

# Wylie City Council Regular Meeting

August 09, 2022 – 6:00 PM

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



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## CALL TO ORDER

## INVOCATION & PLEDGE OF ALLEGIANCE

## PRESENTATIONS & RECOGNITIONS

PR1. Recognize Wylie's Better Cities for Pets program designation.

PR2. Presentation of North American Hazardous Materials Management Association award to the City of Wylie.

PR3. Recognizing August 2022 as Black-Owned Business 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 July 26, 2022 Regular City Council Meeting minutes.
- B. Consider, and act upon, approval of the Park Event Application from North Star Dance Project to hold a Fall Dance Fest event at Olde City Park on October 9, 2022.
- C. Consider, and act upon, Ordinance No. 2022-51 for a change in zoning from Commercial Corridor - Special Use Permit (CC-SUP) to Planned Development - Commercial Corridor (PD-CC) to allow for a distillery, events center, and food truck park on 2.02 acres located at 702 North State Highway 78 (ZC 2022-11).
- D. Consider, and act upon, a Preliminary Plat of Lots 1, 2 and 3, Block A of LI 78 Logistics Center, establishing three lots on 22.052 acres, generally located on the southwest corner of State Highway 78 and Wylie East Drive.
- E. Consider, and act upon, a Final Plat of Lot 2R, Block 1 of the Platinum Storage Country Club Addition, being a Replat of Lot 2, Block 1 of Platinum Storage Country Club Addition and two acres of tract 22 of the Charles Atterbury Survey, establishing one commercial lot on 10.40 acres, located at 570 Country Club Rd.
- F. Consider, and act upon, Resolution No. 2022-21(R) authorizing the City Manager to execute an Interlocal Agreement between the City of Wylie and Collin County for county road and bridge improvements that are located within City limits in accordance with Court Order No. 2021-109-02-01.

- G. Consider, and act upon, approval of Ordinance No. 2022-52 amending Wylie’s Code of Ordinances, Ordinance No. 2021-17 as amended, Appendix C (Wylie Comprehensive Fee Schedule), Section I (Water and Sewer Fees), Subsection B (Water Rates), and Subsection C (Sewage Collection and Treatment Rates).
- H. Consider, and act upon, the award of a professional services project order (PSPO) #W2022-111-E for the Traffic Signal Design for the Intersection of McCreary Road and Hensley Lane to Garver, LLC in the amount of \$55,223.50, and authorizing the City Manager to execute any necessary documents.
- I. Consider, and act upon, Resolution No. 2022-22(R), of the City Council of the City of Wylie, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the Company’s 2022 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting Tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Resolution to the Company and the ACSC’s legal counsel.

## **REGULAR AGENDA**

- 1. Consider, and act upon, Resolution No. 2022-23(R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for the fiscal year 2022-23, accepting the calculation of the no new revenue tax rate and the voter approval tax rate, establishing August 23, 2022 at 6:00 p.m. at the City of Wylie Municipal Complex for a public hearing and vote on the proposed property tax rate, and providing for the publication as provided by the Texas Property Tax Code, Chapter 26.
- 2. Establish a date, time and place to hold a Public Hearing on the fiscal year 2022-2023 Proposed Budget so that all interested persons may be heard, either for or against any item in the proposed budget before final approval. The date, time and place for the hearing and the final vote will be published in the City’s official newspaper, as provided by the Texas Local Government Code, Section 102.006.
- 3. Consider, and act upon, Resolution No. 2022-24(R) of the City Council of the City of Wylie, Texas to approve emergency repairs of a drainage pipe generally located at 403 Bentwood Drive from Moss Utilities in the estimated amount of \$200,000.00.
- 4. Consider, and act upon, the acceptance of the resignation of Sandra Stone and appointment of Laurie Sargent as a new board member to the City of Wylie Cemetery Advisory Board to fill the term of August 2022 to June 30, 2023.

## **WORK SESSION**

WS1. Discuss Senior Recreation Center Renovation Project.

WS2. Discuss dog park and splash pad schematic designs - Joint Work Session with Parks and Recreation Board.

## **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 1378/Parker, FM 544/Cooper, FM 544/Sanden, Jackson/Oak, State Hwy 78/Alanis, and State Hwy 78/Brown.

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

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

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

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

### **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 August 5, 2022 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

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*Stephanie Storm, City Secretary*

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*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

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## AGENDA REPORT

Department: City Secretary  
Prepared By: Stephanie Storm

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, approval of July 26, 2022 Regular City Council Meeting minutes.

### Recommendation

Motion to approve Item as presented.

### Discussion

The minutes are attached for your consideration.

# Wylie City Council Regular Meeting Minutes

July 26, 2022 – 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, Councilman Scott Williams, Councilman Timothy T. Wallis, and Councilman Garrett Mize. Mayor *pro tem* Jeff Forrester was absent.

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Police Chief Anthony Henderson; Finance Director Melissa Beard; Fire Chief Brandon Blythe; Digital Media Specialist Kristina Kelly; Planning Manager Jasen Haskins; Public Works Director Tommy Weir; Parks and Recreation Director Carmen Powlen; City Engineer Tim Porter; EDC Executive Director Jason Greiner; Purchasing Manager Glenna Hayes; Library Director Ofilia Barrera; City Secretary Stephanie Storm; and various support staff.

## INVOCATION & PLEDGE OF ALLEGIANCE

Councilman Strang led the invocation and Councilman Williams led the Pledge of Allegiance.

Mayor Porter announced that Reverend Kurt Ulmer was unable to attend this evening to conduct the Invocation.

## PRESENTATIONS & RECOGNITIONS

### PR1. Battle of the Badges Blood Drive Presentation.

Jonathan Buck, representing the East Fork Masonic Lodge, and Vicky Long, representing Carter Blood Care, addressed Council stating that during Bluegrass on Ballard, the sixth annual “Battle of the Badges” was conducted. This year 46 units were collected, which will help save about 138 lives. Long announced the winner of the contest was the Wylie Police Department. Representatives of Wylie Fire Rescue and Wylie Police Department were present for the award.

### PR2. Early Intervention Day.

Mayor Porter presented a proclamation proclaiming July 26, 2022 as Early Intervention Day in Wylie, Texas. Members of The Warren Center were present to accept the Proclamation.

## COMMENTS ON NON-AGENDA ITEMS

No citizens were present wishing to address Council on non-agenda items.

## 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 July 12, 2022 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 June 30, 2022.**
- C. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for June 30, 2022.**
- D. Consider, and place on file, the City of Wylie Monthly Investment Report for June 30, 2022.**
- E. Consider, and act upon, a Preliminary Plat of Lots 1 and 2 Block A of Upwind Capital Addition, establishing two commercial lots on 4.1396 acres, located at 1948 and 2001 North State Highway 78.**

#### **Council Action**

A motion was made by Councilman Williams, seconded by Councilman Wallis, to approve the Consent Agenda as presented. A vote was taken and the motion passed 6-0 with Mayor *pro tem* Forrester absent.

#### **REGULAR AGENDA**

- 1. Hold a Public Hearing, consider, and act upon, a change in zoning from Commercial Corridor - Special Use Permit (CC-SUP) to Planned Development - Commercial Corridor (PD-CC) on 2.02 acres located at 702 North State Highway 78 (ZC 2022-11).**

#### **Staff Comments**

Planning Manager Haskins stated the applicant is requesting to rezone 2.02 acres located at 702 North State Highway 78 to allow for a distillery and event center use. The current zoning of CC-SUP was created in April 2003 to allow for a family-friendly, indoor/outdoor entertainment center. While the distillery is allowed by-right in accordance with State Law (Alcohol Beverage Code Chapter 14), the applicant has applied for PD zoning in order to add an events center and food truck park to the site. The PD conditions allow the Distillery, Events Center, and Food Truck Park as uses, while setting hours of operation, screening requirements, and noise standards. Uses that are not included in the PD shall be prohibited. The PD standards also set a minimum parking ratio and the required landscaping. These include a 5,800 square foot event center building, an outdoor stage and entertainment area, a food truck park, and an area for outside restroom facilities for certain events. The zoning exhibit also calls for an eight-foot fence along the east property line and a gate to be added to the southwest corner of the property that connects to Marble Street. This will close the access to public use, but maintain emergency access. Notices were sent to 23 property owners within 200 feet as required by state law. At the time of posting one response was received in favor and none opposed. After some discussion regarding hours of operation and an explanation of the noise standards, the Commission voted 6-0 to recommend approval on the condition that the food truck hours of operation be limited to the same as the events. Section III.6.b of the PD Conditions has been amended to reflect the requirement.

#### **Council Comments**

Mayor Porter asked about food trucks running generators. Haskins replied that the decibel levels are set in the PD. Clint Ecord, representing Herman Marshall, addressed Council stating they will not allow generators as they will have two 50-amp poles that they can connect to and will offer water hookups. Councilman Wallis asked if Council is proposing prohibiting generators altogether or only ones over a certain decibel level, and stated there are quiet generators that can be purchased. Haskins replied that staff recommended 70 decibels at the property line allowed in the PD, which is higher than the normal 55 decibels. Mayor Porter stated with that decibel level stipulated in the PD he did not feel generators needed to be prohibited in the PD. Councilman Strang asked about music played at the facility. Haskins replied it has to stay within the allowed 70 decibels, and added the applicant did provide a sound study that the noise will stay below 70 decibels at the property line with the board on board fence that they are proposing. Williams asked if typical commercial PDs allow for wooden fences, and asked how they are going to address the double fence line with the neighbors behind them. Haskins replied they are allowed as a masonry wall would bounce the sound and wood absorbs the sound, and responded there is a retaining wall and this property sits higher than the homes behind them; therefore, the eight-foot fence will be above the retaining wall. Williams asked if the City is okay with changing the look of the building from all of the other buildings around it. Cletus

Pippin, Architect, addressed Council stating the existing building is a plaster building on a metal frame and metal fascia. The side of the building visible to the street is plaster and there will be a 10-foot-high fence at the property line. Wallis stated he did not mind a fresh look and liked the proposed elevations. Porter replied there are older buildings back in there and some do have some metal features already and does not believe this will stand out in a negative way and does not mind the elevation.

### **Public Hearing**

Mayor Porter opened the public hearing on Item 1 at 6:32 p.m. asking anyone present wishing to address Council to come forward.

Eugene Hauptmann addressed Council with concerns regarding the decibel levels.

Mayor Porter closed the public hearing at 6:35 p.m.

### **Council Action**

A motion was made by Councilman Strang, seconded by Councilman Wallis, to approve Item 1 as presented. A vote was taken and the motion passed 6-0 with Mayor *pro tem* Forrester absent.

Mayor Porter convened the Council into a break at 6:36 p.m.

Mayor Porter reconvened the Council into a Work Session at 6:42 p.m.

## **2. Hold a Public Hearing, consider, and act upon, adoption of the 2022 Envision Wylie Comprehensive Master Plan.**

### **Staff Comments**

Planning Manager Haskins addressed Council stating during the joint work session with Council, Comprehensive Master Plan Advisory Committee (CPAC), and the Planning and Zoning Commission last month Council gave direction to send the draft plan back to CPAC to consider some of the comments made. Haskins stated that CPAC met, reviewed comments received from Council and the Planning and Zoning Commission, and re-reviewed the plan in its entirety. The attached draft was approved by CPAC 12-0 to recommend adoption. Haskins reported he is requesting that Council table this item so that it can go back to the Planning and Zoning Commission for consideration, and then would come back to Council for consideration.

CPAC members present included: Ken Kocon, Eugene Hauptmann, Sandra Stone, Todd Pickens, Jason Greiner, Jeremy Meier, and Jacques Loraine.

Daniel Harrison, representing Freese & Nichols, addressed Council, giving a presentation on the schedule and the draft plan revisions including “housekeeping” information. Ken Kocon, CPAC member, addressed Council going over two removed Goals: Goal H3, which was to support various attainable housing options and Goal H4, which was to allow a variety of housing types and choices; changes made to the FLU Map and categories; the revised residential categories for low-density, medium-density, and high-density; the previous FLU map; and the new FLU map. Eugene Hauptmann, CPAC member, addressed Council presenting the special planning areas (SPA) including SPA #1 – FM 544, SPA #2 – SH 78 Entryway, SPA #3 – South Ballard, and SPA #4 – Avalon Park.

### **Council Comments**

Councilman Williams proposed in the definition of high-density residential, remove verbiage for non-single family. Mayor Porter and Councilmen Strang, Duke, and Wallis agreed. Councilman Mize stated he liked the language as-is.

Councilman Strang proposed removing “some residential uses may be in standalone buildings” from SPA #1. Mayor Porter and Councilmen Duke, Wallis, and Williams agreed. Councilman Mize stated he was satisfied with how it was worded.

Mayor Porter proposed changing SPA #2 to regional commercial in the event the current proposed development does not come to fruition. Councilmen Strang, Williams, Duke, and Wallis agreed. Councilman Mize stated to leave it as is.

Regarding SPA #3, Mayor Porter requested Ollie's feedback on the wording. Ollie stated in the South Ballard Overlay District single-family is not allowed; however, single-family attached is allowed and would match the vision of the Zoning Ordinance of the South Ballard Overlay District. Mayor Porter and Councilmen Strang, Williams, Duke, and Wallis agreed. Strang questioned the statement of reduced emphasis on parking in SPA #3. Haskins responded with the reason for the language, and board member Loraine added CPAC did not want that area to be overflow parking for downtown. Ollie gave a brief overview of the vision of the South Ballard Overlay District. Williams proposed that the statement of reduced emphasis on parking be removed or changed. Mayor Porter and Councilmen Mize, Wallis, Duke, and Strang stated to leave the wording in.

Regarding SPA #4, concerns with single family and multifamily on the property were expressed, asked if CPAC gave any thought that KCS or a company may decide to buy this for uses near the railroad track, stated additional studies are needed on this property, and no additional changes were recommended by Council.

Councilman Mize asked if he could make some comments on removing Goal H3, which was to support various attainable housing options, from the Plan. Mize shared statistics on the current cost burden, added there is a need for affordable housing in our community, and believes the City can do something even if it is modest. Mize stated that the City should take steps to address it and by removing the goal it is taking a step back. Mize stated neighboring cities' comp plans acknowledge and express a desire to address attainable housing, and he is uncomfortable with removing it completely and requested that a simple statement be added back into the Plan that acknowledges the issue in a modest way. CPAC member Kocon replied that they wanted the goals to be something Wylie could work to obtain and that is why this goal was removed. Ollie added she has done research and the way to address this is through an ordinance which staff is currently drafting for consideration. Porter replied that Council has shown a desire for affordable housing with partnerships and stated he would like to leave it as is and continue to use a PD process. Williams added that this is important; however, this is not the right document to put this in but does look forward to the ordinance. Strang, Duke, and Wallis concurred with Williams.

Mayor Porter proposed on page 115-116 in the agenda packet, remove page 116 and on page 115 the references to utilizing the church's parking as well as any other spaces that may not be available in the future be removed and general language be added regarding off-street parking. Williams, Strang, Wallis, Duke, and Mize agreed.

Mayor Porter proposed on page 122 that bullets be used instead of numbers regarding the priorities since those are not ranked in any particular order, remove the word Dam as the Corp of Engineers will not allow us near their operational areas, and remove items 3 and 4 from LU5b (page 122) and move to LU5a (page 121). Councilmen Mize, Wallis, Williams, Strang, and Duke agreed with moving items 3 and 4 to LU5a, and remove numbers and use bullet points on page 122. Wallis stated he would like to leave items 5 and 6 under LU5b and might just use aquatic facilities instead of indoor and outdoor. Mayor Porter and Councilmen Williams, Mize, Duke, and Strang agreed with leaving aquatics in and using a general language such as aquatic facilities.

Mayor Porter stated on page 135 in the agenda packet he proposed to remove the picture of the lack of sidewalks along Stone Road as that contradicts the direction Council has given to staff. The consensus was to remove the picture and not replace it.

Councilman Strang requested clarification on page 91 in the agenda packet on what a City-funded need-based grant program mean. Haskins responded with what he thought the intent was. Williams proposed that the verbiage be modified by removing "city-funded" from bullet point two. Mayor Porter and Councilmen Duke, Strang, Mize, and Wallis agreed.

### **Public Hearing**

Mayor Porter opened the public hearing on Item 2 at 8:35 p.m. asking anyone present wishing to address Council to come forward.

Ronnie Fetzer addressed Council stating that as she looks at this document as a vision for the City she would like to see a statement included or leave the H3 bullet to show the City does have a vision that is on the radar for attainable housing.

Mayor Porter closed the public hearing at 8:37 p.m.

### **Council Action**

A motion was made by Councilman Strang, seconded by Councilman Williams, to table Item 2 until the August 23, 2022 meeting. A vote was taken and the motion passed 6-0 with Mayor *pro tem* Forrester absent.

Mayor Porter convened the Council into a break at 8:39 p.m.

Mayor Porter reconvened the Council into a Work Session at 8:47 p.m.

3. **Consider, and act upon, Ordinance No. 2022-50 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.**

### **Staff Comments**

Finance Director Beard addressed Council stating revenue has exceeded projections by \$145,000 and the Recreation Department would like to use some of the increased revenue to pay instructors for the remainder of the budget year. The overall effect of this amendment is a net zero change to the 4B budget.

### **Council Action**

A motion was made by Councilman Strang, seconded by Councilman Duke, to approve Item 3 as presented. A vote was taken and the motion passed 6-0 with Mayor *pro tem* Forrester absent.

4. **Consider, and act upon, the award of RFP #W2022-61-B for the Library Automated Materials Handling System to Tech Logic Corporation in the amount of \$117,253.25 and authorizing the City Manager to execute any and all necessary documents.**

### **Staff Comments**

Purchasing Manager Hayes addressed Council stating this item was included in the budget and came in under budget. Staff completed a Request for Proposal (RFP) bid process, and received two qualified responses. Each of the responses were evaluated. Staff determined that the solution provided by Tech Logic will best meet their service objectives of accelerating the processing of returned library materials and streamlining back-office operations, providing the ability for library staff to address and resolve system issues remotely, and improving vehicle access at the drive-through. In addition, the vendor will provide an initial two-year warranty period. Award of this item will include removal of the existing system, installation of the new system with an enhanced return window, and training, and will establish an annual contract for warranty/maintenance services.

### **Council Action**

A motion was made by Councilman Williams, seconded by Councilman Strang, to approve Item 4 as presented. A vote was taken and the motion passed 6-0 with Mayor *pro tem* Forrester absent.

## **WORK SESSION**

Mayor Porter convened the Council into a Work Session at 8:52 p.m.

### **WS1. Water/Sewer Rate Study Update.**

Matthew Garrett, representing NewGen Strategies, gave a presentation on the North Texas Municipal Water District (NTMWD), Water and Sewer Wholesale Costs Projections per NTMWD Strategic Financial Plan Forecasts FY 2023 Rates, Wylie customer growth forecast, Wylie annual cash capital needs project highlights, 2020 rate plan

sufficiency including combined utility performance under rate plan FY 2023-2025 and projected FY 2026-2027, combined utility performance under rate plan FY 2023 and revised projections FY 2024-2027, community rate comparisons, residential comparisons 5,000 gallons, and residential comparisons 10,000 gallons.

Council comments and feedback included: does the larger commercial and industrial basis drive the lower rates of surrounding cities, look at flat sewer consumption rates, look at different rates for commercial, and bring numbers back on the fixed rate for FY 2024 rates.

## **WS2. Budget Work Session for updates on the General Fund, Utility Fund, and 4B Fund.**

City Manager Parker addressed Council giving a presentation reviewing the General Fund Summary, the Utility Fund Summary, 4B Sales Tax Fund Summary, potential FY 2023 carry forward amounts by department, and next steps. Parks and Recreation Director Powlen addressed Council with an update on the Brown House and Stonehaven House. Powlen reported the Brown House officially opens to the public next week as a visitor center.

Council comments and feedback included: could the City complete sending the City's portions for repairs for Stone Road to the County, would love to hear any new visions for the Brown House and Stonehaven House, and with additional hotels in town has there been a large increase in the budget that would provide additional revenue to move forward with Stonehaven or move forward with additional projects at the Brown House.

## **WS3. Discuss Board of Review Term Limits and Appointments.**

City Secretary Storm addressed the Council seeking direction on making changes to the term limits to the Board of Review and clarifying the appointments of board and commission members' spouses. Storm reported, based on past issues with being able to fill all open positions on the Board of Review with members that come before Council for an interview, staff is proposing the term limits be consistent with the other boards and commission term limits including consecutive service to the Board of Review of three consecutive, full terms, regardless of term length; after the expiration of the term limit, the member must wait one year before reapplying to the same board; and 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. Storm also requested clarification on whether a board and commission member's spouse can serve on the Board of Review as the Code of Conduct applies to board and commission members as it does Council, and currently employees and Council member spouses are not eligible to serve on the Board of Review; however, board and commission member's spouses are not addressed.

The direction of the Council was to move forward with bringing the updated Ordinance and Resolution back to Council, amending the term limits to be consistent with the other boards and commissions, and also include the language for board and commission member's spouses that makes them ineligible to serve on the Board.

## **RECONVENE INTO REGULAR SESSION**

Mayor Porter reconvened the Council into Regular Session at 9:41 p.m.

## **EXECUTIVE SESSION**

Mayor Porter convened the Council into Executive Session at 9:42 p.m.

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

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

**ES1. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 1378/Parker, FM 544/Cooper, FM 544/Sanden, Jackson/Oak, State Hwy 78/Alanis, and State Hwy 78/Brown.**

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

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

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

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

**Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.**

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

- (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or
  - (2) to hear a complaint or charge against an officer or employee.
- (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

**ES3. Discuss the performance of the City Manager.**

**RECONVENE INTO OPEN SESSION**

*Take any action as a result from Executive Session.*

Mayor Porter reconvened the Council into Open Session at 11:18 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 caption of Ordinance No. 2022-50 into the official record.

**ADJOURNMENT**

A motion was made by Councilman Duke, seconded by Councilman Strang, to adjourn the meeting at 11:19 p.m. A vote was taken and the motion passed 6-0 with Mayor *pro tem* Forrester absent.

