned Development 2020-43 to allow for a modification of the construction schedule terms of the townhome/commercial development. Property generally located on the northeast corner of Brown Street and Sanden Blvd. (ZC 2023-06).**
- F. Consider, and act upon, Ordinance No. 2023-13 for an amendment to Planned Development 2014-28 and a zoning change from Commercial Corridor to Planned Development - Light Industrial (PD-LI) to allow for an expansion of the area where light industrial uses are allowed. Property generally located east of the intersection of Business Way and Commerce Drive (ZC 2023-03).**
- G. Consider, and act upon, Ordinance No. 2023-14 for a change in zoning from Agricultural (AG/30) and Commercial Corridor (CC) to Light Industrial - Special Use Permit (LI-SUP) on 14.03 acres generally located on the southwest corner of Old Alanis and West Alanis Drive (ZC 2023-01).**

Mayor Porter requested Items B and C, and Mayor *pro tem* Forrester 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, D, F, and G as presented. A vote was taken and the motion passed 7-0.

REGULAR AGENDA

- B. Consider, and act upon, the approval of a request to remodel and extend the existing patio and relocate the ADA ramp on a restaurant use, located at 302 N. Ballard within the Downtown Historic District.**

Council Comments

Mayor Porter requested staff give a brief overview of the request and the recommendation from the Historic Review Commission (HRC).

Staff Comments

Deputy City Manager Ollie addressed Council stating this request is to extend the current outdoor patio about five feet to the existing ADA ramp for Frankie's restaurant at Ballard Avenue and Jefferson Street. The ramp will be moved to go along the west side of the building to the front. The HRC did recommend approval.

Council Action

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

- C. Consider, and act upon, Resolution No. 2023-05(R) supporting a rent-based community to provide economically attainable rental housing for very low to moderate income households, located at 511 W. Brown Street.**

Staff Comments

Deputy City Manager Ollie addressed Council stating this Item is a resolution of support for the Jericho Village project on Brown Street. They are applying for a federal loan and part of that process, to increase their chances of earning points, is to get a resolution of support from the Council. This does not commit the City to any funding; it is simply showing support for them to apply. The original resolution that was drafted and included in the agenda packet has been updated as the Federal Home Loan Bank released its criteria, and a statement needed to be included in the resolution that states the City supports their application process. The resolution has been updated with that statement and was shared with Council for consideration.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Mize, to approve Consent Item C as amended. A vote was taken and the motion passed 7-0.

- E. Consider, and act upon, Ordinance No. 2023-12 for an amendment to the Browngate Pointe Planned Development 2020-43 to allow for a modification of the construction schedule terms of the townhome/commercial development. Property generally located on the northeast corner of Brown Street and Sanden Blvd. (ZC 2023-06).**

Council Comments

Mayor *pro tem* Forrester confirmed with staff this Item is not approving a new townhome development, this is the same development that was approved in 2020.

Staff Comments

Community Services Director Haskins confirmed this is not a new townhome development, and added it is a change to the construction schedule for the townhomes and the commercial structure.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Duke, to approve Consent Item E as presented. A vote was taken and the motion passed 6-1 with Councilman Wallis voting against it.

- 1. Hold a Public Hearing, consider, and act upon, a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a restaurant with drive-thru on 0.7866 acres, property located at 3008 W. FM 544 (ZC 2023-04).**

Staff Comments

Community Services Director Haskins addressed Council stating the applicant is requesting a Special Use Permit (SUP) for a restaurant with a drive-through near the intersection of FM 544 and Springwell Parkway (east of Wild Fork Foods). The request does include a 3,000-square-foot structure for a Bojangles drive-through restaurant. The exhibit does meet the building and site plan requirements and, as part of the SUP conditions, the applicant has requested that the SUP approval act as the site plan approval. The applicant has completed the review process with fire and engineering. Haskins reported 10 notifications were sent out with no responses received. The Planning and Zoning Commission did vote 7-0 to recommend approval.

Council Comments

Councilman Mize asked staff if they are familiar with the number of similar businesses in the immediate area. Haskins replied within a half-mile radius there are three fast-food restaurants with drive-throughs. Mize asked how many of those restaurants sell similar products. Haskins replied Bojangles would probably respond that there are no similar products but considering that their main product is fried chicken, there is a Golden Chick across and down the street a little way.

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 6:39 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Porter closed the public hearing at 6:40 p.m.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Duke, to approve Item 1 as presented. A vote was taken and the motion passed 6-1 with Councilman Mize voting against it.

2. **Hold a Public Hearing, consider, and act upon, a change in zoning from Manufactured Home (MH) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a motor vehicle fueling station with convenience store and car wash on 1.793 acres, property located at 1001 S. Highway 78 (ZC 2023-05).**

Staff Comments

Community Services Director Haskins addressed Council stating this is an application for a Special Use Permit (SUP) to allow for a 3,000 square-foot convenience store gas station and car wash on a property that is on Highway 78 near Westgate Way. Besides the uses, the SUP conditions also request that the car wash vehicle bay be allowed to face Highway 78, which is not a normally allowed configuration. As a result, one of the stipulations from the Planning and Zoning (P&Z) Commission was the exit tunnel for the car wash be landscaped in such a way that the access tunnel would not be visible from Highway 78, and the applicant agreed. Staff sent out six notifications, and received no responses, and the P&Z Commission did vote 7-0 to recommend approval.

Council Comments

Councilman Williams confirmed the site plan is preliminary at this time and would come back before Council for final approval. Haskins confirmed it is only a zoning exhibit at this time, and if approved, would go through the platting and site plan process. Councilman Mize asked about the proximity of this business to the residential area, what protection can be provided to the residents in terms of visual and soundproofing, and the hours of operation. Haskins replied for the residents to the northeast, the developer would be required to screen the property and ensure the decibel level stays under the City's noise ordinance. Devin Ferris, representing Estacado Interests, addressed the Council stating the hours of operation for the car wash will be seven days a week from 7 a.m. to 8 p.m. Mize asked what type of screening will be utilized. Ferris replied there will be a live evergreen-type screening wall and added they pushed the building back to widen the landscape island that separates the exit drive from the main drive. Mayor *pro tem* Forrester asked the applicant what protection and screening material will they

use down the entire north side of the property to protect the neighbors to the north. Ferris replied the vacuum bays are on the north side of the property, and they are required by City ordinance to put in a screening wall along that side that separates their property from the residents to the north. Forrester asked how tall the wall would be. Ferris replied six to eight feet, and that they will comply with the ordinance requirements. Mayor Porter confirmed there is a proposed shared easement to connect the car wash with the residential neighbors. Haskins confirmed that was correct. Porter added this is in an area of misaligned streets where Martinez does not hit the light and currently it's a three-way light and asked if this proposal, which will have an entrance, will change the traffic signals at the intersection and add a fourth to match up. City Engineer Porter replied the current signal does dead end right at the entrance to the proposed site; however, staff has indicated to the developer that they are responsible for any improvements to make that intersection work. Mayor Porter added that would change the traffic patterns as you would have a split face signal which would lengthen the times for the light to go through its rotation. City Engineer Porter replied he would recommend a TIA study be done to see the impact it would have on the traffic. Ferris responded they are anticipating putting a light at the intersection and have discussed that with TxDOT, who is requiring them to get a TIA, which they are planning on doing once they receive approval on the project. Mize added there are not a lot of residents that would be directly adjacent to the property but did express concerns with the vacuum bays being loud and the 7 a.m. opening time, and asked the applicant if they would consider limiting the vacuum usage from 8 a.m. to 8 p.m. instead. Ferris replied he would have to check with the national brand that they would be leasing the property to, and added he did not think they would want to alter their hours of operation. Ferris added the property owner of the existing manufactured home park does have plans to put in a park facility between them and the residents, but he was unsure of how far back it will extend. Ferris added the owner is committed to putting measures in place to make sure the residents living adjacent to this development are comfortable. Councilman Duke added there is a federal regulation regarding car wash noise which is limited to 85 dB, provided examples of other appliances that are 85 dB, and added with that information, he did not think that was too loud. Mayor Porter added his concerns include the way the business is facing the highway, and the increased traffic at the intersection, and added it will have some impact on the neighbors but he understands there will be screening walls. Councilman Wallis confirmed the vacuum is a central unit that has multiple drops and not a bunch of individual vacuums, and if so can the central vacuum building be additionally screened. Ferris confirmed that was correct and that it would be located in a building. Ferris added, regarding the signal, it will line up with Westgate Way and they will be putting a turn lane in on Highway 78 to help the traffic flow. Williams added he thought it was a creative use of the space, it is needed along that stretch of highway, he understands the Mayor's concerns with the signal but believes a solution can be reached, there is a similar business with landscape screening up the highway, and does think the sound decibels will be sufficient for the neighbors. Ferris added it may be personal preference but regarding the screening and the orientation of the car wash, having the shorter side of the building face the street versus a 100-foot blank wall looks better than having a wall right up against the road and might be something to take into consideration.

Public Hearing

Mayor Porter opened the public hearing on Item 2 at 7:03 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Porter closed the public hearing at 7:03 p.m.

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 4-3 with Mayor Porter, Mayor *pro tem* Forrester, and Councilman Mize voting against.

3. **Hold a Public Hearing, consider, and act upon, a change in zoning from Commercial Corridor (CC) to Planned Development - Commercial Corridor (PD-CC) on 10.485 acres generally located on the southeast corner of State Highway 78 and Kreymer Lane.**

Staff Comments

Community Services Director Haskins addressed Council stating this request is to go from Commercial Corridor to Planned Development (PD) Commercial Corridor to allow for a commercial nine-lot development on about 10.5 acres. The zoning exhibit is showing approximately 11,500 square feet for sit-down restaurants, about 4,000 square feet for drive-throughs, and about 29,500 square feet for office space. The PD includes uses they are requesting to be allowed by right, and uses that are going to be expressly prohibited as long as the PD is in force. Additionally, there are two other requests that the applicant has made, one of those is a variance from the Subdivision Regulations that require a 30-foot frontage to a public road, and they are requesting a 24-access easement that runs the entire length of the property. Secondly, they are requesting a variance to the sign ordinance to allow three multi-tenant signs, instead of the required one multi-tenant sign on a property within a multi-tenant subdivision. Haskins stated this is in the regional commercial sector of the Comprehensive Land Use Plan, and notices were sent to over 20 property owners with no responses received. After some discussion about drainage and the decel lanes which were resolved, the P&Z Commission did vote 7-0 to recommend approval.

Council Comments

Councilman Williams asked if the proposed drive-throughs will come back to Council for separate SUP approval. Haskins replied that within the PD conditions, they are requesting that restaurants would be allowed by-right so they would only go through P&Z as site plans. Williams asked if there is a way to approve what they are asking for but still have drive-throughs come back through as a SUP. Haskins replied Council could remove the drive-throughs from the by-right allowed uses in the PD conditions. Williams asked by removing that verbiage does it make it harder on the developer as they market the properties. Matt Moore, representing Claymoore Engineering, replied they have heard some concerns about the drive-through components and would propose to allow the first three lots along Highway 78, starting at the corner of Kreymeyer, to have the ability to have drive-throughs without a SUP, and then Lots 4 and 5, which are on the far eastern side, would come back to Council for a SUP if involving drive-through. Moore added it is more difficult from a marketing standpoint for the development brokerage team to secure these users with that additional step which is why they were originally requesting the ability to do those without the SUP, but given the concerns they have heard, they would like to propose the compromise. Ferris added the middle of the three lots that they are requesting is a 13,000-square-foot multi-tenant retail building and it will be a mixture of uses. Mayor Porter asked if they would be amenable, on Lots 2 and 3, to having minimum building sizes. Moore replied he thought that is an amendable solution they could agree to. Porter asked what would be their recommendation on minimum building sizes. Moore replied about 1,800 square feet. Mayor *pro tem* Forrester added he would not be in favor or support of, by-right on this piece of property for drive-throughs, and added he did like the agreement to look at Lot 1, a portion of the building to Lot 2, and Lot 4. Moore added one of the challenges they have on Lot 3 is the North Texas Municipal Water District easement that bisects the property north to south, as they let them cross it but cannot pave all over it. Mayor *pro tem* Forrester and Councilman Strang provided feedback that they liked the way the current drawing is laid out. Strang added his concern was having too many drive-throughs and in and out traffic. Porter asked about the request for the by-right motor vehicle fueling station. Jim Jamerson, representing Segovia Partners, replied that with Fuel City nearby that is not as big of an issue and would like to have the option as well as having flexibility.

Public Hearing

Mayor Porter opened the public hearing on Item 3 at 7:17 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Porter closed the public hearing at 7:17 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to approve Item 3 with the following amendments: Lot 1 to be by-right for a drive-through with a minimum building size of 1,800 square feet, Lot 2 with a by-right of one drive-through with the minimum building size of at least 13,000 square feet, and

Lot 4 with a by-right drive-through with a minimum of 800 square feet, in addition, remove by-right motor vehicle fueling station. A vote was taken and the motion passed 6-1 with Councilman Strang voting against it.

Mayor Porter recessed the Council into a break at 7:24 p.m.

Mayor Porter reconvened the Council at 7:33 p.m.

4. **Consider, and act upon, Ordinance No. 2023-15 amending Ordinance No. 2022-56, which established the budget for fiscal year 2022-2023; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.**

Staff Comments

Finance Director Brown addressed Council stating there are several midyear budget amendment requests that go across many different funds, and added requests are sometimes defined as neutral, meaning that there is also matching revenue to cover that, but most of the expenses will have an impact on the fund balance of the relative fund that the request comes from. Brown pointed out a few highlights including salary savings for the General Fund of almost \$337,000 and for the Utility Fund of about \$198,000, which are results of unfilled positions; the General Fund fund balance will be drawn down, if all the requests are approved, by about \$6.5 million, but the majority of that was a planned drawdown of the \$6 million transfer of the ARPA fund money into the Stone Road construction fund that was created. There were a couple of other large item requests for the General Fund including the reserve ambulances as well as the Woodbridge Parkway/Hensley Lane signal construction. Mayor Porter clarified the ARPA funding was going to E. FM 544, not Stone Road. Brown clarified that was correct and City Manager Parker added there is a bit of confusion as the 2007 bond refers to the piece of roadway between Stone Road and where it splits at County Line Road and Vinson Road as Stone Road; however, it is not Stone Road it is E. FM 544, the piece that runs north and south. Brown reported the 4B Fund balance would be reduced by about \$2.9 million with \$1 million going to Founder's Park renovations, \$1.2 million to the additional cost of the splash pads and the dog park, and about \$600,000 to restrooms at Community Park and Brown House.

Council Comments

Mayor Porter requested additional information on the Founder's Park renovations, pickleball courts, dog park, and splash pads. Assistant Parks and Recreation Director Stowers replied the pickleball courts project will go quickly as they already have concrete, surfacing, and net prices, and are currently waiting for the fencing cost. Construction should start soon, and added that concrete does have to cure for about 28 days before surfacing and fencing can be completed; therefore, it could possibly be completed by midsummer. Stowers reported the dog park and splash pads were released for bid today with bids received around May 3rd, and Founder's Park renovations include three football fields on the west side that were constructed in 1999 and were meant for sheet drainage, so they are not ideal for athletic fields. With the \$1 million, staff is looking at rebuilding (crowning, sodding, new irrigation, and moving some of the field lightings) the three football fields which will be multipurpose with soccer as well.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 4 as presented. A vote was taken and the motion passed 7-0.

5. **Consider, and act upon, the denial of a request to construct a residential structure on an existing lot for a new residential/retail office building, located at 308 N. Ballard within the Downtown Historic District.**

Staff Comments

Deputy City Manager Ollie addressed the Council stating this item went before the Historic Review Commission (HRC) with a recommendation of denial from staff, and after reviewing, the HRC is recommending denial. The reason for denial is the owner of the property has an existing 1,250-square-foot residential structure that has a commercial use and is proposing to build a 1,456-square-foot residential structure with a residential use behind the existing residential structure. The Zoning Ordinance for the Downtown Historic District does allow

commercial and residential in the same structure but because the owner is wanting to do a residential use in a separate structure from the commercial use that is not allowed as it is a single platted lot and, by definition, a single-family use is a single-family lot. In addition, the plans showed parking in the front with direct access onto Ballard Street which our current ordinance does not allow direct maneuvering from a parking stall onto a public right-a-way. Finally, there are six spaces in the rear of the property that the owner says he is going to maintain but those spaces were not on the plans.

Council Comments

Councilman Strang confirmed the applicant is already aware that the recommendation is denial and asked should he be asking for a zoning change instead. Ollie replied that would be true if the applicant only wanted residential. Strang confirmed if Council approves this Item, they are upholding the denial. Ollie replied yes, as the recommendation to Council is a recommendation to deny.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 5 as presented. A vote was taken and the motion passed 7-0.

6. **Consider, and act upon, Resolution No. 2023-06(R), approving a Second Amendment to a Chapter 380 Agreement between the City of Wylie and Creekside Fine Grill, LLC, and authorizing the City Manager to execute any necessary documents.**

Staff Comments

City Manager Parker addressed Council stating in April 2021 the City entered into a 380 Agreement with Hillside Grill, and in April 2022 the applicant requested an extension to the 380 Agreement due to situations outside of his control specifically, with the SBA. In that Agreement, it allows for a 90-day extension to be requested so the applicant is requesting a 90-day extension as he is having supply chain issues. The remodeling of the interior of the restaurant is progressing and it is the applicant's full intent to become operational. After speaking with EDC staff and the applicant, staff proposes to remove the 90-day extension and request a six-month extension, which would expire on October 27, 2023, to fulfill the applicant's supply chain issues.

Council Comments

Mayor Porter asked the applicant if he is anticipating the full six-month time period before opening. Rick Valley, representing Creekside Fine Grill, LLC, replied he is not anticipating it will take the full six months but appreciates the extension. Currently, he thinks they can be done in July or August and added they are working hard on the project and doing everything they can. They will have everything in the restaurant in June but will not get a booth package, which is custom-made, until sometime in July as they are 20 weeks out at this point.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to approve Item 6 as presented, with an extension of the performance deadline for six additional months to expire on October 27, 2023. A vote was taken and the motion passed 7-0.

7. **Consider and act upon amendments to the Bylaws of the Wylie Economic Development Corporation.**

Staff Comments

Economic Development Executive Director Greiner addressed Council stating the EDC bylaws have not been amended in a long time and they started this process 15-18 months ago to clean up the language with most of the proposed changes being more procedural. A bylaw subcommittee was created during the process. Greiner added the EDC cannot approve their bylaws without Council approval, and the bylaws have to be approved by their board of directors with a 10-day notice to hold the meeting. Greiner reported this is the first version of the revised bylaws so he would intend to present this knowing that there could be changes or requests for changes, and added they have posted an agenda for the next bylaw meeting to discuss this item next Wednesday in compliance with the 10-day notice requirement. The more notable items are outlined in the agenda report and include the Director

shall be hired by the Board, subject to Council approval and removed by a vote of four members of the Board, subject to Council approval; the annual report date was changed to April to give the EDC additional time as they gather information from the Comptroller's Office and the City's ACFR; term limits were discussed and that is one item they are requesting feedback on; amended their annual meeting to October which gives more time for new board members to get familiar with the members before voting for a new officer, and moving to October would allow for a better plan for their goals and objectives for the next fiscal year; a correction of numbering; board member expectations for attendance that decrease the number of meetings that one could miss in a given year; added language for a board member handbook, which is more of a code of conduct compliance for confidentiality; added language for board seat rotations; and restated the maximum allowance for the Executive Director to take action.

Council Comments

Mayor Porter asked what happens if the Vice President (VP) rolls off the board. Greiner responded the VP could be voted on at any time throughout the year, and if the new VP is selected, at the end of that next year's term that VP would automatically move to President, and added if they need to change the language to add another aspect in the absence of VP the President is retained for the remainder of the term, or another 12 months, they could. Gino Mulliqi, an EDC board member, replied the way the board is currently structured they do have financial members that cannot be treasurers, and sometimes positions have to be skipped. He replied his understanding is the board member that is VP has to serve a one-year term before becoming the President so if the VP rolls off, the current President would stay for an additional year until the new VP can serve for one year. Porter suggested language be added that the President would be held over in that instance. Mayor *pro tem* Forrester asked about ethics being included in their bylaws and asked if an inquiry came from the public what would the process be. Melisa Whitehead, an EDC board member, responded that ethics should be covered in their handbook which can be updated more easily and aligns closely with the City's ethics. Greiner added legal advised the best approach would be to refer to the Code of Conduct that was approved by the Council for every board and commission in the City in the board member handbook so that the EDC board would adhere to the same Code of Conduct. Forrester suggested that verbiage be included in their bylaws as the handbook is not a binding obligation. Forrester stated in 4.04 1h it says the Director should be hired by the board, subject to the approval of Council, and removed by a vote of four members of the board, subject to council approval. He confirmed the Director is a City employee and no other board or commission has the authority or the power to hire or fire a City employee so what would make this board different than other boards within the City. Mulliqi added they wanted to have at least a supermajority vote to hire or fire the Executive Director, and added the only difference between this board and other City boards is that there are no other boards that have an Executive Director and staff that serves the board. Forrester stated they are City employees though as their W2s, federal documentation for taxes, and policies and procedures they follow come from the City. Mulliqi replied in some ways they are; however, the structure of the EDC was set preceding the current board and Council but does think that could be clarified. Forrester added he wants to ensure that the board does not get stuck between a rock and a hard place with the relationship of the Executive Director if in the future the board ever votes to remove the Director but Council does not agree and votes to overturn the EDC board recommendation. The board members are appointed by and serve at the pleasure of the Council, and think setting the right expectations is the right thing to do. Whitehead added in response to the previous question of how this board is different from the other boards, no other boards or commissions do performance appraisals for their staff liaisons, or has the authority to increase salaries and give raises and things such as that. City Manager Parker added he will have to get a legal opinion as there is nothing in the City Charter that outlines that the City Manager is responsible for the EDC as it is a corporation outside of the City Manager's authority and is a unique board that is funded through a quarter-cent sales tax. There are aspects of the EDC that are part of the City and a lot of that is simply for money savings and added they do pay the City for those services. Parker added the employees are City employees when it comes to their paycheck and their benefits, but aside from that the City Manager has no authority over what the Executive Director does. Parker clarified that the EDC board level is not the same as other City boards for the facts that were previously stated and additionally, other boards do not recommend approval of expenditures or budgets. Mayor Porter requested staff get a legal opinion and gather information on the structure of other EDCs as the Parks and Recreation 4B board is a separate sales tax entity and Council does fund positions out of that. Greiner replied Wylie's EDC is a Type A Corporation, and added there are Type A's and B's, MDBs, and City departments, and clarified the process to create the board, elect the officers,

and give them authority to hire a Director was created with the creation of the Type A Corporation. Forrester clarified the simple solution would be to remove the step of “subject to Council approval” if the board stands separate from the City. Mayor Porter added he needed clarification on where the EDC employees fall. Councilman Strang asked who the Executive Director reports to. Greiner replied the Executive Director reports to the board, and even though it is not written in the bylaws, he currently does work directly with the City Manager's office and Council. Strang agreed that a legal opinion is needed on the current structure, why it is set up the way it is, and who reports to who. Councilman Williams added there might need to be a mechanism to get an update regarding the Executive Director from the EDC board to Council in executive session. Parker clarified he will get a legal opinion of whether the Executive Director is an employee of the City and how the EDC Corporation functions within the City. Councilman Duke recommended, with being close to two new Council members coming on Council, a decision should be held off until those new members are able to vote on the item.

Council Action

A motion was made by Mayor Porter, seconded by Councilman Strang, to table Item 7. A vote was taken and the motion passed 7-0.

Mayor Porter recessed the Council into a break at 8:40 p.m.

Mayor Porter reconvened the Council at 8:49 p.m.

WORK SESSION

Mayor Porter convened the Council into a Work Session at 8:49 p.m.

WS1. Discuss the findings of the self-evaluation of facilities, programs, and events in the development of an ADA Transition Plan in accordance with the federally mandated requirement by Title II (State and Local Government) of the Americans with Disabilities Act.

Deputy City Manager Ollie addressed Council introducing Lynn Fagerstrom, Risk Administrator, and Joe Tidwell, Construction Supervisor and ADA Coordinator, who have worked hard to help put this plan together. In 2021 this federally regulated ADA plan was started and the City is working to get in compliance. At this point, they have worked with every department to evaluate areas in our facilities that do or do not conform to federal regulations. This document will guide us to the future and ensure that we are in compliance with ADA standards. The Department of Justice (DOJ) will mandate this and will step in come October 2023 if a plan is not in place. Ollie clarified they are not asking the City to bring everything into compliance as of now, but they are asking the City to implement a plan to determine what the cost will be to bring everything into compliance, and then begin working on that plan. The next steps will be public outreach surveys, updating the transition plan with that public input, and then bringing it back to Council for adoption in June or July. Every department is represented in this document and will play a part. A Safety Committee, composed of department representatives, will be heavily involved in implementing this process. Ollie reported they have already started reviewing projects and have gone back to redo some ramps, and staff is working with new construction developers to ensure they will adhere to the standards now. Staff wanted to provide the Council with an update on where we are and where we are headed. City Manager Parker added Tidwell took the initiative on earning the ADA certification on his own and commended him for taking on the additional responsibility, and stated they did gather information from consultants to put this plan together which would cost \$100,000 or more, and recognized Ollie for spearheading this project to save the City money, and added they have done a great job.

Council comments and questions included the current draft plan does meet the October requirement, staff will be working with developers and builders at the beginning of their process to ensure that their project is ADA compliant, this is going to improve our City and the services that we provide to all of our residents, suggested to include in the plan a permanent and ongoing feedback group to give voice to the disability community, and confirmed consistent feedback from the public of those most affected will be sought.

Council commended staff for all of the work that has been put into putting this Plan together.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 9:12 p.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. 2023-12, 2023-13, 2023-14, and 2023-15 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Williams, to adjourn the meeting at 9:14 p.m. A vote was taken and the motion passed 7-0.

Matthew Porter, Mayor**ATTEST:**

Stephanie Storm, City Secretary



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 March 31, 2023.

Recommendation

Motion to approve the Item as presented.

Discussion

The Wylie Economic Development Corporation (WEDC) Board of Directors approved the attached financials on April 19, 2023.

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 111 - WYLIE ECONOMIC DEVEL CORP							
Revenue							
Category: 400 - Taxes							
111-4000-40210	SALES TAX	4,124,241.00	4,124,241.00	313,686.17	1,501,171.55	-2,623,069.45	63.60 %
	Category: 400 - Taxes Total:	4,124,241.00	4,124,241.00	313,686.17	1,501,171.55	-2,623,069.45	63.60%
Category: 430 - Intergovernmental							
111-4000-43518	380 ECONOMIC AGREEMENTS	0.00	0.00	0.00	279,047.05	279,047.05	0.00 %
	Category: 430 - Intergovernmental Total:	0.00	0.00	0.00	279,047.05	279,047.05	0.00%
Category: 460 - Interest Income							
111-4000-46110	ALLOCATED INTEREST EARNINGS	6,000.00	6,000.00	0.00	122,493.21	116,493.21	2,041.55 %
	Category: 460 - Interest Income Total:	6,000.00	6,000.00	0.00	122,493.21	116,493.21	1,941.55%
Category: 480 - Miscellaneous Income							
111-4000-48110	RENTAL INCOME	134,220.00	134,220.00	0.00	57,657.68	-76,562.32	57.04 %
111-4000-48410	MISCELLANEOUS INCOME	0.00	0.00	0.00	1,000.00	1,000.00	0.00 %
111-4000-48430	GAIN/(LOSS) SALE OF CAP ASSETS	3,915,685.00	3,915,685.00	0.00	-1,480.10	-3,917,165.10	100.04 %
	Category: 480 - Miscellaneous Income Total:	4,049,905.00	4,049,905.00	0.00	57,177.58	-3,992,727.42	98.59%
	Revenue Total:	8,180,146.00	8,180,146.00	313,686.17	1,959,889.39	-6,220,256.61	76.04%
Expense							
Category: 510 - Personnel Services							
111-5611-51110	SALARIES	310,346.40	310,346.40	39,911.79	160,343.33	150,003.07	48.33 %
111-5611-51130	OVERTIME	0.00	0.00	275.18	1,275.57	-1,275.57	0.00 %
111-5611-51140	LONGEVITY PAY	914.00	914.00	0.00	916.00	-2.00	-0.22 %
111-5611-51310	TMRS	48,245.30	48,245.30	6,301.79	25,324.67	22,920.63	47.51 %
111-5611-51410	HOSPITAL & LIFE INSURANCE	51,987.17	51,987.17	4,161.29	25,093.98	26,893.19	51.73 %
111-5611-51420	LONG-TERM DISABILITY	1,768.97	1,768.97	58.50	328.48	1,440.49	81.43 %
111-5611-51440	FICA	19,298.12	19,298.12	2,389.48	9,402.58	9,895.54	51.28 %
111-5611-51450	MEDICARE	4,513.27	4,513.27	558.83	2,199.03	2,314.24	51.28 %
111-5611-51470	WORKERS COMP PREMIUM	854.85	854.85	0.00	970.21	-115.36	-13.49 %
111-5611-51480	UNEMPLOYMENT COMP (TWC)	1,080.00	1,080.00	2.07	35.98	1,044.02	96.67 %
	Category: 510 - Personnel Services Total:	439,008.08	439,008.08	53,658.93	225,889.83	213,118.25	48.55%
Category: 520 - Supplies							
111-5611-52010	OFFICE SUPPLIES	5,000.00	5,000.00	243.43	1,073.39	3,926.61	78.53 %
111-5611-52040	POSTAGE & FREIGHT	300.00	300.00	0.00	212.90	87.10	29.03 %
111-5611-52810	FOOD SUPPLIES	3,000.00	3,000.00	162.09	1,095.46	1,904.54	63.48 %
	Category: 520 - Supplies Total:	8,300.00	8,300.00	405.52	2,381.75	5,918.25	71.30%
Category: 540 - Materials for Maintenance							
111-5611-54610	FURNITURE & FIXTURES	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
111-5611-54810	COMPUTER HARD/SOFTWARE	7,650.00	7,650.00	0.00	0.00	7,650.00	100.00 %
	Category: 540 - Materials for Maintenance Total:	10,150.00	10,150.00	0.00	0.00	10,150.00	100.00%
Category: 560 - Contractual Services							
111-5611-56030	INCENTIVES	3,209,183.00	1,209,183.00	500,000.00	505,775.10	703,407.90	58.17 %
111-5611-56040	SPECIAL SERVICES	34,770.00	34,620.00	315.00	8,440.00	26,180.00	75.62 %
111-5611-56041	SPECIAL SERVICES-REAL ESTATE	276,300.00	276,300.00	3,198.95	24,641.36	251,658.64	91.08 %
111-5611-56042	SPECIAL SERVICES-INFRASTRUCTURE	8,375,000.00	9,875,000.00	0.00	9,281.46	9,865,718.54	99.91 %
111-5611-56080	ADVERTISING	129,100.00	129,100.00	20,816.29	53,923.43	75,176.57	58.23 %
111-5611-56090	COMMUNITY DEVELOPMENT	54,950.00	54,950.00	5,800.00	38,526.51	16,423.49	29.89 %
111-5611-56110	COMMUNICATIONS	7,900.00	7,900.00	472.00	2,358.21	5,541.79	70.15 %
111-5611-56180	RENTAL	27,000.00	27,000.00	2,250.00	13,500.00	13,500.00	50.00 %
111-5611-56210	TRAVEL & TRAINING	73,000.00	73,000.00	30,060.71	42,986.21	30,013.79	41.11 %
111-5611-56250	DUES & SUBSCRIPTIONS	57,824.00	57,824.00	288.53	43,929.44	13,894.56	24.03 %