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**Matthew Porter, Mayor**

**ATTEST:**

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**Stephanie Storm, City Secretary**





# Wylie City Council

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## AGENDA REPORT

Department: Parks and Recreation  
Prepared By: Brent Stowers

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, approval of the Park Event Application from North Star Dance Project to hold a Fall Dance Fest event at Olde City Park on October 9, 2022.

### Recommendation

Motion to approve Item as presented.

### Discussion

This is a new event being requested by the Royse City applicant, Alexa Guajardo, to hold a community dance performance and interactive event where she plans to offer 1-2 free dance classes and hand out free pamphlets and bottled water to patrons. The applicant also intends to sell pre-packaged snacks, sodas, t-shirts, and stickers. Please note that this organization is not a non-profit. Staff will work with the applicant on event support as needed.

The Parks and Recreation Board approved this application at the July 11<sup>th</sup> board meeting.



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

## Park Event Application

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

### Applicant Information

**Name of Organization \***

North Star Dance Project (Alexa Guajardo)

**Website**

northstardanceproject.com

**Are you a non profit? \***

☐ Yes ☒ No

### Contact Information

**Primary Contact Name \***

Alexa Guajardo

### Event Information

**Event Name/Title \***

Fall Dance Fest

**Event Type \***

Other

**If other, please explain \***

A community dance performance & interactive event

**Purpose of event \***

We want to spread joy through dance. We would be sharing dance knowledge through a class or two on the grass (low-impact, no high injury risk), and offer an opportunity to young dance groups to join us in a performance in the evening.

**Event Location \***

Olde City Park

112 S Ballard Avenue

**Proposed Event Date \***

10/09/2022

**Alternative Event Date \***

10/15/2022

**Start Time\***

03:00:00 PM

Include Setup

**End Time\***

08:00:00 PM

Include Cleanup

**Do you plan to sell items of any kind?**

example: drinks, food items, t-shirts, snow cones, memberships, registrations etc.

☒ Yes ☐ No**Please specify all items you plan to sell**

We plan to sell prepackaged snacks and sodas (all shelf-safe), t-shirts and stickers, and have some local dancers pass out free pamphlets and water bottles to patrons.

**Will there be food items provided?**☐ Yes ☒ No**Anticipated number of Participating Vendors\***

3

**Anticipated Event Attendance\***

75

**Event Target Audience\***

any community members - family friendly

**Event Details\***

We would be sharing dance knowledge through a class or two on the grass (low-impact, no high injury risk), and offer an opportunity to young dance groups to join us in a performance in the evening. We are trying to grow and facilitate a dance community in Wylie for people (young & old) to enjoy. This is a proposal before any other details are set in stone. I would be happy to meet with any community leaders necessary through email, conference call, or in person for further questions and conversations about the benefits of a community event of this sort.

**Event Announcement and/or Flyers****NOTE:**

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

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

**Signature**

**Date\***

07/05/2022



# Wylie City Council

## AGENDA REPORT

**Department:** Planning  
**Prepared By:** Jasen Haskins, AICP

**Account Code:** \_\_\_\_\_

### Subject

Consider, and act upon, Ordinance No. 2022-51 for a change in zoning from Commercial Corridor - Special Use Permit (CC-SUP) to Planned Development - Commercial Corridor (PD-CC) to allow for a distillery, events center, and food truck park on 2.02 acres located at 702 North State Highway 78 (ZC 2022-11).

### Recommendation

Motion to approve Item as presented.

### Discussion

Final approval of Zoning Case 2022-01 requires an Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

The subject ordinance allows for the rezoning. Exhibit A (Legal Description), Exhibit B (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. 2022-51

**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 2022-11, FROM COMMERCIAL CORRIDOR - SPECIAL USE PERMIT (CC-SUP) TO PLANNED DEVELOPMENT - COMMERCIAL CORRIDOR (PD-CC) TO ALLOW FOR A DISTILLERY, EVENTS CENTER, AND FOOD TRUCK PARK; 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 Planned Development - Commercial Corridor said property being described in Exhibit A (Legal Description), hereto and made a part hereof for all purposes.

SECTION 2: 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 3: 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 as described in Exhibit B (PD Conditions) and Exhibit C (Zoning Exhibit).

SECTION 4: 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 5: 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 6: 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 7:** 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 9th day of August, 2022.

\_\_\_\_\_  
Matthew Porter, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Storm, City Secretary

*DATE OF PUBLICATION:* August 17, 2022, *in* The Wylie News

Lot 2A, Block 2, of REPLAT OF LOT 2 & LOT 3 IN BLOCK 2 OF A REPLAT OF OAKS RETAIL, an addition to the City of Wylie, Collin County, Texas, according to the plat thereof recorded in Cabinet G, Page 285, Plat Records, Collin County, Texas.

**SURVEYOR'S NOTES:**  
1) BEARINGS ARE BASED ON NAD 83(2011), TEXAS NORTH CENTRAL 4202, AS OBSERVED BY OPS. AREA AND DISTANCES SHOWN HEREON ARE AT GRID.  
2) NO EASEMENT RECORD SEARCH WAS MADE BY THIS OFFICE CONCERNING THIS PROPERTY.  
3) THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, AND MAY BE SUBJECT TO RECORD EVIDENCE WHICH IS NOT AVAILABLE FOR CONSIDERATION AT THE TIME OF THIS SURVEY.  
4) THE PROPERTY SHOWN HEREON WAS SURVEYED BASED ON DEEDS AND/OR LEGAL DESCRIPTIONS OBTAINED THROUGH NORMAL RESEARCH PROCEDURES. THERE MAY BE OTHER DOCUMENTS RECORDED/UNRECORDED THAT MAY AFFECT THE SUBJECT, AND THIS SURVEY IN NO WAY IMPAIRS OWNERSHIP OF ALL OR ANY PART OF THE SUBJECT AS SHOWN HEREON.  
5) ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88.  
6) CONTOURS SHOWN HEREON ARE SHOWN AT 1 FOOT INTERVALS.

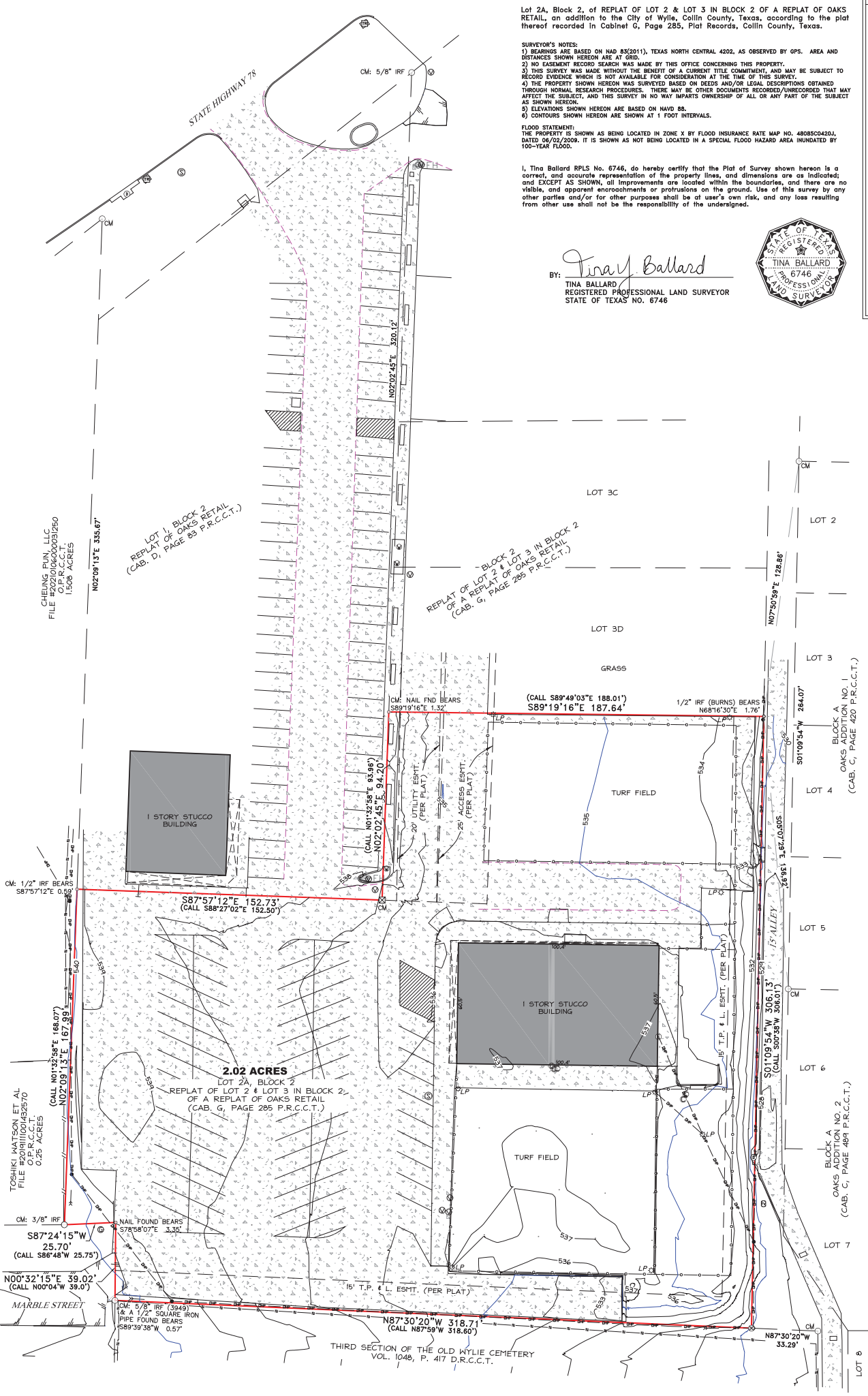
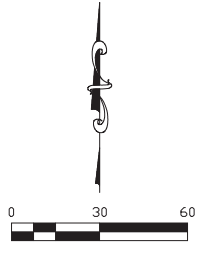
**FLOOD STATEMENT:**  
THE PROPERTY IS SHOWN AS BEING LOCATED IN ZONE X BY FLOOD INSURANCE RATE MAP NO. 4808504001, DATED 06/02/2009. IT IS SHOWN AS NOT BEING LOCATED IN A SPECIAL FLOOD HAZARD AREA INUNDATED BY 100-YEAR FLOOD.

I, Tina Ballard RPLS No. 6746, do hereby certify that the Plat of Survey shown hereon is a correct, and accurate representation of the property lines, and dimensions as indicated; and EXCEPT AS SHOWN, all improvements are located within the boundaries, and there are no visible, and apparent encroachments or protrusions on the ground. Use of this survey by any other parties and/or for other purposes shall be at user's own risk, and any loss resulting from other use shall not be the responsibility of the undersigned.

BY: *Tina Ballard*  
TINA BALLARD  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS NO. 6746



- CM CONTR  
1/2" POIN  
1/2" IRON ROD SET (BY-LINE)  
OLP LIGHT POLE  
SDM STORY DRAIN MANHOLE  
TELEVISION CABLE MARKER  
CLEANOUT  
SANITARY SEWER MANHOLE  
ELECTRIC METER  
POWER POLE  
GUY WIRE  
TRAFFIC SIGNAL BOX  
FH FIRE HYDRANT  
WATER VALVE  
WATER METER  
GAS METER
- ASPHALT  
--- OVERHEAD ELECTRIC LINE  
--- CHAINLINK FENCE  
--- PIPE FENCE  
--- WOOD FENCE  
--- IRON FENCE  
--- FIRE LANE
- COVERED PORCH, OVERHANG  
BRICK  
CONCRETE  
BUILDING  
NO PARKING



702 N. STATE HIGHWAY 78 WYLIE, TEXAS	
DATE:	12/18/2021
SCALE:	1" = 30'
JOB NO.:	2021-1995
CLIENT:	CP DESIGN SERVICES
TECHNICIAN:	TYB

BY-LINE  
SURVEYING LLC  
P.O. BOX 834  
Emory, TX 75440  
Ph: (903) 473-5150  
Firm No: 10194233  
www.bylinesurveying.com

**EXHIBIT "B"**

**Planned Development - Commercial Corridor (PD-CC)  
Herman Marshall Distillery  
ZC 2022-11**

**I. PURPOSE:**

The purpose of this Planned Development is to allow for a Distillery Use with outdoor entertainment and food truck area.

**II. GENERAL CONDITIONS:**

1. This exhibit 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 Herman Marshall Distillery shall be in accordance with Section III below and the Zoning Exhibit (Exhibit C).

**III. SPECIAL CONDITIONS:**

1. Section 4.1.C of the City of Wylie Zoning Ordinance (April 2021) is hereby replaced with the following:
  - a. Purpose: This Planned Development Commercial Corridor District allows for the light manufacturing and event center needs of the residents of Wylie. This PD-CC District has design and development standards to ensure the design quality and image expected in Wylie.
  - b. Permitted Uses: Allowed uses include Distillery, Event Center (Private), and Food Truck Park. Distillery and Event Center (Private) shall generally follow the guidelines of "Light Manufacturing" and "Club/Lodge" uses, respectively. See III 5 & 6 below for additional requirements.
  - c. Development Standards: Following are the yard, lot and space requirements for this PD-CC district.



Height	
Structure Height	30 feet maximum
Number of stories	Two maximum
Residential Proximity	2:1 minimum slope from residential lot line
Building Placement and Coverage	
Front Yard Setback	25 feet
Side Yard Setback	10 feet
Rear Yard Setback	10 feet
Lot Coverage	50%
Buffering and Screening	
Nonresidential Use Adjacent to Single Family	10 feet with wood screening
Trash, service and loading areas	Not visible from public right-of-way or adjacent residential uses.

2. Section 4.3.C.1 Design Standards review shall be amended as follows to due existing property conditions or property redevelopment limitations:
  - a. Figure 4-7 Building Placement #1, Entrances oriented to a street, shall not apply.
  - b. Figure 4-7 Desirables shall not apply.
  - c. Figure 4-8 Landscaping of Parking Lots #3 and #4, shall allow 13 spaces per landscaped island.
  - d. Figure 4-9 Building Materials Desirable #2, copy style of the same block, shall not apply.
3. Section 7.2.B.2 is amended as follows: Trash receptacles shall be located a minimum of 50 feet from any residential property line, not to include an agricultural district.
4. Section 7.3, Off-street parking: The site shall be required a minimum parking ratio of 1:250
5. The distillery use is defined, unless otherwise preempted by state law, as a facility for the manufacture, refining, mixing, bottling, labeling, storage, tasting, and selling of distilled spirits.
  - a. The facility shall be operating in accordance with the State of Texas Alcohol Beverage Code as exists or may be amended.

- b. All distillery activities except tasting shall be limited to the interior of primary structure.
- 6. The event center use is defined as a facility for the celebration, ceremony, wedding, reception, corporate function, or similar activity that takes place on a periodic basis, involving the gathering of individuals assembled for the common purpose of attending a special event subject to a use agreement between a private group or individual and the facility owner.
  - a. Events shall be limited to the primary structure and areas labeled as 'entertainment areas' on the exhibit.
  - b. Events shall be limited to the hours of 12pm-8pm Sunday-Thursday and 12pm-10pm Friday-Saturday. Food Trucks shall be on premises only during events and limited to the same hours of operation.
  - c. Section 7.1.F.1 of the Zoning Ordinance shall be amended as follows: Noise shall not exceed 70 dBA at the property line during events or 50 dBA at any other time.

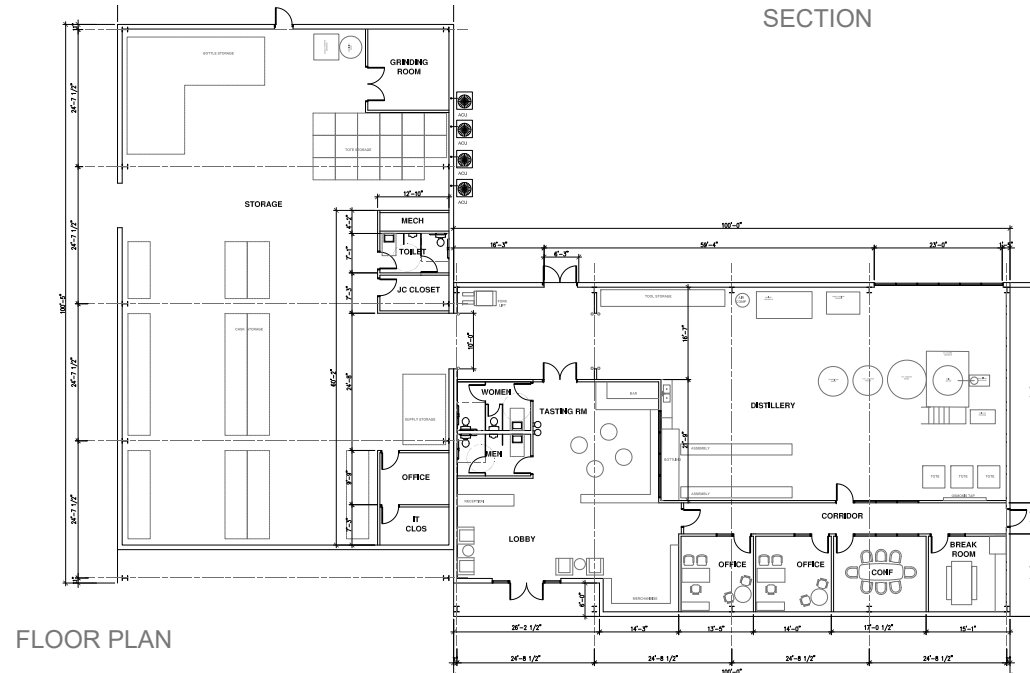
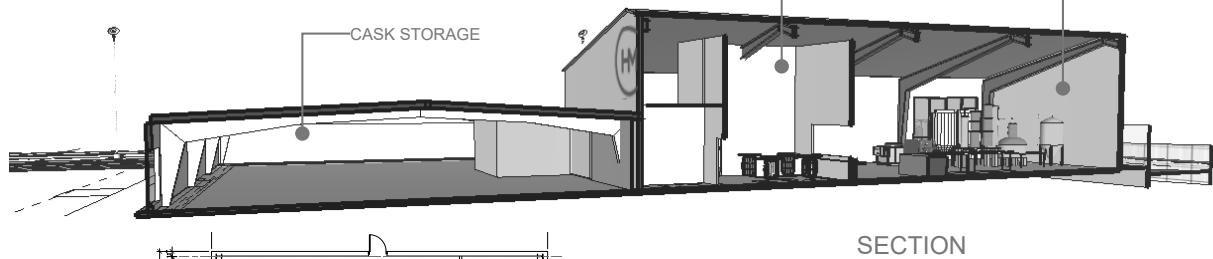
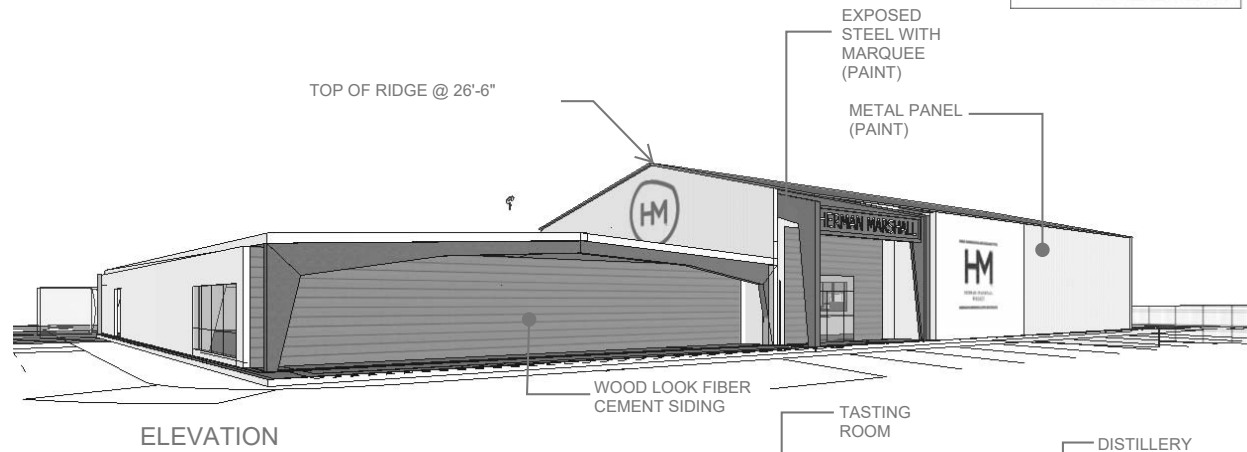


# HERMAN MARSHALL DISTILLERY

SCHEMATIC DESIGN 2/16/22



08/09/2022 Item C.



AERIAL PERSPECTIVE



PERSPECTIVE 01



PERSPECTIVE 02





# Wylie City Council

## AGENDA REPORT

**Department:** Planning  
**Prepared By:** Jasen Haskins, AICP

**Account Code:** \_\_\_\_\_

### Subject

Consider, and act upon a Preliminary Plat of Lots 1, 2, and 3, Block A of LI 78 Logistics Center, establishing three lots on 22.052 acres, generally located on the southwest corner of State Highway 78 and Wylie East Drive.

### Recommendation

Motion to approve Item as presented.

### Discussion

#### OWNER: 78 Hooper LTD

#### APPLICANT: Kimley-Horn

The applicant has submitted a Preliminary Plat to create Lots 1, 2, and 3, Block A of LI 78 Logistics Center. The property is located on the southwest corner of State Highway 78 and Wylie East Drive. The purpose of the Preliminary Plat is to create two commercial lots and one industrial lot with access drives for a warehouse development.

The plat encompasses the entirety of a 22.052-acre tract approved by the City Council as Planned Development (PD 2022-33) in April 2022.

This plat is dedicating access, fire, and utility easements for the warehouse development located on Lot 1, Block A of LI 78 Logistics Center. One access point is provided from Anson Parkway, one from Wylie East Drive, and two from State Highway 78. The two remaining commercial lots will require amended plats for access and utility easements at the time of their individual developments.

Two detention easements are provided on the east side of Lot 1 for the construction of detention ponds that will serve the entire 22.052 tract.

The site plan for the warehouse development was approved by the P&Z Commission in July 2022.