Budget Report

For Fiscal: 2022-2023 Period Ending: 03/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
111-5611-56310	INSURANCE	6,303.00	6,453.00	0.00	6,146.31	306.69	4.75 %
111-5611-56510	AUDIT & LEGAL SERVICES	23,000.00	23,000.00	3,738.00	7,312.50	15,687.50	68.21 %
111-5611-56570	ENGINEERING/ARCHITECTURAL	87,500.00	587,500.00	13,026.25	75,408.69	512,091.31	87.16 %
111-5611-56610	UTILITIES-ELECTRIC	2,400.00	2,400.00	379.26	1,247.33	1,152.67	48.03 %
Category: 560 - Contractual Services Total:		12,364,230.00	12,364,230.00	580,344.99	833,476.55	11,530,753.45	93.26%
Category: 570 - Debt Service & Capital Replacement							
111-5611-57410	PRINCIPAL PAYMENT	575,973.97	575,973.97	20,757.49	282,417.43	293,556.54	50.97 %
111-5611-57415	INTEREST EXPENSE	656,023.67	656,023.67	31,859.98	330,472.24	325,551.43	49.62 %
Category: 570 - Debt Service & Capital Replacement Total:		1,231,997.64	1,231,997.64	52,617.47	612,889.67	619,107.97	50.25%
Category: 580 - Capital Outlay							
111-5611-58110	LAND-PURCHASE PRICE	2,090,000.00	2,090,000.00	0.00	345,441.57	1,744,558.43	83.47 %
111-5611-58995	CONTRA CAPITAL OUTLAY	0.00	0.00	0.00	-345,441.57	345,441.57	0.00 %
Category: 580 - Capital Outlay Total:		2,090,000.00	2,090,000.00	0.00	0.00	2,090,000.00	100.00%
Expense Total:		16,143,685.72	16,143,685.72	687,026.91	1,674,637.80	14,469,047.92	89.63%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):		-7,963,539.72	-7,963,539.72	-373,340.74	285,251.59	8,248,791.31	103.58%
Report Surplus (Deficit):		-7,963,539.72	-7,963,539.72	-373,340.74	285,251.59	8,248,791.31	103.58%

Budget Report

For Fiscal: 2022-2023 Period Ending: 03/31/2023

Group Summary

Categor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 111 - WYLIE ECONOMIC DEVEL CORP						
Revenue						
400 - Taxes	4,124,241.00	4,124,241.00	313,686.17	1,501,171.55	-2,623,069.45	63.60%
430 - Intergovernmental	0.00	0.00	0.00	279,047.05	279,047.05	0.00%
460 - Interest Income	6,000.00	6,000.00	0.00	122,493.21	116,493.21	1,941.55%
480 - Miscellaneous Income	4,049,905.00	4,049,905.00	0.00	57,177.58	-3,992,727.42	98.59%
Revenue Total:	8,180,146.00	8,180,146.00	313,686.17	1,959,889.39	-6,220,256.61	76.04%
Expense						
510 - Personnel Services	439,008.08	439,008.08	53,658.93	225,889.83	213,118.25	48.55%
520 - Supplies	8,300.00	8,300.00	405.52	2,381.75	5,918.25	71.30%
540 - Materials for Maintenance	10,150.00	10,150.00	0.00	0.00	10,150.00	100.00%
560 - Contractual Services	12,364,230.00	12,364,230.00	580,344.99	833,476.55	11,530,753.45	93.26%
570 - Debt Service & Capital Replacement	1,231,997.64	1,231,997.64	52,617.47	612,889.67	619,107.97	50.25%
580 - Capital Outlay	2,090,000.00	2,090,000.00	0.00	0.00	2,090,000.00	100.00%
Expense Total:	16,143,685.72	16,143,685.72	687,026.91	1,674,637.80	14,469,047.92	89.63%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):	-7,963,539.72	-7,963,539.72	-373,340.74	285,251.59	8,248,791.31	103.58%
Report Surplus (Deficit):	-7,963,539.72	-7,963,539.72	-373,340.74	285,251.59	8,248,791.31	103.58%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
111 - WYLIE ECONOMIC DEVEL COR	-7,963,539.72	-7,963,539.72	-373,340.74	285,251.59	8,248,791.31
Report Surplus (Deficit):	-7,963,539.72	-7,963,539.72	-373,340.74	285,251.59	8,248,791.31

Wylie Economic Development Corporation
Statement of Net Position
As of March 31, 2023

Assets

Cash and cash equivalents	\$ 11,530,736.10	
Receivables	\$ 120,000.00	Note 1
Inventories	\$ 16,426,341.00	
Prepaid Items	\$ -	
Total Assets	\$ 28,077,077.10	

Deferred Outflows of Resources

Pensions	\$ 67,748.55	
Total deferred outflows of resources	\$ 67,748.55	

Liabilities

Accounts Payable and other current liabilities	\$ 5,942.95	
Unearned Revenue	\$ 1,200.00	Note 2
Non current liabilities:		
Due within one year	\$ 353,103.27	Note 3
Due in more than one year	\$ 15,621,027.23	
Total Liabilities	\$ 15,981,273.45	

Deferred Inflows of Resources

Miscellaneous	\$ (100,000.00)	
Pensions	\$ (84,717.41)	
Total deferred inflows of resources	\$ (184,717.41)	

Net Position

Net investment in capital assets	\$ -	
Unrestricted	\$ 11,978,834.79	
Total Net Position	\$ 11,978,834.79	

Note 1: Includes incentives in the form of forgivable loans for \$20,000 (LUV-ROS) and \$100,000 (Glen Echo)

Note 2: Deposits from rental property

Note 3: Liabilities due within one year includes compensated absences of \$32,301

Balance Sheet

Account Summary

As Of 03/31/2023

Account	Name	Balance
Fund: 111 - WYLIE ECONOMIC DEVEL CORP		
Assets		
111-1000-10110	CLAIM ON CASH AND CASH EQUIV.	11,513,600.67
111-1000-10115	CASH - WEDC - INWOOD	0.00
111-1000-10135	ESCROW	0.00
111-1000-10180	DEPOSITS	2,000.00
111-1000-10198	OTHER - MISC CLEARING	0.00
111-1000-10341	TEXPOOL	0.00
111-1000-10343	LOGIC	0.00
111-1000-10481	INTEREST RECEIVABLE	0.00
111-1000-11511	ACCTS REC - MISC	0.00
111-1000-11517	ACCTS REC - SALES TAX	0.00
111-1000-12810	LEASE PAYMENTS RECEIVABLE	0.00
111-1000-12950	LOAN PROCEEDS RECEIVABLE	0.00
111-1000-12996	LOAN RECEIVABLE	0.00
111-1000-12997	ACCTS REC - JTM TECH	0.00
111-1000-12998	ACCTS REC - FORGIVEABLE LOANS	140,000.00
111-1000-14112	INVENTORY - MATERIAL/ SUPPLY	0.00
111-1000-14116	INVENTORY - LAND & BUILDINGS	16,426,341.00
111-1000-14118	INVENTORY - BAYCO/ SANDEN BLVD	0.00
111-1000-14310	PREPAID EXPENSES - MISC	0.00
111-1000-14410	DEFERRED OUTFLOWS	733,434.00
Total Assets:		28,815,375.67
		<u>28,815,375.67</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	5,895.73
111-2000-20117	TMRS PAYABLE	9,143.91
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	4,949.88
111-2000-20131	EDWARD JONES DEFERRED COMP	0.00
111-2000-20132	EMP CARE FLITE	12.00
111-2000-20133	Unemployment Comp Payable	35.99
111-2000-20151	ACCRUED WAGES PAYABLE	0.00
111-2000-20180	ADDIT EMPLOYEE INSUR PAY	49.46
111-2000-20199	MISC PAYROLL PAYABLE	0.00
111-2000-20201	AP PENDING	77.17
111-2000-20210	ACCOUNTS PAYABLE	0.00
111-2000-20530	PROPERTY TAXES PAYABLE	0.00
111-2000-20540	NOTES PAYABLE	733,434.00
111-2000-20810	DUE TO GENERAL FUND	0.00

Balance Sheet

As Of 03/31/2023

Account	Name	Balance
111-2000-22270	DEFERRED INFLOW	100,000.00
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:		854,798.14

Equity

111-3000-34110	FUND BALANCE - RESERVED	0.00
111-3000-34590	FUND BALANCE-UNRESERV/UNDESIG	27,675,325.94
Total Beginning Equity:		27,675,325.94
Total Revenue		1,959,889.39
Total Expense		1,674,637.80
Revenues Over/Under Expenses		285,251.59
Total Equity and Current Surplus (Deficit):		27,960,577.53
Total Liabilities, Equity and Current Surplus (Deficit):		<u>28,815,375.67</u>

Balance Sheet

As Of 03/31/2023

Account	Name	Balance
Fund: 922 - GEN LONG TERM DEBT (WEDC)		
Assets		
	Total Assets:	0.00
		0.00
Liability		
922-2000-28248	GOVCAP LOAN/SERIES 2022	7,817,937.04
	Total Liability:	7,817,937.04
	Total Equity and Current Surplus (Deficit):	0.00
	Total Liabilities, Equity and Current Surplus (Deficit):	7,817,937.04
	*** FUND 922 OUT OF BALANCE ***	-7,817,937.04

***Warning: Account Authorization is turned on. Please run the Unauthorized Account Listing Report to see if you are out of balance due to missing accounts ***

Wylie Economic Development Corporation

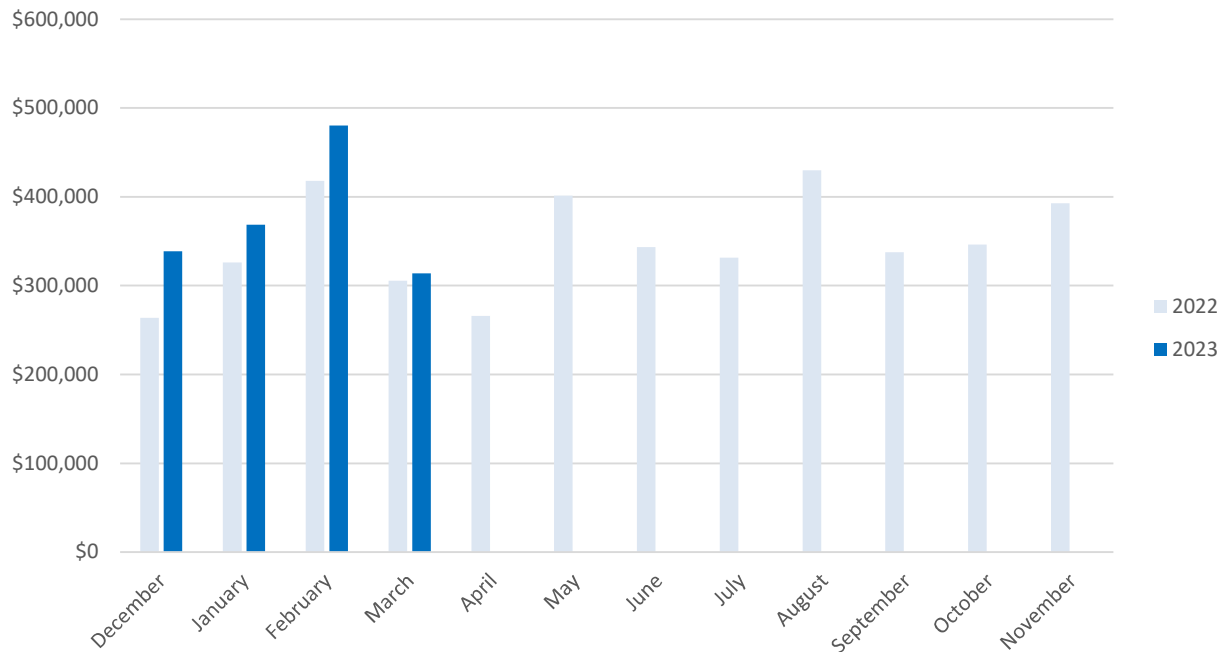
SALES TAX REPORT

March 30, 2023

BUDGETED YEAR

MONTH	FY 2020	FY 2021	FY 2022	FY 2023	DIFF 22 vs. 23	% DIFF 22 vs. 23
DECEMBER	\$ 226,663.94	\$ 235,381.33	\$ 263,577.66	\$ 338,726.54	\$ 75,148.88	28.51%
JANUARY	\$ 218,520.22	\$ 262,263.52	\$ 326,207.92	\$ 368,377.73	\$ 42,169.80	12.93%
FEBRUARY	\$ 362,129.18	\$ 456,571.35	\$ 417,896.79	\$ 480,381.11	\$ 62,484.32	14.95%
MARCH	\$ 228,091.34	\$ 257,187.91	\$ 305,605.50	\$ 313,686.17	\$ 8,080.67	2.64%
APRIL	\$ 203,895.57	\$ 221,881.55	\$ 265,773.80			
MAY	\$ 289,224.35	\$ 400,371.70	\$ 401,180.20			
JUNE	\$ 239,340.35	\$ 290,586.92	\$ 343,371.26			
JULY	\$ 296,954.00	\$ 314,559.10	\$ 331,432.86			
AUGUST	\$ 325,104.34	\$ 390,790.76	\$ 429,696.16			
SEPTEMBER	\$ 259,257.89	\$ 307,681.15	\$ 337,512.61			
OCTOBER	\$ 249,357.02	\$ 326,382.38	\$ 346,236.36			
NOVEMBER	\$ 384,953.89	\$ 411,813.32	\$ 392,790.84			
Sub-Total	\$ 3,283,492.09	\$ 3,875,470.98	\$ 4,161,281.96	\$ 1,501,171.55	\$ 187,883.68	14.76%
Total	\$ 3,283,492.09	\$ 3,875,470.98	\$ 4,161,281.96	\$ 1,501,171.55	\$ 187,883.68	14.76%

WEDC Sales Tax Analysis



*** Sales Tax collections typically take 2 months to be reflected as Revenue. SIsTx receipts are then accrued back 2 months.
 Example: March SIsTx Revenue is actually January SIsTx and is therefore the 4th allocation in FY23.

Wylie Economic Development Corporation

Inventory Subledger (Land)

March 30, 2023

	Property	Purchase Date	Address	Acreage	Improvements	Cost Basis	Sub-totals
Cooper St.	McMasters	7/12/05	709 Cooper	0.4750	\$ - n/a	\$ 202,045.00	
	Heath	12/28/05	706 Cooper	0.4640	\$ 32,005.00 3,625	\$ 186,934.22	
	Perry	9/13/06	707 Cooper	0.4910	\$ - n/a	\$ 200,224.00	
	Bowland/Anderson	10/9/07	Cooper Dr.	0.3720	\$ - n/a	\$ 106,418.50	
	Duel Products	9/7/12	704 Cooper Dr.	0.5000	\$ - n/a	\$ 127,452.03	
	Randack	10/23/12	711-713 Cooper Dr.	1.0890	\$ 217,500.00 8,880	\$ 400,334.00	
	Lot 2R3	7/24/14	Cooper Dr.	0.9500	\$ - n/a	\$ 29,056.00	\$ 1,252,463.75
Regency Dr.	Regency Pk.	6/4/10	25 Steel Road	0.6502	\$ - n/a	\$ 25,170.77	
	Steel/Hooper	12/29/22	Lot 2R Helmberger Industrial Park	3.6885	n/a	\$ 345,441.57	\$ 370,612.34
Commerce Dr.	Hobart Investments	11/12/13	Commerce	1.6000	\$ 201.00 n/a	\$ 156,819.50	
	Hobart	1/6/14	605 Commerce	1.0650	\$ 396,263.00 20,000	\$ 386,380.00	
	Dallas Whirlpools	11/22/16	900-908 Kirby	4.7600	\$ 128,925.00 9,000	\$ 2,182,080.30	
	City of Wylie	10/22/21	802 Kirby	4.7900	\$ - n/a	\$ 3,000,441.20	\$ 5,725,721.00
Downtown	Heath	3/17/14	104 N. Jackson	0.1720	\$ - n/a	\$ 220,034.00	
	Udoh	2/12/14	109 Marble	0.1700	\$ - n/a	\$ 70,330.00	
	Peddicord	12/12/14	100 W. Oak St	0.3481	\$ 155,984.00 4,444	\$ 486,032.00	
	City Lot	12/12/14	108/110 Jackson	0.3479	\$ - n/a		
	Pawn Shop/All The Rave	1/7/22	104 S. Ballard	0.0860	\$ 5,420.00 1,885	\$475,441.20	
	FBC Lot	6/15/16	111 N. Ballard St	0.2000	\$ - n/a	\$ 150,964.00	
	FFA Village	1/7/18	102. N. Birmingham	0.1700	\$ - n/a	\$ 99,804.00	
	Boyd	7/28/21	103 S. Ballard	0.0760	\$ 49,231.00 Demo	\$ 328,792.20	
	Keefer	10/27/21	401 N Keefer Dr	0.4890	\$ 83,084.00 Demo	\$ 237,951.39	
	Parupia	8/19/22	200 W Brown	0.0770	\$ - Demo	\$ 159,325.57	
	UP Lot	9/30/22	UP Lot	0.4760	\$ - 832	\$ 82,126.92	\$ 2,310,801.28
Alanis Dr.	White Property	12/12/14	Alanis	6.6328	\$ - n/a	\$ 420,336.00	\$ 420,336.00
South Ballard	Birmingham Trust	6/3/15	505 - 607 S. Ballard	1.1190	\$ - n/a	\$ 409,390.00	
	Murphy	3/7/19	701 S. Ballard	0.2000	\$ 115,724.00 1,312	\$ 172,487.04	
	Marlow	3/31/22	305 S. Ballard	0.1865		\$ 185,457.52	
	Braley	7/22/19	503 S. Ballard	0.2558	\$ - n/a	\$ 177,397.96	\$ 944,732.52
Squire Dr.	Gallagher	3/14/18	Squire-lot 2-4	2.6720	\$ 100,404.00 6,000	\$ 573,844.35	\$ 573,844.35
Brown & 78	Turner	12/5/18	504 E. Brown	1.0220	\$ - n/a	\$ 308,179.81	
	Wallace	12/18/18	502 E. Brown	0.1870	\$ 24,637.00 Demo	\$ 204,775.00	
	Karan	12/28/18	300 E. Brown	2.3866	\$ - n/a	\$ 1,250,391.20	
	O'Donald	1/7/19	410 E. Brown	0.1870	\$ 64,421.00 Demo	\$ 177,043.75	
	Weatherford	2/12/19	303 Marble	2.1740	\$ - n/a	\$ 757,488.00	
	Brothers JV	2/26/19	306 & 308 N. 2nd Street	0.3770	\$ - n/a	\$ 145,923.04	
	Pulliam	2/27/19	300 N. 2nd Street	0.2570	\$ 122,764.00 1,364	\$ 218,472.20	
	Swayze	4/18/19	208 N. 2nd Street	0.2580	\$ - n/a	\$ 187,501.40	
	Swayze	5/9/19	204 N. 2nd Street	0.2580	\$ - n/a	\$ 187,658.20	
	Kreymer	10/9/19	302 N. 2nd Street	0.1290	\$ 72,609.00 1,386	\$ 187,941.76	
	KCS	11/22/19	Hwy 78 Frontage	2.5363	\$ - n/a	\$ 674,110.20	
	City of Wylie	5/14/20	ROW Purchase/Alleys	1.8800	\$ - n/a	\$ 81,713.00	
	Collin County	5/7/20	SWC Hwy 78 & Marble	0.3590	\$ - n/a	\$ 75,964.20	
	Collin County	5/7/20	414 S. 2nd Street (NWC Hwy 78 &	1.2260	\$ - n/a	\$ 296,152.20	
	TxDOT	2/21/21	SWC Hwy 78 & Brown	0.2209	\$ - n/a	\$ 78,540.00	\$ 4,831,853.96
Total				48.0306	\$ 1,569,172.00	59,736	\$ 16,430,365.20

Wylie Economic Development Corporation

PERFORMANCE AGREEMENT REPORT

March 31, 2023

PERFORMANCE AGREEMENTS	TOTAL INCENTIVE	BUDGETED YEAR					REMAINING AFTER CURRENT FY	PREVIOUS FY PAYMENTS	TOTAL INCENTIVE	
		FY 2023	FY 2024	FY 2025	FY 2026	FY 2027				
CSD WOODBRIDGE	\$ 1,100,000.00	\$ 29,377.51	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,070,622.49	\$ 1,100,000.00	A
CARDINAL STRATEGIES	\$ 106,800.00	\$ 24,934.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 66,366.00	\$ 91,300.00	
AVANTI, LLC	\$ 120,000.00	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 90,000.00	\$ 120,000.00	
LUV-ROS	\$ 10,000.00	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000.00	\$ 10,000.00	B
FUEL CITY	\$ 500,000.00	\$ 500,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000.00	
AMERICAN ENTITLEMENTS II	\$ 35,000.00	***	\$ 25,000.00	\$ 10,000.00	\$ -	\$ -	\$ 35,000.00	\$ -	\$ 35,000.00	
NORTH DALLAS WYLIE LAND	\$ 120,000.00	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ -	\$ 20,000.00	\$ 80,000.00	\$ 120,000.00	
AXL	\$ 65,000.00	***	\$ 9,250.00	\$ 9,250.00	\$ -	\$ -	\$ 18,500.00	\$ 46,500.00	\$ 65,000.00	
GLEN ECHO BREWING	\$ 80,000.00	\$ 40,000.00	\$ 40,000.00	\$ -	\$ -	\$ -	\$ 40,000.00	\$ -	\$ 80,000.00	C
MLKJ	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	D
	\$ 2,136,800.00	\$ 649,311.51	\$ 94,250.00	\$ 19,250.00	\$ -	\$ -	\$ 113,500.00	\$ 1,358,488.49	\$ 2,121,300.00	

Recently Paid - Balance Sheet needs to be updated

Deferred Out Flow \$ 733,434.00

A. SLSTX Reimbursement Qrtly Pmnts

B. Performance Agreement (\$10,000) and Forgiveable Land Grant (\$60,000 forgiven over 3 years). \$20,000/year in 2021, 2022, & 2023.

C. Performance Agreement (\$80,000) and Forgiveable Land Grant (\$100,000 forgiven over 3 years). \$25,000 CO & \$25,000/year in 2024, 2025, & 2026.

D. Performance Agreement (TBD) and Forgiveable Land Grant (\$200,000 forgiven over 3 years). \$50,000 CO & \$50,000/year in 2024, 2025, & 2026.



Wylie City Council

AGENDA REPORT

Department: Finance

Account Code: _____

Prepared By: Melissa Brown

Subject

Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for March 31, 2023.

Recommendation

Motion to approve the Item as presented.

Discussion

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

CITY OF WYLIE

MONTHLY FINANCIAL REPORT

March 31, 2023

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2022-2023	CURRENT MONTH ACTUAL 2022-2023	YTD ACTUAL 2022-2023	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 50.00%
GENERAL FUND REVENUE SUMMARY					
TAXES	37,234,844	906,328	31,010,288	83.28%	A
FRANCHISE FEES	2,802,400	10,439	1,518,690	54.19%	B
LICENSES AND PERMITS	1,442,750	83,961	630,914	43.73%	C
INTERGOVERNMENTAL REV.	2,429,011	75,498	1,215,836	50.05%	D
SERVICE FEES	4,338,970	321,077	1,815,774	41.85%	E
COURT FEES	339,000	34,712	148,414	43.78%	F
INTEREST INCOME	60,000	152,278	482,100	803.50%	G
MISCELLANEOUS INCOME	231,643	50,580	261,196	112.76%	H
OTHER FINANCING SOURCES	2,668,397	13,597	2,689,349	100.79%	I
REVENUES	51,547,015	1,648,469	39,772,560	77.16%	
USE OF FUND BALANCE	0	0	0	0.00%	
USE OF CARRY-FORWARD FUNDS	1,711,613	NA	NA	NA	J
TOTAL REVENUES	53,258,628	1,648,469	39,772,560	74.68%	
GENERAL FUND EXPENDITURE SUMMARY					
CITY COUNCIL	95,279	3,575	30,217	31.71%	
CITY MANAGER	1,298,947	95,126	583,234	44.90%	
CITY SECRETARY	379,083	24,482	135,011	35.62%	
CITY ATTORNEY	170,000	10,068	70,779	41.63%	
FINANCE	1,363,432	92,996	742,132	54.43%	
FACILITIES	1,056,813	63,789	395,156	37.39%	
MUNICIPAL COURT	551,921	40,389	217,216	39.36%	
HUMAN RESOURCES	816,388	55,199	366,155	44.85%	
PURCHASING	294,695	16,018	99,326	33.70%	
INFORMATION TECHNOLOGY	2,297,362	128,795	1,069,730	46.56%	
POLICE	13,395,457	957,706	6,236,537	46.56%	
FIRE	13,469,355	781,060	5,603,119	41.60%	
EMERGENCY COMMUNICATIONS	2,420,717	379,645	1,132,126	46.77%	
ANIMAL CONTROL	736,445	50,912	310,198	42.12%	
PLANNING	363,225	26,697	161,238	44.39%	
BUILDING INSPECTION	516,490	35,995	188,519	36.50%	
CODE ENFORCEMENT	262,424	17,780	94,005	35.82%	
STREETS	5,482,715	280,200	1,463,546	26.69%	K
PARKS	2,705,420	146,160	963,619	35.62%	
LIBRARY	2,347,607	176,272	1,109,090	47.24%	
COMBINED SERVICES	10,491,759	371,430	1,551,722	14.79%	L
TOTAL EXPENDITURES	60,515,535	3,754,294	22,522,672	37.22%	
REVENUES OVER/(UNDER) EXPENDITURES	-7,256,907	-2,105,825	17,249,889	37.46%	
<p>A. Property Tax Collections for FY22-23 as of March 31, 2023 are 96.7%, in comparison to FY21-22 for the same time period of 98.2%. Sales tax is on a 2 month lag and four months have been received and fiscal year to date is 14% higher than last year.</p> <p>B. Franchise Fees: The majority of franchise fees are recognized quarterly with electric fees making up the majority.</p> <p>C. Licenses and Permits are down 23% from the same period last fiscal year, partially due to rising interest rates.</p> <p>D. Intergovernmental Rev: The majority of intergovernmental revenues come from WISD reimbursements and Fire Services which are billed quarterly.</p> <p>E. Service Fees: Trash fees are on a one month lag and only five months have been received. The remaining fees are from other seasonal fees.</p> <p>F. Court Fees are down 5% from March YTD 2022.</p> <p>G. Interest Rates have gone from 1% when the budget was prepared to 4.61% in March 2023. Interest was budgeted conservatively.</p> <p>H. Miscellaneous auction proceeds of \$180,749.</p> <p>I. Yearly transfer from Utility Fund.</p> <p>J. Largest Carry Forward items: \$150,000 for Department Software Solution, \$217,000 for advance vehicle replacements, \$338,840 for ambulance, \$390,000 for Stone Road Rehab.</p> <p>K. The Hensley/Woodbridge signal for \$500,000 has not been expensed.</p> <p>L. The \$6 million transfer for Stone Road Improvement will be transferred to a capital fund in April.</p>					

CITY OF WYLIE

MONTHLY FINANCIAL REPORT

March 31, 2023

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2022-2023	CURRENT MONTH ACTUAL 2022-2023	YTD ACTUAL 2022-2023	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 50.00%
UTILITY FUND REVENUES SUMMARY					
SERVICE FEES	25,933,619	1,737,554	10,514,251	40.54%	M
INTEREST INCOME	24,000	71,944	276,555	1152.31%	N
MISCELLANEOUS INCOME	70,000	1,540	37,251	53.22%	
OTHER FINANCING SOURCES				0.00%	
REVENUES	26,027,619	1,811,038	10,828,057	41.60%	
USE OF FUND BALANCE	0	NA	0	0	
USE OF CARRY-FORWARD FUNDS	2,276,241	NA	NA	NA	O
TOTAL REVENUES	28,303,860	NA	10,828,057	38.26%	
UTILITY FUND EXPENDITURE SUMMARY					
UTILITY ADMINISTRATION	634,180	78,847	261,867	41.29%	
UTILITIES - WATER	4,401,342	392,740	1,332,948	30.29%	
CITY ENGINEER	1,120,418	80,571	382,179	34.11%	
UTILITIES - SEWER	1,209,378	78,286	453,942	37.54%	
UTILITY BILLING	1,287,416	79,218	560,467	43.53%	
COMBINED SERVICES	18,380,749	2,335,263	11,639,066	63.32%	P
TOTAL EXPENDITURES	27,033,482	3,044,925	14,630,470	54.12%	
REVENUES OVER/(UNDER) EXPENDITURES	1,270,377	-1,233,886	-3,802,414	-15.86%	
<p>M. Most Utility Fund Revenue is on a one month lag and only five months have been received.</p> <p>N. Interest Rates have gone from 1% when the budget was prepared to 4.61% in March 2023. Interest was budgeted conservatively.</p> <p>O. Largest Carry Forward items: Department Software Solutions \$135,730, Pump Station Backup Generators \$1.6M, Newport Harbor Tank Repairs \$130,000 and TXDOT payment \$260,172.</p> <p>P. Annual transfer to the General Fund of \$2.56 million. Other expenses are payments to NTMWD for water minimum and sewer treatment and February debt payment</p>					



Wylie City Council

AGENDA REPORT

Department: Finance

Account Code: _____

Prepared By: Melissa Brown

Subject

Consider, and place on file, the City of Wylie Monthly Investment Report for March 31, 2023.

Recommendation

Motion to approve the Item as presented.

Discussion

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

City Of Wylie

2022-2023 Investment Report

March 31, 2023

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	\$15,819,243.14	MMA	4.6108%	Texpool	12/31/2006	NA
2	\$16,370,593.05	MMA	4.6066%	TexStar	3/15/2011	NA
	\$32,189,836.19					

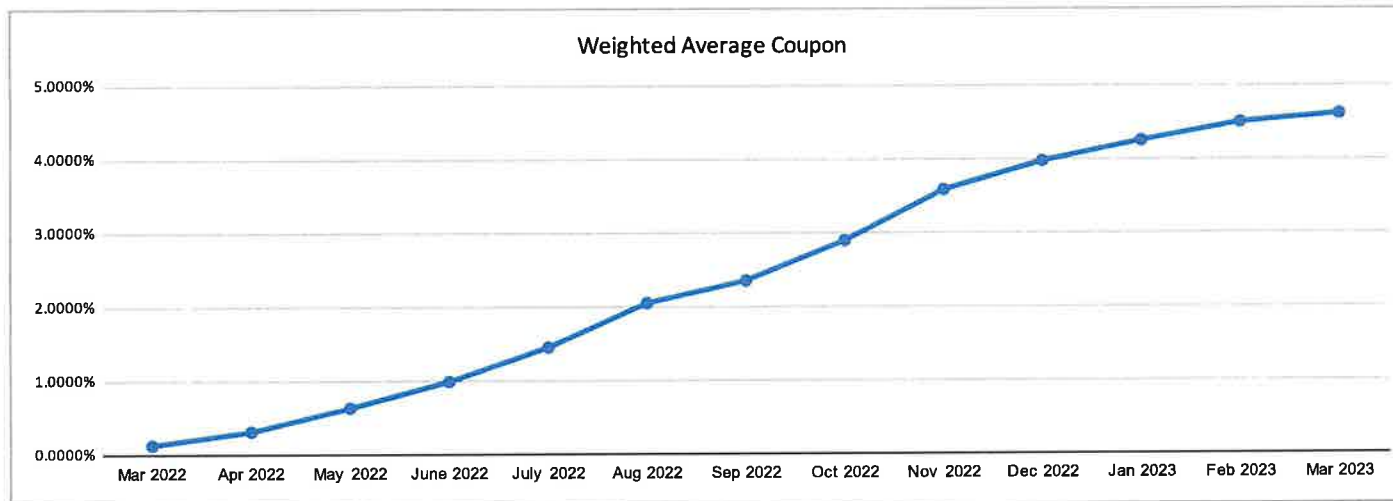
Total

Weighted Average Coupon:
 Weighted Average Maturity (Days):

4.6087%
1.00

Money Markets:
 Certificates of Deposits:

\$32,189,836.19
\$0.00
\$32,189,836.19




 Finance Director/Investment Officer



Wylie City Council

AGENDA REPORT

Department: Planning

Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2023-16 for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a restaurant with drive-thru on 0.7866 acres, property located at 3008 W. FM 544 (ZC 2023-04).