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

The City Council must provide a written statement of the reasons for conditional approval or disapproval to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Government Code.

#### P&Z Recommendation

The Commission voted 6-0 to recommend approval.









# Wylie City Council

## AGENDA REPORT

**Department:** Planning  
**Prepared By:** Jasen Haskins, AICP

**Account Code:** \_\_\_\_\_

### Subject

Consider, and act upon, a Final Plat of Lot 2R, Block 1 of the Platinum Storage Country Club Addition, being a Replat of Lot 2, Block 1 of Platinum Storage Country Club Addition and two acres of tract 22 of the Charles Atterbury Survey, establishing one commercial lot on 10.40 acres, located at 570 Country Club Rd.

### Recommendation

Motion to approve Item as presented.

### Discussion

**OWNER: HT Country Club SS Owner LP**

**APPLICANT: Halff Associates**

The applicant has submitted a replat to combine Lot 2, Block 1 of Platinum Storage Country Club Addition and two acres of tract 22 of the Charles Atterbury Survey into Lot 2R, Block 1 of Platinum Storage Country Club Addition. The property is located at 570 Country Club Rd. and is zoned within Planned Development 2021-41.

A replat of this same property was approved by the City Council in December 2021. However, due to the sale and exclusion of Lot 1 (the frontage lot containing the retail buildings and uses) from this revised plat, a resubmittal was required.

The replat complies with street frontage and fire lane access requirements.

The plat is technically correct and abides by all aspects of the City of Wylie Subdivision Regulations.

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

The City Council must provide a written statement of the reasons for conditional approval or disapproval to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Government Code.

### **P&Z Recommendation**

The Commission voted 6-0 to recommend approval.





# Wylie City Council

## AGENDA REPORT

Department: Public Works  
 Prepared By: Tommy Weir

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, Resolution No. 2022-21(R) authorizing the City Manager to execute an Interlocal Agreement between the City of Wylie and Collin County for county road and bridge improvements that are located within City limits in accordance with Court Order No. 2021-109-02-01.

### Recommendation

Motion to approve Item as presented.

### Discussion

The City of Wylie currently has an Interlocal Agreement with Collin County for repairs to county roads and bridges that are within the City's limits that expires on September 30, 2022. Allowing the City Manager to sign the agreement will enable the City of Wylie to enter into a new agreement with Collin County that will expire on September 30, 2026, unless terminated by either party upon giving thirty days written notice to the other party of its intent to terminate the agreement.

The terms of this agreement will require the City of Wylie to reimburse Collin County a predetermined percentage of the total cost of the type of road and/or bridge improvement based upon the "City Work Cost Matrix" set by Collin County Public Works.

**RESOLUTION NO. 2022-21(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, HEREBY AUTHORIZING THE CITY MANAGER OF THE CITY OF WYLIE, TEXAS, TO EXECUTE THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF WYLIE, TEXAS, AND COLLIN COUNTY, TEXAS FOR COUNTY ROAD AND BRIDGE IMPROVEMENTS LOCATED WITHIN CITY LIMITS IN ACCORDANCE WITH COURT ORDER NO. 2021-109-02-01.**

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

SECTION 1: The City Manager of the City of Wylie, Texas, is hereby authorized to execute, on behalf of the City Council of the City of Wylie, Texas, the Interlocal Cooperation Agreement between the City of Wylie and Collin County, Texas concerning county road and bridge improvements located within city limits in accordance with Court Order No. 2021-109-02-01. See Exhibit "A" - Interlocal Cooperation Agreement.

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

**DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 9th day of August, 2022.**

\_\_\_\_\_  
Matthew Porter, Mayor

**ATTEST TO:**

\_\_\_\_\_  
Stephanie Storm, City Secretary

**EXHIBIT “A”**  
**Interlocal Cooperation Agreement**

## **INTERLOCAL COOPERATION AGREEMENT**

Whereas, the Interlocal Cooperation Act, Title 7, Chapter 791, Vernon's Texas Statutes and Codes Annotated (the "Act"), and the Constitution of the State of Texas, Article III, Section 64(b) (the "Constitution") specifically authorizes counties and other political subdivisions comprised or located within the county, to contract with one another for the performance of governmental functions and/or services required or authorized by the Constitution, or the laws of this State, under the terms and conditions prescribed in the Act: and

WHEREAS, the functions and/or services contemplated to be performed by Collin County, Texas, as set out herein, are governmental functions and/or services contemplated by the terms of the Act and are functions and/or services which each of the parties hereto have independent authority to pursue, notwithstanding this Agreement; and

WHEREAS, both the county and the political subdivision named herein are desirous of entering into this Interlocal Cooperation Agreement, as is evidenced by the resolutions or orders of their respective governing bodies approving this Agreement which are attached hereto and made a part hereof.

NOW, THEREFOR, THIS AGREEMENT is hereby made and entered into by and between Collin County, Texas a political subdivision of the State of Texas, and the City of Wylie, political subdivision of the State of Texas, which is wholly or partially located within Collin County, Texas. Consideration for this Agreement consists of the mutual covenants contained herein, as well as any monetary consideration, which may be stated herein. This agreement is as follows, to wit:

### I.

As requested by the political subdivision named herein, Collin County, Texas, acting by and through its duly authorized agents and employees, agrees to provide said political subdivision with the following described governmental functions and/or services:

ROAD IMPROVEMENTS IN ACCORDANCE WITH  
COURT ORDER NO. 2021-109-02-01 (Copy Attached)

### II.

As consideration for the above-described governmental functions and/or services, said political subdivision agrees to timely pay to Collin County, Texas, in accordance with the advance cost estimate submitted to them for work they have requested in the amount and upon the following terms and conditions:

- 1) PAYMENT IN FULL UPON COMPLETION OF WORK AND RECEIPT OF BILL FOR SAME.

## 2) PAYMENT TO EQUAL REIMBURSEMENT IN FULL FOR LABOR, EQUIPMENT, AND MATERIAL EXPENDED BY COLLIN COUNTY.

Any payments for Work performed under this Agreement that are not made within thirty days from when such payments are due shall accrue interest as prescribed by the Texas Prompt Payment Act (Tex. Gov't Code ch. 2251).

Each party agrees to perform all other acts and execute and deliver all other documents as may be necessary or appropriate to carry out the intent and purposes of this Agreement.

### III.

To the fullest extent allowed by law, each party hereto agrees to defend and indemnify the other from any claims, demands, costs or judgments arising out of any negligent act or omission of their respective employees or agents in the performance of the governmental functions and/or services under this Agreement.

Failure of a Party to exercise any right or remedy in the event of default by any other Party shall not constitute a waiver of such right or remedy for any subsequent breach or default.

Should any provision of this Agreement or the application thereof be held invalid or unenforceable to any extent, the remainder of this Agreement and the application thereof shall not be affected thereby and shall continue to be valid and enforceable to the fullest extent, consistent with the intent of the Parties as evidenced by this Agreement.

### IV.

This Agreement shall be effective October 1, 2022, or from the passage of enabling resolutions or orders by the governing bodies of the parties hereto and the execution hereof by each of the authorized representatives of the political subdivision who are parties hereto and shall remain in effect through September 30, 2026 unless terminated by either party upon giving thirty (30) days written notice to the other party of its intent to terminate the agreement.

Notices, correspondence, and all other communications shall be addressed as follows; However, the Parties hereto shall have the right from time to time to change their respective addresses by giving at least fifteen (15) days' written notice to the other Party.

If to Collin County:

Public Works  
Jon Kleinheksel  
700A Wilmet Rd.  
McKinney, TX 75069  
972-548-3700

[jkleinheksel@co.collin.tx.us](mailto:jkleinheksel@co.collin.tx.us)

Purchasing  
Gina Zimmer  
2300 Bloomdale Rd., #3160  
McKinney, TX 75071  
972-548-4119

[gzimmer@co.collin.tx.us](mailto:gzimmer@co.collin.tx.us)

Administration  
Bill Bilyeu  
2300 Bloomdale Rd., #4192  
McKinney, TX 75071  
972-548-4698

[bbilyeu@co.collin.tx.us](mailto:bbilyeu@co.collin.tx.us)

If to City:

City Manager	Public Works	Purchasing
Brent Parker	Tommy Weir	Glenna Hayes
300 Country Club Road	300 Country Club Road	300 Country Club Road
Wylie, TX 75098	Wylie, TX 75098	Wylie, TX 75098
brent.parker@wylietexas.gov	tommy.weir@wylietexas.gov	glenna.hayes@wylietexas.gov
972-516-6012	972-516-6150	972-516-6140

#### V.

Notwithstanding the foregoing, it is understood that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party. In the event of a non-appropriation by the paying party, the performing party shall be relieved of its responsibilities hereunder as of the first day of the fiscal year of such non-appropriation. All payments must be in an amount that fairly compensates the performing party for the services or functions performed under this agreement.

Force Majeure: No party shall be liable or responsible to the other party, nor be deemed to have defaulted under or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement, when and to the extent such failure or delay is caused by or results from acts beyond the affected party's reasonable control, including, without limitation: acts of God; flood, fire or explosion; war, invasion, riot or other civil unrest; actions, embargoes or blockades in effect on or after the date of this Agreement; or national or regional emergency ( each of the foregoing, a "Force Majeure Event"). A party whose performance is affected by a Force Majeure Event shall give notice to the other party, stating the period of time the occurrence is expected to continue and shall use diligent efforts to end the failure or delay and minimize the effects of such Force Majeure Event.

#### VI.

### Dispute Resolution

#### Notice & Conference

If a party believes that the other party has not met, or is not meeting, an obligation under this agreement, the party will contact the other's representative to discuss the issue. If the aggrieved party does not believe that this informal contact, discussion, and ensuing efforts have fixed the issue, then the party will notify the other party's representative in writing of the party's belief or complaint with reasonable detail to permit the other party to address the issue. The other party will then have a reasonable time to address the issue and improve its performance. This initial process will take no more than 14 calendar days, unless the parties agree otherwise.

If discussions between the parties' representatives do not resolve the issue, then the County Judge, or County Administrator from Collin County and the Mayor, City Manager, from the City of Wylie will meet in person to discuss and try to resolve the issue. This process will take no more than five (5) business days, unless the parties agree otherwise.



**Prerequisites to Filing for ADR or a Lawsuit**

Neither party may file a claim or lawsuit in any forum before the parties are finished using the cooperation procedures set forth above.

Expenses for Enforcement. In the event either Party hereto is required to employ an attorney to enforce the provisions of this Agreement or is required to commence legal proceedings to enforce the provisions hereof, the prevailing Party shall be entitled to recover from the other, reasonable attorney's fees and court costs incurred in connection with such enforcement, including collection.

This agreement will be governed and construed according to the laws of the State of Texas. This agreement is performable in Collin County, TX.

**VII.**

By entering into this Agreement, the parties do not intend to create any obligations, express or implied, other than those specifically set out in this Agreement.

The Parties represent that the individuals signing this Agreement on their behalf possess full power and authority to enter into this Agreement from their respective governing boards in compliance with the laws of the State of Texas.

By signing this agreement, no party waives any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

Nothing in this Agreement shall create any rights or obligations as to any party who is not a signatory to this Agreement. This agreement does not confer any rights or remedies upon any person or entity other than the Parties.

Should any provision of this Agreement or the application thereof be held invalid or unenforceable to any extent, the remainder of this Agreement and the application thereof shall not be affected thereby and shall continue to be valid and enforceable to the fullest extent, consistent with the intent of the Parties as evidenced by this Agreement.

A party will not assign its rights or obligations under this agreement, in whole or in part, to another person or entity without first obtaining the other party's written consent.

This Agreement is the entire agreement of the Parties. This Agreement may not be altered or amended except by mutual written agreement as provided herein.

If the Parties desire to modify this Agreement during or after the initial term, any modifications may be either incorporated herein by written amendment or set forth in a new written agreement.

This Agreement may be executed in one or more identical counterparts, each of which will be deemed an original for all purposes.

COLLIN COUNTY, TEXAS

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: County Judge

CITY OF WYLIE

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

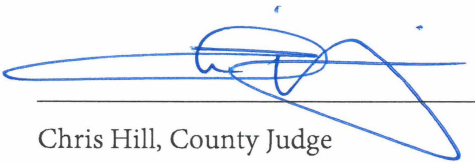
State of Texas §  
 Collin County §  
 Commissioners Court §

Court Order  
 2021-109-02-01

An order of the Collin County Commissioners Court adopting a policy.

The Collin County Commissioners Court hereby approves the amended Collin County Road and Right of Way policies, as detailed in the attached documentation.

A motion was made, seconded, and carried by a majority of the court members in attendance during a regular session on Monday, February 2, 2021.



Chris Hill, County Judge



Darrell Hale, Commissioner, Pct 3



Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2




ATTEST: Stacey Kemp, County Clerk



# **COLLIN COUNTY ROADWAY POLICY**

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Approved by the Collin County Commissioners Court on February 1, 2021  
Court Order Number 2021-109-02-01

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## 1.01 INTRODUCTION

### A. Purpose

This Roadway Policy has been adopted by Commissioners Court to put standards in place by which roadways and right of way in unincorporated Collin County are maintained. Commissioners Court reserves the right to amend any portion of this court order as deemed necessary and/or when required by changes in the law of Texas, state statutes or transportation codes.

### B. Applicability

This Policy applies to roadways within Collin County that are located outside of the corporate limits of a municipality. Additionally, this policy may exclude areas within Collin County that are located within the extraterritorial jurisdiction (ETJ) of a municipality, provided that an ETJ has been established by the municipality and the municipality has entered into a written interlocal agreement with the County that identifies the municipality as the entity authorized to maintain roadways and rights of way within their respective ETJ.

Collin County will not be responsible for any damage caused by County crews to any facility installed that is not in compliance with this Policy.

Any extenuating circumstances not covered under this Policy shall be brought to the attention of Commissioners Court for consideration.

## 1.02 DEFINITIONS

For the purpose of this Policy, the following terms, phrases, words and their derivations shall have the meaning given herein. Definitions not expressly prescribed herein are to be determined in accordance with customary usage in planning and engineering practice. The word “shall” is mandatory and the word “may” is permissive.

**AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO)** - An association of state highway and transportation officials.

**BUSINESS DAY** – the days of the week when County offices are normally open (excludes official holidays and weekends). Collin County holidays may be found online at:

<https://www.collincountytx.gov/government/Pages/Holidays.aspx>

**COLLIN COUNTY ROADWAY SYSTEM** – Any roadway maintained by Collin County Public Works.

**COMMISSIONERS COURT** – The Commissioners Court of Collin County.

**COUNTY** – Collin County, Texas.

**COUNTY CLERK** – the County Clerk of Collin County.

**COUNTY ROADWAY** – a public roadway under the control and maintenance of the

County.

**DEDICATION** – the appropriation of land, or an easement therein, by an Owner, for the use of the public and accepted for such use by or on the behalf of the public.

**DEVELOPER** – any person, partnership, firm association, corporation (or combination thereof), or any officer, agent, employee, servant or trustee thereof, who performs or participates in the performing of any act toward the development of a subdivision, within the intent, scope and purview of the Collin County Subdivision Regulations.

**DEVELOPMENT** – all land modification activity, including grading or construction of buildings, roadways, parking lots and/or other impervious structures or surfaces.

**DIRECTOR OF PUBLIC WORKS** – where used in this Policy, “Director of Public Works” shall mean the Collin County Director of Public Works and his/her authorized and/or appointed representatives.

**EASEMENT** – an area for restricted use on private property upon which a public or private utility/entity/HOA or Lot Owner responsible for maintenance shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growth which in any way endanger or interfere with the construction, maintenance and/or efficiency of its respective systems on or within any of these easements.

**ENGINEER** – a person licensed under the provisions of the Texas Engineering Registration Act to practice the profession of engineering in the State of Texas.

**EXISTING ROADWAYS** – roadways that have been constructed and are in place prior to the passage of this Policy.

**EXTRATERRITORIAL JURISDICTION (ETJ)** – the unincorporated land area, not a part of any city, which is contiguous to the corporate limits, as defined in [Local Government Code, Chapter 42](#).

**FACILITY** - any permanent or temporary non-County owned improvement placed within the right of way. Such facilities may involve underground, surface, or overhead facilities, either singularly or in combination. (Accessories are any attachments, appurtenances, or integral parts of the facility such as fire hydrants, valves, gas regulators, etc.).

**FINAL ACCEPTANCE** – formal acceptance by order of the Collin County Commissioners Court.

**HOMEOWNERS ASSOCIATION** – an organized, non-profit corporation with mandatory membership when property is purchased.

**INCORPORATED AREA** – See Extraterritorial Jurisdiction.

**INTERLOCAL AGREEMENT (ILA)** – A written contract between local government agencies.

**MINIMUM REQUIREMENTS** – Minimum acceptable requirements; such requirements may be modified by the Director of Public Works as may be necessary to protect the public



health, safety, and welfare.

**OWNER** – the Owner of the parent tract or lot of record.

**PUBLIC WORKS** – Collin County Public Works.

**RESIDENT** – a person who lives somewhere permanently or on a long-term basis.

**RIGHT OF WAY** – a parcel of land that is occupied or intended to be occupied, by a roadway or alley. Where appropriate, “right of way” may include other facilities and/or utilities such as sidewalks; railroad crossings; and/or electrical, telecommunication, oil, gas, water, sanitary sewer and/or storm sewer facilities. The term “right of way” shall also include parkways and medians which are located outside of the actual pavement. The usage of the term “right of way” for land platting purposes shall mean that every public right of way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right of way and shall not be included within the dimensions or areas of such lots or parcels. The right of way is the distance between property lines measured at right angles to the centerline of the roadway or alley.

**ROADWAY** – a paved right of way (or easement), whether public or private and however designated, which provides vehicular access to adjacent land and/or connection to other roadways or highways.

**SUBDIVISION** – the division of a tract of land situated within Collin County and outside the corporate limits of any municipality into two (2) or more lots, parcels or tracts for the purpose of sale or development, or for the purpose of laying out roadways, alleys, squares, parks, public utility easements, public rights of way, private ingress/egress easements, drainage or stormwater improvements, or other parts of the tract intended to be dedicated for public use or for the use of purchasers or owners of lots or parcels fronting on or adjacent to such facilities.

**TAA**– a Temporary Access Agreement between Collin County and property owner.

**TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (TMUTCD)** - The most recent edition, including any additions or corrections, of the Texas Manual on Uniform Traffic Control Devices for Streets and Highways.

**THOROUGHFARE** - a principle traffic artery, carrying higher volumes of traffic, more or less continuously, which is intended to connect remote parts of the area adjacent thereto and to act as a principle connecting roadway with state highways.

**THOROUGHFARE PLAN** – the most recently adopted Collin County Thoroughfare Plan <https://www.collincountytx.gov/mobility/Documents/CCThoroughfarePlan.pdf>

### 1.03 EXISTING ROADWAYS – MAINTENANCE RESPONSIBILITIES

Only public roadways that have been determined by Commissioners Court to be approved County Roads shall be maintained at County expense by Public Works. The County shall not maintain U.S. Highways, state roadways, private roadways, and other roadways or sections of a roadway within the city limits of an incorporated city.

#### A. Roadways within an Incorporated Area or within a City

1. Each city within Collin County is responsible for maintaining the bridges and roadways within their city limits.
2. Commissioners Court may consider making or participating in general maintenance items including rocking, grading, asphalt, leveling, seal coating, oiling for dust control, installation of culverts, warning signs, cleaning of drainage ditches, mowing or brush cutting and emergency repairs to bridges.
3. The following requirements must be met before Public Works can perform maintenance within an incorporated area or within city limits:
  - a. An Interlocal Agreement (ILA) must be presented to and approved by Commissioners Court. This currently executed ILA must be on file with the County.
  - b. Commissioners Court has granted approval of maintenance request(s).
  - c. Schedule will be set forth by Public Works and will be dependent upon the work schedule of County crews.
  - d. Emergency requests will be evaluated by Commissioners Court based upon the merits presented by the requesting city. Commissioners Court authorization is required for work performed within incorporated Cities.

#### B. Roadways adjacent to a City

1. Roads or sections of roadways bordered by a city or cities may be maintained at County expense as follows:
  - a. A portion of a public roadway adjacent to property that has been annexed by a city or cities before 2015, from the centerline of the roadway to the edge of the roadway on the opposite side from the City, may be maintained at County expense. The city's responsibility for maintenance of the roadway shall extend to the centerline of the roadway.
  - b. Any portion of a public roadway adjacent to property that has been annexed by a city or cities after 2015, shall not be maintained at County expense. The city's responsibility for maintenance of the roadway shall extend to the entire roadway.
  - c. Any portion of a public roadway that is bordered by a city or cities on both sides will be considered to lie entirely within an Incorporated Area and shall

not be maintained at County expense.

C. Roadways within a Subdivision

1. Maintenance of roadways in a Subdivision shall be performed by the Developer or Homeowners Association until roadways have been approved for County maintenance by Commissioners Court. See Collin County Subdivision Regulations for further information.

D. Abandonment of County Roads

1. The Commissioners Court, by unanimous vote, may abandon a County roadway upon following specific procedures as required by Vernon's Civil Statutes and the Texas Transportation Code Section 251.057.  
<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.251.htm#251.057>
2. In order for the public to request the relinquishment of the public's right of way and use of a roadway, the following conditions must be met:
  - a. Petition and Notice signed by eight (8) freeholders of land in the Commissioners' Precinct where the roadway is located is required to abandon a roadway.
  - b. Original signatures are needed on three (3) copies of both the Notice and Petition.
  - c. Signatures should be exactly as name appears on tax roll.
  - d. The roadway and its location should be described on the Notice and Petition prior to signatures being obtained.
  - e. Twenty (20) days public notice posted at the County Courthouse and along the subject roadway is required before Commissioners Court can consider taking action to abandon a roadway. Collin County will post the Notice at these locations upon verification of signatures.
  - f. Unanimous consent of Commissioners Court is required to abandon a roadway.
  - g. In some instances, as required by law, Collin County shall be compensated for the abandonment of right of way.