Recommendation

Motion to approve the Item as presented.

Discussion

On April 11, 2023, City Council approved the writing of an Ordinance for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a restaurant with drive-thru on 0.7866 acres, Zoning Case (ZC) 2023-04.

Final approval of ZC 2023-04 requires the adoption of the 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 (SUP Conditions), and Exhibit C (Site Plan) 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.

ORDINANCE NO. 2023-16

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 2023-04, 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 Special Use Permit Conditions and a Site Plan 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 25th day of April, 2023.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

DATE OF PUBLICATION: May 3, 2023, *in the Wylie News*

Exhibit "A"
Legal Description
Bojangles SUP - ZC 2023-04

Being all 0.7866 acres of Lot 1R-3-1, Block B, of the Jacobs addition.

Bojangles

EXHIBIT "B"

Conditions For Special Use Permit

I. PURPOSE:

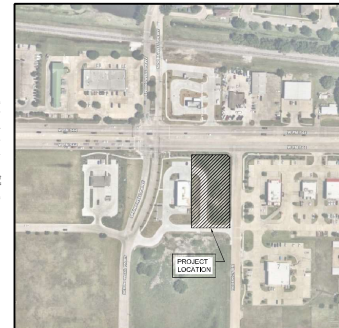
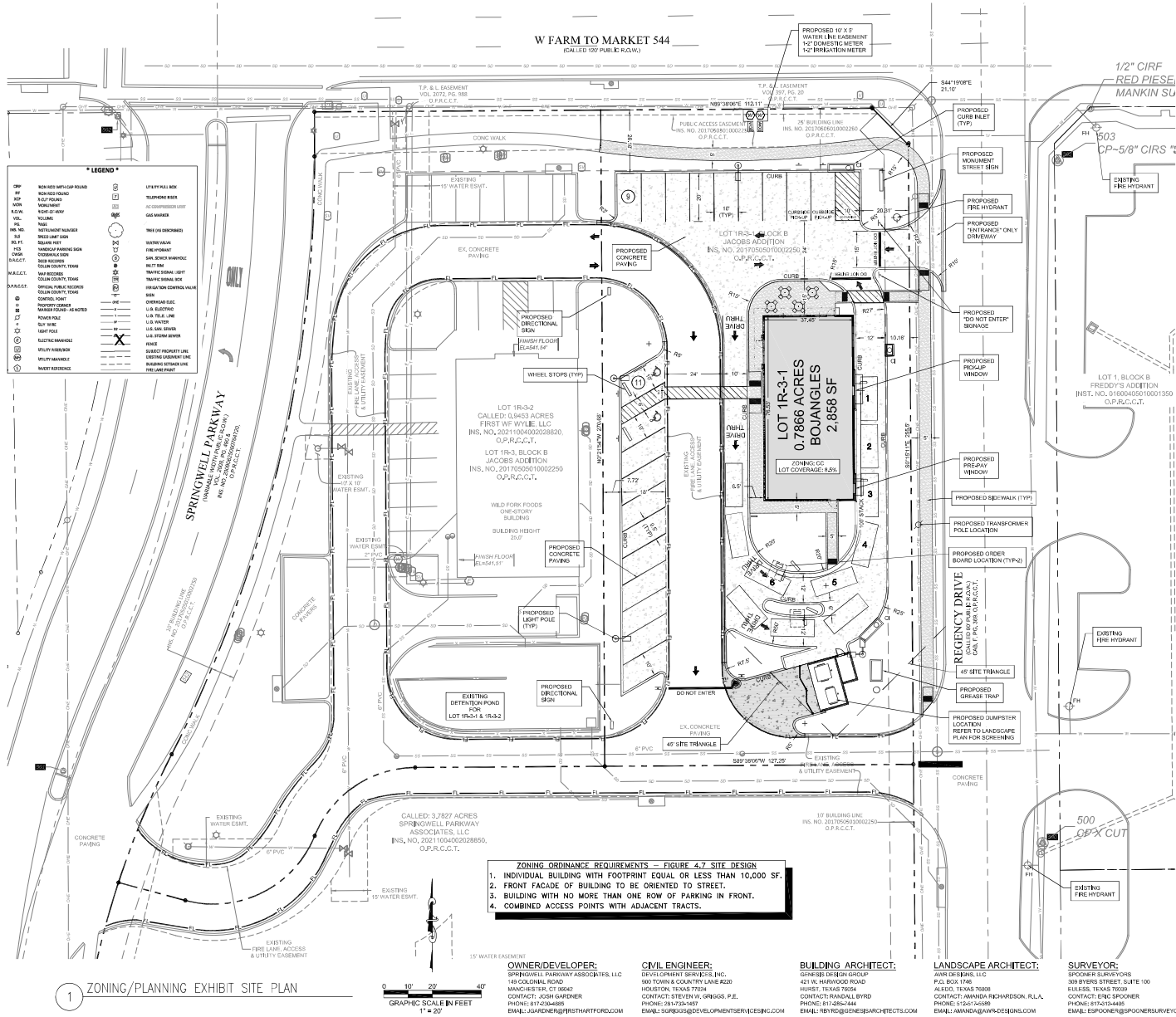
The purpose of this Special Use Permit is to allow for a restaurant with drive-in or drive-through service use.

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 Bojangles development shall take place in general accordance with the Zoning Exhibit (Exhibit C).

III. SPECIAL CONDITIONS:

1. The Zoning Exhibit (Exhibit C) shall serve as the Site Plan for the Bojangles Development. Approval of the SUP shall act as site plan approval.



VICINITY MAP
N.T.S.
PROPERTY ID: 2854560 ZIP CODE: 75098
CITY OF WYLYE, COLLIN COUNTY, TEXAS

PROPOSED DEVELOPMENT SCHEDULE	
ZONING PROCESS	FEB 2023 – APR 2023
CIVIL PLANS	APR 2023 – JUN 2023
CONSTRUCTION	JUN 2023 – OCT 2023

SITE DATA TABLE		
BLOCK:	EXISTING	B
LOT:	EXISTING	1R-3-1
NUMBER OF LOTS INCL:	EXISTING	1
ZONING:	EXISTING	CC (COMMERCIAL CORRIDOR)
PROPOSED USE:	—	RESTAURANT W/ DRIVE-THRU
BUILDING AND SITE DIMENSIONS:		
LOT AREA:	AC (SF)	0.74866 (34,264)
MAIN BUILDING AREA:	SF	2,858
MAX. BUILDING HEIGHT:	FT	50
IMPERVIOUS AREA:	SF	25,549
LOT COVERAGE MAX:	%	50
LOT COVERAGE ACTUAL:	%	8.50
SETBACKS:		
MIN. FRONT BUILDING:	FT	25
SIDE BUILDING:	FT	10
REAR BUILDING:	FT	10
LANDSCAPE REQUIREMENTS:		
REQUIRED LANDSCAPE AREA:	SF	7,853 (20% LOT + 50%/PARK)
PROVIDED LANDSCAPE AREA:	SF	9,012
PARKING REQUIREMENTS:		
MIN. PARKING ALLOWED:	SPACES	19 (1 SF PER 150 SF BLDG)
MAX. PARKING ALLOWED:	SPACES	24
PARKING PROVIDED:	SPACES	20
ADA PARKING REQUIRED:	SPACES	1
ADA PARKING PROVIDED:	SPACES	2

CONTROL POINT TABLE				
POINT	DESCRIPTION	NORTHING	EASTING	ELEVATION
500	CP X CUT	7,056,887.79	2,555,682.37	537.32
501	CP=5/8" C/S "SBSA CONTROL"	7,056,917.61	2,555,278.49	542.00
502	CP X CUT	7,057,187.50	2,555,300.96	541.00
503	CP=5/8" C/S "SBSA CONTROL"	7,057,169.44	2,555,688.57	539.00





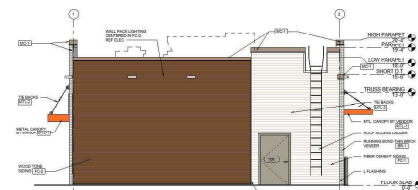
1 NORTH ELEVATION (FRONT)

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



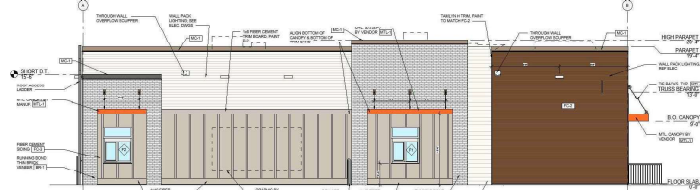
2 WEST ELEVATION

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



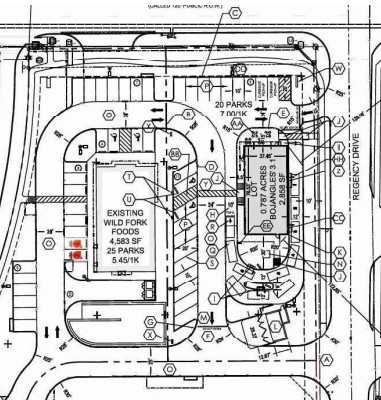
3 SOUTH ELEVATION

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



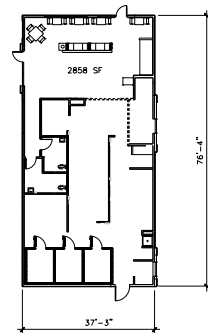
4 EAST ELEVATION

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



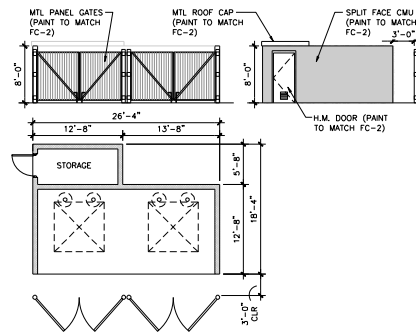
5 KEY PLAN (SITE)

SCALE: NTS



6 FLOOR PLAN

SCALE: 1/16" = 1'-0"



7 TRASH ENCLOSURE

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

EXTERIOR FINISH SCHEDULE			
NO.	DESCRIPTION	MANUF.	FINISH / STYLE
BR-1	11TH BRICK VENEER	MAGNOLIA BAY	SMOOTH, 8" PRIMED, PAINTED BENJAMIN MOORE, OC-54 WHITE WSP
FC-1	FIBERCEMENT SIDING	HARDIE PLANK LAP SIDING	SMOOTH, 8" PRIMED, PAINTED BENJAMIN MOORE, HONEYCOMB 1120
FC-2	FIBERCEMENT SIDING	HARDIE PLANK LAP SIDING	SMOOTH, 8" PRIMED, PAINTED BENJAMIN MOORE, HONEYCOMB 1120
FC-3	FIBERCEMENT SIDING	JAMES HARDIE	VERTICAL PANEL SMOOTH & BATTEN BOARD, PTD BENJAMIN MOORE 456 DUFFERIN TERRACE
MC-1	SPRUE FIN. METAL COPING	DURO-LAST	SEVERA TAIL
SF-1	1ST STOREFRONT ASSEMBLY	KAWNEER	CLEAR ANODIZED

MATERIAL TABULATIONS				
	NORTH	WEST	SOUTH	EAST
GROSS	725	1434	681	1497
NET	557	1249	648	1468
WOWS/DRS	148	185	33	29
BRICK	0	153	0	302
	(0%)	(12.2%)	(0%)	(20.7%)
CEMENTITIOUS SIDING	545	1071	648	1153
	(98.8%)	(85.7%)	(100%)	(78.5%)
CANOPY	32	25	0	13
	(4.7%)	(2.0%)	(0%)	(1.0%)

ZONING ORDINANCE

FIGURE 4.9 ARCHITECTURAL DESIGN REQUIREMENTS (DESIRABLES)

BUILDING MATERIALS
1. USE OF TWO COMPLEMENTARY PRIMARY FACADE MATERIALS TO HELP ACHIEVE FACADE ARTICULATION, VISUAL VARIETY AND/OR ARCHITECTURAL DETAILING. (BRICK AND CEMENTITIOUS SIDING SELECTED AS TWO PRIMARY MATERIALS.)

BUILDING ARTICULATION, FORM AND MASSING
1. APPLICATIONS OF BASE STANDARDS TO FACADES NOT FACING A PUBLIC STREET. (PRIMARY MATERIALS AND ARCHITECTURAL DETAILING WAS CARRIED AROUND ALL FOUR FACADES.)
2. USE OF ARCHITECTURAL DETAILING AND/OR MATERIALS TO PROVIDE VARIETY IN VISUAL APPEARANCE. (THE BUILDING IS USING VARIED MATERIALS AND PATTERNS AS WELL AS RAISED PARAPETS AND CANTILEVERED CANOPIES.)



THE SHOPS AT WYLIE
SUBDIVISION: JACOBS ADDITION, LOT 1R-3-1, BLOCK B
CITY PROJECT NO:
PREPARED DATE: 01-24-23

OWNER

FIRST HARTFORD REALTY CORP.
2529 6th Ave
Fort Worth, TX 76110
Phone: (817) 230-4885
Contact: Josh Gardner

APPLICANT

DEVELOPMENT SERVICES, INC.
900 Town & Country Ln., Suite 220
Houston, Texas 77024
Phone: (281) 732-1457
Contact: Steven W. Griggs, P.E.

ARCHITECT

GENESIS DESIGN GROUP, INC.
9500 Ray White Rd, Suite 200
Fort Worth, Texas 76244
Phone: (817) 285-7444
Contact: Randall L. Byrd
email: rbyrd@genesisarchitects.com



421 W. Harwood, Ste 100
Houston, Texas 77054-2038
phone: (817) 285-7444
fax: (817) 285-7314
www.genesisarchitects.com

Texas Firm #BR-2139

Bojangles

3008 FM 544 WEST, WYLIE, TX

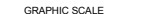
FACADE
PLAN
SUBMITTAL



01-30-2023

SD-1

23-001



A W R AWR Designs, LLC
P.O. Box 1746
Alledo, Texas 76008
amanda@awr-designs.com
512.517.5589



Wylie City Council

AGENDA REPORT

Department: Planning

Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2023-17 for a change in zoning from Manufactured Home (MH) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a motor vehicle fueling station with convenience store and car wash on 1.793 acres, property located at 1001 S. Highway 78 (ZC 2023-05).

Recommendation

Motion to approve the Item as presented.

Discussion

On April 11, 2023 City Council approved the writing of an Ordinance for a change in zoning from Manufactured Home (MH) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a motor vehicle fueling station with convenience store and car wash on 1.793 acres, property located at 1001 S. Highway 78 (ZC 2023-05).

Final approval of Zoning Case 2023-05 requires the adoption of the 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 (SUP Conditions), and Exhibit C (Zoning Exhibit) 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.

ORDINANCE NO. 2023-17

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 2023-05, FROM MANUFACTURED HOME (MH) TO COMMERCIAL CORRIDOR - SPECIAL USE PERMIT (CC-SUP), TO ALLOW FOR COMMERCIAL DEVELOPMENT OF A MOTOR VEHICLE FUELING STATION, CONVENIENCE STORE, AND CAR WASH; 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 Special Use Permit Conditions and the Zoning Exhibit are an integral component of the development of the property and 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 25th day of April 2023.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

DATE OF PUBLICATION: May 3, 2023, in the Wylie News

Exhibit "A"
Legal Description
ZC 2023-05

BEGINNING at a 5/8 inch capped rebar stamped "RPLS 3949" found at the south corner of a tract described as "Parcel 28 - Part 1" in the Deed to the State of Texas recorded in Volume 4259, Page 1657, Deed Records, Collin County, Texas;

THENCE NORTH 25°45'02" EAST, with the southeast line of the said "Parcel 28 - Part 1", a distance of 9.64 feet to a 5/8 inch capped rebar stamped "SPOONER 5922" found at the northeast corner of "Parcel 28 - Part 1", on the monumented southeast right of way of State Highway No. 78 (a variable width right of way as shown in Texas State Highway Department Right-of-Way Map for State Highway No. 78 dated August 1955 | no dedicating document found);

THENCE NORTH 49°03'55" EAST, with the said southeast right of way of State Highway No. 78, a distance of 229.02 feet to an angle point from which a found 5/8 inch capped rebar stamped "SPOONER 5922" bears SOUTH 88° WEST, a distance of 0.3 of a foot;

THENCE NORTH 51°36'37" EAST, continuing with the southeast right of way of State Highway No. 78, a distance of 187.07 feet to a set 1/2 inch capped rebar stamped "JPH Land Surveying", from which a found 5/8 inch capped rebar stamped "SPOONER 5922" bears NORTH 51°36'37" EAST, a distance of 215.26 feet;

THENCE though the interior of the aforementioned Wylie 33-78 tract, the following calls:

1. SOUTH 38°07'28" EAST, a distance of 122.93 feet to a set Mag Nail with washer stamped "JPH Land Surveying";
2. SOUTH 51°52'32" WEST, a distance of 18.00 feet to a set Mag Nail with washer stamped "JPH Land Surveying";
3. SOUTH 38°07'28" EAST, a distance of 229.15 feet to a 1/2 inch capped rebar stamped "JPH Land Surveying" set on the south line of the Wylie 33-78 tract;

THENCE NORTH 88°34'05" WEST, with the said south line of the Wylie 33-78 tract, a distance of 527.20 feet returning to the **POINT OF BEGINNING** and enclosing 1.731 acres (± 75,401 square feet).

Wylie Gas Station & Car Wash
EXHIBIT “B”
Conditions For Special Use Permit

I. PURPOSE:

The purpose of this Special Use Permit is to allow for a gas station and car wash service use.

II. GENERAL CONDITIONS:

1. The site shall be developed and uses allowed shall be in accordance with Commercial Corridor (CC) design standards, as provided in Article 4 and 5 of the City of Wylie Zoning Ordinance as adopted April 2021, except as specifically provided herein.
2. This Special Use Permit shall not affect any regulations within the Zoning Ordinance (adopted as of April 2021), except as specifically provided herein.
3. The design and development of the Wylie Gas Station & Car Wash development shall take place in general accordance with the Zoning Exhibit (Exhibit C).

III. SPECIAL CONDITIONS:

1. The following listed uses as defined in Article 5 of the Zoning Ordinance (adopted as of April 2021) and as depicted in the Zoning Exhibit (Exhibit “C”) shall be allowed by-right:
 - a. Car Wash
 - b. Fueling Station
 - c. Convenience Store
2. Section 4.1.C(3) of the Zoning Ordinance (adopted as of April 2021) shall be amended to allow for service and loading areas to be visible from a public street for Lot 2 of the Zoning Exhibit (Exhibit C) to allow for the car wash bay to face a public street.
3. The square footage of the signage depicted on the Zoning Exhibit (Exhibit C) shall be permitted.



























EASEMENT/SETBACK LEGEND	
BUILDING SETBACK	B.S.
LANDSCAPE SETBACK	L.S.
FIRE LANE, ACCESS & UTILITY EASEMENT	FA.U.E.
FIRE LANE, ACCESS & DRAINAGE EASEMENT	FA.D.E.
ACCESS EASEMENT	A.E.
SIDEWALK EASEMENT	S.E.
SANITARY SEWER EASEMENT	S.S.E.
WATER EASEMENT	W.E.
ELECTRICAL EASEMENT	E.E.
UTILITY EASEMENT	U.E.
DRAINAGE & DETENTION EASEMENT	D.D.E.

EXISTING LEGEND

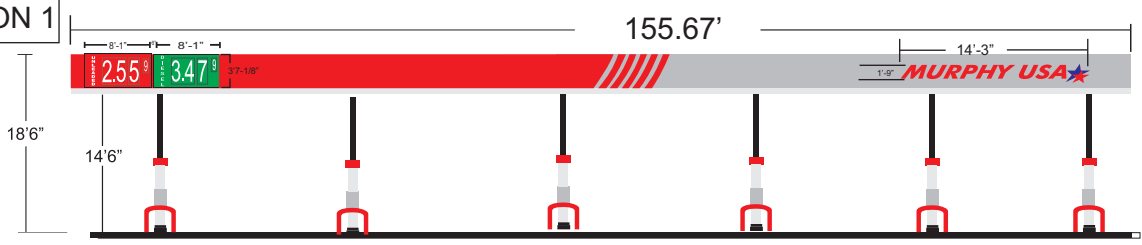
1. FOUND	14. FINISHED FLOOR	23. POOL-BO
2. 1ST FLOOR	15. WATER VALVE	24. CONCRETE
3. 2ND FLOOR	16. WATER	25. BRICK
4. 3RD FLOOR	17. PLUMBING	26. STONE
5. 4TH FLOOR	18. FLOOR POLE	27. ROOF-TRUSS
6. 5TH FLOOR	19. WIRE	28. BRICK WALL
7. 6TH FLOOR	20. GAS METER	29. TILE
8. 7TH FLOOR	21. AC/NO	30. 1ST FLOOR
9. 8TH FLOOR	22. GAS METER	31. SECONDARY
10. 9TH FLOOR	23. OVERHEAD ELECTRICAL	32. IMPROVISED
11. 10TH FLOOR	24. BOILER/HEATER	33. STAIR CASE
12. 11TH FLOOR	25. BOILER	34. HIDE-UP SPACE
13. 12TH FLOOR	26. BOILER-TRUNK	35. TRAFFIC SIGNAL POLE
	27. BOILER-TRUNK	36. BRICK WALL
	28. BOILER-TRUNK	
	29. BOILER-TRUNK	
	30. BOILER-TRUNK	
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	100. BOILER-TRUNK	

SITE DATA SUMMARY TABLE	
SITE ACREAGE	1.710 AC. (XX.XXX S.F.)
ZONING	CG-GENERAL RETAIL
PROPOSED USE	XX-XX
BUILDING AREA	XX.XXXX S.F.
NUMBER OF STORES	1
BUILDING HEIGHT	30'±
BUILDING COVERAGE	80%
FLOOR AREA RATIO	0.80
NUMBER OF GUEST ROOMS	80
IMPERVIOUS AREA	XX.XXXX S.F. (60.0%)
PROPOSED ADOPTED AREA	XX.XXXX S.F. (60.0%)
REGULAR PARKING REQUIRED	XX SPACES
15' PER 200 S.F.	
REGULAR PARKING PROVIDED	XX SPACES
HANDICAP PARKING REQUIRED	XX SPACES (1 VAN ACCESSIBLE)
HANDICAP PARKING PROVIDED	XX SPACES (1 VAN ACCESSIBLE)
TOTAL PARKING PROVIDED	XX SPACES
PRIVATE PARKING PROVIDED	XX SPACES
OFF-STREET SHARED PARKING PROVIDED	10 PARKING SPACES

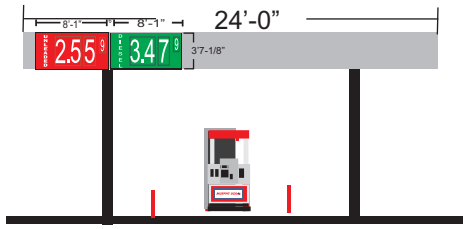
SITE LEGEND

CONCRETE CURB	
SAW-CUT LINE	
FENCE	
FIRE LANE	
STRIPING	
SHARED ACCESS EASEMENT	
PARKING SPACES	
MONUMENT/PYLON SIGN	
WHEEL STOPS	
HANDICAP LOGO	
HANDICAP SIGN	
RAMP	
BOLLARD	
TRAFFIC ARROW	
FIRE HYDRANT	
DUMPSTER	
SANITARY SEWER MANHOLE	
SANITARY SEWER CLEANOUT	
SANITARY SEWER DOUBLE CLEANOUT	
SANITARY SEWER SAMPLE PORT	
GREASE TRAP	
DOMESTIC WATER METER	
IRRIGATION METER	
GAS METER	
TRANSFORMER	
LIGHT POLE	
POWER POLE	
10'X20' VEHICLE STACKING	

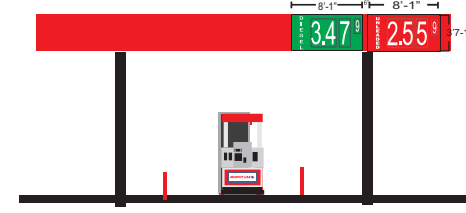
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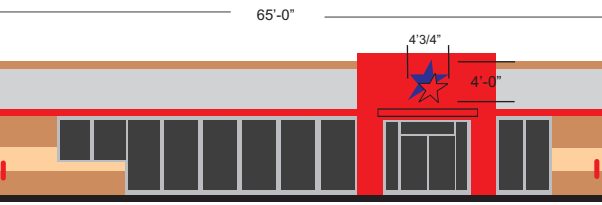
North Elevation



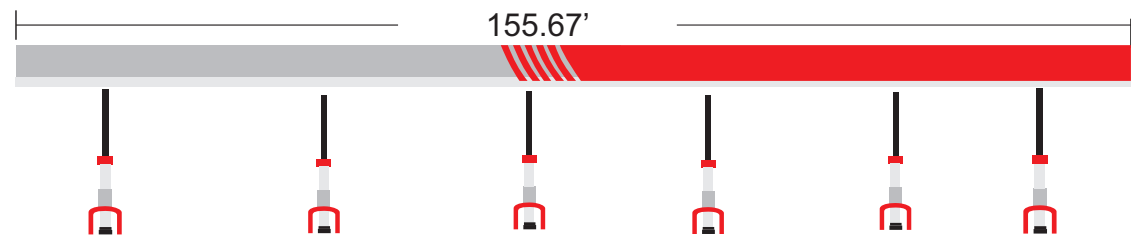
West Elevation



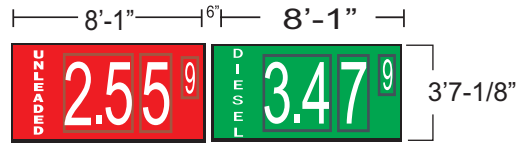
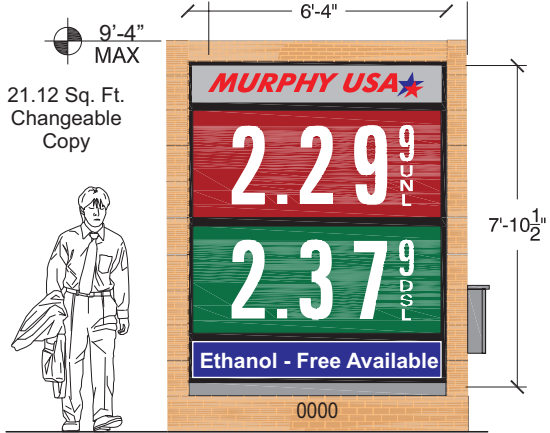
East Elevation



NORTH ELEVATION BUILDING ONLY



South Elevation



SIGN	QTY.	HEIGHT	WIDTH	AREA S.F.	TOTAL S.F.
MURPHY USA CANOPY LOGO	1	1'-9"	14'-3"	24.76	24.76
MURPHY USA BUILDING LOGO	1	1'-9"	14'-3"	24.76	24.76
STAR	1	6'-0"	5'-9-3/4"	34.90	34.90
Canopy Gas Price Signs	6	3'-7-1/8"	8'-1"	29.05	174.30
Monument					
MUSA/UNL/DSL/EFA	1	7'-10 1/2"	6'-4"	49.88	49.88
SIGN TOTAL:					308.60

**National Signs
&
Service**

799 Greenbriar Rd.
Fate, TX. 75132

972-772-4901
Fax 972-772-5037

Sign Installation Group, Inc.

CLIENT:

MURPHY USA

ADDRESS:

Murphy USA
Highway 78 & Westgate
Wylie, Texas 75098

DATE:

2/25/2023

DESIGNER:

SPW

PROJECT MANAGER:

ELECTRONIC FILE NAME:

22124

APPROVAL DATE:

REV 3

CLIENT SIGNATURE:

PAGE #

1











Wylie City Council

AGENDA REPORT

Department: Planning

Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2023-18 for a change in zoning from Commercial Corridor (CC) to Planned Development - Commercial Corridor (PD-CC) on 10.485 acres generally located on the southeast corner of State Highway 78 and Kreymer Lane (ZC 2023-02).

Recommendation

Motion to approve the Item as presented.

Discussion

On April 11, 2023, City Council approved the writing of an Ordinance for a change in zoning from Commercial Corridor (CC) to Planned Development - Commercial Corridor (PD-CC) on 10.485 acres generally located on the southeast corner of State Highway 78 and Kreymer Lane (ZC 2023-02).

With that approval were the following stipulations:

- Motor Vehicle Fueling Station be removed as a by-right use;
- Drive-Thru Restaurants be allowed by-right on lots 1, 2, and 4 only;
- The minimum building size for lots 1, 2, and 4, be 1,800 square feet, 13,000 square feet, and 800 square feet, respectively.

Those stipulations are reflected in the amended PD Conditions.

Final approval of Zoning Case 2023-02 requires the adoption of the 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 (PD Conditions), and Exhibit C (Zoning Exhibit) 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.