#### 1.04 EXISTING ROADWAYS – MAINTENANCE SCHEDULE

A. Roadway Oiling – Residents with Respiratory Conditions

1. The County will oil a 500-foot portion of a County rock roadway for dust control in front of a resident's house whereas:
  - a. The resident has a chronic respiratory condition.
  - b. The condition is documented by a Medical Doctor (MD).

- c. The County's Application for Dust Control Oiling is signed by a doctor and submitted once each 36 months or 3 years.
  - d. Application for Dust Control Oiling due to chronic respiratory condition is available by calling Public Works (972-548-3700) and requesting an application. This form can be returned by mail to: Public Works, 700 A. West Wilmeth Road, McKinney, Texas, 75069 (or faxed to (972) 548-3754). Residents may also print the form from the Public Works webpage at: [https://www.collincountytx.gov/public\\_works/road\\_bridge/Documents/HealthLetter.pdf](https://www.collincountytx.gov/public_works/road_bridge/Documents/HealthLetter.pdf)
- 2. If the house is located at a roadway intersection the roadway will be oiled 500-feet in both directions from the intersection.
- 3. Road oiling for dust control will be performed one time each year and only between Mid-March and early October.
- B. Roadway Oiling – Cemetery Locations
  - 1. The County will oil 500 feet of a rock roadway in front of a cemetery for dust abatement at no cost, with approved advanced notice as indicated below:
    - a. Public Works receives 48 hours advanced notice of a graveside service date or;
    - b. Public Works receives 10-day advanced notice of the date scheduled for a recognized cemetery "clean up day"
- C. Roadway Oiling – Additional Applications
  - 1. Routine roadway grading will not warrant additional applications of oil. All additional applications of oil whether health related or otherwise will be at the requestor's expense.
  - 2. When construction causes heavier than normal truck traffic on a rock road the County may, at the discretion of the Director of Public Works, apply oil.
  - 3. All other requests for oiling in unincorporated areas of the County shall be at the requester's expense. Collin County shall be reimbursed for the cost of materials; requestor to call County for cost estimate based on current price. This process will consist of three (3) separate applications per 500 linear feet, typically two applications on a specific day with the remaining application a day or two thereafter. This service will be performed only between the warmer months of Mid-March through Early October. Requests for roadway oiling during the warmer months shall be made no later than September 30 of the year prior.
- D. Temporary Roadway Closures
 

Requests for Temporary Road Closures shall be made as far in advance as possible, with minimum submittal dates listed below. Late requests may be denied due to not having enough time to evaluate impacts.

1. Non-Emergency Temporary Road Closure Request: Complete and submit the County's Roadway Closure Request Form at least 72 hours of the proposed closure. This form can be found on the County's website at: [https://www.collincountytx.gov/public\\_works/road\\_bridge/Pages/roadclose.aspx](https://www.collincountytx.gov/public_works/road_bridge/Pages/roadclose.aspx) The Director of Public Works will review the request and notify the applicant in writing of their decision within 24 hours of the road closure. If approved, County staff will notify affected parties such as USPS, school districts, law enforcement, emergency responder agencies, and adjacent landowners. Applicant is responsible for deploying and retrieving all necessary equipment including barricades, cones, signs, etc.
  2. Special Event Temporary Road Closure Request: Complete and submit the County's Roadway Closure Request Form at least 90 days prior to the special event. This form can be found on the County's website at: [https://www.collincountytx.gov/public\\_works/road\\_bridge/Pages/roadclose.aspx](https://www.collincountytx.gov/public_works/road_bridge/Pages/roadclose.aspx) The Director of Public Works will review the request and notify the applicant in writing of their decision within 14 days of the road closure. The event sponsor shall be responsible for funding any County personnel and equipment provided for traffic control.
  3. Emergency Temporary Road Closure Request: In the event of an Emergency Temporary Road Closure, call 972-548-3700 to submit verbal request. Requests will be executed expeditiously by on-duty Public Works staff or on-call staff during non-business hours. Public Works will promptly deploy barricades, cones, and/or other appropriate equipment to the roadway(s). Once the situation is stabilized (flood waters subside, public safety restored, etc.) and the Director of Public Works has communicated approval, Public Works staff will collect all equipment and re-open the roadway(s).
- E. Mowing/Brush Cutting
1. Public Works will mow all County right of way property as follows:
    - a. Spring/Summer months – Mow all County Roadways one mower width (8' to 12') once per year.
    - b. Fall/Winter months – Mow all County Roadways total right of way width (including fence lines as instructed by the Director of Public Works) once per year. This may include areas between the pavement and fences where fences are outside of the right of way limits.
  2. Brush cutting is typically performed during dormant fall and winter (non- growth) months:
    - a. Tree and limb removal by use of hydraulic boom mowers will serve to minimize vehicle damage from overhanging limbs/brush and improve vehicle/driver line of sight. Branches over the roadway will be trimmed to provide 18' of vertical

clearance, while branches outside the roadway but within the right of way will be trimmed to a height of 14' vertical clearance.

- b. Hand cutting and pruning is completed as manpower and scheduling permit. Requests for hand cutting are handled and approved on a case by case basis.
- 3. Brush and vegetation will be cut anywhere necessary to maintain adequate line of sight on roadways.

#### F. Herbicide Application

- 1. Public Works will treat all County right of way 2 times per year with contact herbicide at required or allowable rates. This includes facility obstructions (i.e. fire hydrants, water valves, guardrails, pole guy wires, phone pedestals, etc.) to improve visibility of object.
- 2. All asphalt roadway shoulders are treated with herbicides.
- 3. Residents and business owners may request that the County not spray the right of way adjacent to their property by calling 972-548-3700. The resident or business owner accepts responsibility for maintaining the right of way according to this Roadway Policy. Non-spray requests may be denied based on the following conditions:
  - a. Where roadway shoulder vegetation encroachment has caused or shows the potential to cause damage to the roadway surface.
  - b. Where herbicide treatment of facility obstructions poses a liability to County maintenance.
  - c. Line of sight and visibility issues.
  - d. Any other condition as deemed by the Director of Public Works.

#### G. Inspections

- 1. Inspection of County-maintained asphalt and concrete roadways will be conducted on a schedule to be determined by the Director of Public Works.
- 2. Inspection of city roadways will be conducted as per parameters set forth in the ILA. If inspection parameters are not defined in the ILA, inspections will be conducted on a schedule determined by the Director of Public Works.
- 3. Inspection of subdivision roadways will be conducted prior to County takeover of maintenance as per Collin County Subdivision Regulations.
- 4. Additional inspections will be performed as determined by the Director of Public Works. Inspection results will be used as a guide to determine budget and repair/maintenance requirements.

### 1.05 EXISTING ROADWAYS - IMPROVEMENTS

#### A. Improvements to Roadways Within City Limits

1. Commissioners Court may consider performing or participating in improvements to roads and bridges within the corporate limits of a city. These improvements include but are not limited to general maintenance items including rocking, grading, asphalt, leveling, seal coating, oiling for dust control, installation of culverts, warning signs, cleaning of drainage ditches, mowing or brush cutting and emergency repairs to bridges. The following requirements must be met before Public Works can perform improvements within city limits:
  - a. An Interlocal Agreement (ILA) must be presented to and approved by Commissioners Court. This currently executed ILA must be on file with the County.
  - b. Schedule will be set forth by Public Works and will be dependent upon the work schedule of County crews.
  - c. Emergency requests will be evaluated by Commissioners Court based upon the merits presented by the requesting city. Commissioners Court authorization is required for work performed within incorporated Cities.
- B. Major Improvements to Roadways Within City Limits
  1. Major improvements such as the construction or reconstruction of roadways will be considered on a case by case basis.
  2. All major improvement requests must be submitted in letter format to the Director of Public Works by April 1st of the year prior to the year improvements are anticipated.
- C. Reimbursement for Work Performed by Public Works
  1. Prior to beginning any improvements, the city shall make reimbursement arrangements. If the city is unable to reimburse for the full amount, the city may petition Commissioners Court for a payment schedule including interest. A cost matrix for roadway and bridge repair costs shall be approved by Commissioners Court. The fee schedule shall be reviewed annually or as directed by the Director of Public Works.
  2. Reimbursement costs for roadway and bridge repairs or improvements will be as per the Collin County Cost Matrix. The Collin County Cost Matrix for Cities can be found here:  
[https://www.collincountytx.gov/public\\_works/road\\_bridge/Pages/cost\\_matrix.aspx](https://www.collincountytx.gov/public_works/road_bridge/Pages/cost_matrix.aspx)  
 and is subject to change. Any deviation from this cost matrix must be approved by Commissioners Court.

## **1.06 COUNTY ROADWAY FEATURES AND ADJACENT AREAS**

### **A. Right of Way**

1. Right of way shall be donated by transfer of title, easement, or purchased through negotiations and/or eminent domain proceedings. Property owners have the option to donate the same by transfer of title. Public Works does not purchase right of way or utilize condemnation for any roadway improvement. The requested right of way must be acquired prior to the commencement of the project.
  2. The minimum right of way width for road projects performed by Public Works shall be 40 ft. The County may require right of way wider than the minimum where it is determined that the existing width and drainage are not adequate for roadway improvements.
  3. The required right of way width for subdivision roadways shall be as shown in the Collin County Subdivision Regulations.
  4. County right of way shall be kept clear of trees and brush. Collin County has the right to exercise a right of way easement to prevent the planting of trees and shrubs in the right of way and to remove or cause to be removed trees or shrubs growing there by Court Order 2010-722-09-13.
  5. An easement will establish the right of the County to enter onto a property in order to perform necessary work but shall not establish the responsibility to do so.
  6. No work may occur in County right of way or easement without obtaining a permit from the County prior to beginning work. See Collin County Right of Way Use Policy for more information.
- B. Temporary Access Agreement
1. The County may propose to enter into a Temporary Access Agreement (TAA) with the Owner in the event that private property will be needed for roadway improvements. A TAA could grant the County the ability to use private property for the following:
    - a. Parking of County vehicles or equipment
    - b. Stockpile, burn, or chip debris or dirt
    - c. Any other access as approved by the Director of Public Works
  2. TAA's that are required in order to place permanent improvements on private property require Commissioners Court approval.
  3. The County shall, at its expense, restore private property to substantially the same appearance as previously existed following the expiration of the TAA.
  4. A TAA may be used in lieu of a permanent easement to perform minimally intrusive work as part of a right of way issue.
- C. Reimbursement by Property Owners



1. Upon Commissioners Court approval of roadway maintenance or improvements requiring reimbursement from the adjacent property owner, the required amount of money shall be placed in a non-interest bearing escrow account at a bank located within Collin County.
2. Reimbursement amount may include the cost involved for surveying, preparation of Deed or Easement, re-location of fences, facilities (if in a dedicated easement), culverts or other existing improvements. When property owners are required to incur total cost for the upgrade of a roadway, the above cost shall not be borne by Collin County.

#### D. Fencing/Gates

1. Fences installed inside the right of way will be removed at Owner's expense.
2. Right of way obtained as required for roadway improvements may require an existing fence to be removed. The existing fence will be removed and replaced with a fence of the same size and material at County expense. The new fence will be placed at the property line adjacent to the roadway frontage. Existing gates will be reused and re-hung.
3. Reimbursement for any changes to an existing fence is subject to approval by Director of Public Works and authorization by Commissioners Court.
4. All negotiations regarding fence replacement must be completed prior to right of way easement return to Public Works for recording at the Collin County Clerk's Office.
5. Temporary electric fencing, if warranted, will be provided, installed, maintained, and removed by Collin County as related to any roadway improvement project.

#### E. Mail Boxes

1. Mailboxes and their installation in County right of way shall meet specifications found in both the Texas Department of Transportation Regulations and United States Postal Service Regulations. Further information can be found here:  
<https://www.txdot.gov/inside-txdot/division/maintenance/mailboxes.html>  
<https://www.usps.com/manage/mailboxes.htm>
2. Installation of brick/masonry/ornamental metal or other mailboxes that do not conform to these regulations are prohibited inside the right of way.
3. In the event that an existing mailbox is damaged by Public Works crews, the County will replace the damaged mailbox with a standard United States Postal Service approved mailbox on a light weight bendable or break-away pole, regardless of the original construction design.
4. Roadway maintenance or improvements may require the relocation of existing mailboxes within the County right of way.

## F. Roadway Drainage and Driveway Culverts

Refer to Collin County Drainage Design Manual.

## 1.07 MISCELLANEOUS

### A. Signs

1. For installation of regulatory, warning signs and other traffic control devices, Public Works utilizes the most recently adopted versions of the FHWA Manual on Uniform Traffic Control Devices (MUTCD) and the TxDOT Texas Manual on Uniform Traffic Control Devices (TMUTCD).
2. Commissioners Court Order Number 2002-247-04-08 Section B was amended regarding signage (both Regulatory and warning) placed adjacent to County roadways November 9th, 2004 to read as follows:
  - a. All roadway signs shall meet the specifications of Public Works. Private roadway signs are the responsibility of the property owner. The property owner shall pay for fabrication and installation, and any necessary future maintenance of the sign. All signs must meet Collin County standards.
  - b. Collin County does not authorize the use or installation any private signs on County Road right of way. This includes, but is not limited to:
    - i. Business Advertisements
    - ii. Real estate signs (house for sale, open house, etc.)
    - iii. Personal signs (garage sale, puppies for sale, etc.)
    - iv. Political signs

In addition it has been proven in courts of law throughout the country that the below signs provide a false sense of security to those the signs are intended to benefit. As such, these signs become a liability. Additional signs not allowed on County roadways or their respective right of way include but are not limited to the following:

    - v. Children At Play
    - vi. Watch For Children
    - vii. Cattle Crossing
    - viii. Deaf Child

### B. Striping

1. The Director of Public Works will determine if a roadway requires striping.
2. Roadway striping shall be installed as per the most recently adopted versions of the FHWA Manual on Uniform Traffic Control Devices (MUTCD) and the TxDOT Texas Manual on Uniform Traffic Control Devices (TMUTCD).

### C. Guard Rail

1. Requests for guardrail installation to be performed by the County are considered on a case-by-case basis. Determining factors for installation depend upon traffic studies, evaluation of the area requested, and availability of applicable warning signs in lieu of guardrail.

D. Speed Bumps

1. Speed bumps are not allowed on any County roadway.

E. Parking

1. Parking is not allowed within County right of way unless the roadway is designed to include a parking lane.

F. Historical Markers

1. Historic persons must be deceased for at least 10 years in order to qualify, unless they are of statewide or national significance. Historic events that changed the course of state or local history must have occurred at least 30 years ago. Most other topics, including institutions, organizations and businesses must date back to at least 50 years in order to qualify. For the Recorded Texas Historic Landmark designation, buildings and structures need to be at least 50 years of age. The topic must also have demonstrated historical significance and, in the case of buildings and structures, possess architectural significance as well.
2. Collin County must receive a written request detailing the historical site and marker specifications and logistics. A request must be made and placed on Commissioners Court. Upon receipt of a signed Court Order, the Marker can be made or received and placed at the site.

G. Inclement Weather

1. County forces will apply sand at the discretion of the Director of Public Works.



# Wylie City Council

## AGENDA REPORT

**Department:** Finance  
**Prepared By:** Melissa Beard

**Account Code:** \_\_\_\_\_

### Subject

Consider, and act upon, approval of Ordinance No. 2022-52 amending Wylie's Code of Ordinances, Ordinance No. 2021-17 as amended, Appendix C (Wylie Comprehensive Fee Schedule), Section I (Water and Sewer Fees), Subsection B (Water Rates), and Subsection C (Sewage Collection and Treatment Rates).

### Recommendation

Motion to approve the Item as presented.

### Discussion

On July 28, 2020, Council approved the final version of the water and sewer rate study prepared by NewGen Strategies & Solutions. The study incorporated the water and sewer capital improvements plan (CIP) for five years, outstanding debt service, the estimated wholesale water rate increases and sewer treatment increases from the North Texas Municipal Water District, the transfer to the general fund, and future utility fund staffing needs. This study also incorporated the cash contribution of \$4 million for the Advanced Metering Infrastructure project as well as the \$3.3 million that is being financed over a 10 year period at a 2.1% interest rate. The study was reviewed again by NewGen Strategies this year and it was determined that the rates with the plan for the budget year 2022-2023 were still accurate.

The FY2023 proposed budget is based on a water rate increase of 7.0% and a wastewater rate increase of 2.75%.

## ORDINANCE NO. 2022-52

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE’S CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED, APPENDIX C (WYLIE COMPREHENSIVE FEE SCHEDULE), SECTION I (WATER AND SEWER FEES), SUBSECTION B (WATER RATES), SUBSECTION C (SEWAGE COLLECTION AND TREATMENT RATES); PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE.**

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”) has adopted a Comprehensive Fee Schedule (“Comprehensive Fee Schedule”) for the City of Wylie, Texas (“Wylie”), which is codified in Appendix C to the Wylie Code of Ordinances, Ordinance No. 2021-17, as amended (“Code of Ordinances”); and

WHEREAS, the City Council has investigated and determined that it would be advantageous and beneficial to the citizens of Wylie to amend the following provisions of the Comprehensive Fee Schedule as provided herein: Section I (Water and Sewer Fees), Subsection B (Water Rates), Subsection C (Sewage Collection and Treatment Rates);

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

**SECTION 1: Findings Incorporated.** The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2: Amendment to Appendix C (Wylie Comprehensive Fee Schedule) of the Wylie Code of Ordinances.** Appendix C (Comprehensive Fee Schedule) of the Code of Ordinances is hereby amended as follows:

### “WYLIE COMPREHENSIVE FEE SCHEDULE”

#### **I. WATER AND SEWER FEES**

##### **B. Water Rates.**

- (1) The following monthly water rates shall apply to all domestic residential customers within the corporate limits of the City of Wylie, Texas. **ALL PRICES ARE FOR 1,000 GALLONS OF METERED WATER.**
  - (a) Monthly minimum charge for first 1,000 gallons of metered water consumption: \$19.84

- (b) Volume charge for all consumption exceeding 1,000 gallons:
 

1,001 to 10,000 gallons:	\$6.76
10,001 to 20,000 gallons:	\$8.76
20,001 to 40,000 gallons:	\$11.39
Over 40,000 gallons:	\$14.81
  
- (2) The following monthly water rates shall apply to all domestic commercial customers, (other than apartments, mobile home parks and other multi-unit dwellings not individually metered) within the corporate limits of the City of Wylie, Texas:
  - (a) Monthly minimum charge for first 1,000 gallons of metered water consumption: \$27.09
  - (b) Volume charge for all consumption exceeding 1,000 gallons: \$7.66
  
- (3) The following water rates shall apply to all domestic apartments, mobile home parks, and other multi-unit dwellings, not individually metered, within the corporate limits of the City of Wylie, Texas:
  - (a) Monthly minimum charge for first 1,000 gallons of metered water \$27.09
  - (b) Volume charge for all consumption exceeding 1,000 gallons \$7.66
  
- (4) The following monthly water rates shall apply to all irrigation meters within the corporate limits of the City of Wylie, Texas:
  - (a) Monthly minimum charge for first 1,000 gallons of metered water:
    - (1) Residential irrigation \$19.84
    - (2) Commercial & Multifamily \$27.09
  - (b) Volume charge for all consumption exceeding 1,000 gallons:
    - (1) Residential irrigation \$9.68
    - (2) Commercial irrigation \$9.68
  
- (5) The monthly water charge for any customers (residential, commercial, apartment, mobile home park, or other multi-unit dwelling not individually metered) located outside the corporate limits of the City of Wylie, Texas, shall be at the rate of one hundred fifteen percent (115%) of the rate charged customers inside the corporate limits of the City.
  
- (6) Any bulk water customer who desires to withdraw water from a hydrant or other source not metered and charged directly to them, shall fill out a water application form and sign the form in the same manner as a regular metered customer. Bulk water rate charges are to be charged in twenty-five (25) gallon increments at the same rates as the commercial customers.

### C. Sewage Collection and Treatment Rates.

- (1) The following monthly sewage collection and treatment rates shall apply to all residential customers of the City of Wylie, Texas:
  - (a) Customers who are 65 years of age or older and have a homestead exemption on the service address which appears in the tax records \$38.72
  - (b) Customers who are disabled and have a homestead exemption on the service address which appears in the tax records \$38.72
  - (c) All other customers \$54.89
- (2) The following monthly sewage collection and treatment rates shall apply to all commercial customers of the City of Wylie, Texas:
  - (a) Monthly minimum charge first 1,000 gallons of metered water..... \$41.79
  - (b) Volume charge for all consumption exceeding 1,000 gallons.....\$ 5.81
- (3) The following monthly sewage collection and treatment rates shall apply to each apartment unit, multiple-family unit, or mobile home space and special areas such as washateria, swimming pools, etc., where the apartment, multiple-family development or mobile home park is on a master meter for water consumption with the City of Wylie, Texas:
  - (a) Age restricted Senior Multiple Family Facility \$38.72
  - (b) All other customers \$54.89
- (4) The monthly sewer charge for any customers (residential, commercial, apartment, mobile home park, or other multi-unit dwelling not individually metered) located outside the corporate limits of the City of Wylie, Texas, shall be at the rate of one hundred fifteen percent (115%) of the rate charged customers inside the corporate limits of the City.
- (5) The monthly water and sewer rate charge for residential and commercial customers located outside the corporate limits of the City of Wylie, Texas, shall be at the rate of one hundred fifteen percent (115%) of the rate charged customers inside the corporate limits of the City.

**SECTION 3: Penalty.** Any person, firm, corporation or entity that violates this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not exceeding two thousand dollars (\$2,000.00) if the violation relates to the public health and sanitation, otherwise the fine shall be a sum not exceeding five hundred dollars (\$500.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 4: Savings/Repealing.** 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 from and after its passage and publication as required by the City Charter and by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS,** on this 9<sup>th</sup> day of August, 2022.

\_\_\_\_\_  
Matthew Porter, Mayor

**ATTESTED AND  
CORRECTLY RECORDED:**

\_\_\_\_\_  
Stephanie Storm, City Secretary

Date to be published in *The Wylie News* – August 17, 2022





# Wylie City Council

## AGENDA REPORT

**Department:** Purchasing      **Account Code:** 100-5411-58570  
**Prepared By:** Glenna Hayes

### Subject

Consider, and act upon, the award of a professional services project order (PSPO) #W2022-111-E for the Traffic Signal Design for the Intersection of McCreary Road and Hensley Lane to Garver, LLC in the amount of \$55,223.50, and authorizing the City Manager to execute any necessary documents.

### Recommendation

Motion to approve Item as presented.

### Discussion

Hensley Lane was recently extended from Woodbridge Parkway to McCreary Road to help with traffic congestion. The purpose of the McCreary/Hensley Traffic Signal Design is to provide a signalized intersection that will assist with congestion, safety, and pedestrian circulation. Considering the growth and development surrounding this area, staff anticipates that traffic at this intersection will require a signalized configuration and is being proactive in beginning design phase services.

The design of this intersection was included in the FY21-22 budget and this contract amount falls within the approved amount. Included in the scope is a warrant analysis to assist in determining when construction of the signal would be most beneficial, as well as survey, traffic counts, signal design, easement documents, bidding services, and construction phase services as required to construct the signal.

Staff recommends the award of this PSPO to Garver, LLC as the most qualified firm to provide professional and consulting services for the design of a traffic signal at the intersection of McCreary Road and Hensley Lane. This PSPO is issued under Master Agreement for Professional and Engineering Services (MAPES) #W2021-8-E. Staff has determined Garver, LLC to be the most qualified firm for this project in Category J Traffic Engineering, Traffic Planning and Street Lighting, in accordance with Government Code 2254.

**CITY COUNCIL AGENDA SUMMARY**  
**PROFESSIONAL SERVICES PROJECT ORDER (PSPO)**  
**BETWEEN THE CITY OF WYLIE and GARVER, LLC**  
**TRAFFIC SIGNAL DESIGN FOR THE INTERSECTION OF MCCREARY ROAD AND HENSLEY LANE**  
**W2022-111-E**

**Project Description:**

Consultant will:

- provide professional engineering services to complete a traffic signal design for the existing “T” intersection providing crosswalks with signing and pavement markings, traffic signal poles with signal heads and illumination, pedestrian poles with ped heads and push button actuation, cabinet and controller with electrical service all conforming to City, State, and Federal standards.

**Project Services:**

- Topographic Survey
- Preliminary Traffic Signal Design to include a conceptual signal design (30\$), and preliminary signal design (60%)
- 72 Hr Traffic Counts; movement counts with pedestrians/bikes to be conducted during the school year; basic vehicle classification (light/medium/articulated trucks); and bi-directional volume data
- Traffic Signal Warrant Analysis of current traffic volumes and projected 2042 and a summary report describing the findings.
- Final Signal Design (100%)
- Construction and bidding services



# Wylie City Council

## AGENDA REPORT

**Department:** City Manager  
**Prepared By:** Stephanie Storm

**Account Code:** \_\_\_\_\_

### Subject

Consider, and act upon, Resolution No. 2022-22(R), of the City Council of the City of Wylie, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the Company’s 2022 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting Tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Resolution to the Company and the ACSC’s legal counsel.

### Recommendation

Motion to approve Item as presented.

### Discussion

The City, along with 181 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about April 1, 2022, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2021, entitled it to additional system-wide revenues of \$141.3 million.

Application of the standards set forth in ACSC’s RRM Tariff reduces the Company’s request to \$115 million, \$83.26 million of which would be applicable to ACSC members. ACSC’s consultants concluded that the system-wide deficiency under the RRM regime should be \$95.8 million instead of the claimed \$141.3 million.

The Executive Committee recommends a settlement at \$115 million. The Effective Date for new rates is October 1, 2022. ACSC members should take action approving the Resolution/Ordinance before September 30, 2022.

#### RATE TARIFFS

Atmos generated rate tariffs attached to the Resolution/Ordinance will generate \$115 million in additional revenues. Atmos also prepared a Proof of Revenues supporting the settlement figures. ACSC consultants have agreed that Atmos’ Proof of Revenues is accurate.

**BILL IMPACT**

The impact of the settlement on average residential rates is an increase of \$4.60 on a monthly basis, or 6.7 percent. The increase for average commercial usage will be \$14.34 or 4.3 percent. Atmos provided bill impact comparisons containing these figures.

**SUMMARY OF ACSC'S OBJECTION TO THE UTILITIES CODE SECTION 104.301 GRIP PROCESS**

ACSC strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues while rewarding the Company for increasing capital investment on an annual basis. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow recovery of Cities' rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In ACSC's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

**RRM SAVINGS OVER GRIP**

While residents outside municipal limits must pay rates governed by GRIP, there are some cities served by Atmos Mid-Tex that chose to remain under GRIP rather than adopt RRM. Additionally, the City of Dallas adopted a variation of RRM which is referred to as DARR. When new rates become effective on October 1, 2022, ACSC residents will maintain an economic monthly advantage over GRIP and DARR rates.

**Comparison to Other Mid-Tex Rates (Residential)**

	Average Bill	Compared to RRM Cities
RRM Cities:	\$73.22	-
DARR:	\$71.96	(\$1.26)
ATM Cities:	\$78.72	\$5.50
Environs:	\$78.53	\$5.31

Note: DARR rate is as-filed 1/22/22. Also note that DARR uses a test year ending in September rather than December.

**EXPLANATION OF "BE IT RESOLVED" PARAGRAPHS:**

1. This section approves all findings in the Resolution/Ordinance.
2. This section adopts the RRM rate tariffs and finds the adoption of the new rates to be just, reasonable, and in the public interest.
3. This section makes it clear that Cities may challenge future costs associated with gas leaks like the explosion in North Dallas or the evacuation in Georgetown.
4. This section finds that existing rates are unreasonable. Such finding is a necessary predicate to establishment of new rates. The new tariffs will permit Atmos Mid-Tex to recover an additional \$115 million from ACSC Cities.
5. This section approves an exhibit that establishes a benchmark for pensions and retiree medical benefits to be used in future rate cases or RRM filings.
6. This section requires the Company to reimburse the City for expenses associated with review of the RRM filing, settlement discussions, and adoption of the Resolution/Ordinance approving new rate tariffs.
7. This section repeals any resolution or ordinance that is inconsistent with the Resolution/Ordinance.
8. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
9. This section is a savings clause, which provides that if any section is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Resolution/Ordinance. This section further directs that the remaining provisions of the Resolution/Ordinance are to be interpreted as if the offending section or clause never existed.
10. This section provides for an effective date upon passage.
11. This section directs that a copy of the signed Resolution/Ordinance be sent to a representative of the Company and legal counsel for ACSC.

**CONCLUSION**

The Legislature's GRIP process allowed gas utilities to receive annual rate increases associated with capital investments. The RRM process has proven to result in a more efficient and less costly (both from a consumer rate impact perspective and from a ratemaking perspective) than the GRIP process. Given Atmos Mid-Tex's claim that its historic cost of service should entitle it to recover \$141.3 million in additional system-wide revenues, the RRM settlement at \$115 million for ACSC Cities reflects substantial savings to ACSC Cities. Settlement at \$115 million is fair and reasonable. The ACSC Executive Committee consisting of city employees of 18 ACSC members urges all ACSC members to pass the Resolution/Ordinance before September 30, 2022. New rates become effective October 1, 2022.

**RESOLUTION NO. 2022-22(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.**

WHEREAS, the City of Wylie, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2022, Atmos Mid-Tex filed its 2022 RRM rate request with ACSC Cities based on a test year ending December 31, 2021; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2022 RRM filing through its Executive Committee, assisted by ACSC’s attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC’s counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$115 million on a system-wide basis with an Effective Date of October 1, 2022; and

WHEREAS, ACSC agrees that Atmos’ plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

**Section 1.** That the findings set forth in this Resolution are hereby in all things approved.

**Section 2.** That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$115 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2022 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

**Section 3.** That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

**Section 4.** That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$115 on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

**Section 5.** That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

**Section 6.** That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2022 RRM filing.

**Section 7.** That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

**Section 8.** That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**Section 9.** That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

**Section 10.** That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2022.

**Section 11.** That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, BY A VOTE OF \_\_\_\_ TO \_\_\_\_, ON THIS THE 9<sup>TH</sup> DAY OF AUGUST, 2022.**

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Matthew Porter, Mayor

ATTEST:

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Stephanie Storm, City Secretary



**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>R – RESIDENTIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2022</b>	

**Application**

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 21.55 per month
Rider CEE Surcharge	\$ 0.05 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 21.60 per month</b>
Commodity Charge – All <u>Ccf</u>	\$0.36223 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup>Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2022.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>C – COMMERCIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2022</b>	

**Application**

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 63.50 per month
Rider CEE Surcharge	(\$ 0.01) per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 63.49 per month</b>
Commodity Charge – All Ccf	\$ 0.14137 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup> Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2022.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2022</b>	

**Application**

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,204.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4939 per MMBtu
Next 3,500 MMBtu	\$ 0.3617 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0776 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2022</b>	

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2022</b>	

**Application**

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,204.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4939 per MMBtu
Next 3,500 MMBtu	\$ 0.3617 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0776 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Imbalance Fees**

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

**Monthly Imbalance Fees**

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2022</b>	

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**Agreement**

A transportation agreement is required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2022</b>	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- $i$  = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$  = Weather Normalization Adjustment Factor for the  $i^{th}$  rate schedule or classification expressed in cents per Ccf
- $R_i$  = Commodity Charge rate of temperature sensitive sales for the  $i^{th}$  schedule or classification.
- $HSF_i$  = heat sensitive factor for the  $i^{th}$  schedule or classification divided by the average bill count in that class
- $NDD$  = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- $ADD$  = billing cycle actual heating degree days.
- $BL_i$  = base load sales for the  $i^{th}$  schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the  $j$ th customer in  $i$ th rate schedule is computed as:

$$WNA_i = WNAF_i \times q_{ij}$$

Where  $q_{ij}$  is the relevant sales quantity for the  $j$ th customer in  $i$ th rate schedule.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2022</b>	

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	10.58	0.1422	88.85	0.6666
Austin	9.90	0.1372	233.56	0.7819
Dallas	14.17	0.1938	186.38	0.9394
Waco	10.07	0.1308	140.10	0.7170
Wichita Falls	11.43	0.1398	131.57	0.5610

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at [atmosenergy.com/mtx-wna](http://atmosenergy.com/mtx-wna), in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.



**ATMOS ENERGY CORP., MID-TEX DIVISION**  
**PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL**  
**TEST YEAR ENDING DECEMBER 31, 2021**

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Supplemental Executive Benefit Plan	Post-Employment Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
Proposed Benefits Benchmark - Fiscal Year 2022 Willis Towers Watson							
1	Report as adjusted (1) (2) (3)	\$ 1,715,323	\$ 982,708	\$ 3,137,022	\$ 313,319	\$ (341,412)	
2	Allocation to Mid-Tex	44.72%	44.72%	76.88%	100.00%	76.88%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 767,038	\$ 439,436	\$ 2,411,882	\$ 313,319	\$ (262,493)	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4) (3)	\$ 767,038	\$ 439,436	\$ 2,411,882	\$ 313,319	\$ (262,493)	\$ 3,669,182
6							
7							
8	Summary of Costs to Approve (1):						
9							
10	O&M Expense Factor (WP_F-2.3, Ln 2)	79.88%	79.88%	38.60%	11.00%	38.60%	
11							
12							
13	Total Pension Account Plan	\$ 612,700		\$ 931,100			\$ 1,543,800
14	Total Post-Employment Benefit Plan		\$ 351,016			\$ (101,335)	249,681
15	Total Supplemental Executive Benefit Plan				\$ 34,465		34,465
16	Total (Ln 13 + Ln 14 + Ln 15)	\$ 612,700	\$ 351,016	\$ 931,100	\$ 34,465	\$ (101,335)	\$ 1,827,946
17							
18	Notes:						
19	1. Studies not applicable to Mid-Tex or Shared Services are omitted.						
	2. Mid-Tex is proposing that the Fiscal Year 2022 Willis Towers Watson actuarial amounts shown on WP_F-2.3 and WP_F-2.3.1, be approved by the RRM Cities as the benchmark amounts to be used to calculate the regulatory asset or liability for future periods. The benchmark amount approved by the RRM Cities for future periods includes only the expense amount.						
20	The amount attributable to capital is recorded to utility plant through the overhead process as described in the CAM.						
21	3. SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.						

**ATMOS ENERGY CORP., MID-TEX DIVISION**  
**AVERAGE BILL COMPARISON - BASE RATES**  
**TEST YEAR ENDING DECEMBER 31, 2021**

Line No.						Current	Proposed	Change
1	<b>Rate R @ 43.8 Ccf</b>							
2	Customer charge					\$ 20.85		
3	Consumption charge	43.8	CCF	X \$ 0.27979	=	12.25		
4	Rider GCR Part A	43.8	CCF	X \$ 0.35744	=	15.66		
5	Rider GCR Part B	43.8	CCF	X \$ 0.35918	=	15.73		
6	Subtotal					\$ 64.49		
7	Rider FF & Rider TAX					4.13		
8	Total					<u>\$ 68.62</u>		
9								
10	Customer charge						\$ 21.55	
11	Consumption charge	43.8	CCF	X \$ 0.36223	=		15.87	
12	Rider GCR Part A	43.8	CCF	X \$ 0.35744	=		15.66	
13	Rider GCR Part B	43.8	CCF	X \$ 0.35918	=		15.73	
14	Subtotal						\$ 68.81	
15	Rider FF & Rider TAX						4.41	
16	Total						<u>\$ 73.22</u>	\$ 4.60
17								6.71%
18								
19	<b>Rate C @ 345.7 Ccf</b>							
20	Customer charge					\$ 56.50		
21	Consumption charge	345.7	CCF	X \$ 0.12263	=	42.39		
22	Rider GCR Part A	345.7	CCF	X \$ 0.35744	=	123.56		
23	Rider GCR Part B	345.7	CCF	X \$ 0.26532	=	91.71		
24	Subtotal					\$ 314.16		
25	Rider FF & Rider TAX					20.13		
26	Total					<u>\$ 334.29</u>		
27								
28	Customer charge						\$ 63.50	
29	Consumption charge	345.7	CCF	X \$ 0.14137	=		48.87	
30	Rider GCR Part A	345.7	CCF	X \$ 0.35744	=		123.56	
31	Rider GCR Part B	345.7	CCF	X \$ 0.26532	=		91.71	
32	Subtotal						\$ 327.64	
33	Rider FF & Rider TAX						20.99	
34	Total						<u>\$ 348.63</u>	\$ 14.34
35								4.29%

**ATMOS ENERGY CORP., MID-TEX DIVISION  
AVERAGE BILL COMPARISON - BASE RATES  
TEST YEAR ENDING DECEMBER 31, 2021**

Line No.							Current	Proposed	Change
36	Rate I @ 4278 MMBTU						\$ 1,054.75		
37	Customer charge								
38	Consumption charge	1,500	MMBTU	X	\$ 0.4330 =	649.50			
39	Consumption charge	2,778	MMBTU	X	\$ 0.3171 =	880.80			
40	Consumption charge	0	MMBTU	X	\$ 0.0680 =	-			
41	Rider GCR Part A	4,278	MMBTU	X	\$ 3.4906 =	14,931.86			
42	Rider GCR Part B	4,278	MMBTU	X	\$ 0.5485 =	2,346.33			
43	Subtotal					\$ 19,863.24			
44	Rider FF & Rider TAX		\$ 19,863.24	X	0.06408 =	1,272.82			
45	Total					\$ 21,136.06			
46									
47	Customer charge						\$ 1,204.50		
48	Consumption charge	1,500	MMBTU	X	\$ 0.4939 =	740.85			
49	Consumption charge	2,778	MMBTU	X	\$ 0.3617 =	1,004.69			
50	Consumption charge	0	MMBTU	X	\$ 0.0776 =	-			
51	Rider GCR Part A	4,278	MMBTU	X	\$ 3.4906 =	14,931.86			
52	Rider GCR Part B	4,278	MMBTU	X	\$ 0.5485 =	2,346.33			
53	Subtotal					\$ 20,228.23			
54	Rider FF & Rider TAX		\$ 20,228.23	X	0.06408 =	1,296.21			
55	Total					\$ 21,524.44	\$ 388.38		
56									1.84%
57	Rate T @ 4278 MMBTU						Current	Proposed	Change
58	Customer charge					\$ 1,054.75			
59	Consumption charge	1,500	MMBTU	X	\$ 0.4330 =	649.50			
60	Consumption charge	2,778	MMBTU	X	\$ 0.3171 =	880.80			
61	Consumption charge	0	MMBTU	X	\$ 0.0680 =	-			
62	Rider GCR Part B	4,278	MMBTU	X	\$ 0.5485 =	2,346.33			
63	Subtotal					\$ 4,931.38			
64	Rider FF & Rider TAX		\$ 4,931.38	X	0.06408 =	316.00			
65	Total					\$ 5,247.38			
66									
67	Customer charge						\$ 1,204.50		
68	Consumption charge	1,500	MMBTU	X	\$ 0.4939 =	740.85			
69	Consumption charge	2,778	MMBTU	X	\$ 0.3617 =	1,004.69			
70	Consumption charge	0	MMBTU	X	\$ 0.0776 =	-			
71	Rider GCR Part B	4,278	MMBTU	X	\$ 0.5485 =	2,346.33			
72	Subtotal					\$ 5,296.37			
73	Rider FF & Rider TAX		\$ 5,296.37	X	0.06408 =	339.39			
74	Total					\$ 5,635.76	\$ 388.38		
75									7.40%



# Wylie City Council

## AGENDA REPORT

**Department:** Finance  
**Prepared By:** Melissa Beard

**Account Code:** \_\_\_\_\_

### Subject

Consider, and act upon, Resolution No. 2022-23(R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for the fiscal year 2022-23, accepting the calculation of the no new revenue tax rate and the voter approval tax rate, establishing August 23, 2022 at 6:00 p.m. at the City of Wylie Municipal Complex for a public hearing and vote on the proposed property tax rate, and providing for the publication as provided by the Texas Property Tax Code, Chapter 26.

### Recommendation

Motion to approve Resolution No. 2022-23(R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for the fiscal year 2022-23, accepting the calculation of the no new revenue tax rate and the voter approval tax rate, establishing August 23, 2022 at 6:00 p.m. at the City of Wylie Municipal Complex for a public hearing and vote on the proposed property tax rate, and providing for the publication as provided by the Texas Property Tax Code, Chapter 26.

### Discussion

The City is required by law to follow certain meeting and notice (publication) guidelines identified in the “Truth in Taxation” Tax Codes. In accordance with the laws of the State of Texas, the no new revenue tax rate, the voter approval tax rate and other information must be published and a public hearing must be held. This year’s no new revenue rate is \$0.562333 and the voter approval tax rate is \$0.580038. The Voter Approval Tax Rate including Unused Increment is \$0.614854, the maximum tax rate that can be adopted without triggering an election.

The proposed 2022-23 budget is based on a tax rate of \$0.562333 per \$100 valuation. The proposed rate is the no new revenue tax rate and is \$0.081418 less than the current rate. This rate reduction continues an eleven-year trend of reducing the tax rate cumulatively by \$0.337 or 36.7%. If adopted, this will be the sixth consecutive year to adopt the No New Revenue Rate (or Effective Tax Rate) or lower.

The proposed budget was placed on file with the City Secretary’s office on August 4. Any changes in the proposed tax rate will require revision of the proposed budget. The City Council is required to vote on the proposed tax rate tonight and publish the required information at least five days prior to the public hearing on August 23. The notice of public hearing will include how each council member voted. This year, the council may adopt the tax rate at the same meeting as the public hearing. If a tax rate is not adopted on August 23, a special called meeting must be held within seven days (August 30) to adopt a rate. [Tax Code 26.06(e)]

The official detailed tax rate calculations are available in the office of the Collin County Tax Assessor/Collector, Kenneth L. Maun, in McKinney. Citizens may also find a five-year history of this information on the county website, [collincountytexas.gov/tax\\_assessor](http://collincountytexas.gov/tax_assessor). The current year calculation will also be available at the Collin County Appraisal District’s Tax Transparency Website, <https://collintaxes.org/>. A copy of the calculation is also maintained in the Finance Department and will be posted to our website.

**RESOLUTION NO. 2022-23(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, ACCEPTING THE PROPOSED PROPERTY TAX RATE FOR FISCAL YEAR 2022-2023; ACCEPTING THE CALCULATION OF THE NO NEW REVENUE TAX RATE; ACCEPTING THE CALCULATION OF THE VOTER APPROVAL TAX RATE AND PROVIDING FOR THE PUBLICATION AS PROVIDED BY THE TEXAS PROPERTY TAX CODE, CHAPTER 26.**

**WHEREAS**, the City of Wylie has received the calculated no new revenue tax rate as presented by the Collin County Tax Assessor/Collector's Office; and

**WHEREAS**, the City of Wylie has received the calculated voter approval tax rate as presented by the Collin County Tax Assessor/Collector's Office; and

**WHEREAS**, the Texas Property Tax Code, Chapter 26, provides the specific procedures in which to consider the proposed tax rate;

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

**SECTION 1.** The City Council of the City of Wylie, Texas, does hereby accept the rate of \$0.562333 per \$100 valuation as the proposed property tax rate for fiscal year 2022-2023.

**SECTION 2.** The City Council of the City of Wylie, Texas, met in a public meeting on August 9, 2022, and accepted this resolution with a majority vote.

**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, on this the 9<sup>th</sup> day of August 2022.

\_\_\_\_\_  
Matthew Porter, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Storm, City Secretary



# Wylie City Council

## AGENDA REPORT

**Department:** Finance

**Prepared By:** Melissa Beard

**Account Code:** \_\_\_\_\_

### Subject

Establish a date, time and place to hold a Public Hearing on the fiscal year 2022-2023 Proposed Budget so that all interested persons may be heard, either for or against any item in the proposed budget before final approval. The date, time and place for the hearing and the final vote will be published in the City's official newspaper, as provided by the Texas Local Government Code, Section 102.006.

### Recommendation

Motion establishing August 23, 2022 at 6:00 p.m. in the Council Chambers of the Wylie Municipal Complex, 300 Country Club Road, Wylie, Texas as the date, time and place at which the public hearing will occur and Council will vote on the final budget.