ORDINANCE NO. 2023-18

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 2023-02, FROM COMMERCIAL CORRIDOR TO COMMERCIAL CORRIDOR - PLANNED DEVELOPMENT (CC-PD), TO ALLOW FOR COMMERCIAL DEVELOPMENT OF OFFICE, RETAIL, AND RESTAURANT USES.; 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 - Planned Development (CC-PD), 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 25th day of April, 2023.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

DATE OF PUBLICATION: May 3, 2023, in the Wylie News

BEING a 10.31 acre tract of land out of the Francisco De La Pena Survey, Abstract Number 688, situated in the City of Wyle, Collin County, Texas, being all of that certain tract of land conveyed to KPM Ventures, LTD by deed of record in Document Number 20071129001600770 of the Official Public Records of Collin County, Texas, also being a portion of Lots 1, 2, 3, 4, and 5 of Wylie Ranch East Commercial Park, a subdivision of record in Cabinet C, Page 8 of the Plat Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING, at a 1/2 inch steel pin found in the South right-of-way line of State Highway Number 78 (right-of-way varies), being the Northwest corner of Lot 6 of said Wylie Ranch East Commercial Park, also being the Northeast corner of a called Parcel 1 - 0.1678 acre tract of land conveyed to the State of Texas by deed of record in Document Number 20111118001255520 of said Official Public Records;

THENCE, S00°54'22"W, along the South right-of-way line of State Highway Number 78, being the East line of said Parcel 1 - 0.1678 acre tract, also being the common West line of said Lot 6, a distance of 7.54 feet to a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the Southeast corner of said Parcel 1 - 0.1678 acre tract, for the **POINT OF BEGINNING** and Northeast corner of said KPM Ventures, LTD tract and hereof;

THENCE, S00°54'22"W, leaving the South right-of-way line of State Highway Number 78, along the West line of said Lot 6, being the common East line of said Lot 5 and said KPM Ventures, LTD tract, a distance of 486.73 feet to a 1/2 inch iron rod found in the North line of Lot 4 of Wylie Ranch East Phase One, a subdivision of record in Cabinet B, Page 277 of said Plat Records, being the Southwest corner of said Lot 6, also being the Southeast corner of said Lot 5, said KPM Ventures, LTD tract and hereof;

THENCE, N88°42'26"W, along the North lines of Lots 1-4 of said Wylie Ranch East Phase One, being the common South lines of said Lots 1-5 of Wylie Ranch East Commercial Park and said KPM Ventures, LTD tract, a distance of 862.69 feet to a 5/8 inch iron rod with yellow plastic cap stamped "BURY & PARTNER" found in the East right-of-way line of Kreymer Lane (60 foot right-of-way), being the Northwest corner of said Lot 1 of Wylie Ranch East Phase One, also being the Southwest corner of said Lot 1 of Wylie Ranch East Commercial Park, said KPM Ventures, LTD tract and hereof;

THENCE, along the East right-of-way line of Kreymer Lane, being the common West line of said Lot 1 of Wylie Ranch East Commercial Park and KPM Ventures, LTD tract, the following three (3) courses and distances:

1. N00°54'22"E, a distance of 5.27 feet to a 5/8 inch iron rod with yellow plastic cap stamped "BURY & PARTNER" found at the point of curvature of a non-tangent curve to the left;
2. Along said non-tangent curve to the left, having a radius of 480.00 feet, a chord bearing of N15°19'39"W, a chord length of 267.97 feet, a delta angle of 32°25'04", an arc length of 271.58 feet to a 5/8 inch iron rod with yellow plastic

cap stamped "BURY & PARTNER" found at the point of curvature of a reverse curve to the right;

3. Along said reverse curve to the right, having a radius of 420.00 feet, a chord bearing of $N15^{\circ}56'48''W$, a chord length of 227.49 feet, a delta angle of $31^{\circ}25'33''$, an arc length of 230.36 feet to an "X" cut in concrete set at the intersection of the South right-of-way line of State Highway Number 78 and the East right-of-way line of Kreymer Lane, being the Southwest corner of said Parcel 1 - 0.1678 acre tract, also being the Northwest corner of said KPM Ventures, LTD tract and hereof;

THENCE, $S89^{\circ}07'47''E$, along the South right-of-way line of State Highway Number 78, being the South line of said Parcel 1 - 0.1678 acre tract, also being the common North line of said KPM Ventures, LTD tract, a distance of 1003.53 feet to the **POINT OF BEGINNING** and containing an area of 10.31 acres (449,243 square feet) of land, more or less.

Kreymer Retail

EXHIBIT "B"

CONDITIONS FOR PLANNED DEVELOPMENT
PD ZC 2023-02

I. PURPOSE:

The purpose of this Planned Development is to create a commercial environment with a focus on commerce, dining and office uses.

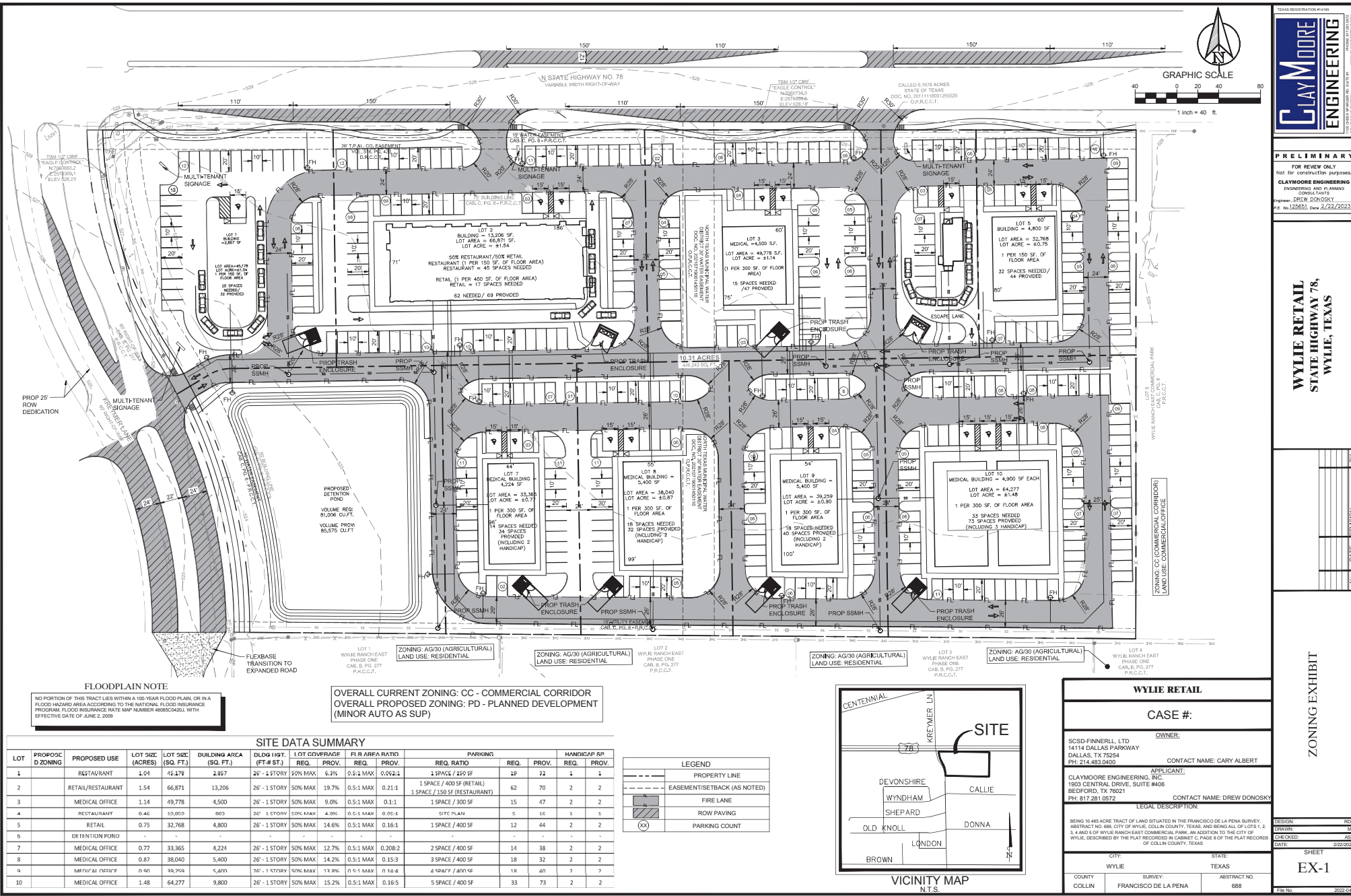
II. GENERAL CONDITIONS:

1. Unless otherwise explicitly stated in the PD, all variations are from the City of Wylie's Zoning Ordinance as amended April 2021.
2. This Planned Development shall not affect any regulations of the aforementioned Zoning Ordinance except as specifically provided herein. 3. The underlying zoning for this Planned Development District shall be Commercial Corridor (CC).
3. The development shall be in general conformance with the Zoning Exhibit.

III. SPECIAL CONDITIONS:

1. The following uses as defined in the Commercial Corridor District (CC) shall be expressly permitted by right on the subject property:
 - a. Convenience Store
 - b. Restaurant with Drive-In or Drive-Thru Service (Lots 1, 2, and 4, only)
 - c. Food Truck Parking
 - d. Alcohol/Liquor Uses, which shall be exempt from distance requirements from churches, public hospitals, public schools and private schools
2. The following uses as defined in the Commercial Corridor District (CC) shall be expressly prohibited on the subject property:
 - a. Sexually Oriented Business
 - b. Equipment Rental
 - c. Automobile Rental
 - d. Car Wash
 - e. Vehicle Display, Sales or Service

- f. Any and all uses listed under Sections 5.2.H and 5.2.I of the Zoning Ordinance
- 3. Lots 1, 2, and 4 shall have a minimum building size of 1,800 sq ft., 13,000 sq ft., and 800 sq ft., respectively.
- 4. Section 22-448.a(4) of the Sign Ordinance shall be amended to allow for off premises signage for all pad sites within the Planned Development to allow for multi-tenant signage on Lot 1, Lot 2, & Lot 4 as generally shown on the Zoning Exhibit.
- 5. Section 3.1.B(4) of the Subdivision Regulations shall be amended to allow for a 24' access easement connecting to Kreymer Lane to replace the requirement of requiring 30' of street frontage for lots 7-10 of the Zoning Exhibit.
- 6. The development shall provide screening along the southern border with the planting of ornamental trees and a hedge 3' in height.



CLAYMOORE ENGINEERING
10000 DALLAS PARKWAY, SUITE 400
DALLAS, TEXAS 75244
PHONE: 214.483.0400
WWW.CLAYMOOREENGINEERING.COM

PRELIMINARY
FOR REVIEW ONLY
Not for construction purposes.
CLAYMOORE ENGINEERING
ENGINEERING AND PLANNING
CONSULTANTS
Prepared: DREW DONOSKY
P.E. No. 126551 Date: 2/23/2023

WYLIE RETAIL
STATE HIGHWAY 78,
WYLIE, TEXAS

ZONING EXHIBIT

WYLIE RETAIL	
CASE #:	
OWNER:	CONTACT NAME: CARY ALBERT
SCSD-FINNELL, LTD. 14114 DALLAS PARKWAY DALLAS, TX 75254 PH: 214.483.0400	APPLICANT: CLAYMOORE ENGINEERING, INC. 1903 CENTRAL DRIVE, SUITE #408 BEDFORD, TX 76021 PH: 817.281.0572
LEGAL DESCRIPTION: BEING 10.486 ACRES TRACT OF LAND SITUATED IN THE FRANCISCO DE LA PENA SURVEY, ABSTRACT NO. 688, CITY OF WYLIE, COLLIN COUNTY, TEXAS, AND BEING ALL OF LOTS 1, 3, 4 AND 5 OF WYLIE RANCH EAST COMMERCIAL PARK, AN ADDITION TO THE CITY OF WYLIE, DESCRIBED BY THE PLAT RECORDED IN CLAYTON C. PAGE 5 OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS.	
CITY: WYLIE	STATE: TEXAS
COUNTY: COLLIN	SURVEY: FRANCISCO DE LA PENA
ABSTRACT NO: 688	FILE NO: 2022-044

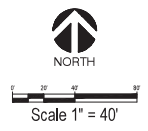
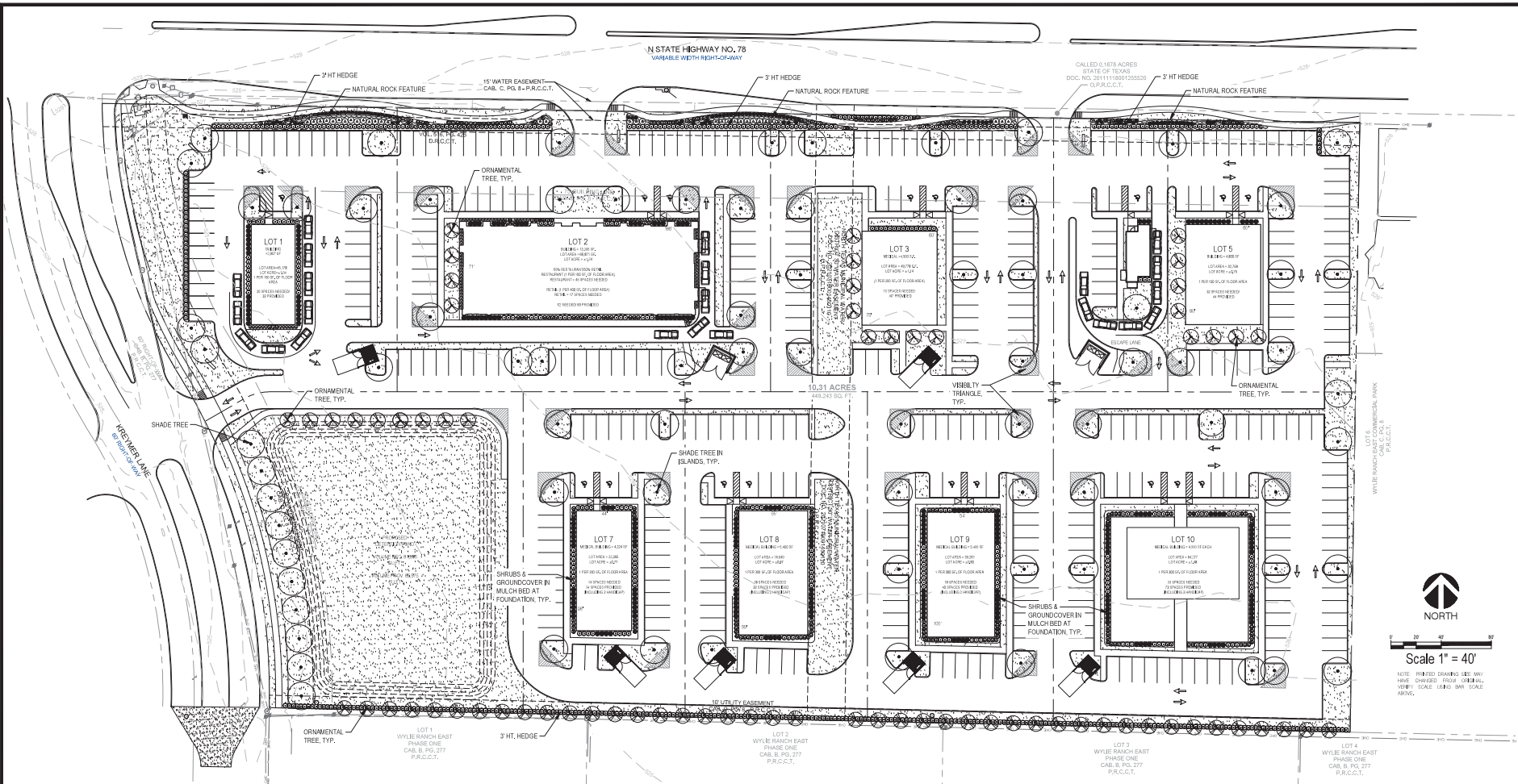
DESIGN: RES
CHECKED: MS
DATE: 2/23/2023

SHEET
EX-1

PLOTTED BY: SHARON STACHEK
PLOT DATE: 2/22/2023 3:52 PM
LOCATION: C:\USERS\JAMSTA\EDG DROPBOX\EDG - SHARED\2023\WYLIE RETAIL - WYLIE TX\WYLIE RETAIL-WYLIE-PLD.DWG
LAST SAVED: 2/10/2023 10:25 AM



EVERGREEN
DESIGN GROUP
(800) 984-6390
15455 Dallas Pkwy, Ste 600
Addicks, TX 75001
www.EvergreenDesignGroup.com



WYLIE RETAIL
CITY OF WYLIE TX
ZONING: CC (COMMERCIAL CORRIDOR)
PROJECT AREA: 449,222 SF (10.3 AC)

LANDSCAPE REQUIREMENTS

REQUIRED YARDS:
BASE STANDARD
LANDSCAPE AREA 20% (89,844 SF) REQ'D PROVIDED: 29.8% (133,877 SF)
FRONT YARD LANDSCAPE: REQ'D AND PROVIDED
SIDE/REAR YARDS NEXT TO RESIDENTIAL: REQ'D AND PROVIDED
DESIRABLE
PROVIDED: LANDSCAPING IN SIDE AND REAR YARD NOT OTHERWISE REQUIRED.

PARKING LOTS (413 TOTAL SPACES):
BASE STANDARD
50 SF OF LANDSCAPING/SPACE: 20,650 SF REQ'D PROVIDED: 42,665 SF
NO PARKING SPACE FURTHER THAN 80' FROM LANDSCAPED AREA. PROVIDED
ROWS 12+ SPACES OR LONGER SHALL HAVE LANDSCAPED ISLANDS AT END. PROVIDED
ALL PARKING ROWS SHALL HAVE LANDSCAPED AREAS AT LEAST EVERY 12 SPACES. PROVIDED
DESIRABLE
PROVIDED: LANDSCAPING 10% OR MORE IN EXCESS OF 50 SF/SPACE (63% EXCESS)
PROVIDED: LANDSCAPED PEDESTRIAN CONNECTION TO MAIN ENTRANCE

VISUAL SCREENING (ADJACENT TO RES. SOUTH PROPERTY LINE (863 LF)
BASE STANDARD: 3' STRIP W/ CONTINUOUS 3' HT SHRUBS + 1 FLOWERING TREE/20 LF
TREES: 43 FLOWERING TREES REQ'D PROVIDED: 43 TREES
SHRUBS: CONTINUOUS 3' HT HEDGE PROVIDED AS REQ'D

STREET FRONTS
BASE STANDARD: 10' WIDE LANDSCAPED BUFFER + ONE (1' CAL.) TREE PER 30-40 LF
STATE HWY 78 (986 LF): 25 TREES REQ'D PROVIDED: 25 TREES*
KREYMER LANE (507 LF): 12 TREES REQ'D PROVIDED: 12 TREES
*DUE TO UTILITY EASEMENTS, TREES HAVE BEEN LOCATED IN PARKING LOT ADJACENT TO FRONTAGE
DESIRABLE
PROVIDED: USE OF ROCK WALLS OR OTHER NATURAL LANDSCAPE FEATURES.
PROVIDED: INCREASE IN MINIMUM WIDTH OF LANDSCAPE BUFFER BY 20%. (+ 15' WIDE)

PLANTINGS TO BE FROM THE FOLLOWING LIST:

- LARGE SHADE TREES (83 TOTAL):**
- RED TIP PHOTOPIA
 - BURR OAK
 - SOUTHERN MAGNOLIA
 - LIVE OAK
 - BALD CYPRESS
- SMALL ORNAMENTAL TREES (63 TOTAL):**
- YAUPOIN HOLLY
 - CRAPE MYRTLE
 - WAX MYRTLE
 - CHERRY LAUREL
 - RED BUD
 - CEDAR ELM
- SHRUBS/GROUNDCOVERS (41-1350 TOTAL):**
- RED TIP PHOTOPIA
 - BURFORD HOLLY
 - YAUPOIN HOLLY
 - NANDINA
 - DWARF CRAPE MYRTLE
 - WAXLEAF LIGUSTRUM
 - ABELIA
 - JUNKERS
 - BARBERRY
 - ASIAN JASMINE
 - LIRIOPE
 - MONKEY GRASS
 - MONDO GRASS



CAE22005



Wylie City Council

AGENDA REPORT

Department: Animal Services
Prepared By: Shelia Patton

Account Code: _____

Subject

Consider, and place on file, the Animal Shelter Advisory Board Report.

Recommendation

Motion to approve the Item as presented.

Discussion

The ASAB met on April 12, 2023. The attached minutes and statistical reports were considered, approved, and placed on file. This report is being submitted as required by City ordinance.



Animal Shelter Advisory Board

Minutes

Regular Meeting

February 8, 2023 – 6:00 pm

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Dr. Brad Abraham called to order the Animal Shelter Advisory Board meeting at 6:08 pm. Board members present Shelia Patton, Amber Porter, and Jeff Forrester. Susan Cranford is absent. Quorum is present.

Staff Liaison Lt. Matt Miller is also present.

INVOCATION

The invocation was given by Jeff Forrester.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate, or take action on any matter presented during citizen participation.

REGULAR AGENDA

1. Consider and act upon an Animal Shelter Advisory Board minutes of December 14, 2022.
(ASAB Chair)

Board Action

A motion was made by Jeff Forrester to accept the Animal Shelter Advisory Board minutes of December 14, 2022, as presented. Dr. Brad Abraham seconded to accept the Animal Shelter Advisory Board minutes of December 14, 2022, as presented. A vote was taken, and the motion passed unanimously.

2. **Consider and place on file the 2022 fourth-quarter statistical information for shelter operations. (ASAB Chair)**

Board Action

A motion was made by Amber Porter to accept and place on file the 2022 fourth-quarter statistical information for shelter operations, as presented. Jeff Forrester seconded to accept and place on file the 2022 fourth-quarter statistical information for shelter operations, as presented. A vote was taken, and the motion passed unanimously.

3. **Consider and place on file the 2022 statistical information for shelter operations. (ASAB Chair)**

Board Action

A motion was made by Jeff Forrester to accept and place on file the 2022 statistical information for shelter operations, as presented. Amber Porter seconded to accept and place on file the 2022 statistical information for shelter operations, as presented. A vote was taken, and the motion passed unanimously.

Jeff Forrester stated that he wants to make clear that these stats are for the entire year of 2022.

4. **Consider and place on file the 2022 Trap Neuter Release Feral Cat Program statistical information. (ASAB Chair)**

Board Action

A motion was made by Jeff Forrester to accept and place on file the 2022 Trap Neuter Release Feral Cat Program statistical information, as presented. Amber Porter seconded to accept and place on file the 2022 Trap Neuter Release Feral Cat Program statistical information, as presented. A vote was taken, and the motion passed unanimously.

Jeff Forrester asked if this is a report of the TNR cats in Wylie.

Shelia Patton stated that this report was made to comply with the city ordinance. We had one feral cat that tested positive for FeLV. She is open to suggestions and additions that could be added to the report.

Dr. Brad Abraham asked if this was the first time we had collected these numbers. Also, how do these numbers compare to other years?

Shelia Patton stated that comparing the numbers to other years is hard because of COVID and our services being closed down. She thinks that after another year of the program being open, we should be able to get a comparison.

Jeff Forrester asked if the feral colonies could be added to the report. Also, can we add where those colonies are located and how many feral cats are in that colony? This way, we can know if the colony's growth is being controlled. He also asked if the TNR report could be added to the quarterly report as a subsection.

Shelia Patton said she would have to get back to the board about the first question. She likes the idea but would need to see what the program would allow us to do. She then said that we could add the TNR report to the quarterly report, but she feels it would make the quarterly report needlessly confusing. She suggested that we keep the reports separate for another year.

Jeff Forrester stated that maybe we could add a supplement to the quarterly report about the TNR report so that we can be fully transparent. This way, we can show the success rate of the TNR program.

Shelia Patton responded that the TNR report is a quarterly report, and it will be added to the quarterly report as a separate report. We will need to get with the citizens and rescue groups to work together with them to collect the necessary information for a report on the colonies.

Jeff Forrester agreed and stated that this would show transparency.

Amber Porter asked if we have looked at how Garland runs their TNR program. They have registered colony managers. Garland also uses a rescue group to assist with the colonies.

Shelia Patton stated that she agrees with working with a rescue group. She has tried to get a Friends of Wylie rescue group started before, but there wasn't enough interest. She also stated that we have a good volunteer program that we could also utilize. We need to reach out to rescue groups in the area.

WORK SESSION

WS1. Discussion to add two additional board members to the Animal Shelter Advisory Board and provide a recommendation to City Council.

Shelia Patton stated that if we can get the adjusted ordinance approved by the city council by 2/28/23, we can approve the changes to the bylaws at our next board meeting in April. This way, we can beat the application deadline for the two additional board members on 5/15/23.

Jeff Forrester responded that the entire board will rotate out in 2024 simultaneously. How can we structure the ordinance so that all the members don't rotate out at the same time?

Amber Porter asked if we need to change the term lengths.

Jeff Forrester thinks we should get with the City Manager's Office and the City Secretary's Office to find a way to stagger the terms.

Amber Porter stated that her third term is up in 2024. She agrees with staggering the terms, especially the required positions of the board, such as the veterinarian and rescue group member.

Lt. Matt Miller asked if we could get feedback from the audience. As he understands it, they could change the terms to up to three years.

Renae Ollie stated that, yes, you could stagger term lengths. Most boards already do stagger their member's terms. Do all board members rotate off in 2024?

Lt. Matt Miller responded that all board members rotate off in 2024.

Renae Ollie suggests that all seven members should be staggered.

Shelia Patton stated that because we are changing the number of board members, now is a good time to discuss these changes.

Lt. Matt Miller asked if the ordinance has to change or just the bylaws.

Shelia Patton responded that the ordinance has to change as well.

Renae Ollie asked if it is written in the ordinance or the bylaws.

Shelia Patton responded that it is written in the ordinance.

Renae Ollie asked if it states two years in the ordinance.

Jeff Forrester responded that the ordinance states the term limit and number of consecutive terms but doesn't stagger the terms.

Renae Ollie asked if the ordinance says two two-year terms.

Jeff Forrester responded that it says three two-year terms.

Renae Ollie stated that the ordinance should say something about "regardless of 2-3 year terms". You will need to add that to the ordinance if it's not there.

Jeff Forrester responded that the ordinance states, "no board member shall serve for more than three consecutive terms or six consecutive years (whichever is less)" is that the correct wording?

Renae Ollie said she could get us a copy of the ordinances of the other boards for us to review.

Shelia Patton responded that she is confused about the board members appointed by the city council for two years, then three consecutive terms or six consecutive years.

Renae Ollie asked where she was reading that from.

Shelia Patton responded that she was reading it from our current ordinance. Would that need to be changed?

Renae Ollie responded that it would depend on what we want the term lengths to be. If we want to stagger them for 2 - 3 years, then yes, the ordinance needs to be changed. If we go with 1 - 2 years, the current ordinance may work.

Jeff Forrester stated that he thinks the board members should be staggered the same as the city council.

Renae Ollie responded that it would ensure that the whole board wouldn't fall off simultaneously.

Jeff Forrester suggested that the required members be staggered as well.

Shelia Patton stated that the council member is a required position, as well as the rescue group member and veterinarian.

Amber Porter said we could also resolve this issue by finding another veterinarian because Dr. Brad Abraham is a holdover.

Lt. Matt Miller said he appreciates Dr. Abraham for being on the board.

Jeff Forrester stated that we need to change the ordinance's verbiage and bylaws so there isn't any conflict between them.

Shelia Patton said we would get with city staff to fix the ordinance.

WS2. Discuss the addition to the City of Wylie, Code of Ordinances Chapter 18 Animals, prohibiting the sale of dogs and cats by retail pet stores and from public places.

Shelia Patton stated that this was brought to us to be placed on the agenda. There have been a few changes to the proposed ordinances since it was submitted to the board. The city attorney added some addendums. These ordinances are to prevent retail pet stores from selling animals and not adopting them out. She has met with the pet stores in Wylie, and they already follow these ordinances, so it will not affect them. They also support this ordinance because they already practice it at their stores. We do not currently have an issue with this in our city, but we want to be proactive. There is a bill going through State Legislature similar to the ordinances, but our ordinances only allow exceptions for Animal Services, Animal Adoption Agencies, and Animal Welfare Organizations. It is a common ordinance for larger cities in Texas. She also asked if any stores were moving to Wylie and was told no. This ordinance isn't about preventing a pet store from moving to our city. It is about promoting responsible pet adoptions.

Lt. Matt Miller stated that the city attorney has experience with these types of cases, so he has recommended the changes based on his experience working these types of cases. He also stated that he has seen animals being sold on the roadside or parking lot in 100-degree temperatures, and the property owner doesn't feel comfortable asking them to leave, which happens a lot. This ordinance gives officers the ability to remove them from the property.

Shelia Patton stated it allows us to stop the sale of animals, and it promotes what the pet retail stores stand for. They can still adopt out animals from rescue groups or Animal Services. The ordinance is to prevent the rehoming of sick, underage, unvaccinated, and unsterilized animals. It also allows us to educate the owners about other options for rehoming or caring for their pets.

Jeff Forrester asked if the proposed ordinance addresses the operation of puppy mills within the city limits. Also, how does this affect responsible home breeders? Per the ordinance, they can sell their animals if the breeder doesn't try to sell the animal on the roadside or in a parking lot.

Shelia Patton responded that we do not currently have registered breeders in Wylie. If you look at the amended ordinance Prohibiting The Sale of Dogs and Cats by Retail Pet Stores section (b). It states that it is a defense of prosecution under this section if an individual sells, exchanges, barter, gives away, or transfers, or offers or advertises for sale, exchange, barter, give away, or transfer only dogs or cats bred by that individual.

Lt. Matt Miller stated that public places are listed as any property generally accessible by the public that does not have a valid certificate of occupancy allowing the sale of animals on the property, regardless of whether such access was authorized and any public property. We are not trying to infringe upon someone's business in their residence.

Shelia Patton stated this ordinance is to stop unhealthy animals from being sold in pet stores or on public property. It is 100 percent not to affect our current businesses or our breeders.

Amber Porter stated this ordinance is important because other cities have it, and it will prevent puppy mills from moving to Wylie.

Shelia Patton responded that she agreed with that.

Lt. Matt Miller asked if it is agreed to push forward with the ordinances.

Amber Porter responded that she agreed.

Jeff Forrester stated that he agreed.

Dr. Brad Abraham stated that he agreed.

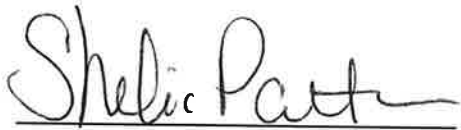
ADJOURNMENT

Motion was made by Dr. Brad Abraham and seconded by Jeff Forrester to adjourn the meeting. With no further business before the board, the board's consensus was to adjourn at 7:02 pm.



ASAB Chair

ATTEST:



Shelia Patton, ASAB member

Animal Shelter Advisory Board Report

January thru March 2023

	Dogs	Cats	Others	Total
Impounds	145	36	57	238
Owner Surrender	4	0	0	4
Stray	118	14	15	147
Quarantine	12	3	0	15
Safe Keeping	4	1	0	5
DOA	7	16	35	58
Trapped by resident	0	2	7	9
Born at Shelter	0	0	0	0

Dispositions	Dogs	Cats	Others	Total
Return to Owner	108	8	0	116
Adopted	36	12	4	52
Rescued	1	0	4	5
Euthanized	4	3	4	11
Other	0	0	10	10

Euthanasia Reason

Behavioral	2	0	0	2
Medical	2	2	2	6
Policy- H.R.R.C	0	1	2	3
Wild Animal	0	0	0	0

Euthanasia for dogs 2.47%

Euthanasia for cats 11.11%

Euthanasia for dogs & cats total 3.70%

Dogs at facility at end of report: 13

Dogs at facility at beginning of report: 24

Cats at facility at end of report: 4

Cats at facility at beginning of report: 7

Euthanasia Rate for Facility January 1, 2023 thru March 31, 2023: 3.70%

Animal Shelter Advisory Board Report TNR

January thru March 2023

Impounds

Trapped	2
---------	---

Dispositions

Euthanized	0
Released	2
Other	0
Total	2

Euthanasia Reason

Behavioral	0
Medical	0
Policy- H.R.R.C	0
Wild Animal	0
FeLV	0

Euthanasia rate 0.00%



Wylie City Council

AGENDA REPORT

Department: Animal Services

Account Code: _____

Prepared By: Shelia Patton

Subject

Consider, and place on file, the Animal Shelter Advisory Board Bylaws and Rules of Procedure.

Recommendation

Motion to approve the Item as presented.

Discussion

The Animal Shelter Advisory Board met on April 12, 2023. The attached bylaws and rules of procedure were considered, approved, and placed on file. This item is being submitted as required by City ordinance.

CITY OF WYLIE ANIMAL SHELTER ADVISORY BOARD BYLAWS

ARTICLE I

Name

Section 1. The City of Wylie Animal Shelter Advisory Board is hereby established to act in an advisory capacity to the city council and to assist the city in complying with the requirements of Chapter 823 of the Texas Health and Safety Code.

Section 2. As authorized by the City Charter, City of Wylie and City Ordinance No. 2003-11, this body shall be known as the Animal Shelter Advisory Board.

ARTICLE II

Members

Section 1. Number of Members/Qualified Appointment/Terms. The Board shall consist of seven (7) members. The Board shall consist of one licensed veterinarian, one member of the City Council of the City of Wylie, Texas, The Animal Services Manager of the City of Wylie, Texas (whose duties include the daily operation of the Wylie animal shelter), one representative from an animal welfare organization, and three (3) residents of the City of Wylie, Texas, with all Board members appointed by the City Council for a term of two (2) years, with the exception of the Animal Shelter Manager who shall be a permanent member of the board. With the adoption of Ordinance 2023-10, the initial terms are amended as follows:

- (a) Licensed Veterinarian term expires 6/2024
- (b) Member of City Council term expires 6/2025
- (c) Animal Welfare Organization representative term expires 6/2023
- (d) Resident (1) of the City term expires 6/2024
- (e) Resident (2) of the City term expires 6/2025
- (f) Resident (3) of the City term expires 6/2025

Section 2. At the conclusion of the above initial terms, members shall serve a staggered two (2) year term. Except for the animal services manager, no board member shall serve for more than three (3) consecutive terms or six (6) consecutive years (whichever is less); provided, however, that should a board member's replacement not be qualified upon the expiration of any term of a board member, then that board member shall holdover on the board until a qualified replacement board member has been appointed.

Section 3. In addition to Board members, the City Manager may appoint a staff designee as an ex officio member of the Board, who shall have no right to vote on any matter before the Board. Each Board member shall serve without compensation but may be reimbursed for actual expenses approved in advance by the City Council.

ARTICLE III

Meetings

Section 1. The Animal Shelter Advisory Board shall meet at least three (3) times per year and any additional meetings as may be called.

Section 2. Special meetings may be called by the Chair or at the call of any two members of the Board, provided that notice thereof be given in writing to the Chair or Vice Chair.

Section 3. Four (4) Board members shall constitute a quorum of the Board for the purpose of conducting its business, exercising its power, and for all other purposes. No action of the Board shall be valid or binding unless adopted by the affirmative vote of a majority of those Board members present and voting.

Section 4. No action of the Board shall be valid or binding unless adopted by the affirmative vote of a majority of those Board members present and voting.

Section 5. When vacancies occur on the Board, the City Council shall appoint, by majority vote, a replacement to serve the remainder of the term.

Section 6. Each Board member serves at the pleasure of the City Council and may be removed at the discretion of the City Council. Board member absences shall be controlled by Article VIII of Wylie's Charter.

Section 7. Robert's Rules of Order (current edition) shall govern the parliamentary procedure of the Board in cases to which they are applicable and in which they are not inconsistent with these by-laws.

ARTICLE IV

Powers and Duties

Section 1. The Board shall act in an advisory capacity to Wylie staff and the City Council in any matter pertaining to compliance with Chapter 823, Health and Safety Code.

Section 2. The board, through its chairperson, shall report to the city council concerning its activities and proposals by submitting to the city council the approved minutes of each meeting of the board and copies of all reports of inspections conducted by the department of state health services, veterinarians or other authorities and all statistical reports of shelter operations considered and approved by the board.

Section 3. The Board's authority shall not extend to the direction, supervision, employment, or termination of Wylie employees. No supervisory power of the Board is created.

Section 4. The Board will develop for City Council approval a set of by-laws governing rules of procedure for their meetings and operation.

Section 5. The Board shall not have the power to obligate Wylie for funds and/or expenditures or incur any debt on behalf of Wylie.

Section 6. All powers and duties prescribed and delegated herein are delegated to the Board as a unit, and all action hereunder shall be of the Board acting as a whole. No action of an individual Board member is authorized except through the approval of the Board or City Council.

Section 7. The Board shall have any other power and/or duty as prescribed and authorized by the City Council.

The Animal Shelter Mission...
*...is to promote and protect the health,
 safety and welfare of animals and people in
 Wylie, Texas.*

City of Wylie, Texas Animal Shelter Advisory Board Rules of Procedure



1. Statement

- 1.1. It is hereby declared that appointment to the Animal Control Advisory Board is a distinct honor and the trust imposed in the appointee involves the corresponding obligation of the appointee to serve the community by regular attendance and participation in the proceedings of the body.

2. Creation and Membership

- 2.1. The Animal Shelter Advisory Board was established by City Ordinance No. 2003-11, and serves at the will of the City Council.
- 2.2. The Board shall consist of seven (7) regular members who will serve for terms of two (2) years. A Board member shall generally be limited to three two-year terms, with the exception of the Animal Shelter Manager who shall be a permanent member of the board per Ordinance 2020-01. Initial board member terms are amended per Ordinance 2023-10. The Board shall consist of one licensed veterinarian, one member of the City Council of the City of Wylie, Texas, The Animal Services Manager of the City of Wylie, Texas (whose duties include the daily operation of the Wylie Animal Shelter), one representative from an animal welfare organization, and three (3) residents of the City of Wylie, Texas.
- 2.3. In accordance with State law, the Board members are required to complete Open Meetings training and receive a Certificate of Completion within the first ninety (90) days of first year appointment. This may be taken online via the Office of Attorney General's website (www.oag.state.tx.us). The Office of the Attorney General offers free video training courses to ensure that all elected and appointed government officials have a good command of both open records and open meetings laws.

3. Officers

- 3.1. The Board shall, at the first meeting after July 1st (and at such other times as these offices may become vacant), select from among its members a Chairperson and Vice-Chairperson to serve for a period of one (1) year.
- 3.2. In the absence of both the Chairperson and Vice-Chairperson during a meeting, the remaining Board members shall elect an Acting Chairperson.

4. Officer's Duties

- 4.1. The Chairperson shall preside over all meetings and briefing sessions, and perform all duties as required by law.

- 4.2. The Vice-Chairperson shall assume all duties of the Chairperson in the absence of the Chairperson.

5. Powers and Duties of the Board

- 5.1. The Animal Shelter Advisory Board shall act in an advisory capacity to Wylie staff and the City Council in any matter pertaining to compliance with Chapter 823, Health and Safety Code.
- 5.2. The Board shall perform all duties as prescribed by State statutes and the City's Code of Ordinance Chapter 18. The City Council has final authority in these matters, but should seek recommendations from the Animal Shelter Advisory Board prior to making final decisions.
- 5.3. The Board shall work with the Animal Services Manager (or designee) on various policy concerns and issues regarding Wylie Animal Services.
- 5.4. The Board shall make recommendations for changes to Chapter 18 of the City Code of Ordinances and/or policies as it relates to compliance with Chapter 823, Health and Safety Code when deemed appropriate.
- 5.5. The Board shall maintain contact with the stakeholder groups from which its members are appointed in working with the Animal Services Manager and staff.
- 5.6. The Board shall work with the Animal Services Manager and designated staff collaboratively to ensure best-in-class quality animal services with the city of Wylie..
- 5.7. The Board shall perform all other duties as the City Council may direct.

6. Orientation Training

- 6.1. Upon his or her appointment to the Board, all new members shall attend an orientation presented by City Staff to familiarize the board members with the operation of Municipal Government, the department organization and policies, and the operating procedures of the Animal Shelter Advisory Board.

7. Rules of Order

- 7.1. The Chairperson shall rule on all points of order.
- 7.2. The Board members may overrule the Chairperson on points of order by a two-thirds (2/3) vote of members present.
- 7.3. Any provisions of these rules not governed by City Ordinance may be temporarily suspended by a favorable two-thirds (2/3) vote of all members of the Board, whose vote shall be entered upon the minutes.

8. Quorum

- 8.1. A quorum shall consist of four (4) members.
- 8.2. No matters may be handled without the presence of a quorum.
- 8.3. No action of the Board shall be valid or binding unless adopted by the affirmative vote of a majority of those Board members present and voting.

9. Agendas

- 9.1. An agenda shall be prepared by the Animal Services Manager or his/her designee for each meeting of the Animal Services Advisory Board. A copy of the agenda shall be posted in the Municipal Complex as required by law, as well as on the website.
- 9.2. There shall be attached to each agenda item, a report of matters pending further action by the Commission.
- 9.3. All regular and special meetings shall follow, as closely as possible, the printed agenda. The agenda should include, but is not limited to the following;
 - a. Ratification of Minutes;
 - b. Citizens' participation on items not on the agenda;
 - c. Executive Session, as needed;
 - d. Consent agenda;
 - e. Items for individual consideration;
 - f. Breaks at the discretion of the Chairperson;
 - g. Commissioners or Staff comments on general business;
 - h. Adjournment.
- 9.4. Agendas may be amended by the Chairperson as to order of items, but not as to content, unless overruled by a majority of the members present.

10. Minutes of Meetings

- 10.1. Minutes of all regular and special meetings shall be kept by the Secretary, designated by the Animal Services Manager, and are subject to amendment and ratification by the Board at the next regular meeting.
- 10.2. The minutes of the Board's proceeding shall show the overall vote, or if absent or failing to vote, shall reflect that fact.

11. Regular meetings

- 11.1. The Animal Shelter Advisory Board shall meet at least three (3) times per year and any additional meetings as may be called.
- 11.2. Any Board member missing three (3) consecutive regularly scheduled meetings without prior notification to Staff and/or a valid reason, which may include family emergency, illness, or other reasonable cause, may be subject to dismissal from the Board by the City Council.
- 11.3. All meetings shall be held in full compliance with the provision of state law, ordinances of the City, and these rules of procedure.

12. Special Meetings

- 12.1. Special meetings may be called by the Chairperson, or at the request of two (2) or more members, or may be scheduled by a majority of the Board at any previous meeting. The time and place of the special meeting shall be determined by the convening authority.
- 12.2. All members must be notified of any special meeting by giving written notice to all members by an email address of record at least seventy-two (72) hours before the meeting, and the notice must specify the purpose of the meeting.
- 12.3. Special meetings must be posted in accordance with the open meetings act.

13. Addressing the Board

- 13.1. Persons desiring to address the Board shall complete a "Request to Speak" card and submit the card to the Secretary.
- 13.2. The Secretary will sort the speaker cards by agenda item and deliver them to the Chairperson.
- 13.3. The Chairperson will refer to the speaker cards for comments on items not on the printed agenda, and individual agenda item comments.
- 13.4. Persons who note on a speaker card their desire to address the Board will be called to the podium by the Chairperson at the appropriate time and will follow the guidelines of Ordinance 2019-29 as outlined below when addressing the Board;
 - a. Approach the podium, state their name and address and whether or not they are representing a person, group, or organization;
 - b. Speak so that all present in the room may hear clearly;
 - c. Address all statements and questions to the Chairperson;

- d. Be courteous in language and deportment;
- e. Be concise and focused in their Comments;
- f. Group comments should not exceed 6 minutes, individual comments should not exceed 3 minutes unless an interpreter is needed, in which case 6 minutes is allowed.

13.5. The Chairperson may interrupt an individual to redirect or terminate remarks when they are not relevant to the matter before the Board, or when the Chairperson determines the remarks to be out of order.

14. City Staff Responsibilities

- 14.1. The Animal Services Manager or designee shall be responsible for providing the Board with the necessary professional, technical, and clerical services, including:
- a. Prepare and submit the agenda with staff reports and any special items as directed by the Chairperson;
 - b. Coordinate the services of all City Staff and other sources of public information for and on behalf of the Board;
 - c. Maintain a true copy of all Board proceedings;
 - d. Maintain all Board records;

15. Written Request Required

- 15.1. Every proposal submitted for Board action shall be made in accordance with approved application procedures from the appropriate Ordinance or Regulations.
- 15.2. The proposal shall be complete in all respects before being accepted for filing and Board consideration.

16. Conflict of Interest Rules

- 16.1. Conflict of Interest. Should any member of the Board feel he/she has a conflict of interest with an agenda item before the Board, they should openly declare so at the introduction of the item. They are thereby prohibited from discussing, participating in, or voting on the item in question. They shall also fill out a Conflict of Interest form and file it with the Secretary.
- 16.2. Abstention. Should any member of the Board choose to abstain from voting on any question before the Board where no declared conflict of interest exists, their vote shall be recorded as an affirmative vote in the official minutes.

17. Motions

- 16.3. A motion may be made by any member. A second to the motion shall be required before an item is put to a vote.
- 16.4. All votes shall be by a simple majority of members present, except as otherwise stated in these rules of procedure.
- 16.5. When fewer than all the members are present for voting and when all motions for a given application fail to carry by a majority vote, consideration of the application shall be continued under this rule to the next regular meeting, to the extent allowed by law. Failure of the Board to secure a majority concurring vote at said next regular meeting shall be recorded in the minutes as a denial of the proposal under the rule.
- 16.6. When a vote is required by state law or other requirement, and fewer than all members are present, and a simple majority is not reached, the vote shall be recorded as a denial.

17. Repealing Clause


- 17.1. All previously adopted Rules of Procedure of the Animal Shelter Advisory Board are hereby expressly repealed.

18. Suspension of Rules of Procedure

- 18.1. Any one or all of these rules of procedure may be suspended in order to allow a particular consideration of a matter, provided that it does not violate the state law or home rule charter, and provided that not less than two-thirds Board members vote in favor of such suspension. Where any rule embodies a provision of state law, identically or in substance, such rule may not be suspended.

PASSED AND APPROVED BY THE ANIMAL SHELTER ADVISORY BOARD OF THE CITY OF WYLIE THIS
12th day of April 2023.


 Brad Abraham, Chairman


 Amber Porter, Vice-Chairman

Filed in the Office of the City Secretary this _____ day of _____, 2023

 Stephanie Storm, City Secretary
 City of Wylie, Texas



Wylie City Council

AGENDA REPORT

Department: City Manager
 Prepared By: Stephanie Storm

Account Code: _____

Subject

Consider, and act upon, the appointment of a board member to the North Texas Municipal Water District (NTMWD) Board to fill an expired term of June 1, 2023 to May 31, 2025.

Recommendation

A motion to appoint _____ to the North Texas Municipal Water District (NTMWD) Board of Directors for a term to begin June 1, 2023 and end May 31, 2025.

Discussion

The Board of Directors of the North Texas Municipal Water District is a policy making body similar in nature to the City Council. The Board is responsible to both the State of Texas and to the member Cities for assuring that NTMWD operations occur in accordance with state and federal law, in alignment with NTMWD policy, and in the best interests of the Cities receiving services.

In accordance with the statute creating the District (Article 8280-141), the qualifications of a Director include the following: “No person shall be appointed a Director unless he resides in the city from which he is appointed. No member of a governing body of a city and no employee of a city shall be appointed as a Director.” Under other state law, no other government official that receives compensation could be appointed.

NTMWD’s existing Board (13-member cities) is comprised of individuals who have worked to represent their communities in other capacities and who have a solid understanding of municipal concerns to share with other Directors. Historically, Directors have dedicated from 10 to 30 years of service to the Board, thereby gaining experience and contributing the necessary leadership. This provides the maximum benefit in order to assure the City’s needs are met in the most effective manner. All NTMWD programs provide service based on cost to serve, with all cities provided equal treatment. Therefore, NTMWD policy established by the Board of Directors affects cost, performance, and quality of service.

The City of Wylie has two board members on the NTMWD Board; Mr. Marvin Fuller whose term expires May 31, 2024 and Mr. Keith Stephens whose term expires May 31, 2023.



Regional. Reliable. Everyday.

March 22, 2023

Mr. Brent Parker, City Manager
City of Wylie
300 Country Club Road
Wylie, Texas 75098

RE: NTMWD BOARD MEMBER APPOINTMENT

Dear Mr. Parker:

The current term of office for some of the Directors of the North Texas Municipal Water District (NTMWD) Board will end in May. Please accept this as your official notification that Mr. Keith Stephens' current term as an NTMWD Board Director will expire on May 31, 2023. The City Council has the option to either reappoint Mr. Stephens or appoint a new Director to serve the term from June 1, 2023, to May 31, 2025.

The NTMWD appreciates the service Mr. Stephens has provided to the District and the Region. He was appointed by the City of Wylie in 2019. In addition to serving on the Policy and Wastewater Committees, Mr. Stephens also serves as Chair for the Personnel Committee.

In accordance with the statute creating the District (Article 8280-141), the qualifications of a Director include the following: "No person shall be appointed a Director unless he resides in and owns taxable property in the city from which he is appointed. No member of a governing body of a city, and no employee of a city, shall be appointed as a Director." Under other state law, no other public official that receives compensation could be appointed. A list of roles and responsibilities of an NTMWD Board member is enclosed for reference.

Please notify my office in writing once the City Council has appointed a Director for the new term. Should you have any questions or need additional information, please do not hesitate to contact my office.

Sincerely,

JENNAFER P. COVINGTON
Executive Director

JPC/sks

Enclosure

cc: Mr. Keith Stephens
Ms. Stephanie Storm, City Secretary

Regional Service Through Unity...Meeting Our Region's Needs Today and Tomorrow



NTMWD BOARD OF DIRECTORS ROLES AND RESPONSIBILITIES

The North Texas Municipal Water District (NTMWD) Board of Directors serves as the governing body of NTMWD. The Board of Directors guides the NTMWD towards a sustainable future by adopting sound governance and financial management policies and ensuring adequate resources to meet the region's needs. The Board has a responsibility to provide guidance to management and staff and ensure operations run smoothly and in accordance with the law. Some specific responsibilities of the Board of Directors include:

- Establish and support the NTMWD mission and purpose
- Select and evaluate the Executive Director/General Manager
- Set policies and ensure effective planning
- Ensure adequate financial resources
- Monitor and strengthen essential programs and services
- Protect assets and provide proper financial oversight
- Ensure legal and ethical integrity
- Enhance the organization's public standing

The Board of Directors meet monthly, typically on the 4th Thursday of each month with adjustments made for holidays or other conflicts. Meetings are held at 2:30 p.m. in the boardroom located in the administration building of our Wylie Campus (501 E. Brown St. Wylie, Tx. 75098).

Directors serve on at least one Operations committee and one Administrative committee.

Administrative committees are typically held on the 2nd Wednesday of the month beginning at 1:00 p.m. These committees are:

- | | |
|---------------|-------------|
| • Executive | • Personnel |
| • Finance | • Policy |
| • Legislative | |

Operations committees are typically held the 4th Wednesday of the month beginning at 1:00 p.m. as well. These committees are:

- | | |
|---------------|--------------|
| • Real Estate | • Wastewater |
| • Solid Waste | • Water |

ROLES AND RESPONSIBILITIES
PAGE 2

The District currently utilizes a mixed approach structure (In person/Videoconference) to our meetings based on the meeting type:

- Board Meetings – director attendance *in person* except for mobility and health limitations.
- Committee Meetings – only Committee Chair or Board President is present at the NTMWD office, with the remaining committee members and other Board members attending via *videoconference*.

The Board of Directors also meet in Special Work Sessions for long-term planning as well as on an as-needed basis for other purposes.

Each director serves a two-year term, and the appointments are staggered so that each year, one of the two directors is up for reappointment or replacement.

Each director will receive a fee of \$150 for each day the director spends performing the duties of a director, including participating in board and committee meetings, other activities involving substantive deliberation of District business, and pertinent educational programs, but not more than \$7200 will be paid to any director in one calendar year.

Over the course of 2022, there were 104 different meetings or events where members of our Board of Directors participated. A majority of these consisted of board meetings, committee meetings and work sessions. Additionally, many directors represented NTMWD at City Council or Civic functions, meetings with legislators, open houses, and Board enrichment activities.



Wylie City Council

AGENDA REPORT

Department: PARD
 Prepared By: Renae' Ollie

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2023-19, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 78 (Parks and Recreation), Article IX (Cemeteries) to Disband and remove the Cemetery Advisory Board.

Recommendation

Motion to approve the Item as presented.

Discussion

In the process of acquiring the Wylie and Hughes Cemeteries from the Wylie Cemetery Association, it was determined, that ownership of a portion of the cemetery could not be verified; therefore, the surveyor was unable to certify the plans. In turn, the title company could not issue an Owner's Title Policy to protect the City.

Staff spent numerous hours researching and evaluating staffing needs to properly take over the cemeteries. It would be very difficult for staff to handle such an undertaking of maintenance, document research, digitizing, and selling of plots. Staff has communicated with the owner (Wylie Cemetery Association) that the City will not pursue taking ownership of the cemeteries. The Association will seek other non-profits or cemetery agencies in regards to acquiring the cemeteries.

CAB Discussion

The consensus of the Board was to direct staff to prepare the necessary documents to disband the Cemetery Advisory Board.

ORDINANCE NO. 2023-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE'S CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED, DISBANDING THE CEMETERY ADVISORY BOARD AND REMOVING CHAPTER 78 (PARKS AND RECREATION), ARTICLE IX (CEMETERIES); AND REPEALING ORDINANCE NOS. 2021-21 AND 2022-41 PRESCRIBING CEMETERY OPERATIONS; AND PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 2021-21 passed and approved on April 13, 2021, the City Council of the City of Wylie, Texas, created and established the Cemetery Advisory Board; and

WHEREAS, said Board exercised no executive power or authority, but was advisory only for the purposes of providing recommendations to preserve, protect and maintain cemeteries; raise funds for the protection and maintenance of cemeteries; make recommendations to the City Council regarding appropriations for funds raised and operation of cemeteries; and to encourage the preservation and designation of historical cemeteries in the City; and

WHEREAS, on June 8, 2021, the City Council appointed the first members of the Board to serve specified terms;

WHEREAS, at the direction of City Council, the city will not pursue ownership of the Hughes and Wylie Cemeteries; and

WHEREAS, therefore, there remains no present function for the Cemetery Advisory Board; and the Board shall be disbanded; and

WHEREAS, the City Council finds that Article IX (Cemeteries) under Chapter 78 (Parks and Recreation) of the City's Code of Ordinances, Ordinance No. 2021-17, as amended ("Code of Ordinances"), is hereby removed in its entirety.

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

SECTION 1: The City Council hereby disbands the Cemetery Advisory Board.

SECTION 2: The City Council sanctions that Article IX (Cemeteries) under Chapter 78 (Parks and Recreation) of the City of Wylie Code of Ordinances is hereby removed in its entirety.

SECTION 3: The City Council on behalf of the City and the citizens express their appreciation to the members of the Cemetery Advisory Board for the time, dedication and effort expended on said Board in service to the City.

SECTION 4: Savings/Repealing Clause. All provisions of the Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6: Effective Date. This Ordinance shall become effective immediately upon its adoption.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 25th day of April 2023.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: City Engineer
Prepared By: Tim Porter

Account Code: _____

Subject

Discuss results of the Downtown Drainage Study.

Recommendation

Discussion.

Discussion

Downtown Historic Area Drainage Master Plan





CITY COUNCIL WORK SESSION
APRIL 25, 2023

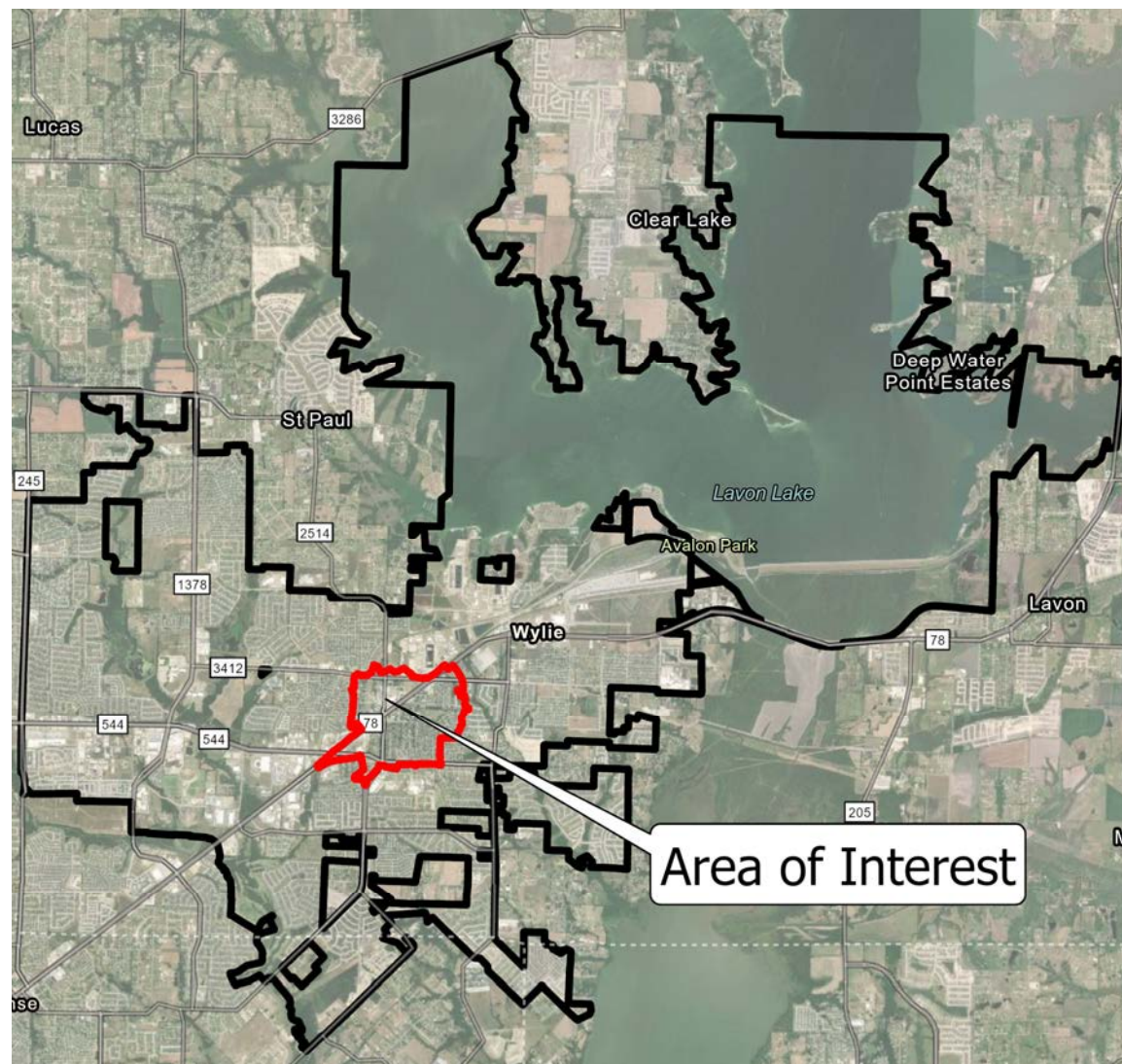


Project Background

- 541 acres

Legend

-  Study Area
-  City of Wylie

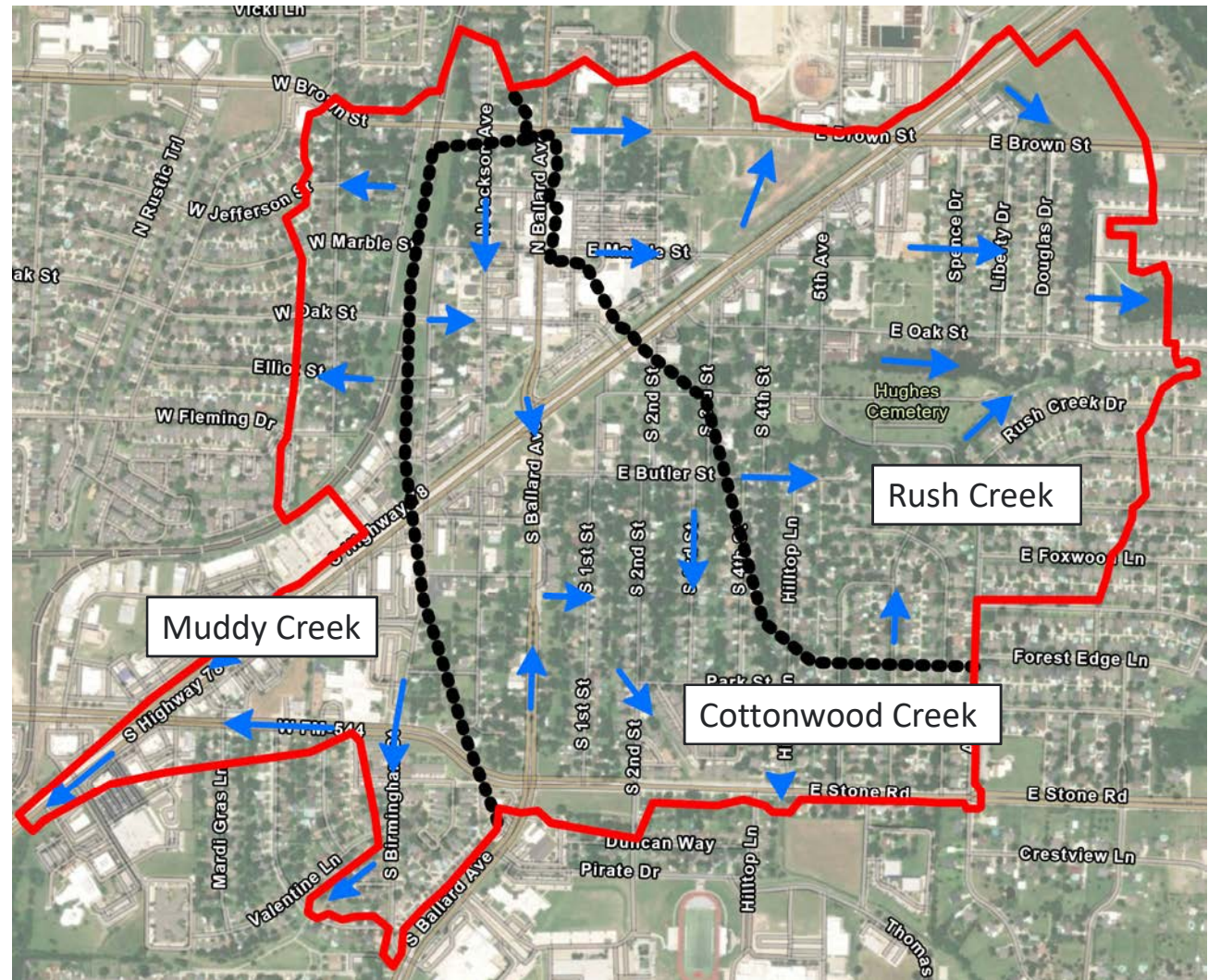


Project Background

- 3 Drainage Basins
 - Rush Creek
 - Cottonwood Creek
 - Muddy Creek

Legend

- ▮ Study Area
- Drainage Basin Boundary



Goals

1. Improve flood conditions in downtown area during a 100-yr event
2. Mitigate impacts of future developments in downtown area