### Discussion

Texas Local Government Code, Section 102.006 and the City's Charter require a public hearing to be held on the 2022-2023 Proposed Budget. Council must establish a date, time and place for the public hearing so that all interested persons may be heard, either for or against any item on the proposed budget before final approval.

The date, time and place for the hearing and the final vote will be published in the City's official newspaper and posted on the City's website. The hearing date must be at least 15 days after the proposed budget was filed with the City Secretary (August 5) and the notice must be published at least 5 days before the hearing. Staff recommends August 23, 2022 at 6:00 p.m. in the Council Chambers of the Municipal Complex.



# Wylie City Council

## AGENDA REPORT

<b>Department:</b>	<u>Public Works</u>	<b>Account Code:</b>	<u>100-5411-54230;</u> <u>470-5470-54230</u>
<b>Prepared By:</b>	<u>Glenna Hayes</u>		

### Subject

Consider, and act upon, Resolution No. 2022-24(R) of the City Council of the City of Wylie, Texas to approve emergency repairs of a drainage pipe generally located at 403 Bentwood Drive from Moss Utilities in the estimated amount of \$200,000.00.

### Recommendation

Motion to approve Item as presented.

### Discussion

The homeowner at 403 Bentwood Dr. contacted the City of Wylie Public Works department regarding sinkholes that had developed in their backyard. After further investigation by the Stormwater Division staff, it was determined to be a safety and liability issue that would need to be addressed as soon as possible. The existing concrete pipe sections have separated and are broken and misaligned and will need to be replaced from the storm drain box in the front of the house at 403 Bentwood Dr. which extends through to the back of the property and exits onto the rear of the property at 914 Heatherwood Dr.

Staff contacted three (3) vendors requesting a proposal for repairs with one vendor responding, Moss Utilities LLC. Moss will remove the defective pipe and replace it with a new stormwater pipe, and make all the necessary tie-ins. The scope of work also includes restoring the three (3) properties to “as is” condition with proper grading and vegetation.

Staff recommends the approval of this resolution for the emergency repair and replacement of drainage pipe generally located at 403 Bentwood Drive with Moss Utilities, LLC in the estimated amount of \$200,000. This amount also includes a \$10,000 contingency fee (5.3%). This item is exempt from competitive bidding under Local Government Code 252.022.a.2 to preserve or protect the public health or safety of the municipality’s residents.

**RESOLUTION NO. 2022-24(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, HEREBY AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN MOSS UTILITIES, LLC AND THE CITY OF WYLIE FOR THE EMERGENCY REPAIR AND REPLACEMENT OF DRAINAGE LINE AT 403 BENTWOOD DRIVE, WYLIE, TEXAS.**

**WHEREAS**, due to unforeseen deterioration of a drainage pipe occurring at 403 Bentwood Drive causing sinkholes and requiring an emergency repair; and

**WHEREAS**, the repair of the drainage pipe also involves accessing adjacent properties located at 914 Heatherwood Drive and 906 Forest Edge Drive, Wylie, Texas; and

**WHEREAS**, Moss Utilities, LLC specializes in the replacement and installation of drainage pipe and can perform all of the necessary repairs in the estimated amount of \$200,000.00;

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

SECTION 1: The Mayor of the City of Wylie, Texas, is hereby authorized to approve on behalf of the City Council of the City of Wylie, Texas, emergency repairs in the estimated amount of \$200,000.00 as described above; and

SECTION 2: The City Manager of the City of Wylie, Texas is hereby authorized to execute on behalf of the City Council of the City of Wylie, Texas, any and all necessary documents; and

SECTION 3: This Resolution shall take effect immediately upon its passage.

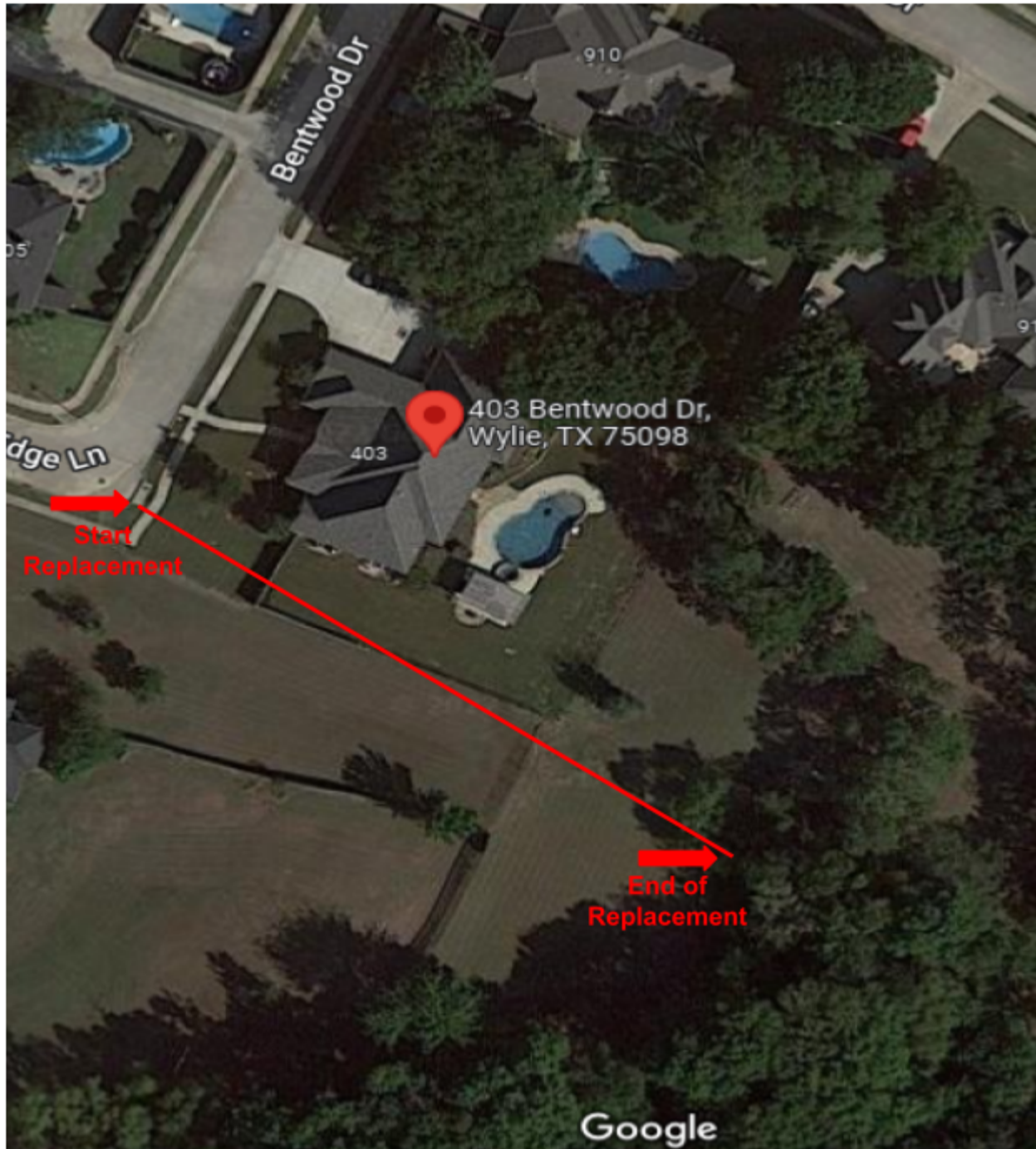
**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas on this the 9th day of August 2022.

\_\_\_\_\_  
Matthew Porter, Mayor

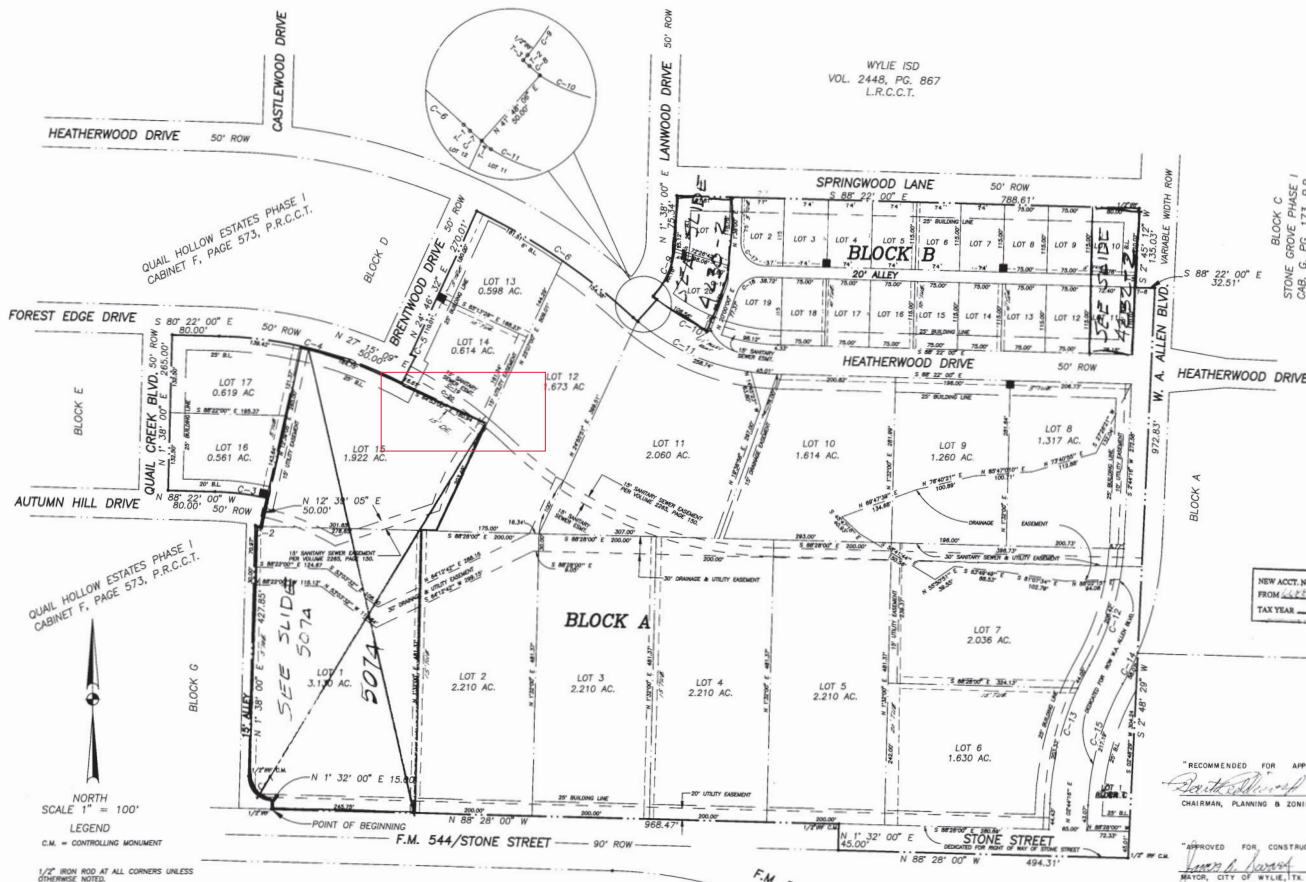
**ATTEST TO:**

\_\_\_\_\_  
Stephanie Storm, City Secretary





4230



OUTER BOUNDARY  
TANGENT CALLS  
T-1 = S 48° 50' 23" E 0.77'  
T-2 = N 48° 50' 23" W 0.77'  
T-3 = N 41° 51' 23" E 0.45'

CURVE DATA  
C-1 = S 80° 00' 00" E 1.400'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-2 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-3 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-4 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-5 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-6 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-7 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-8 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-9 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-10 = S 27° 15' 09" W 0.500'  
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T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-11 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-12 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-13 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-14 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-15 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-16 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-17 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-18 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-19 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W  
C-20 = S 27° 15' 09" W 0.500'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
S 11° 32' 00" W

INTERIOR BOUNDARY  
TANGENT CALLS  
T-4 = S 48° 50' 23" E 1.00'  
T-5 = N 47° 11' 08" E 7.14'  
T-6 = S 42° 48' 52" E 1.00'

CURVE DATA  
C-10 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-11 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-12 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-13 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-14 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-15 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-16 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-17 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-18 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-19 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E  
C-20 = S 38° 13' 04" E 1.000'  
R = 40.00'  
T = 40.00'  
L = 82.90'  
BEARING TO CENTER  
N 1° 32' 00" E



STATE OF TEXAS  
COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

That I, David J. Surdunk, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown therein were properly placed under my personal supervision, in accordance with the existing rules and regulations of the City of Wylie, Texas.

David J. Surdunk-Registered Public Surveyor #4813

STATE OF TEXAS  
COUNTY OF COLLIN

BEFORE me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared, Richard Nance, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 15th day of August, 1994.

Notary Public in and for Collin County, Texas

My Comm. Expires 08-15-24

Notary Public in and for Collin County, Texas

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing plat of the Mill Creek Estates, as shown to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Witness my hand this 15th day of August, 1994.

City Secretary  
City of Wylie, Texas

1" = 10' X 10' TRANS. PAD ESMT  
1" = 10' TO ESMT

SURVEYORS CERTIFICATE

STATE OF TEXAS  
COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

That Richard Nance and wife June Nance, hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown therein were properly placed under my personal supervision, in accordance with the existing rules and regulations of the City of Wylie, Texas.

Given under my hand and seal of office this 15th day of August, 1994.

Notary Public in and for Collin County, Texas

My Comm. Expires 08-15-24

Notary Public in and for Collin County, Texas

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing plat of the Mill Creek Estates, as shown to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Witness my hand this 15th day of August, 1994.

City Secretary  
City of Wylie, Texas

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Richard Nance and wife June Nance, hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown therein were properly placed under my personal supervision, in accordance with the existing rules and regulations of the City of Wylie, Texas, and do hereby certify that the same is a true and correct copy of the original as shown to me.

WITNESS MY HAND at Wylie, Texas this 15th day of August, 1994.

Notary Public in and for Collin County, Texas

My Comm. Expires 08-15-24

Notary Public in and for Collin County, Texas

Notary Public in and for Collin County, Texas

Notary Public in and for Collin County, Texas

Notary Public in and for Collin County, Texas

Notary Public in and for Collin County, Texas

Notary Public in and for Collin County, Texas

Notary Public in and for Collin County, Texas

NEW ACCT. NO. 1047  
FROM 1042 1043 1044 1045  
TAX YEAR 1994

RECOMMENDED FOR APPROVAL

CHAIRMAN, PLANNING & ZONING

DATE 12-15-94

APPROVED FOR CONSTRUCTION

MAYOR, CITY OF WYLIE, TEXAS

DATE 12-15-94

DATE 12-15-94

DATE 12-15-94

DATE 12-15-94

DATE 12-15-94

DATE 12-15-94

STATE OF TEXAS  
COUNTY OF COLLIN

OWNERS CERTIFICATE

WHEREAS Richard Nance and wife June Nance, are the "Owners" of a tract of land situated in the Francisco De La Pina Survey, Abstract 11, 688, City of Wylie, Collin County, Texas, and also being all of a 35.188 acre tract as recorded in Volume 23-003464 of the Land Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

THENCE North 1 degree 11 minutes 11 seconds East following the East ROW line of said Autumn Hill Drive a distance of 15.00 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the right which centers bears North 1 degree 11 minutes 11 seconds East, a radius distance of 40.00 feet.

THENCE along said curve to the right, following the East ROW line of said 15' Alley through a central angle of 1 degree 11 minutes 11 seconds and on an arc distance of 15.00 feet to a 1/2 inch iron rod found for corner.

THENCE North 1 degree 11 minutes 11 seconds East following the East ROW line of said 15' Alley a distance of 47.88 feet to a 1/2 inch iron rod found for corner at the intersection of the North Right of Way Line of Autumn Hill Drive (a 50' ROW), said iron rod being in a curve to the right which centers bears South 11 degrees 27 minutes 49 seconds West, a radius distance of 40.00 feet.

THENCE along said curve to the right, following the South ROW line of said Autumn Hill Drive through a central angle of 1 degree 11 minutes 11 seconds and on an arc distance of 8.50 feet to a 1/2 inch iron rod found for corner.

THENCE North 12 degrees 39 minutes 09 seconds East following the East ROW line of said Autumn Hill Drive a distance of 50.00 feet to a 1/2 inch iron rod found for corner, said iron rod being in the North Right of Way Line of Autumn Hill Drive, said iron rod also being in a curve to the left which centers bears South 12 degrees 39 minutes 09 seconds West, a radius distance of 40.00 feet.

THENCE along said curve to the left, following the North ROW line of said Autumn Hill Drive through a central angle of 11 degrees 01 minute 06 seconds and on an arc distance of 88.45 feet to a 1/2 inch iron rod found for corner.

THENCE North 88 degrees 22 minutes 00 seconds West following the East ROW line of said Autumn Hill Drive a distance of 80.00 feet to a 1/2 inch iron rod found for corner at the intersection of the North ROW line of Autumn Hill Drive and the East Right of Way line of Quail Creek Blvd. (a 50' ROW).

THENCE North 1 degree 38 minutes 00 seconds East following the East ROW line of said Quail Creek Blvd. a distance of 250.00 feet to a 1/2 inch iron rod found for corner at the intersection of the South Right of Way line of Forest Edge Lane (a 50' ROW) and the East Right of Way line of Quail Creek Blvd.

THENCE South 88 degrees 22 minutes 00 seconds East following the South ROW line of said Forest Edge Lane a distance of 80.00 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the right which centers bears North 88 degrees 22 minutes 00 seconds East, a radius distance of 280.00 feet.

THENCE along said curve to the right, following the South ROW line of said Forest Edge Lane through a central angle of 1 degree 38 minutes 00 seconds and on an arc distance of 324.18 feet to a 1/2 inch iron rod found for corner.

THENCE North 12 degrees 39 minutes 09 seconds East following the East ROW line of said Forest Edge Lane a distance of 50.00 feet to a 1/2 inch iron rod found for corner, said iron rod being in a curve to the left which centers bears South 12 degrees 39 minutes 09 seconds West, a radius distance of 40.00 feet.

THENCE along said curve to the left, following the North ROW line of said Forest Edge Lane through a central angle of 1 degree 38 minutes 00 seconds and on an arc distance of 324.18 feet to a 1/2 inch iron rod found for corner.

THENCE North 24 degrees 48 minutes 32 seconds East following the East line of said Heatherwood Drive a distance of 270.00 feet to a 1/2 inch iron rod found for corner at the intersection of the East ROW line of Heatherwood Drive and the South Right of Way line of Heatherwood Drive (a 50' ROW), said iron rod being in a curve to the right which centers bears South 24 degrees 48 minutes 32 seconds East, a radius distance of 1049.00 feet.

THENCE along said curve to the right, following the South ROW line of said Heatherwood Drive through a central angle of 1 degree 43 minutes 04 seconds and on an arc distance of 324.39 feet to a 1/2 inch iron rod found for corner.

THENCE North 1 degree 43 minutes 04 seconds East following the East ROW line of said Heatherwood Drive a distance of 0.77 feet to a 1/2 inch iron rod found for corner, said iron rod being at the intersection of the East ROW line of said Heatherwood Drive with the East Right of Way line of Linwood Drive (a 50' ROW).

THENCE North 41 degrees 51 minutes 25 seconds East following the East ROW line of said Linwood Drive a distance of 0.45 feet to a 1/2 inch iron rod found for corner, said iron rod being at the beginning of a curve to the left which centers bears North 41 degrees 51 minutes 25 seconds East, a radius distance of 150.00 feet.

THENCE along said curve to the left, following the North ROW line of said Heatherwood Drive through a central angle of 40 degrees 13 minutes 23 seconds and on an arc distance of 1053.17 feet to a 1/2 inch iron rod found for corner.

THENCE North 1 degree 38 minutes 00 seconds East following the East ROW line of said Linwood Drive a distance of 75.34 feet to a 1/2 inch iron rod found for corner at the intersection of the East ROW line of said Linwood Drive with the South Right of Way line of Springwood Lane (a 50' ROW).

THENCE South 88 degrees 22 minutes 00 seconds East following the South ROW line of said Springwood Lane a distance of 788.61 feet to a 1/2 inch iron rod found for corner at the intersection of the South ROW line of said Springwood Lane with the West Right of Way line of W.A. Allen Blvd. (a 60' ROW).

THENCE South 1 degree 38 minutes 00 seconds East following the West ROW line of said W.A. Allen Blvd. a distance of 130.00 feet to a 1/2 inch iron rod found for corner, said iron rod being at the intersection of the West ROW line of said W.A. Allen Blvd. with the East ROW line of said W.A. Allen Blvd.

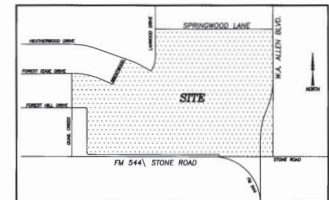
THENCE North 88 degrees 22 minutes 00 seconds East a distance of 32.51 feet to a 1/2 inch iron rod found for corner.

THENCE South 2 degrees 48 minutes 29 seconds West following the West ROW line of said W.A. Allen Blvd. a distance of 972.83 feet to a 1/2 inch iron rod found for corner in the centerline of Stone Street and the south of said 1/2 inch iron rod found for corner at the intersection of the East ROW line of said Heatherwood Drive with the East Right of Way line of Linwood Drive (a 50' ROW).

THENCE North 88 degrees 22 minutes 00 seconds East following the centerline of Stone Street and the south of said 1/2 inch iron rod found for corner at the intersection of the East ROW line of said Heatherwood Drive with the East Right of Way line of Linwood Drive (a 50' ROW).

THENCE North 1 degree 38 minutes 00 seconds East following the East ROW line of said F.M. 544 a distance of 45.00 feet to a 1/2 inch iron rod found for corner in the North Right of Way line of said F.M. 544.

THENCE North 88 degrees 22 minutes 00 seconds West following the North ROW line of said F.M. 544 a distance of 984.47 feet to the POINT OF BEGINNING and containing 1,532,800 square feet or 35.188 acres of land.



FINAL PLAT  
MILL CREEK ESTATES  
FRANCISCO DE LA PINA SURVEY  
ABSTRACT NO. 688  
CITY OF WYLIE  
COLLIN COUNTY, TEXAS

OWNER  
RICHARD NANCE  
224 MEADOWLAND LANE  
WYLIE, TEXAS 75086  
(214) 442-0068

SURVEYOR  
DAVID J. SURDUNK  
5120 N. COLONY BLVD.  
THE WOODS, TEXAS 75066  
(214) 442-0006

SCALE 1" = 100'

DATE: AUGUST 25, 1994

JOB NO. 949131PL



# Wylie City Council

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## AGENDA REPORT

Department: City Secretary  
Prepared By: Stephanie Storm

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, the acceptance of the resignation of Sandra Stone and appointment of Laurie Sargent as a new board member to the City of Wylie Cemetery Advisory Board to fill the term of August 2022 to June 30, 2023.

### Recommendation

Motion to approve Item as presented.

### Discussion

When the 2022 Board and Commission interviews were held, Council approved that the designated alternate two be moved to alternate one, and a new alternate was approved for the alternate two position. Staff reached out to the alternate one to see if they would be interested in serving on the board but was unable to get in touch with them; therefore, staff reached out to alternate two and she confirmed she is willing to serve as a regular Board member.





# Wylie City Council

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## AGENDA REPORT

Department: Parks and Recreation  
Prepared By: Carmen Powlen

Account Code: \_\_\_\_\_

### Subject

Discuss Senior Recreation Center Renovation Project.

### Recommendation

### Discussion

A list of renovation options was presented to Council earlier this year. Based on the feedback from Council, staff revisited the list and conducted focus groups with staff and guests to further prioritize needs. Staff would like to discuss the outcome with Council. Additionally, staff would like to discuss the popularity of election polling at this location and how it may impact the project.

## SRC Renovation Discussion

A list of renovation options was presented by staff earlier this year. Based on the feedback from Council, we revisited the list and conducted focus groups with staff and guests.

Option 1 (see table) represents the revised list.

During COVID, polling became available at SRC. The location has become very popular with voters due to location and accessibility. Because of polling, we have provided a secondary option, below.

	Option 1	Option 2
<b>Estimated Sustainability of Offerings</b>	<b>3 - 5 Years</b>	<b>15 - 20 Years</b>
<b>Project Cost Estimate</b>	<b>\$750,000</b>	<b>\$4,000,000 - \$4,200,000</b> <b>(minus \$750,000 already allotted in Option 1 = \$3,250,000 - \$3,450,000)</b>
<b>Includes</b>	Keeping the existing 7,224 square foot footprint  Restrooms  Offices (displaced by restroom expansion) and wall to separate and expand Fitness Area  Replace Flooring  Exterior Upgrades  HVAC Replacement  Misc. Paint and Spruce Up  Windows and Doors	All of the items included in Option 1 plus 5,000 square feet additional space  Flexible addition for event and programming space/polling location/rentals with room divider  Warming kitchen  Restrooms

<b>Pros</b>	<p>ADA compliant restrooms.</p> <p>More inviting modern exterior.</p> <p>Current flooring has been discontinued so we will be able to upgrade and replace broken tiles in the future.</p> <p>Fitness Area will be expanded and separated from Game Room.</p>	<p>Estimated sustainability of offerings is significant at 15 - 20 years.</p> <p>During construction, programs and polling can continue.</p> <p>After construction, elections can take place without interfering with programs at SRC and WRC.</p> <p>Special Events can remain at the Center, rather than off-site rental venues (The Cross Church costs \$500 per rental).</p> <p>Increased programming.</p> <p>Paid rentals could be offered to generate revenue.</p> <p>Already have \$750,000 allotted/available.</p>
<b>Cons</b>	<p>Elections will continue to displace current programs. WRC has been hosting many of the displaced SRC programs, at the same time, this displaces revenue generating programs at WRC. Polling can displace 4 - 5 months of programs (including runoffs).</p> <p>Guests will be displaced during Renovation.</p> <p>Elections will be displaced during Renovation.</p> <p>Does not address limits on parking.</p> <p>Does not expand the square footage.</p>	<p>Does not address parking limitations.</p> <p>Will need to sprinkle the entire complex.</p>

	Sustainability of offerings is fairly limited at just 3 - 5 years.	
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# Wylie City Council

## AGENDA REPORT

Department: Parks and Recreation  
Prepared By: Brent Stowers

Account Code: \_\_\_\_\_

### Subject

Discuss dog park and splash pad schematic designs - Joint Work Session with Parks and Recreation Board.

### Recommendation

Discussion

### Discussion





# Dog Park & Splashpads

*Schematic Design*

August 9, 2022





# Project Schedule



Site Evaluation & Programming ..... *complete*

Topographic Survey ..... *complete*

**Schematic Design..... August**

- ☐ *Layout Plans for All 3 Site w/ Cost Opinions*
- ☐ *Review w/ City Staff*

**Design Development..... Sept. – Oct.**

- ☐ *50% CDs & Cost Opinion*

**Final Construction Documents..... Nov. – Dec.**

**Bidding & Construction Phase ..... TBD**

Potential Openings\*  
Splashpads: *Summer 2023*  
Dog Park: *Fall 2023*







# Dog Park





# Initial Program List\*

- 3 Dog Park Paddocks
  - 1 Small Dog
  - 2 Large Dog
- Fencing with Bull Pen Entries
- Dog Wash Stations
- Agility Equipment
- Small Group Pavilion(s)
- Site Furnishings
- Concrete Parking
- Parking Lot Lighting
- Trail Connections
- Landscape Plantings
- Irrigation System per City Ordinance Requirements

**Current Construction  
Budget \$700,000**

\*as budget allows



# Prairie Tails Dog Park



- 3 Dog Park Paddocks
  - 1 Small Dog
  - 2 Large Dog
- Fencing with Bull Pen Entries
- Dog Wash Stations
- Agility Equipment
- Pavilions (3)



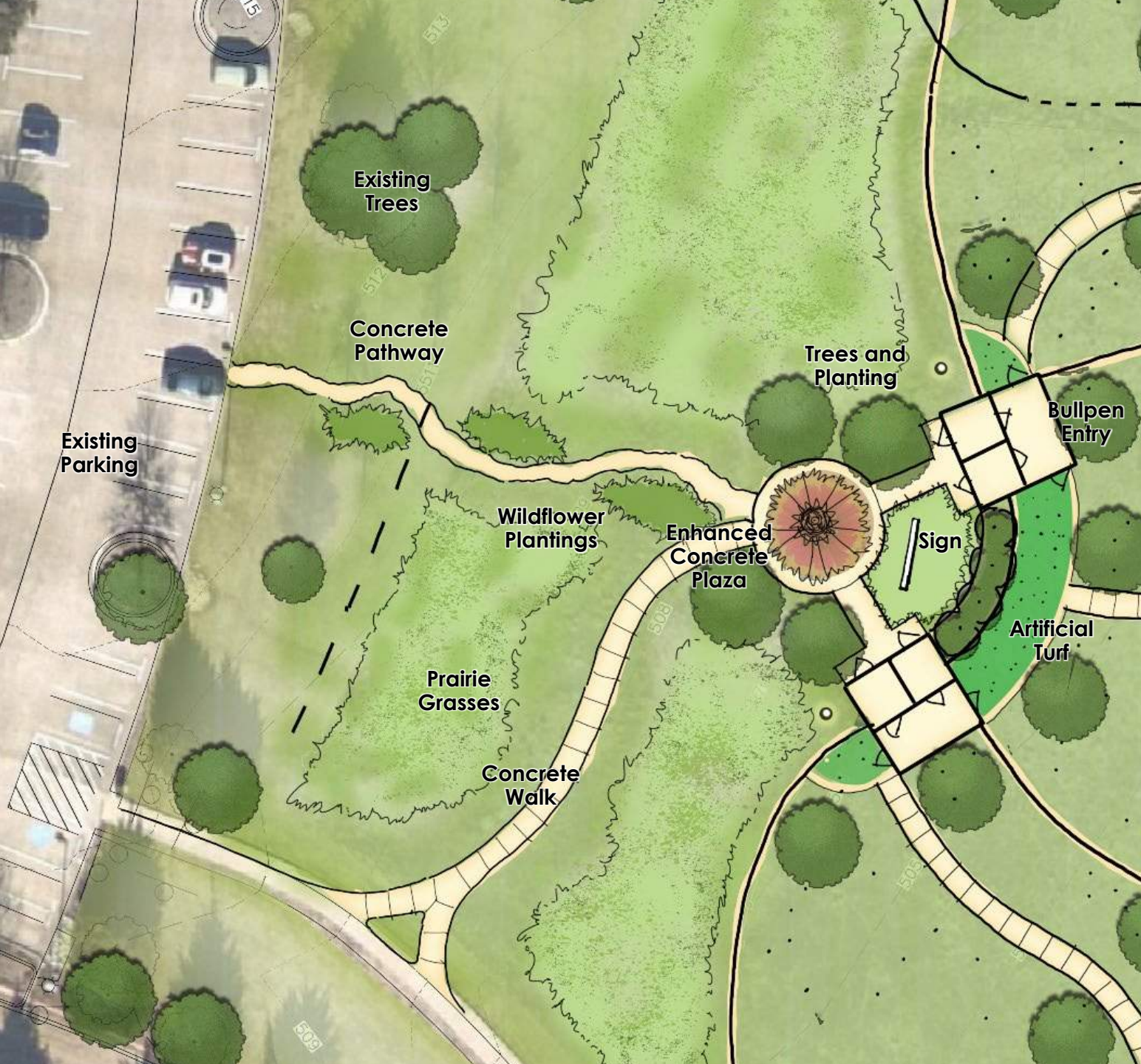
# Prairie Tails Dog Park

## • Blackland Prairie

- Tall Grasses & Wildflowers
- Home for Small Game/Songbirds
- Tree Groves provide respite from the Sun
- Exposed rocks and trees line creek corridors







Wildflower Plantings

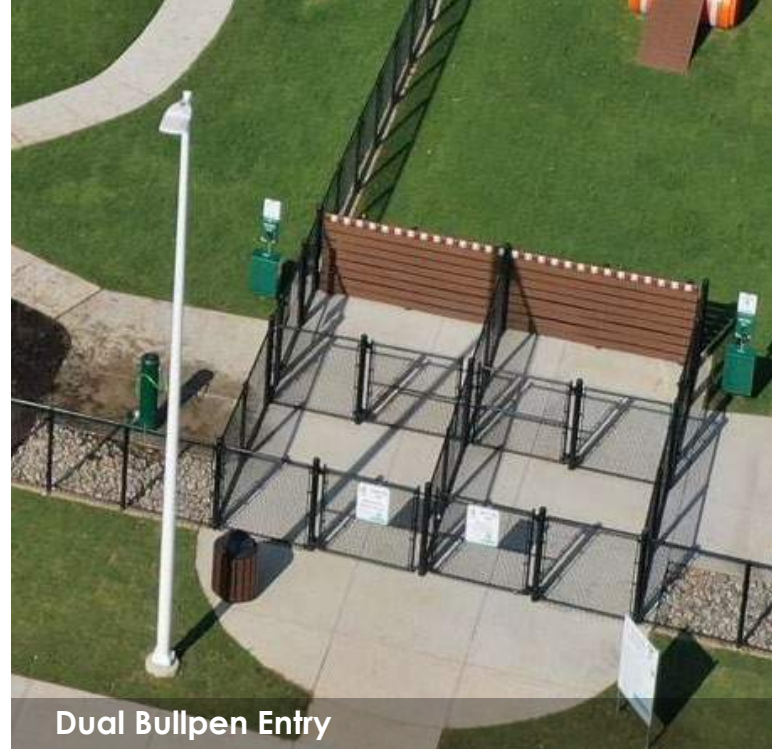


Concrete Plaza





Site Furnishings



Dual Bullpen Entry



Ledgestone Block



Limestone Boulders



Dog Wash Stations





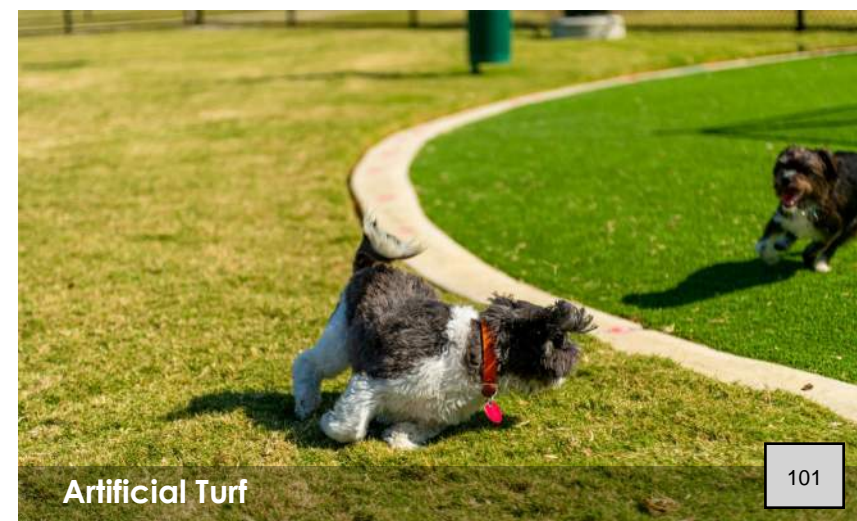
Pavilion w/ Wildflower Theming



Agility Equipment



Doggie Crossing / Pedestrian Bridge



Artificial Turf





08/09/2022 Item WS2.





# Cost Estimate



GENERAL SITE ITEMS \$165,000

SITE IMPROVEMENTS \$456,000

FENCING \$160,000

PAVILIONS \$120,000

CONCRETE PAVING \$56,000

BRIDGE CROSSINGS \$20,000

ENHANCED ENTRY \$50,000

ARTIFICIAL TURF \$15,000

MONUMENT SIGN \$35,000

LAWN & TREES \$100,000

IRRIGATION \$115,000

SECURITY LIGHTING ALLOWANCE \$50,000

BASE SUBTOTAL \$886,000

+/- 15% CONTINGENCY \$134,000

CONSTRUCTION TOTAL: \$1,020,000



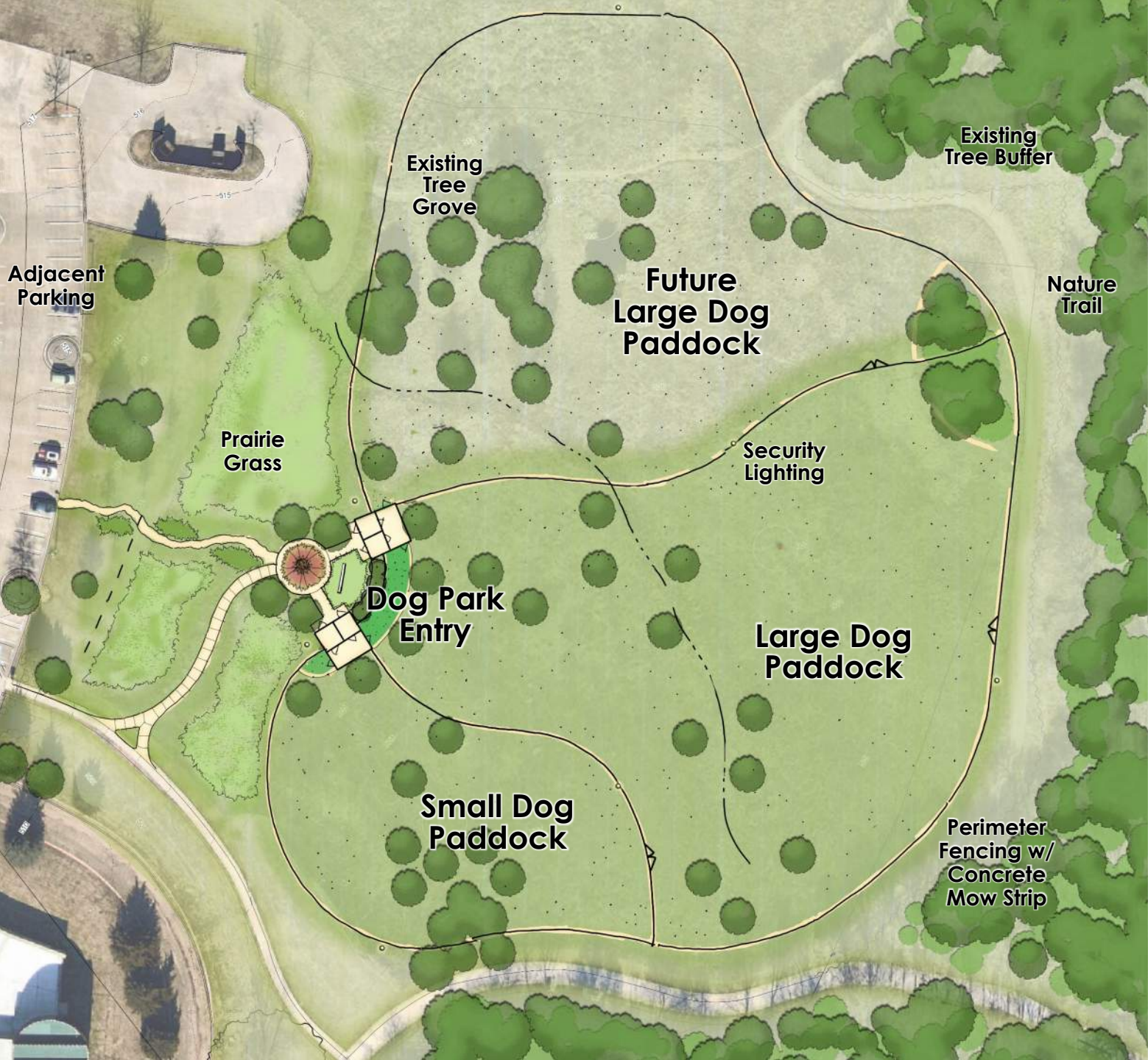
# Prairie Tails Dog Park



- 2 Dog Park Paddocks
  - 1 Small Dog
  - 1 Large Dog
- Fencing with Bull Pen Entries
- Dog Wash Stations
- Agility Equipment



# Base Project



GENERAL SITE ITEMS \$150,000

SITE IMPROVEMENTS \$285,000

FENCING \$160,000

CONCRETE PAVING \$30,000

ENHANCED ENTRY \$50,000

ARTIFICIAL TURF \$10,000

MONUMENT SIGN \$35,000

LAWN \$100,000

IRRIGATION \$115,000

SECURITY LIGHTING ALLOWANCE \$15,000

BASE SUBTOTAL \$665,000

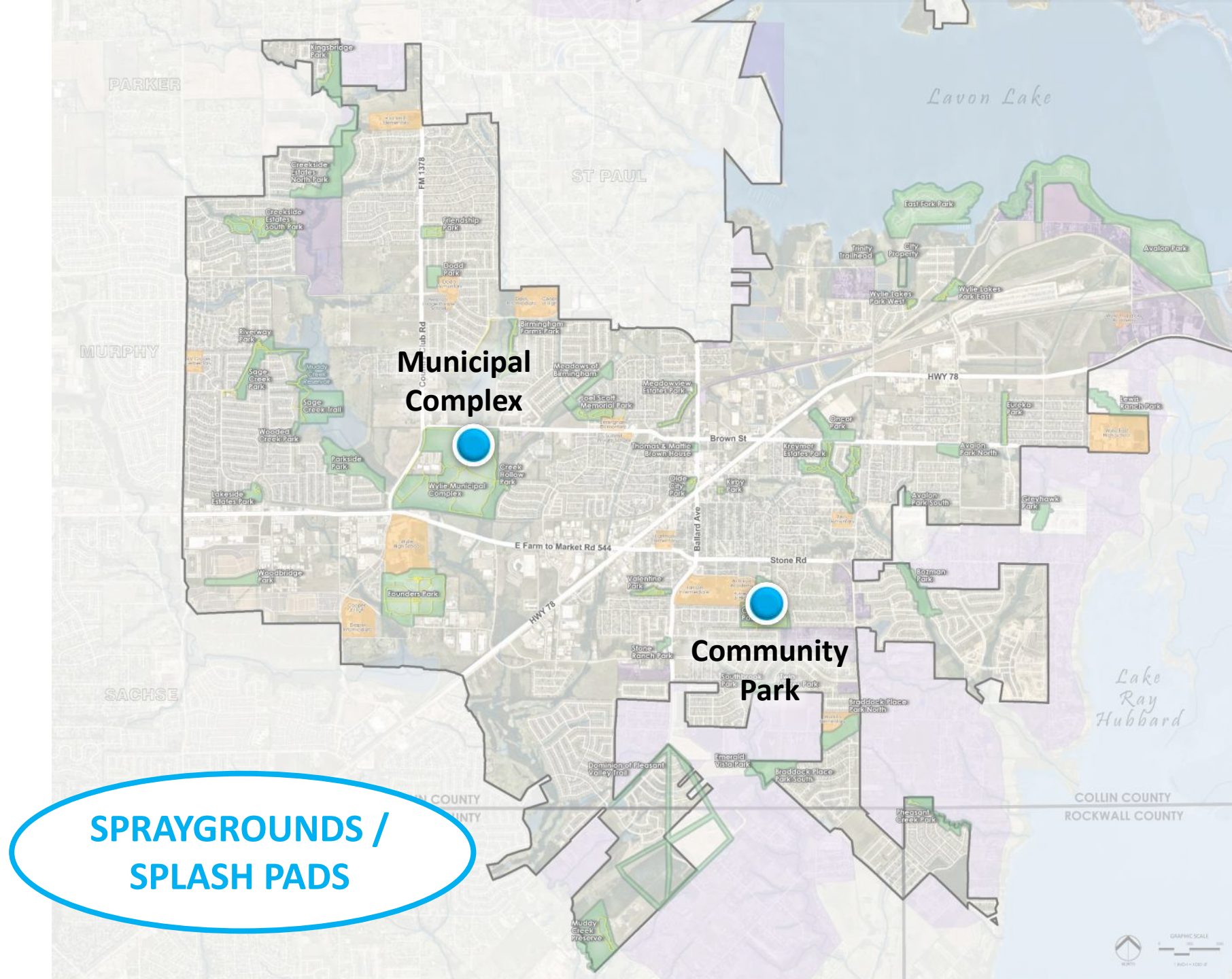
+/- 15% CONTINGENCY \$100,000

CONSTRUCTION TOTAL: \$765,000



# Splashpads







# Initial Program List\*



- Splashpad (1,500 sf) & Play Equipment
- Prefabricated Restroom Building with Pump & Filtration Room
- Shade Structure
- Concrete Parking
- Parking Lot Lighting
- Trail Connections
- Landscape Plantings
- Irrigation System per City Ordinance Requirements