Presentation Overview

Existing Conditions

Fully Developed Conditions

Proposed Improvements

Alternative Solutions

Cost Estimate Summary

Additional Areas

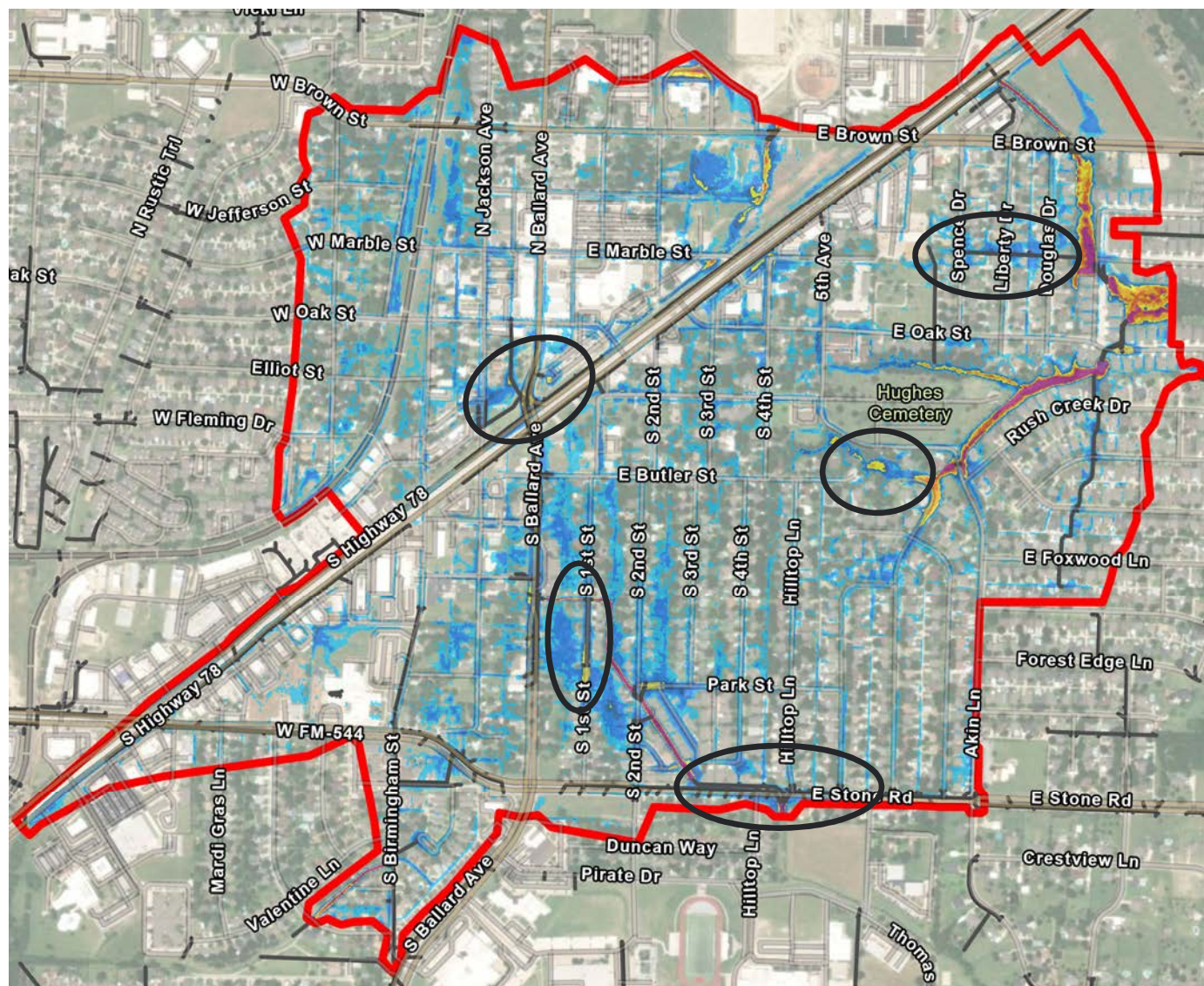
Existing Conditions

Existing Conditions

1% Annual Exceedance Probability (AEP)

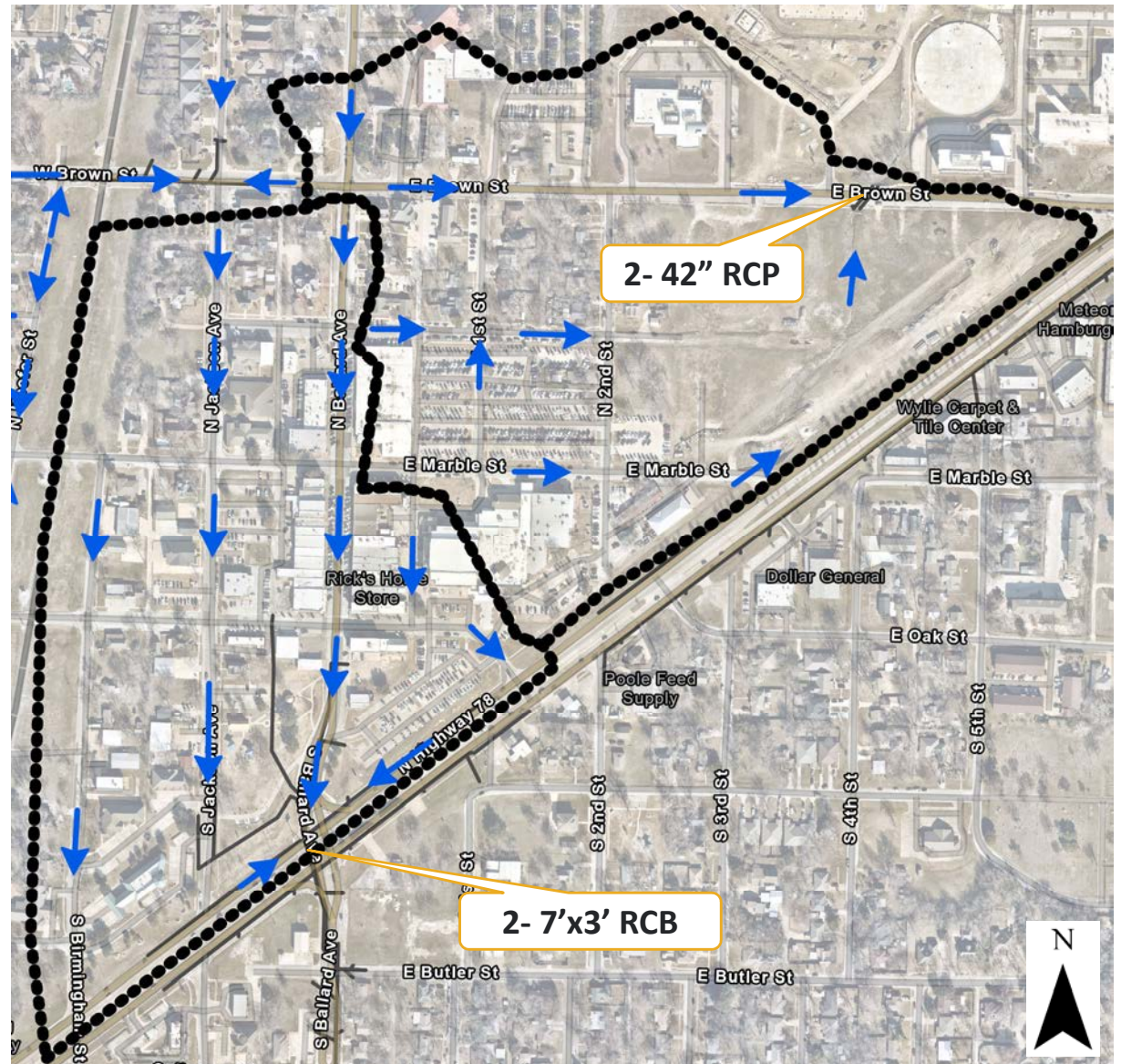
Legend

■ Study Area	■ 1.0' - 1.5'
— Existing Storm Drain	■ 1.5' - 2.0'
Existing Depth (ft)	■ 2.0' - 2.5'
0	■ 2.5' - 3.0'
■ 0.25' - 0.50'	■ 3.0' - 5.0'
■ 0.50' - 1.0'	■ 5.0' - 10'



Project Area- Downtown East & West

- East Outfall
 - 45 acres
 - Outfall: 2- 42" RCPs
- South Ballard Discharge Point
 - 44 acres
 - 2- 7'x3' RCBs



Downtown East

East Outfall (Existing - 1% AEP)

- Brown Street Channel
- East Jefferson Street
- North 3rd Street

Legend

Existing Depth (ft)

0

1.5'- 2.0'

2.0' - 2.5'

2.5' - 3.0'

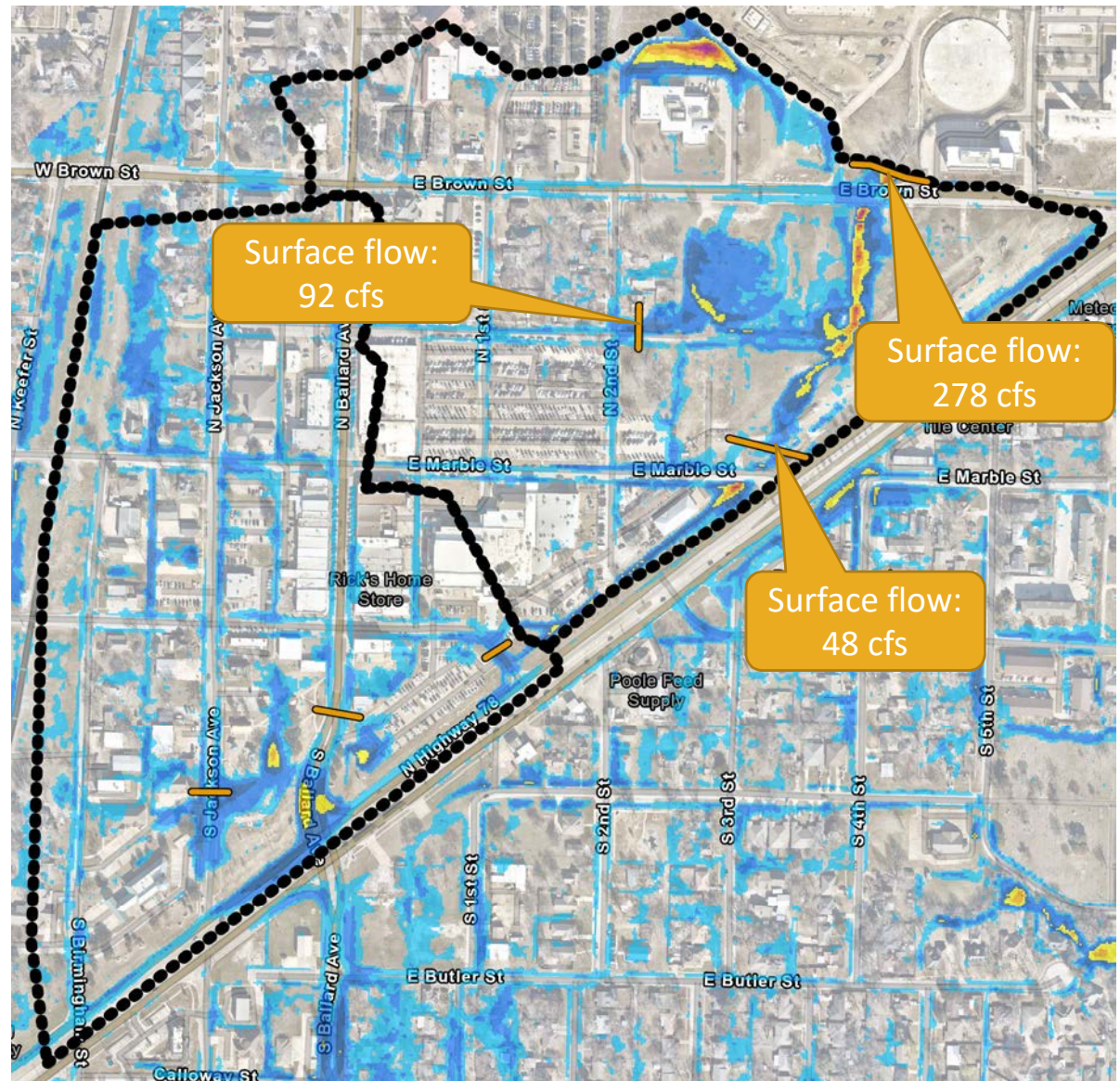
3.0'- 5.0'

■ 5.0' - 10'

0.25' - 0.50'

0.50' - 1.0'

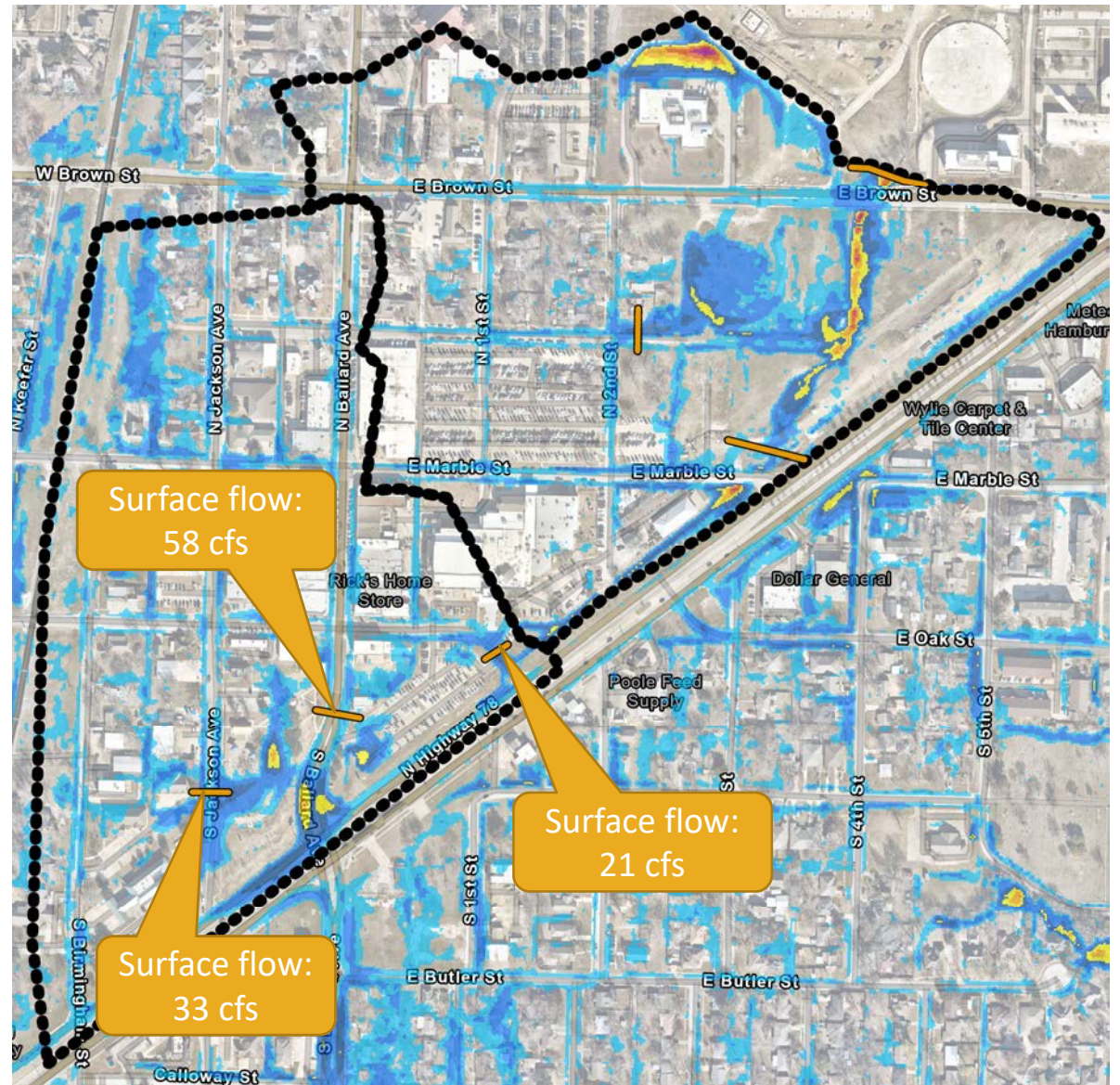
1.0' - 1.5'



Downtown West

South Ballard Discharge Point (Existing - 1% AEP)




- Oak Street
- South Ballard Avenue
- South Jackson Avenue

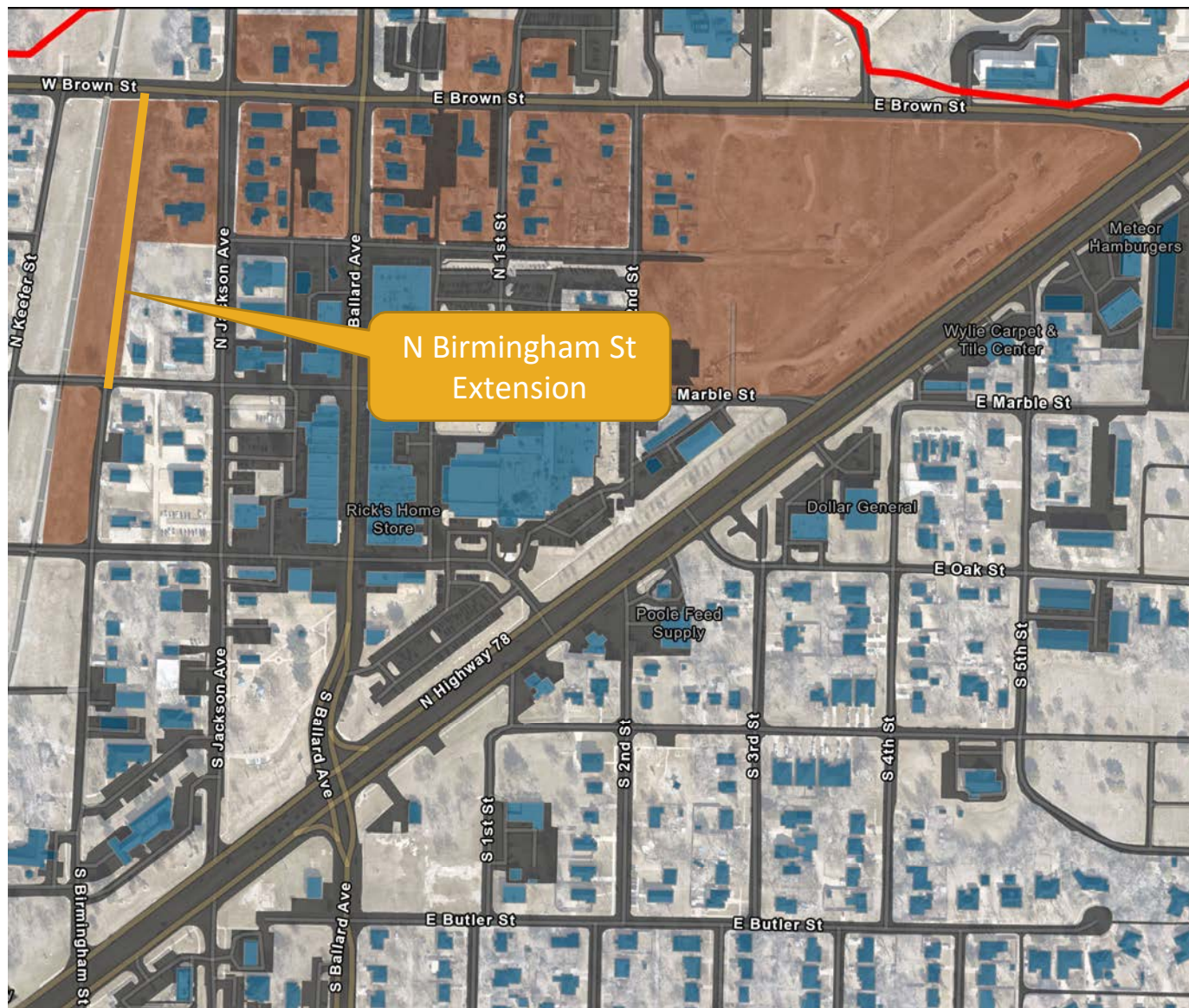


Fully Developed Conditions

Future Downtown Development

Legend

-  Existing Structures
-  Existing Impervious Area
-  Future Development



Downtown East

East Outfall

(Future - 1% AEP)

- Brown Street - 94cfs
- East Jefferson Street - 5cfs
- North 3rd Street - 12cfs

Legend

Existing Depth (ft)

0	1.5' - 2.0'
0.25' - 0.50'	2.0' - 2.5'
0.50' - 1.0'	2.5' - 3.0'
1.0' - 1.5'	3.0' - 5.0'
	5.0' - 10'



Downtown West

South Ballard Discharge Point

(Future - 1% AEP)

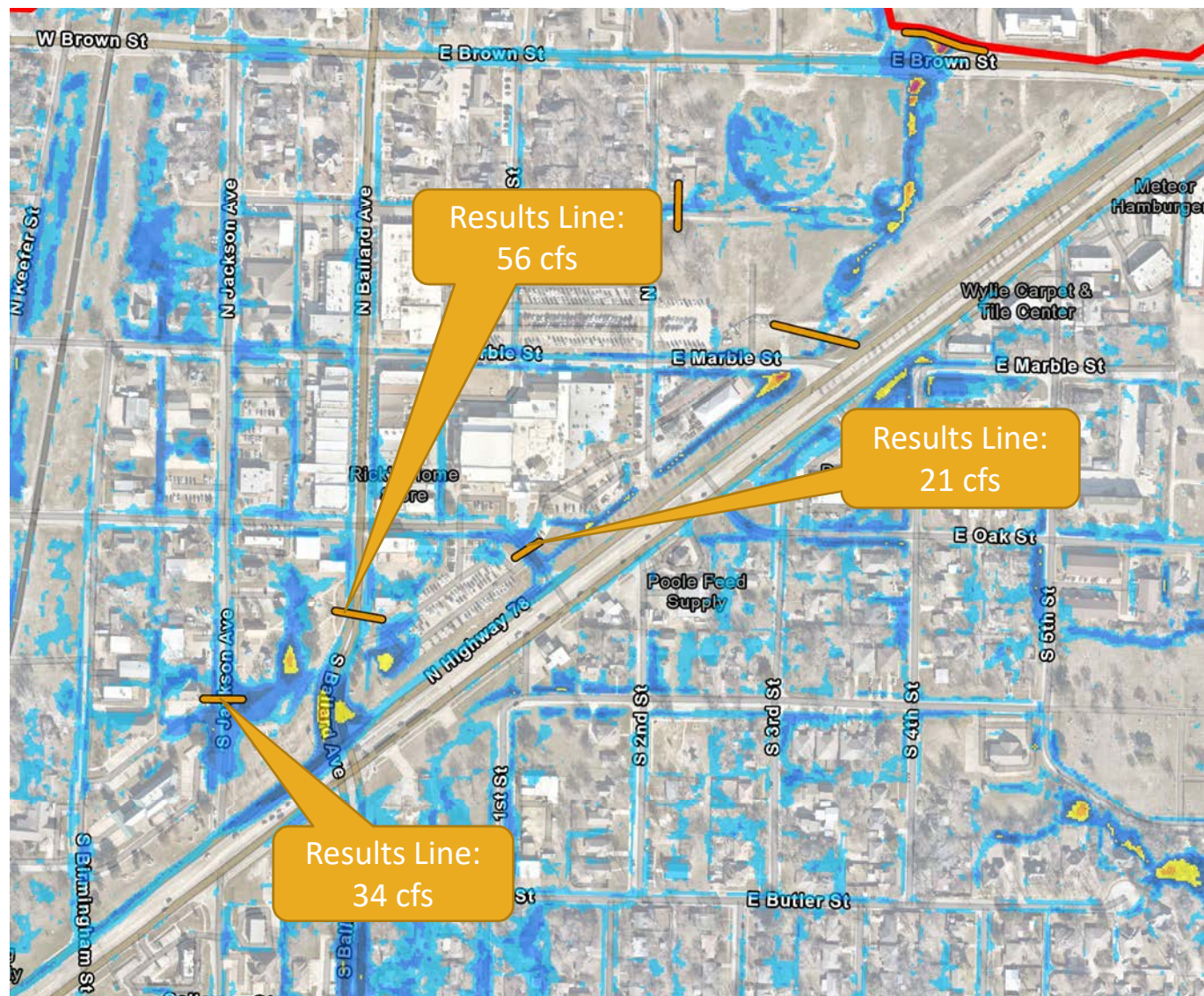
- Oak Street
- South Ballard Avenue (-2cfs)
- South Jackson Avenue (1cfs)

Legend

Existing Depth (ft)

0
0.25' - 0.50'
0.50' - 1.0'
1.0' - 1.5'

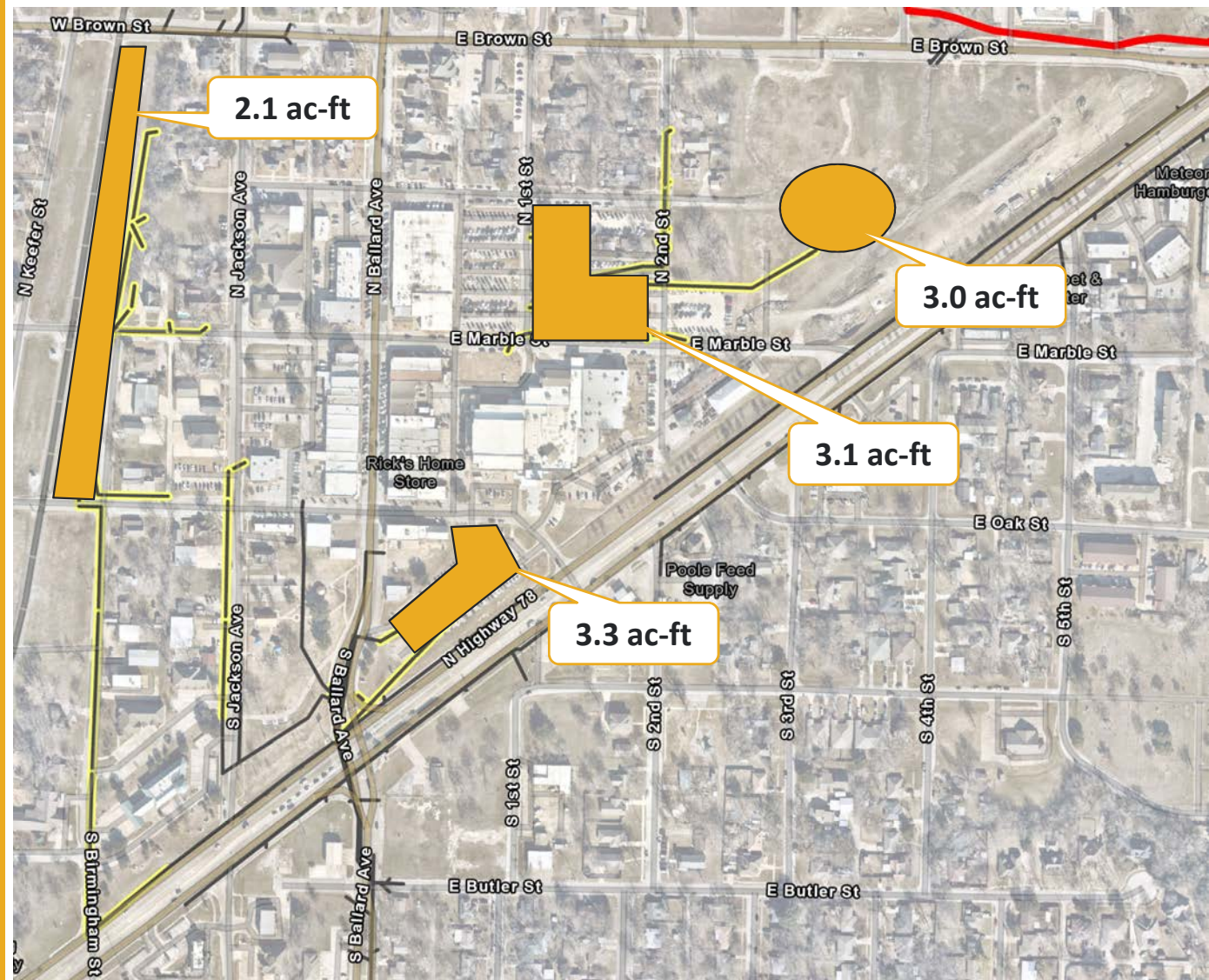
1.5' - 2.0'
2.0' - 2.5'
2.5' - 3.0'
3.0' - 5.0'
5.0' - 10'



Proposed Improvements

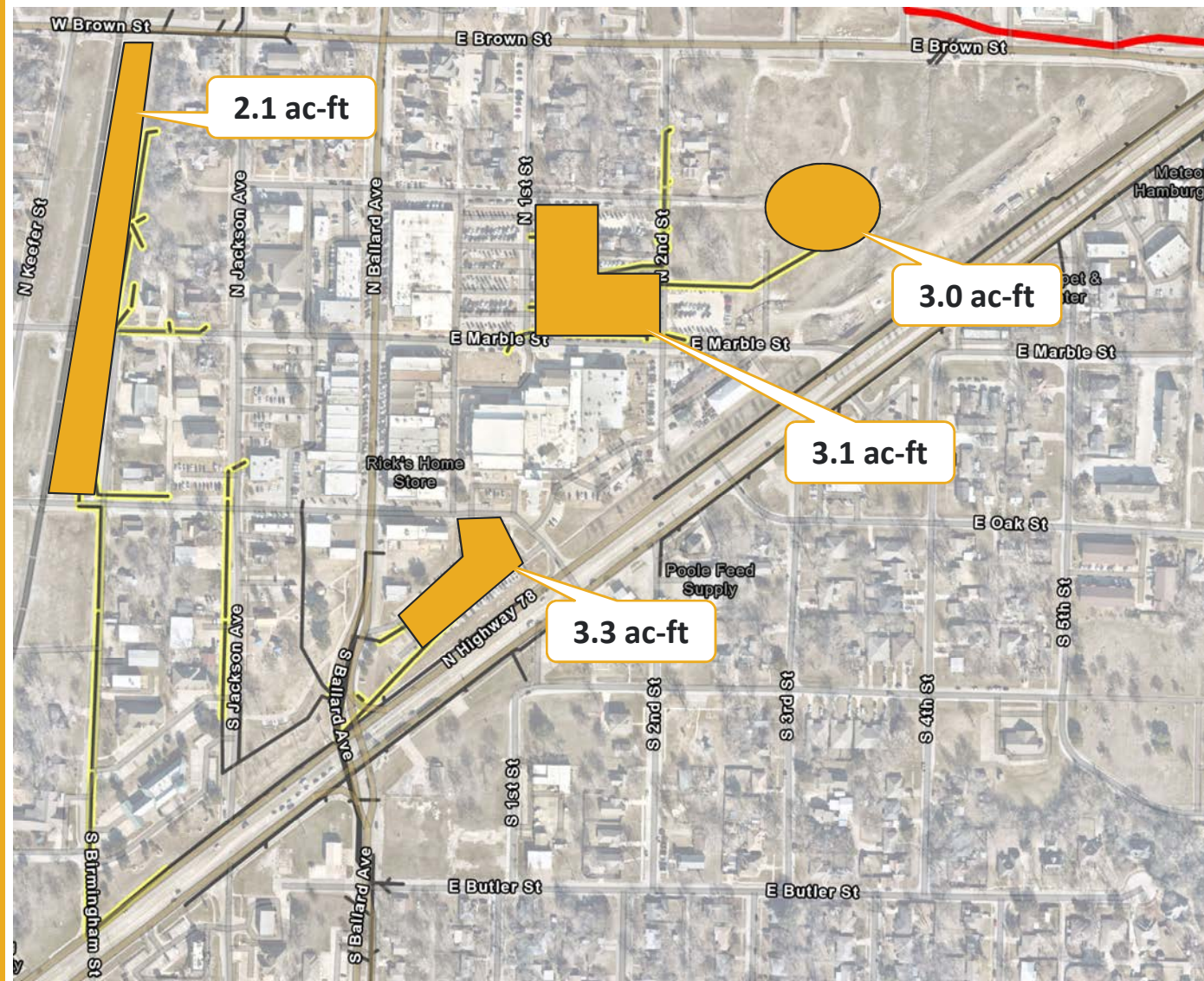
Option 1: Underground Detention

- East Outfall:
 - 3.1 ac-ft (Underground)
 - 3.0 ac-ft (Aboveground – By Others)
- South Ballard Discharge Point:
 - 3.3 ac-ft (Underground)
- West Discharge Point:
 - 2.1 ac-ft (Underground & Surface)






Option 1: Underground Detention

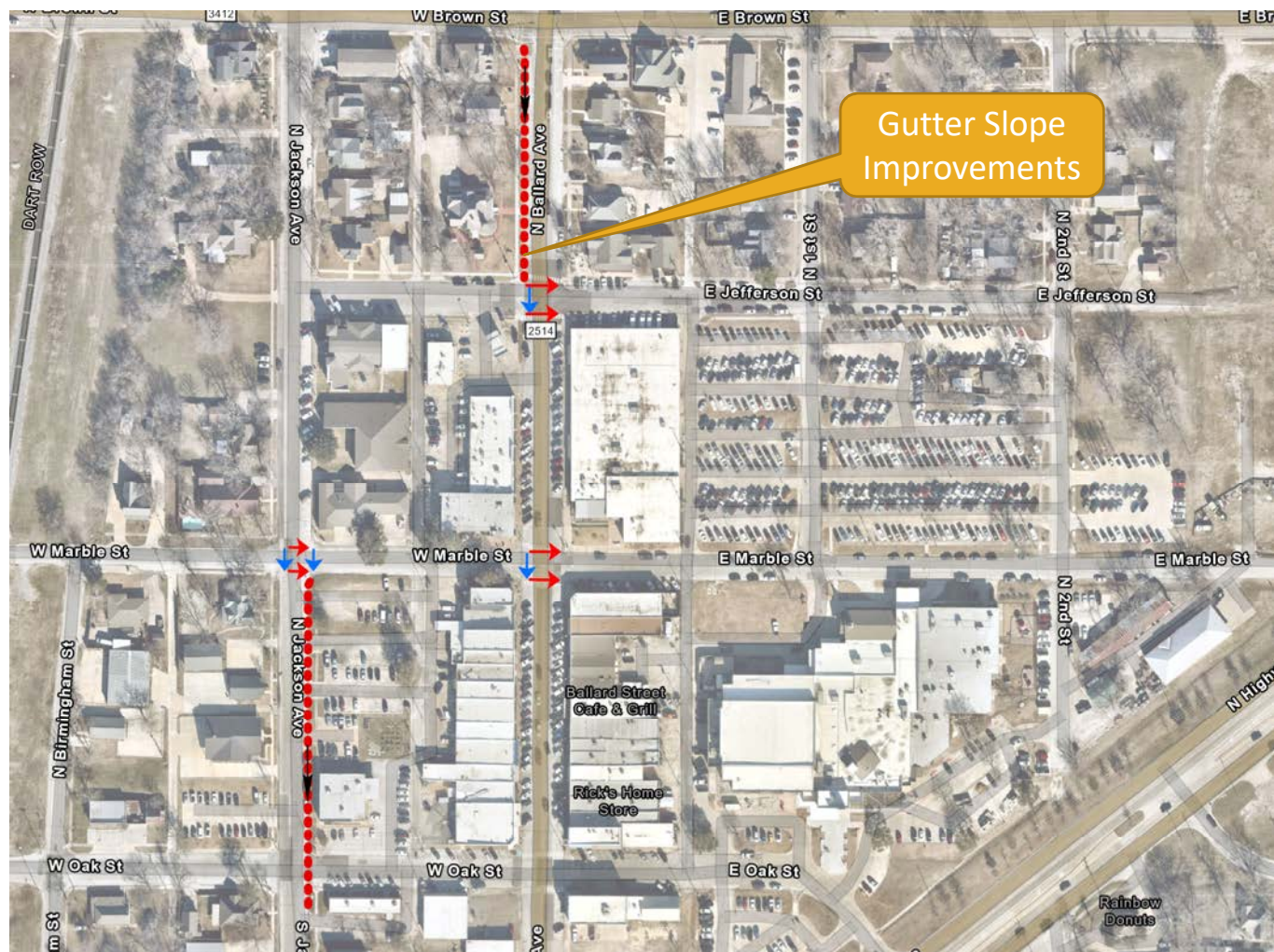
- Estimated Construction Cost:
 - \$7,300,000
 - Includes 30% Contingency
- Estimated Design Fee:
 - \$460,000



Other Improvements: Gutter & Intersection Grade Adjustments

Legend

-  Existing Flow Path
-  Proposed Flow Path
-  Gutter Improvements



Downtown East

East Outfall

(Proposed - 1% AEP)

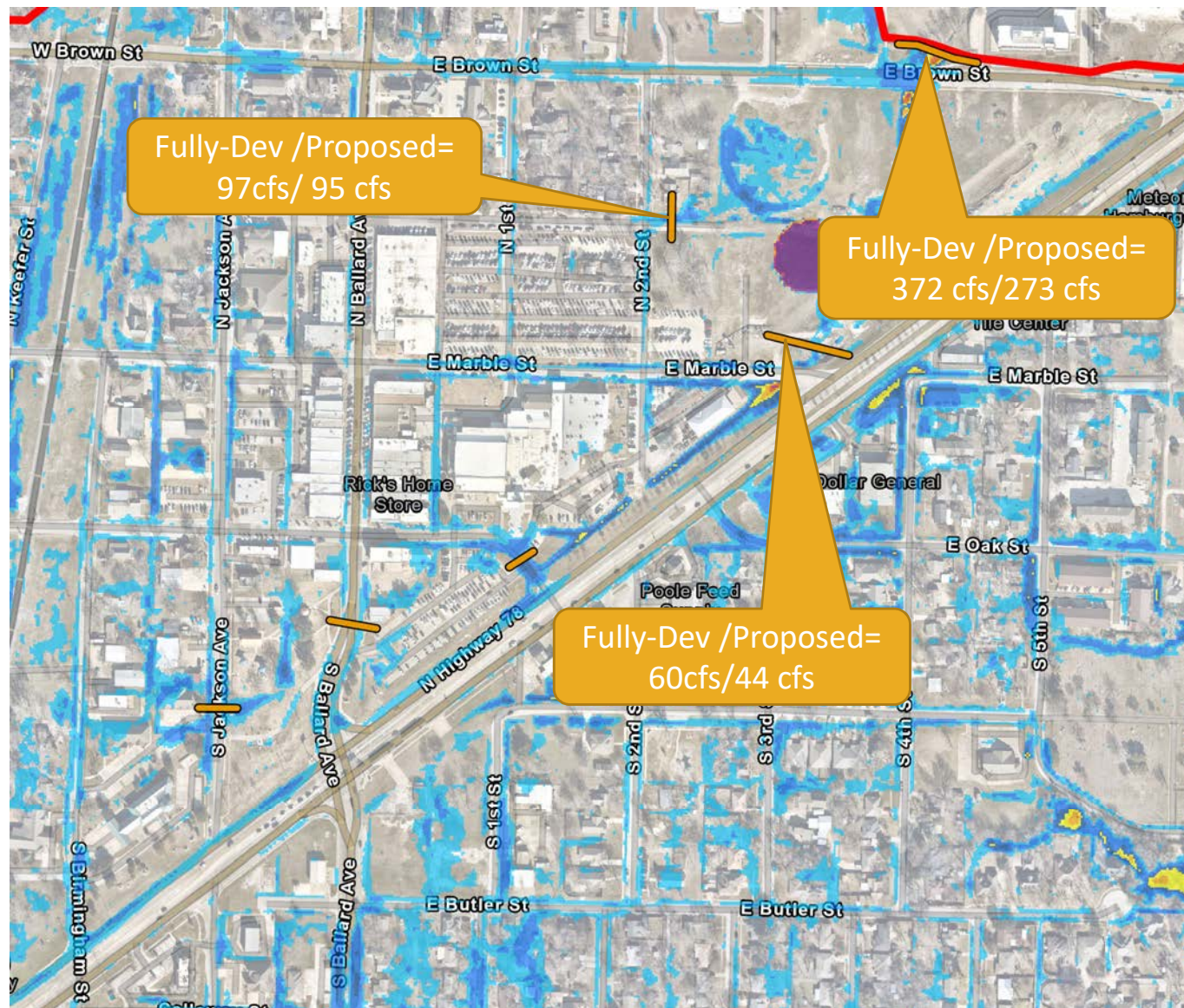
- Brown Street Channel (-99cfs)
- East Jefferson Street (-2cfs)
- North 3rd Street (-16cfs)

Legend

Proposed Depth
(ft)

0
0.25' - 0.50'
0.50' - 1.0'

1.0' - 1.5'
1.5' - 2.0'
2.0' - 2.5'
2.5' - 3.0'
3.0' - 5.0'
5.0' - 10'



Downtown West

South Ballard Discharge Point

(Proposed - 1% AEP)

- Oak Street
- South Ballard Avenue (-46 cfs)
- South Jackson Avenue (-9 cfs)

Legend

Proposed Depth
(ft)

0
0.25' - 0.50'
0.50' - 1.0'

1.0' - 1.5'
1.5' - 2.0'
2.0' - 2.5'
2.5' - 3.0'
3.0' - 5.0'
5.0' - 10'



Inundation Extent Comparison

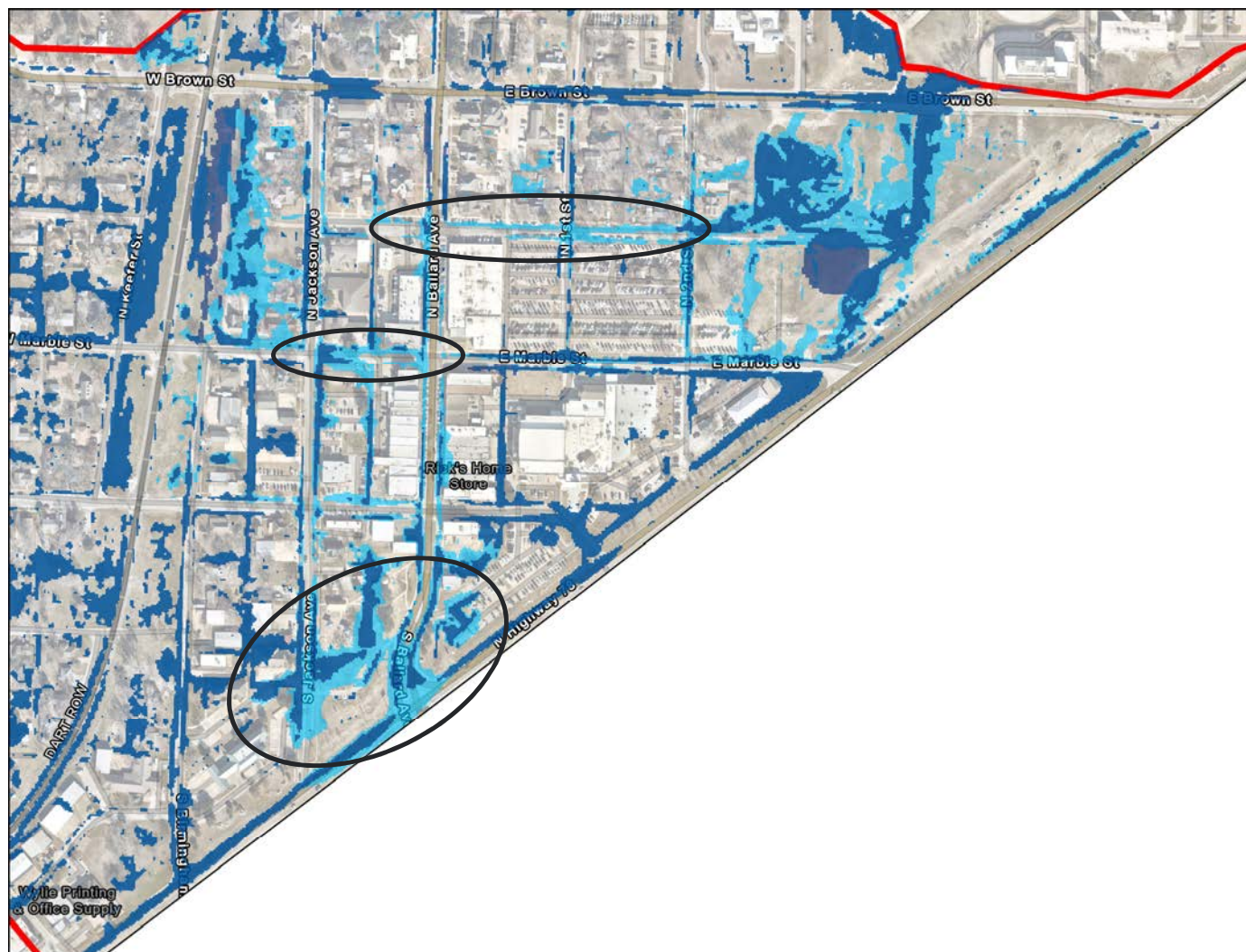
(1% AEP)

Legend

Existing Inundation



Proposed Inundation



Inundation Extent Comparison

(1% AEP)

Legend

Existing Inundation



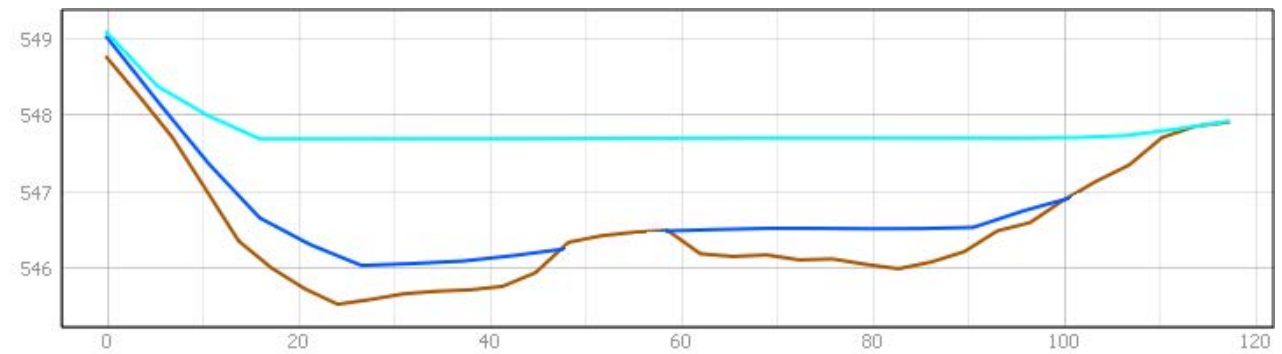
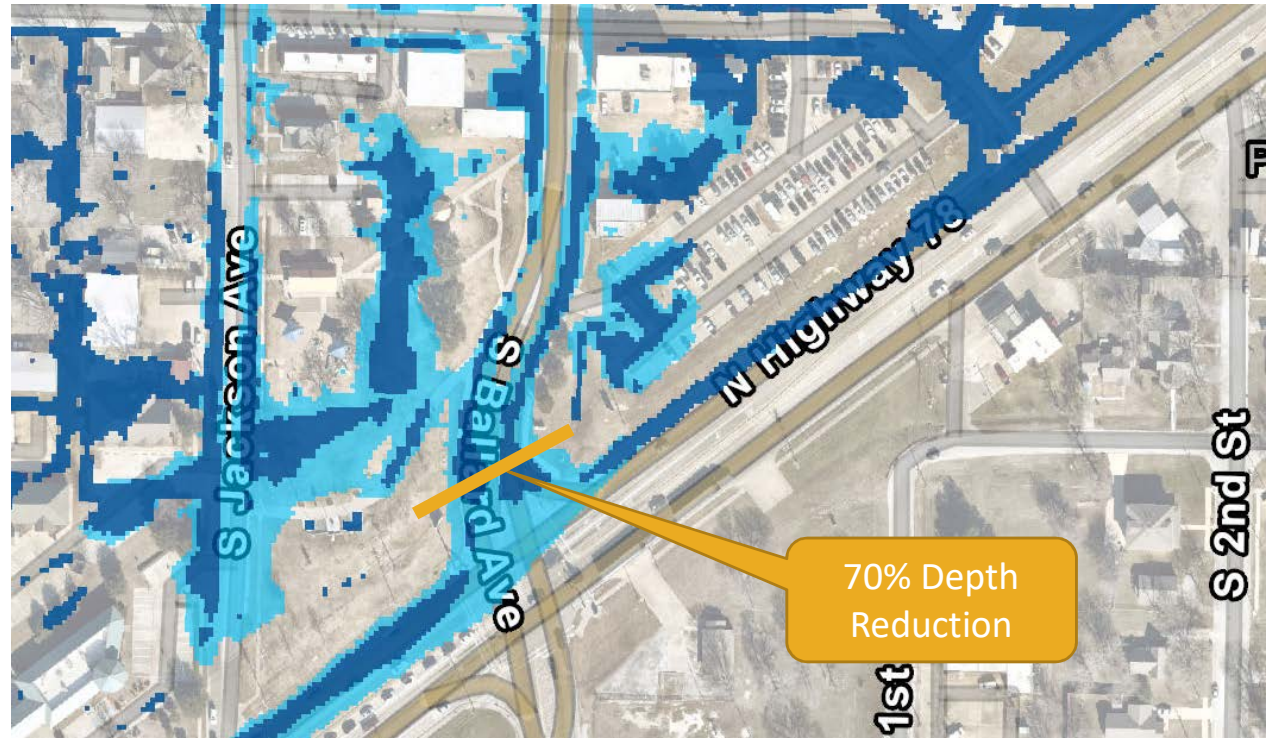
Proposed Inundation



Existing Ground

Proposed Water Surface Elevation

Existing Water Surface Elevation



Inundation Extent Comparison

(1% AEP)

Legend

Existing Inundation



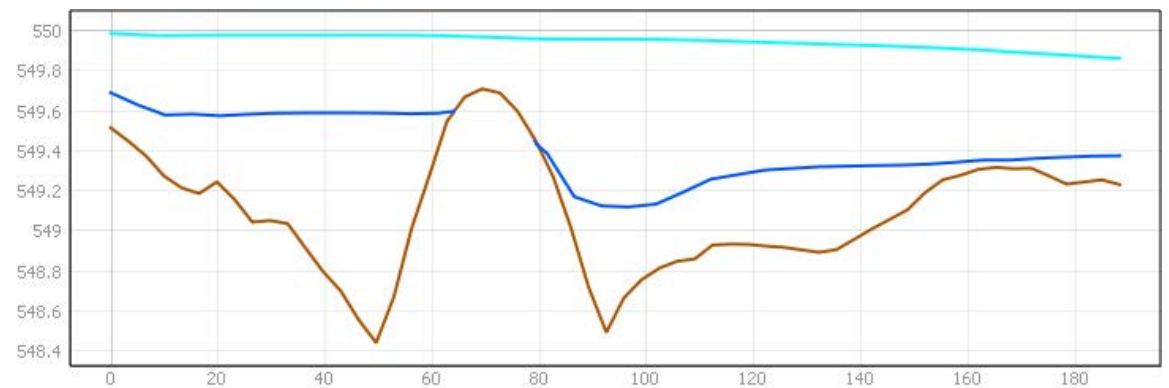
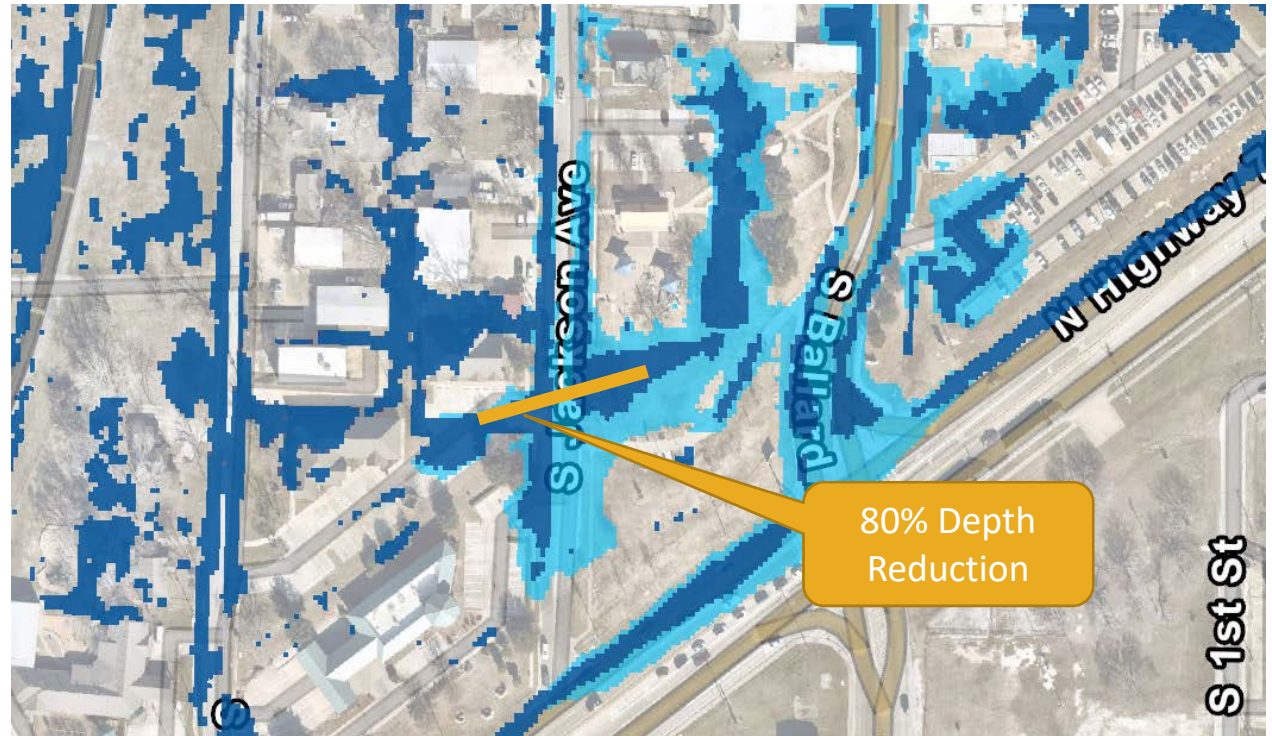
Proposed Inundation



Existing Ground

Proposed Water Surface Elevation

Existing Water Surface Elevation



Inundation Extent Comparison (1% AEP)

Legend

Existing Inundation



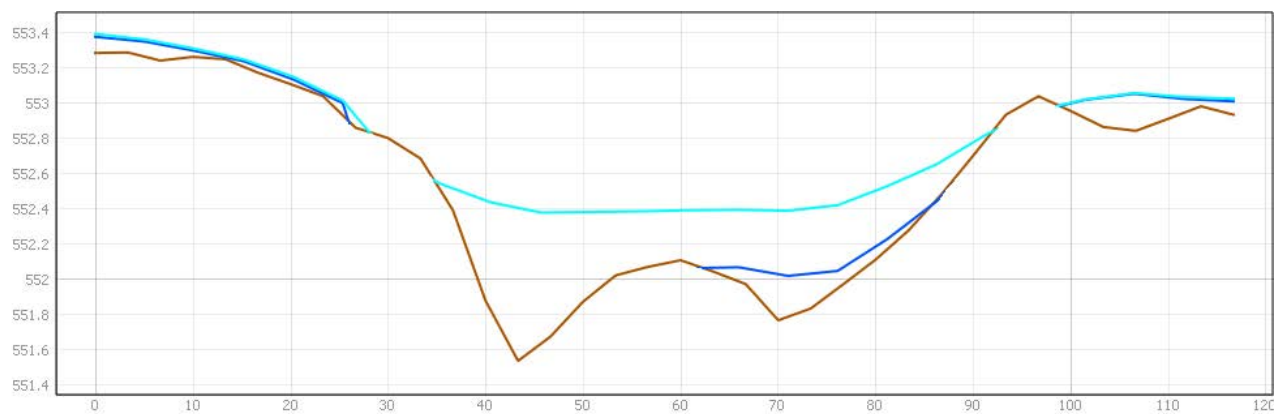
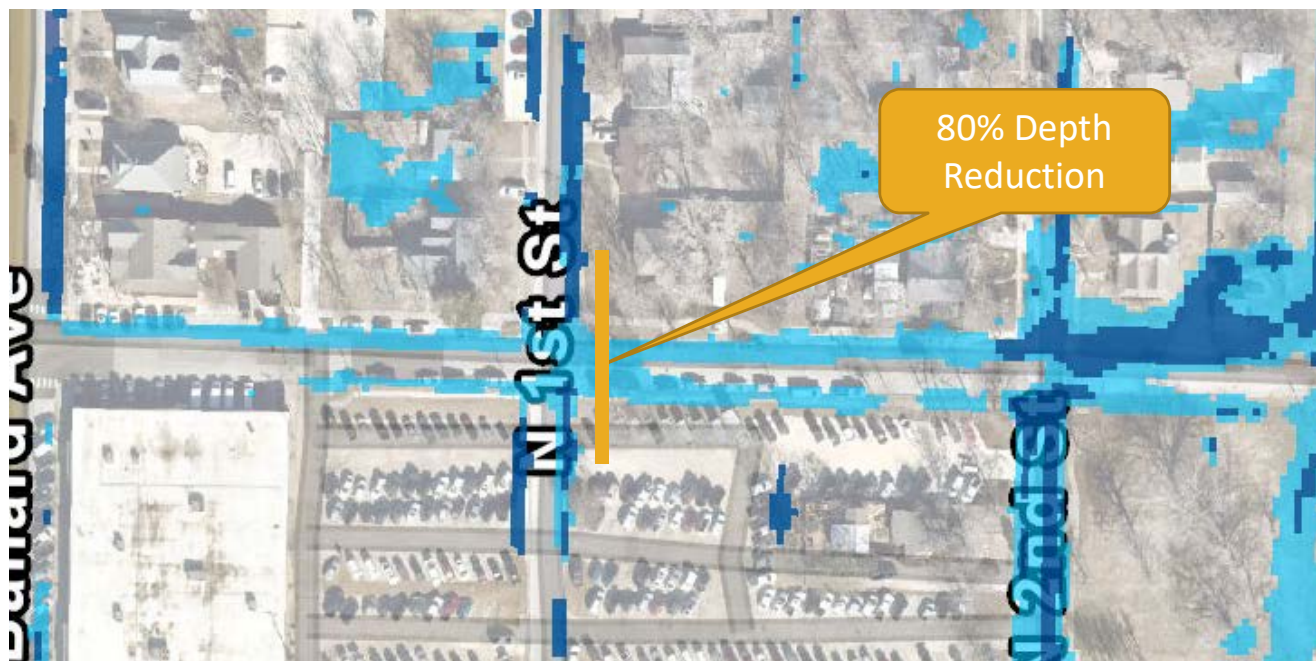
Proposed Inundation



Existing Ground

Proposed Water Surface Elevation

Existing Water Surface Elevation



Inundation Extent Comparison (1% AEP)

Legend

Existing Inundation



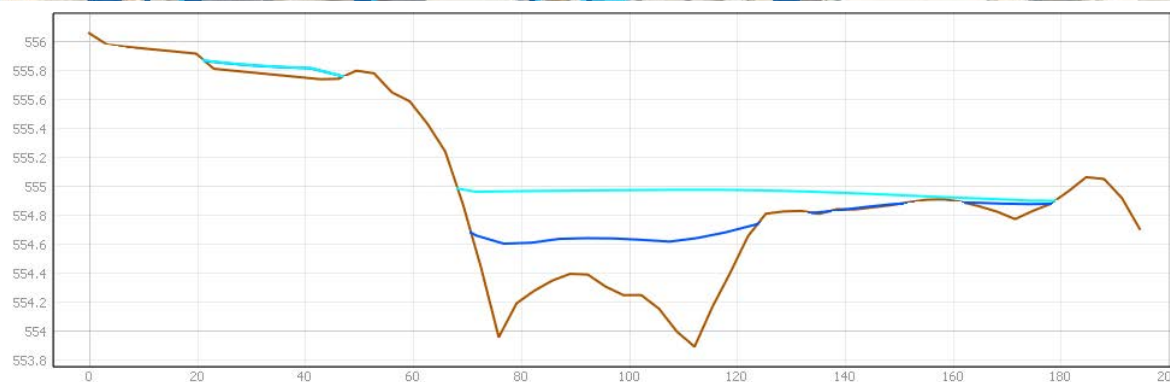
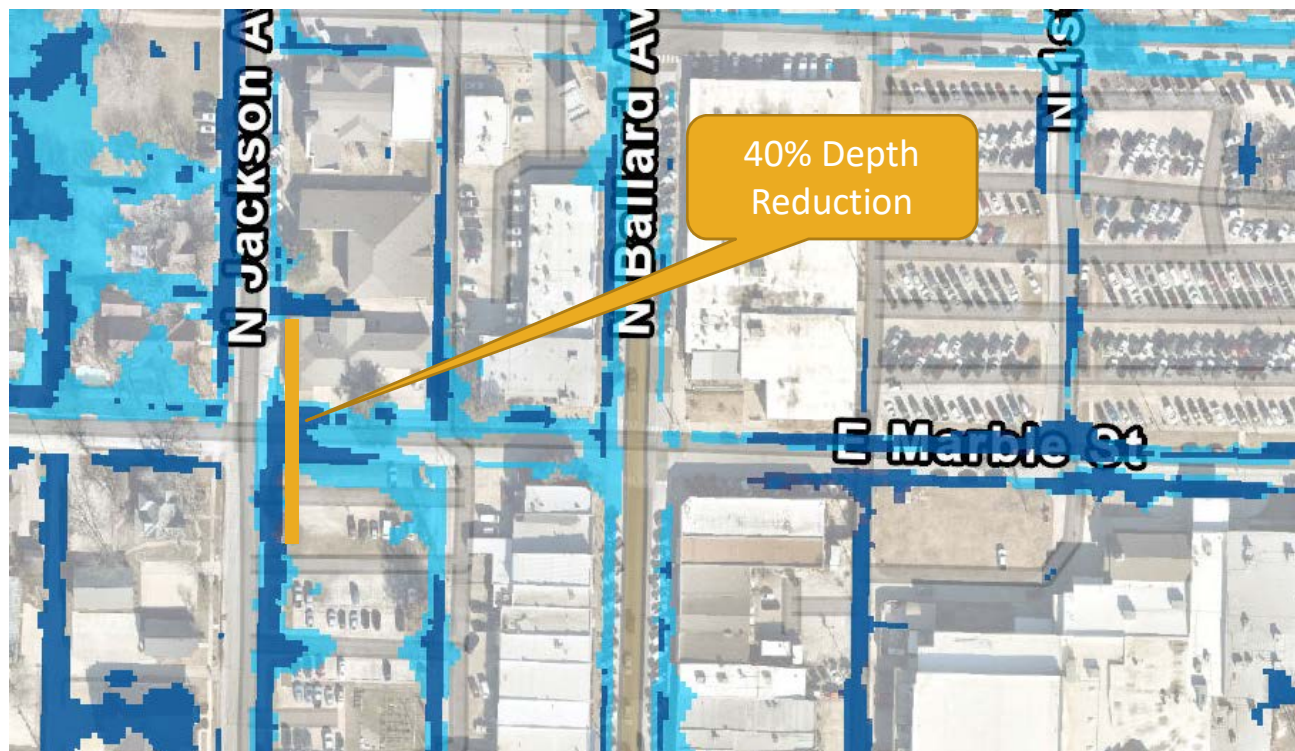
Proposed Inundation



Existing Ground

Proposed Water Surface Elevation

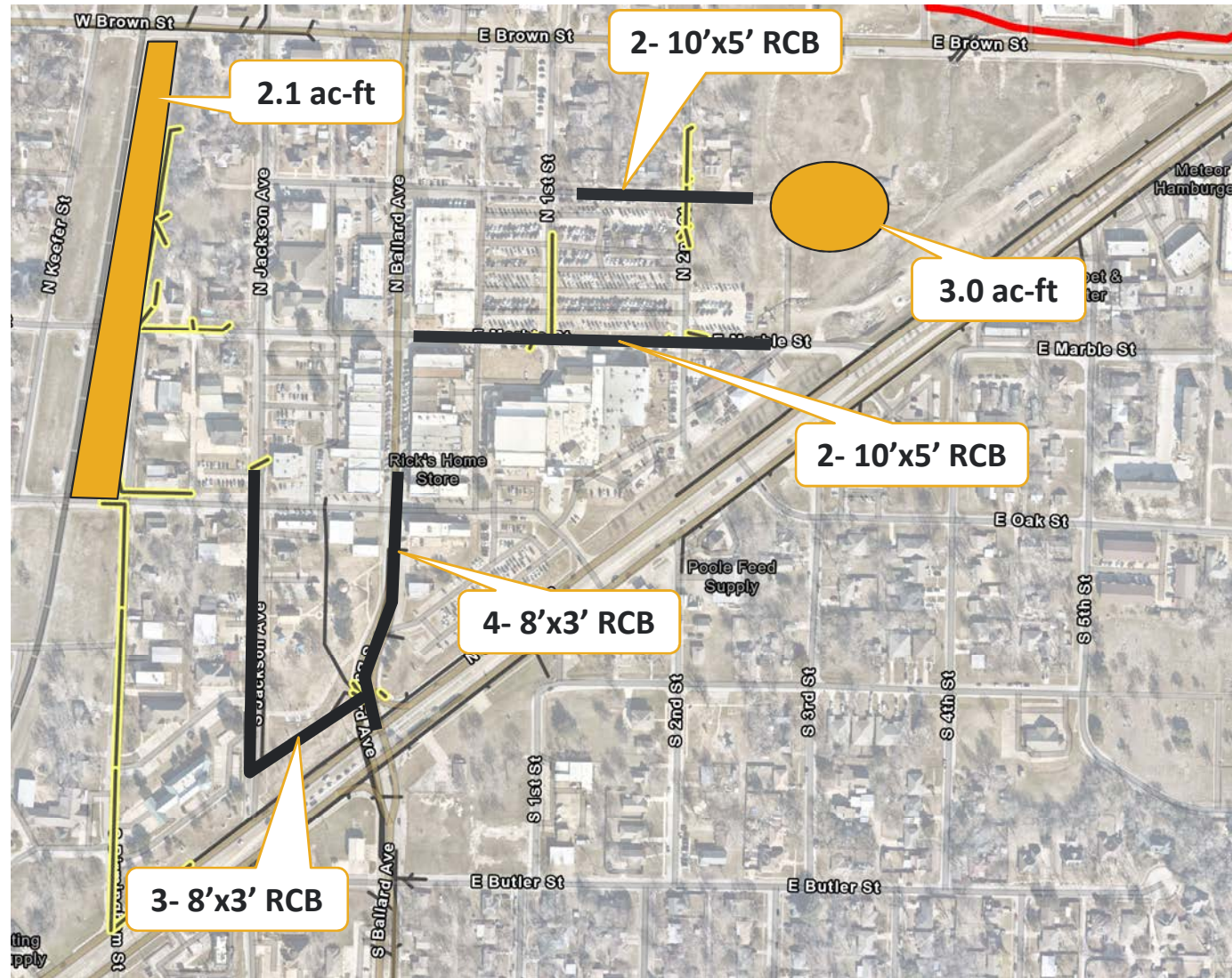
Existing Water Surface Elevation



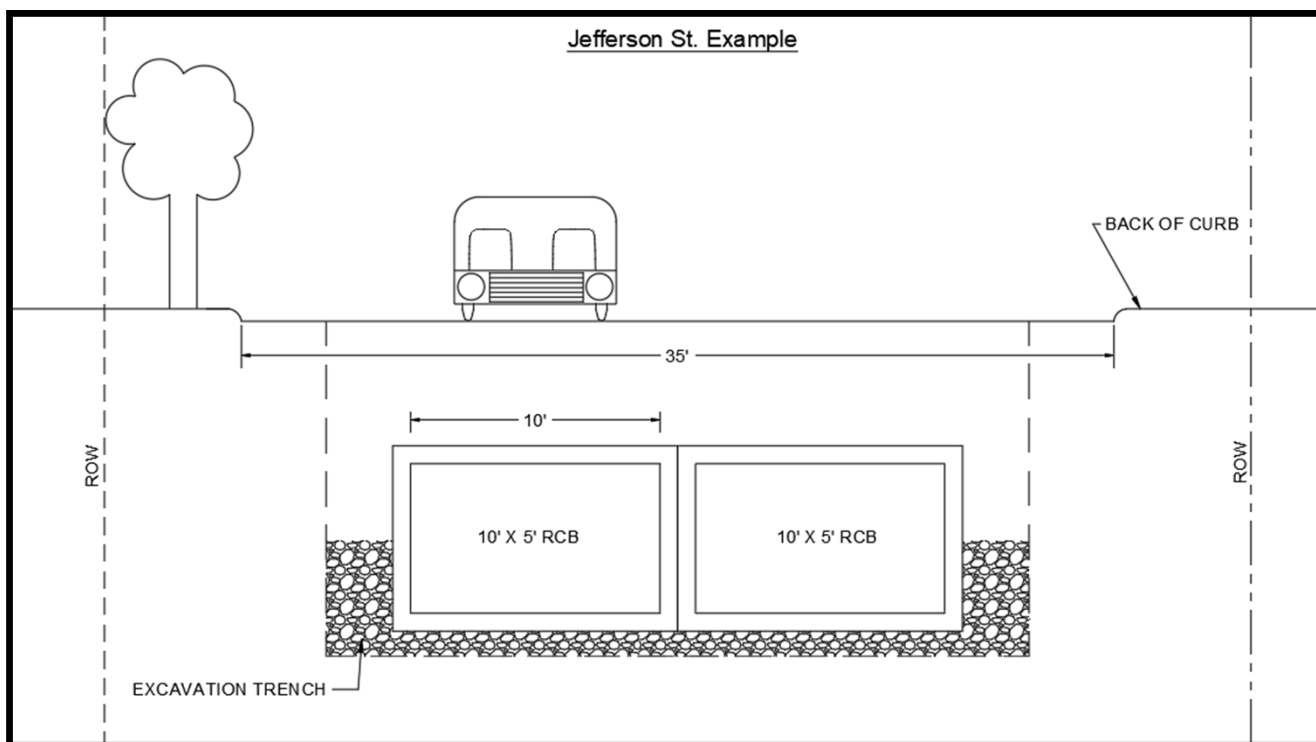
Alternative Solutions

Option 2: Reinforced Concrete Box (RCB) Storage Under Streets

- **East Outfall:**
 - 2,800 LF of 10' X 5' RCB (Under Street)
 - 3.0 ac-ft (Aboveground – By Others)
- **South Ballard Discharge Point:**
 - 5,900 LF of 8' X 3' RCB (Under Street)
- **West Discharge Point:**
 - 2.1 ac-ft (Underground & Surface)

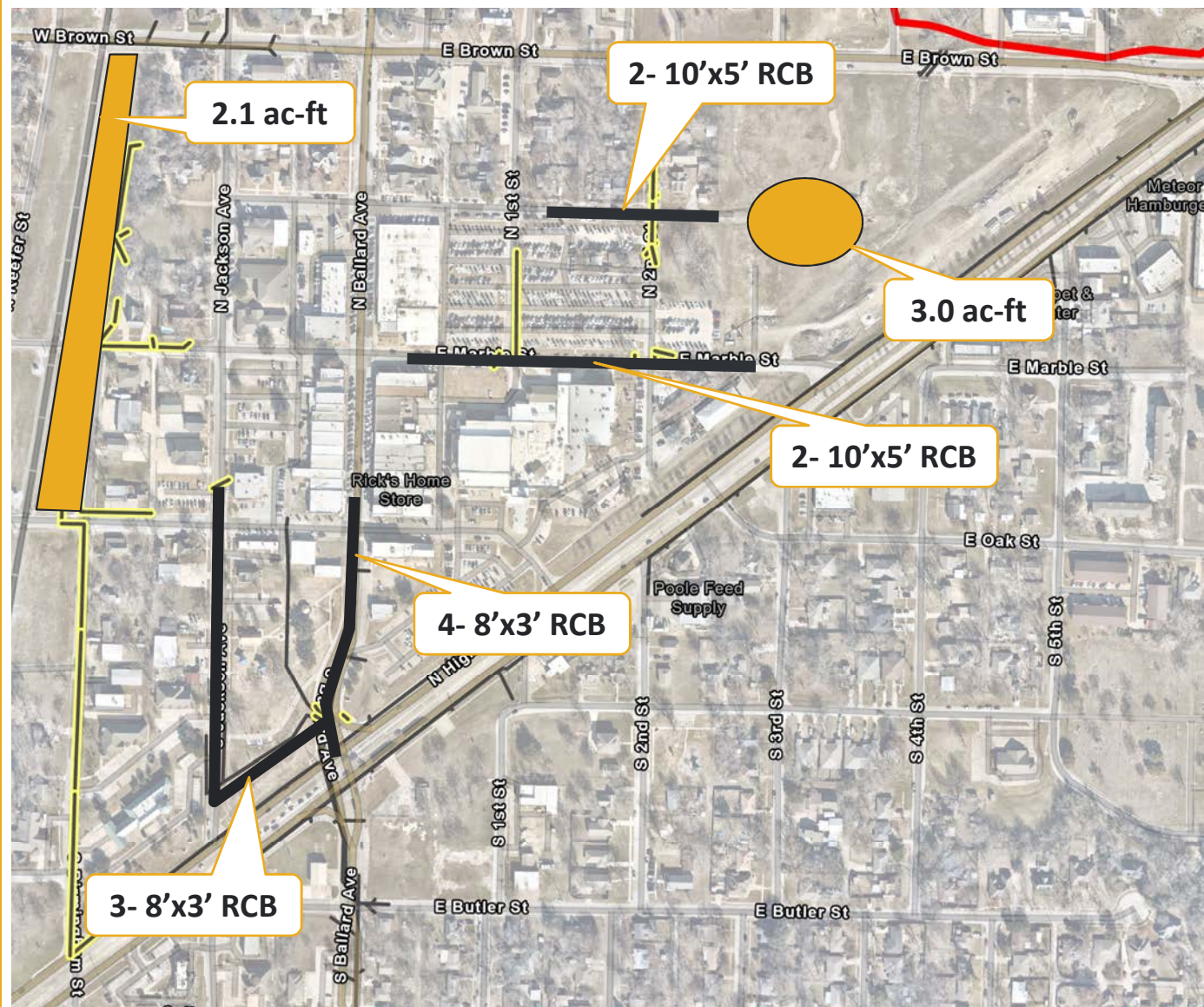


Option 2 RCB Storage Under Streets



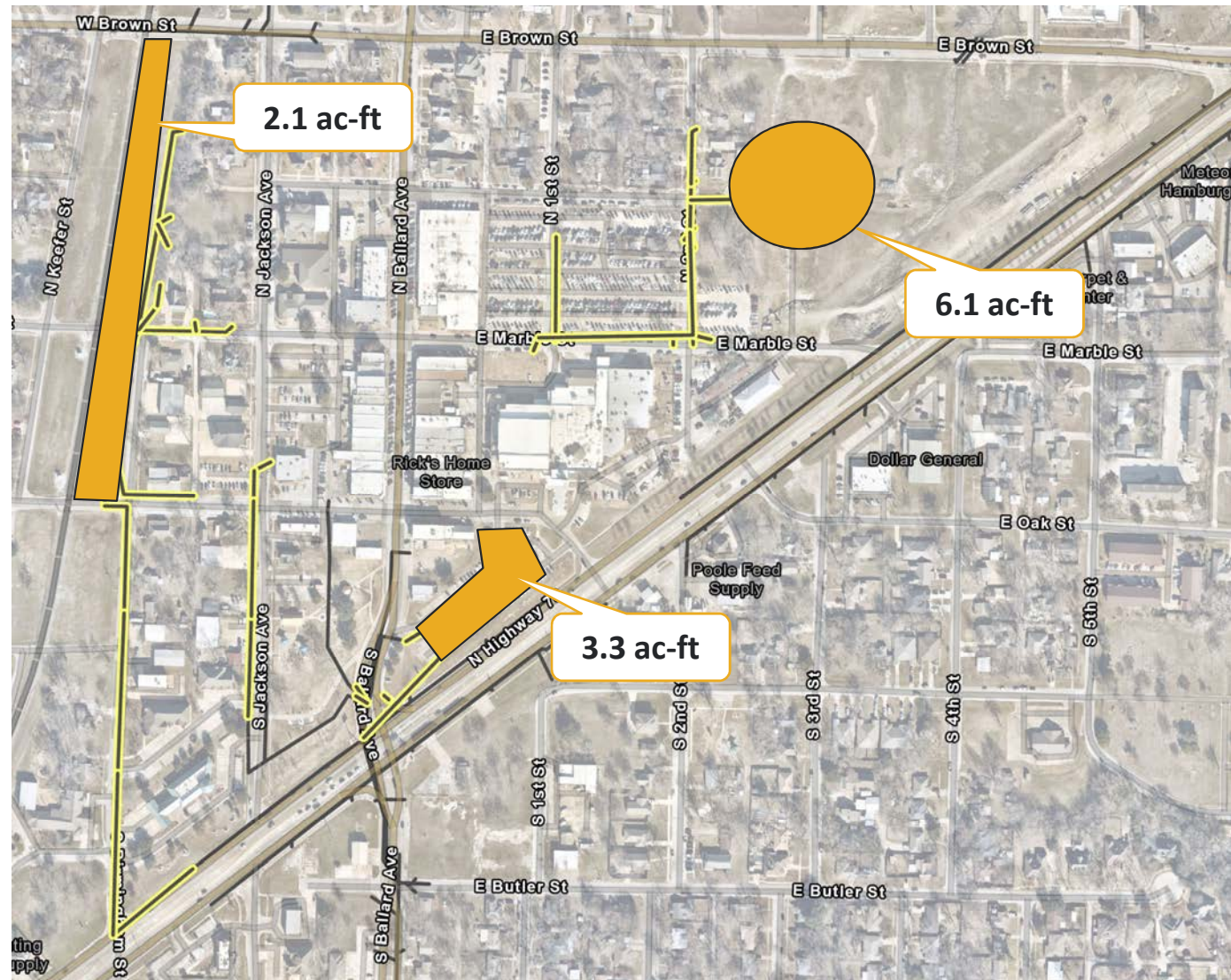
Option 2: RCB Storage Under Streets

- Estimated Construction Cost:
 - \$17,400,000
 - Includes 30% Contingency
- Estimated Design Fee:
 - \$1,150,000



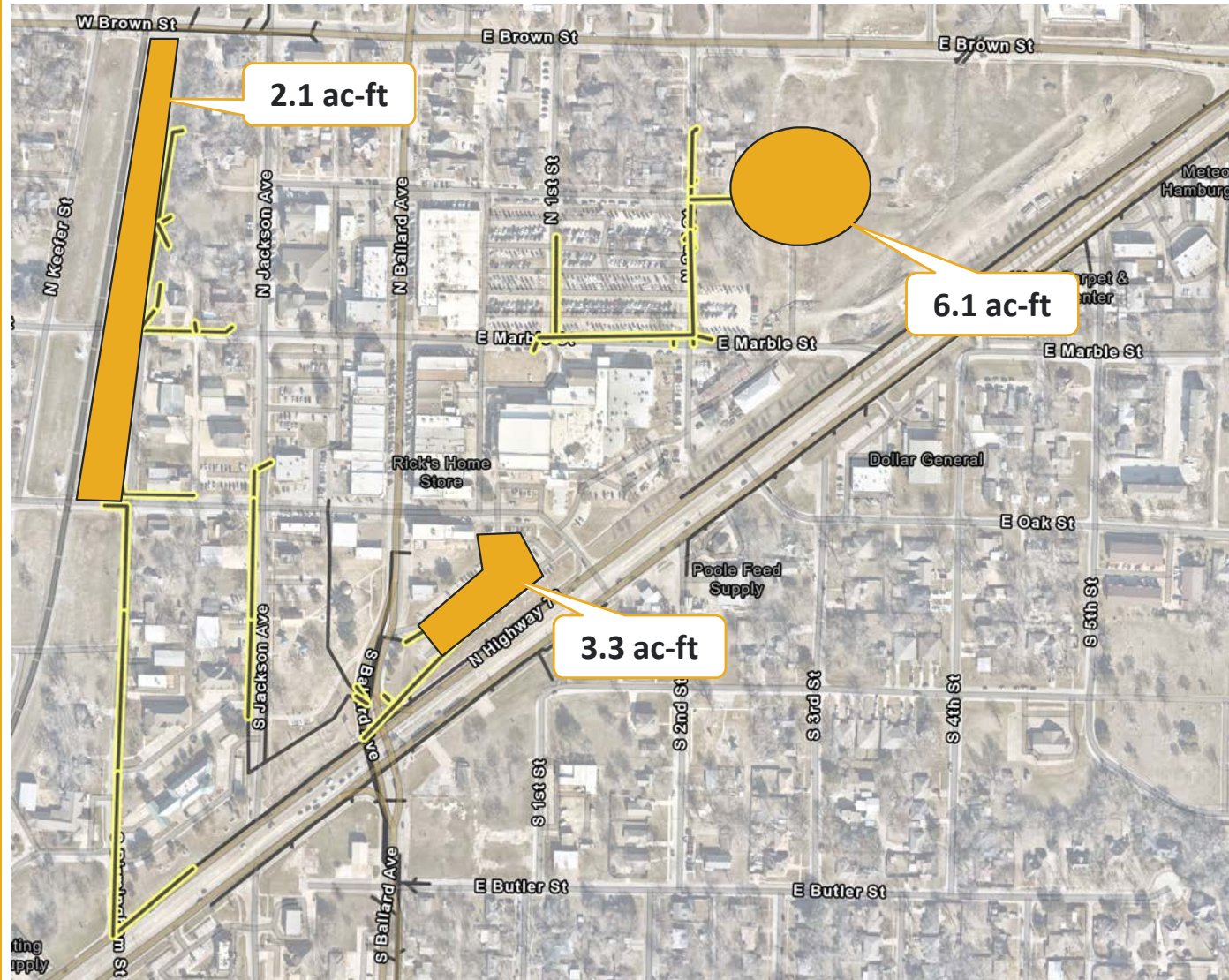
Option 3: Aboveground & Underground Detention

- East Outfall:
 - 6.1 ac-ft (Aboveground)
 - Includes detention requirements by others (east commercial development)
- South Ballard Discharge Point:
 - 3.3 ac-ft (Underground)
- West Discharge Point:
 - 2.1 ac-ft (Underground & Surface)



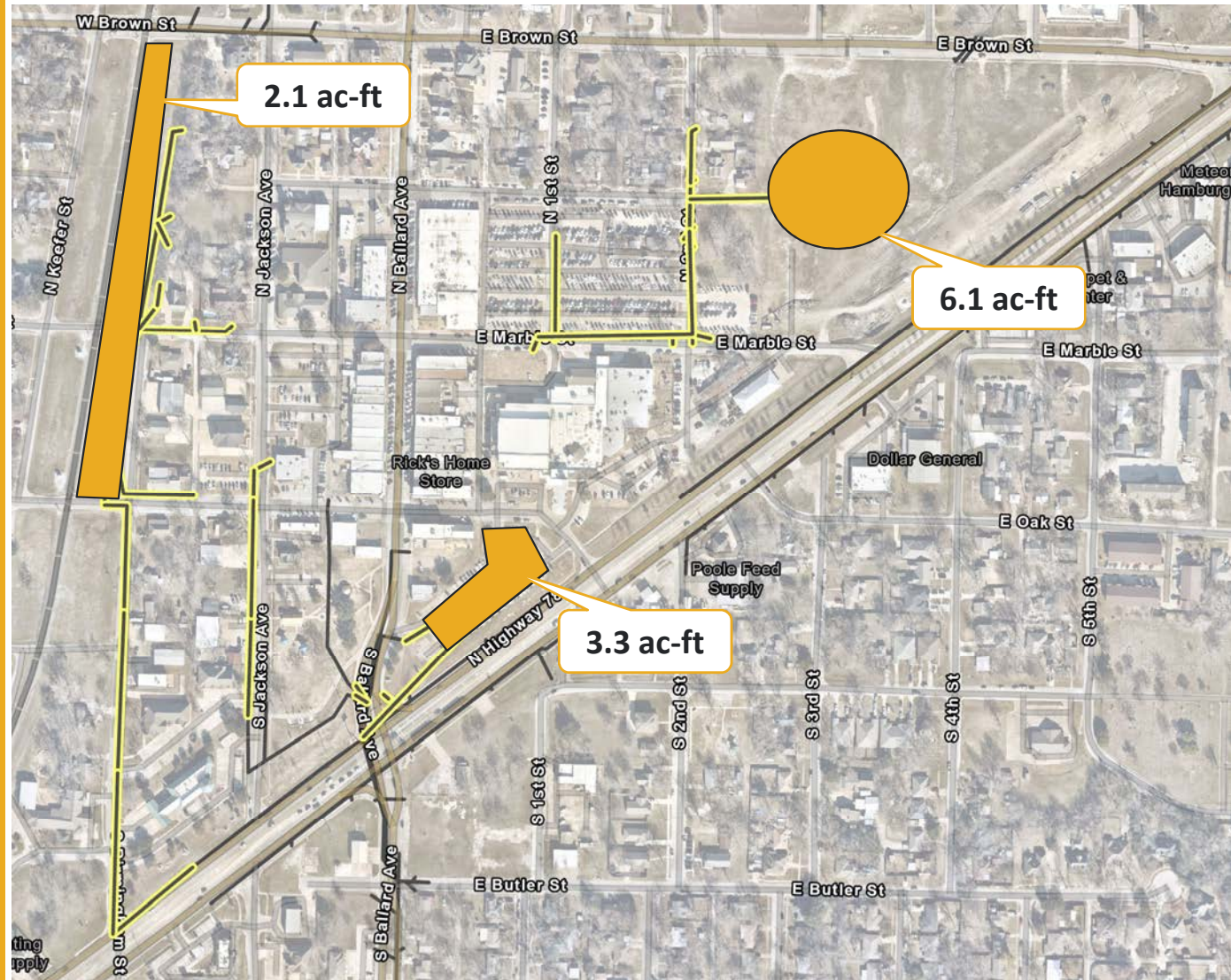
Option 3: Aboveground & Underground Detention

- Estimated Construction Cost:
 - \$5,600,000
- Estimated Design Fee:
 - \$340,000



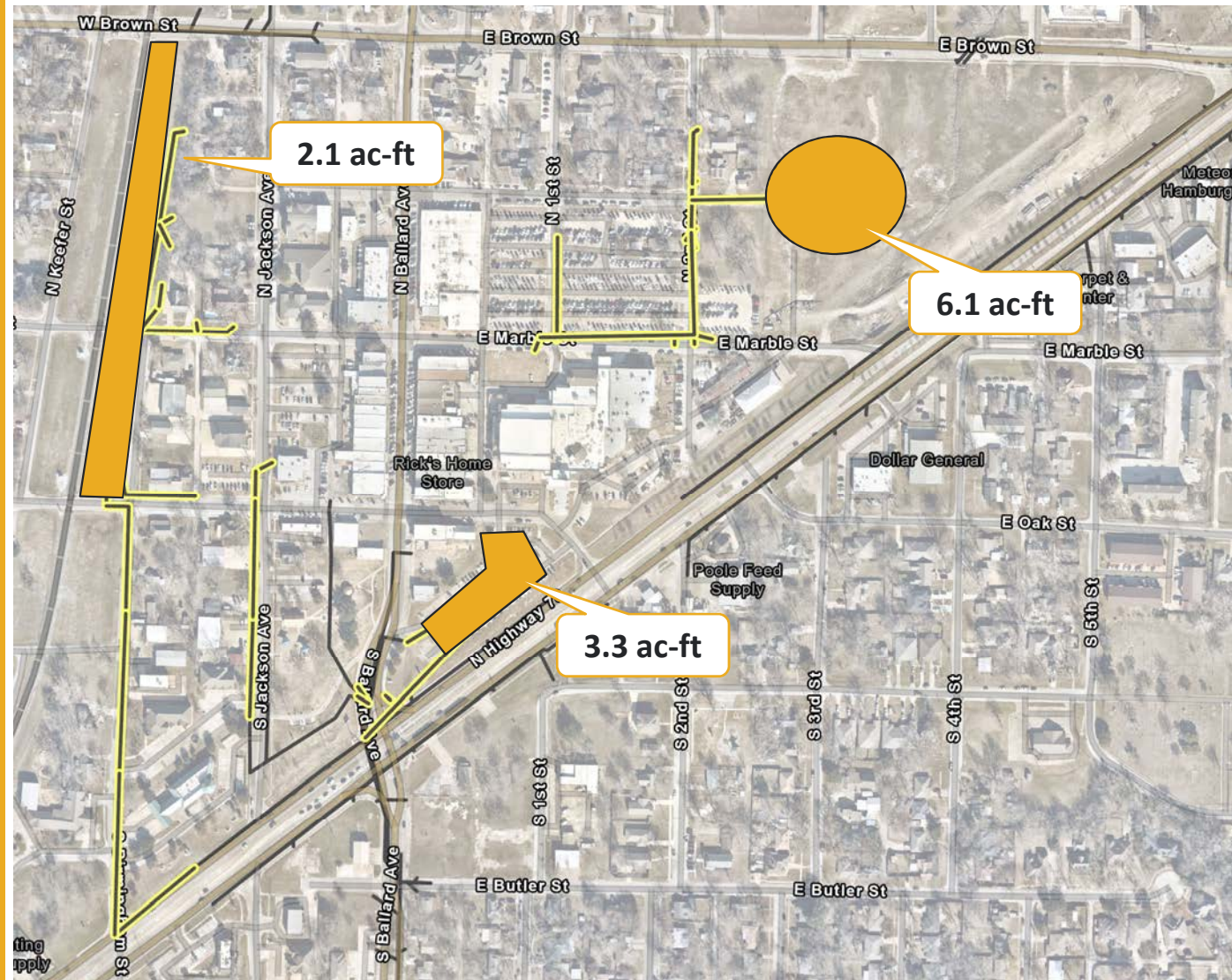
Option 3A: Aboveground (vertical walls) & Underground Detention

- East Outfall:
 - 6.1 ac-ft (Aboveground w/ vertical walls)
 - Includes detention requirements by others (east commercial development)
- South Ballard Discharge Point:
 - 3.3 ac-ft (Underground)
- West Discharge Point:
 - 2.1 ac-ft (Underground & Surface)



Option 3A: Aboveground & Underground Detention

- Estimated Construction Cost:
 - \$6,100,000
- Estimated Design Fee:
 - \$370,000



Cost Estimate Summary

Cost Estimate Summary

Option 1- Underground Detention

- Construction: \$7,300,000
- Design: \$460,000

Option 2- RCB Storage under Streets

- Construction: \$17,400,000
- Design: \$1,150,000

Option 3- Underground & Above Ground Detention

- Construction: \$5,600,000
- Design: \$335,000

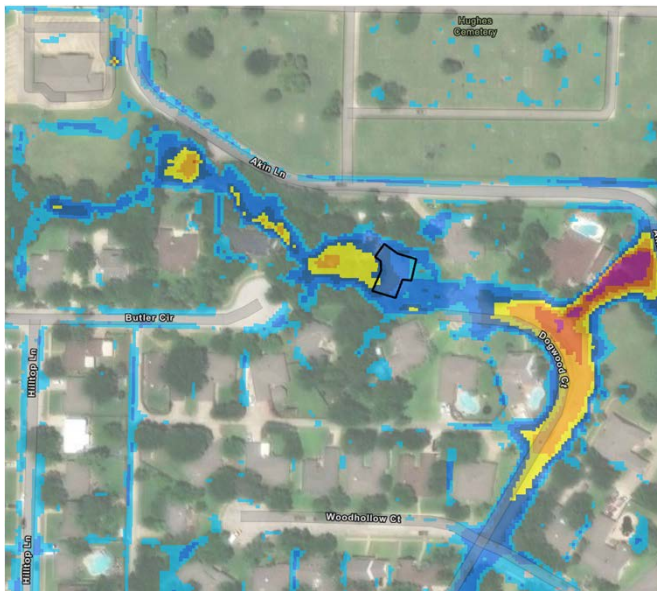
Option 3A- Above Ground Storage w/ Vertical Walls

- Construction: \$ 6,100,000
- Design: \$ 370,000

Concepts for Areas Outside of Downtown

Areas Outside of Downtown

DOGWOOD COURT/ AKIN LANE



POTENTIAL IMPROVEMENTS

Add curb along south side of street on Akin Ln

Collect via drop inlet

Improve roadside ditch along north side of Akin Ln

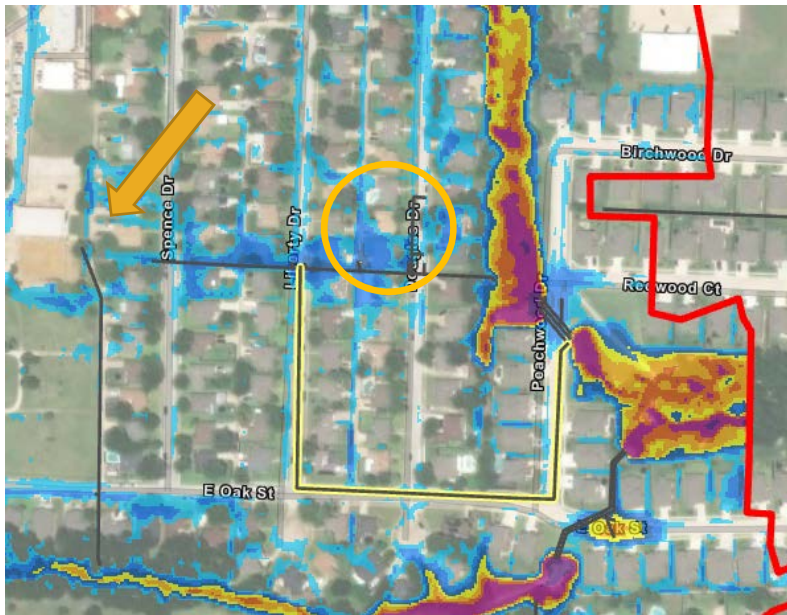
Divert runoff to existing concrete flume

Improve existing concrete flume

High-Level Improvement Cost Estimate: \$175,000

Areas Outside of Downtown

DOUGLAS DRIVE



POTENTIAL IMPROVEMENTS

Divert runoff via separate storm drain alignment on E Oak St

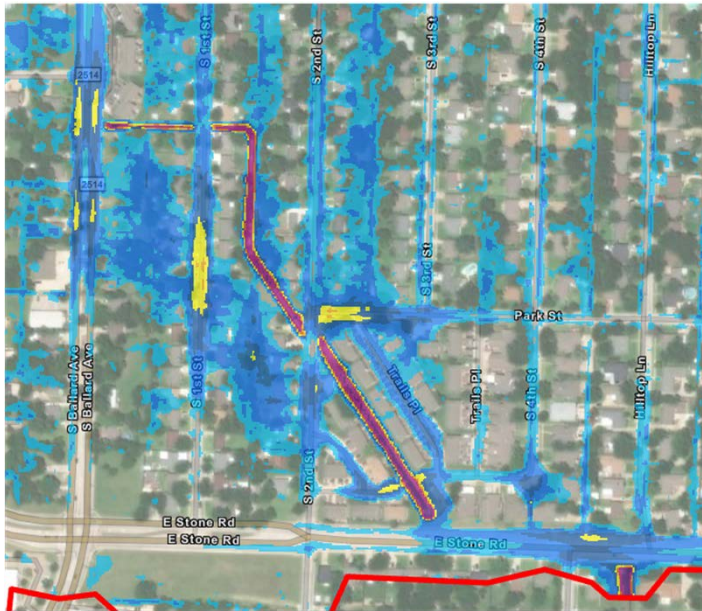
Increase inlet capture capacity at key locations

Add new inlets at key locations

High-Level Improvement Cost Estimate: \$2,100,000

Areas Outside of Downtown

1ST STREET/ STONE RD



POTENTIAL IMPROVEMENTS

Increasing existing storm drain size on 1st St

Incorporate additional inlets

Add additional storm drain line discharging into channel in alley

Adding storm drain lateral and inlets on Stone Rd

Reconfigure connection for a couple of inlets

Improve 4,000 LF of downstream channel to lower tailwater and improve conveyance capacity

High Level Improvement Cost Estimate: \$1,000,000

Questions?