**Current Construction  
Budget \$1.2 Million**  
(includes both sites)

\*as budget allows



# East Meadow Sprayground



## Key Features:

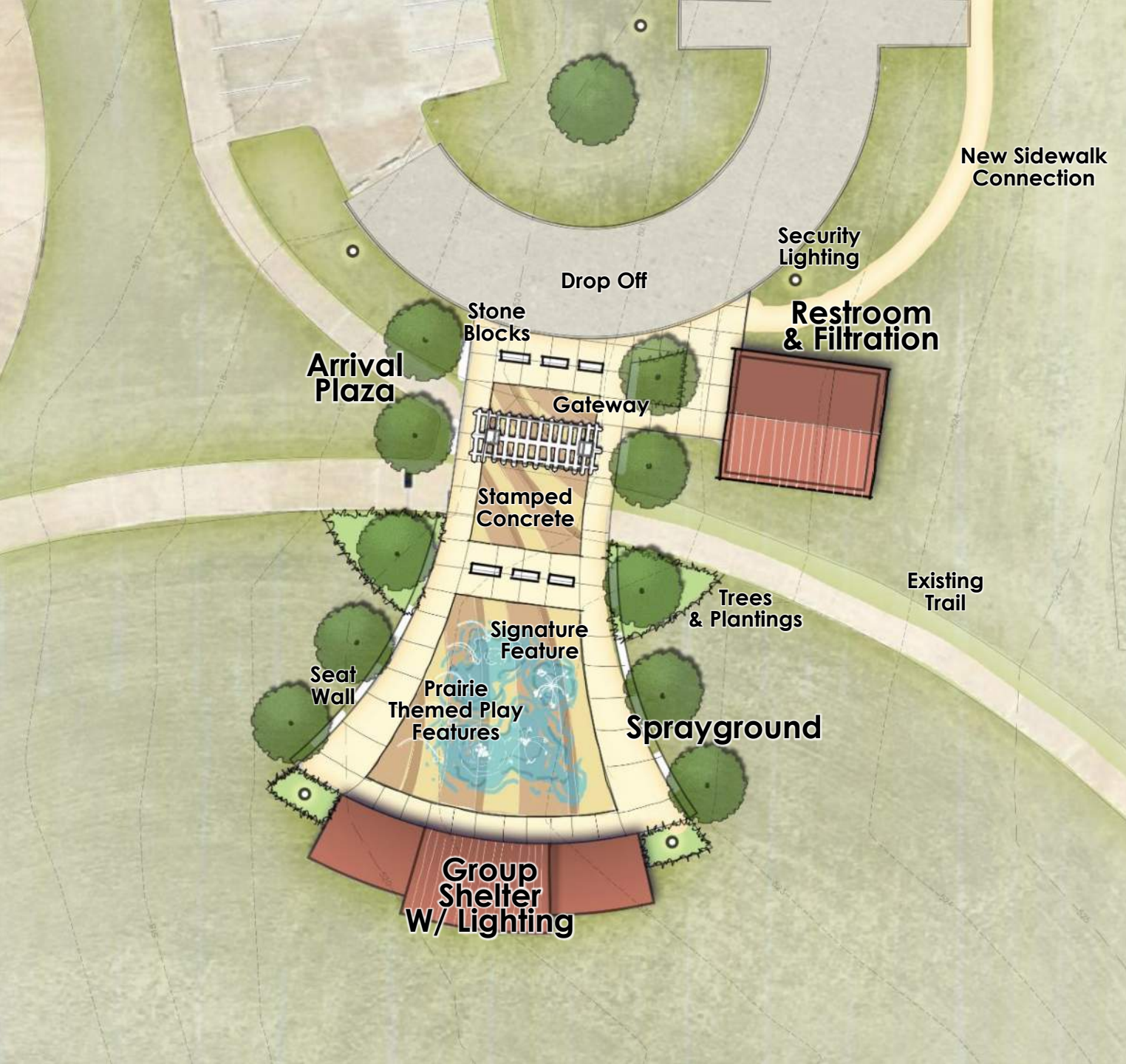
- Sprayground
  - *Signature Feature*
  - *Bubbler Sprays*
- Stamped Concrete
- Seat Walls / Stone Block Seating
- Group Shelter
- Arrival Plaza
- Gateway
- Restroom & Filtration Building
- Drop Off
- Connection to Existing Trails



# East Meadow Sprayground

## Key Features:

- Sprayground
  - *Signature Feature*
  - *Bubbler Sprays*
- Stamped Concrete
- Seat Walls / Stone Block Seating
- Group Shelter
- Arrival Plaza
- Gateway
- Restroom & Filtration Building
- Drop Off
- Connection to Existing Trails







08/09/2022 Item WS2.



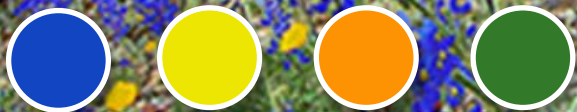




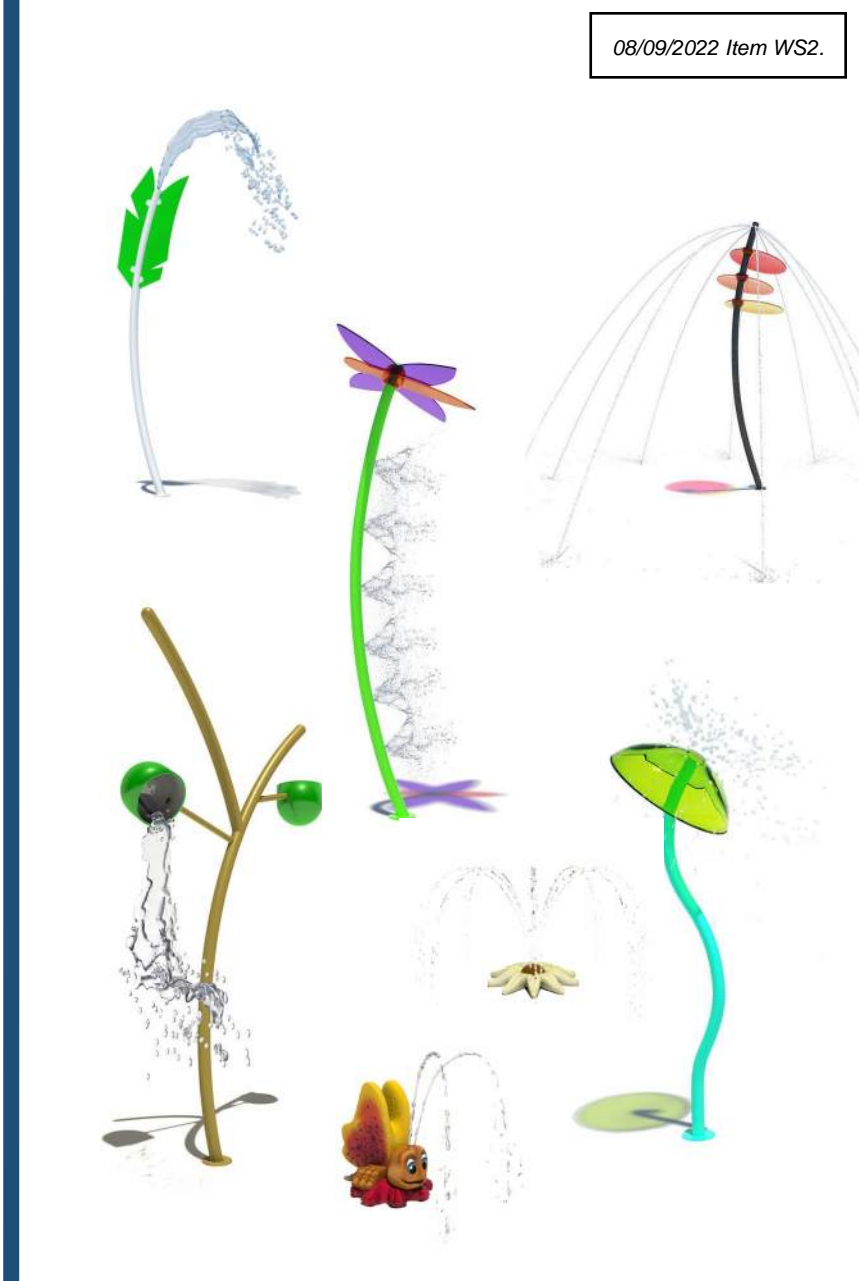
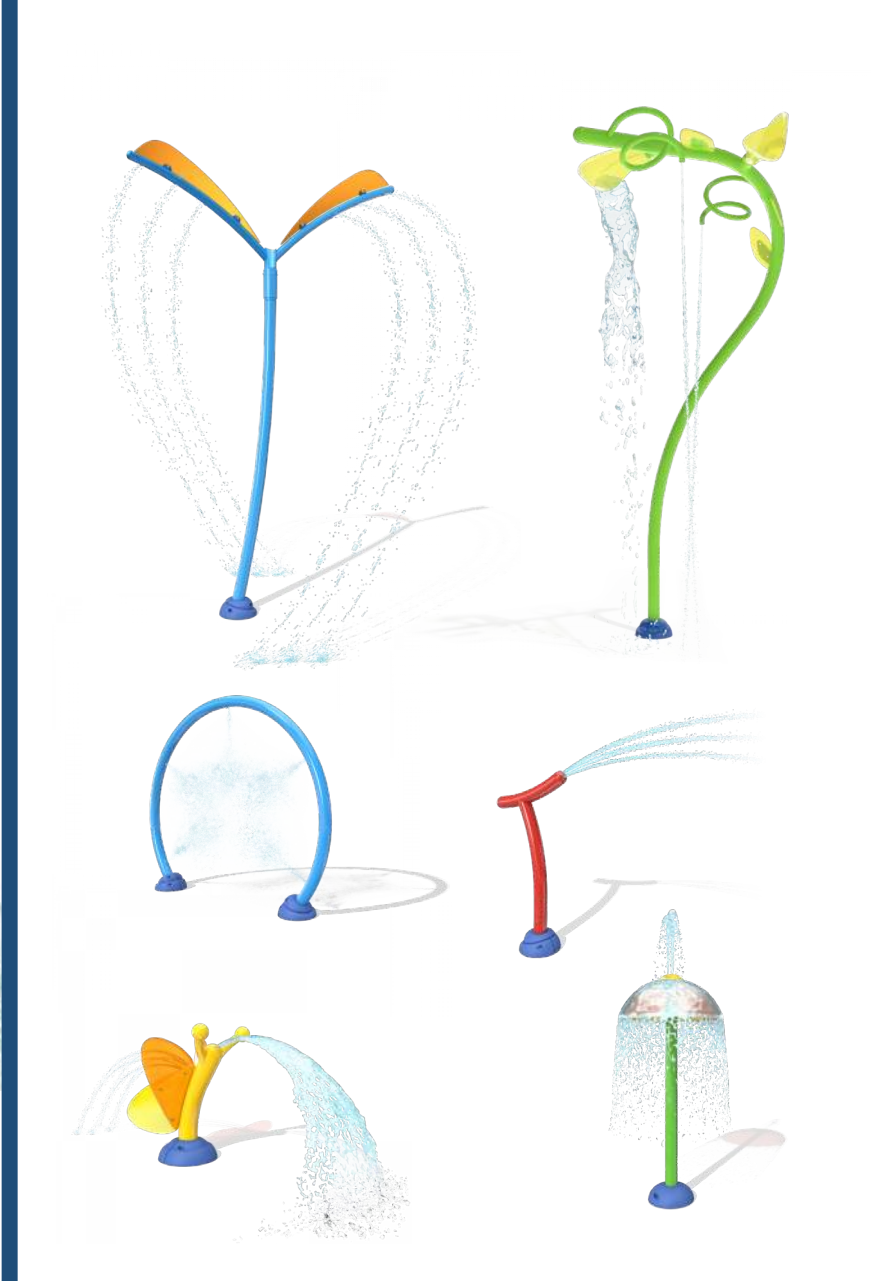




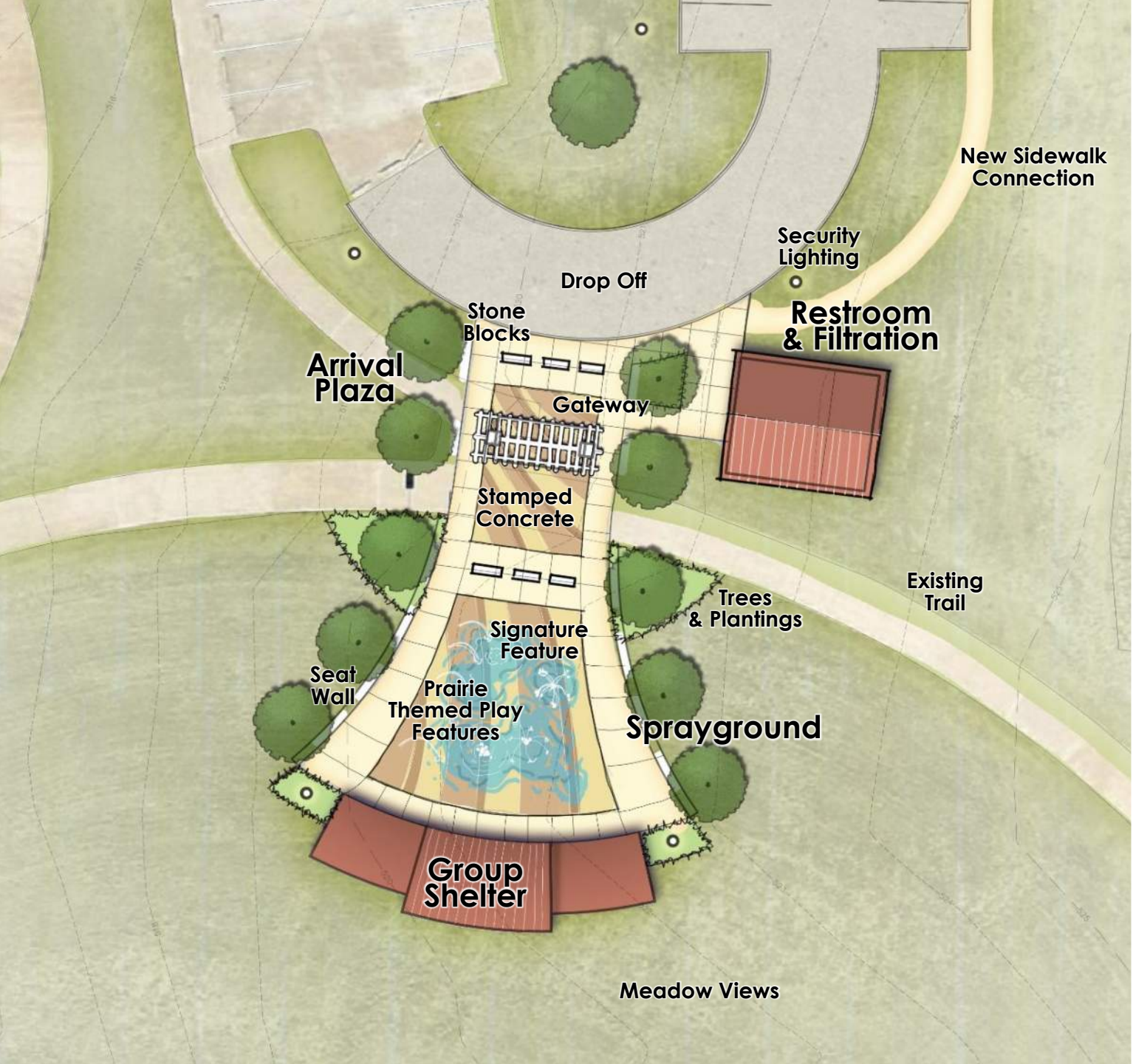
Prairie







# Cost Estimate



GENERAL SITE ITEMS	\$120,000
SITE IMPROVEMENTS	\$305,000
CONCRETE PAVING	\$50,000
PLAZA ENHANCEMENTS	\$25,000
GROUP PAVILION	\$75,000
SEAT WALLS	\$50,000
PARKING LOT	\$80,000
SPRAYGROUND	\$475,000
SPRAYGROUND EQUIPMENT & INSTALLATION	\$250,000
FILTRATION	\$150,000
SURFACING & SLAB	\$75,000
LANDSCAPE & IRRIGATION & SITE FURNISHINGS	By City
RESTROOM BUILDING	\$250,000
SECURITY LIGHTING	\$40,000
BASE SUBTOTAL	\$1,190,000
+/- 15% CONTINGENCY	\$180,000
CONSTRUCTION TOTAL:	\$1,370,000



# East Meadow Sprayground

## Key Features:

- Sprayground
  - *Signature Feature*
  - *Bubbler Sprays*
- Seat Walls / Stone Block Seating
- Shade Fabric
- Restroom & Filtration Building





# Base Project



GENERAL SITE ITEMS	\$120,000
SITE IMPROVEMENTS	\$75,000
CONCRETE PAVING	\$25,000
SHADE FABRIC	\$50,000
SPRAYGROUND	\$475,000
SPRAYGROUND EQUIPMENT & INSTALLATION	\$250,000
FILTRATION	\$150,000
SURFACING & SLAB	\$75,000
LANDSCAPE & IRRIGATION & SITE FURNISHINGS	By City
RESTROOM BUILDING	\$250,000
SECURITY LIGHTING	\$20,000
<b>BASE SUBTOTAL</b>	<b>\$940,000</b>
<b>+/- 15% CONTINGENCY</b>	<b>\$140,000</b>
<b>CONSTRUCTION TOTAL:</b>	<b>\$1,080,000</b>



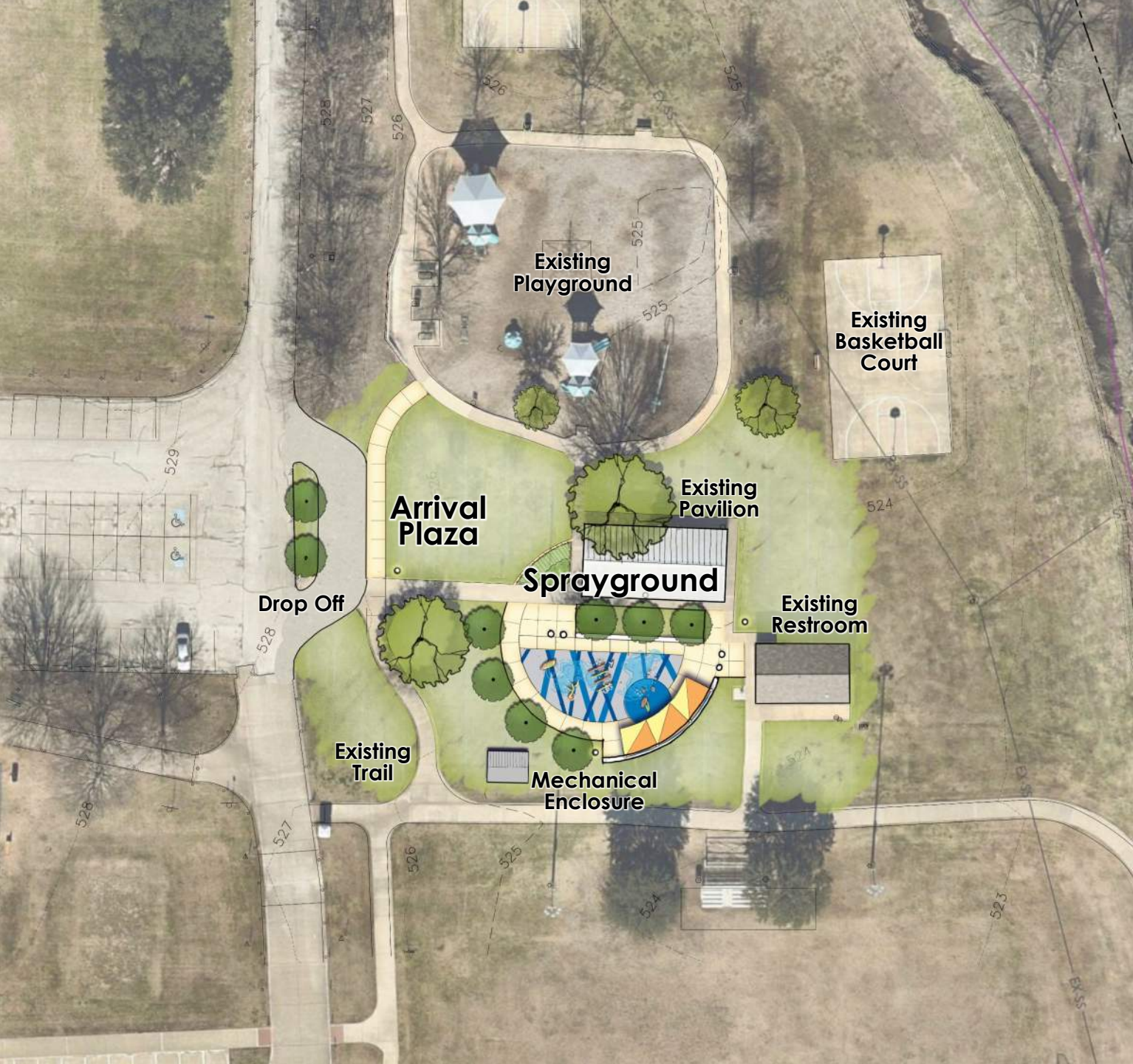
# *Community Park Sprayground*



# Community Park

## Key Features:

- Sprayground
  - *Signature Feature*
  - *Bubbler Sprays*
- Stamped Concrete
- Seat Walls
- Shade Fabric
- Arrival Plaza
- Mechanical Enclosure
- Drop Off
- Connection to Existing Trails

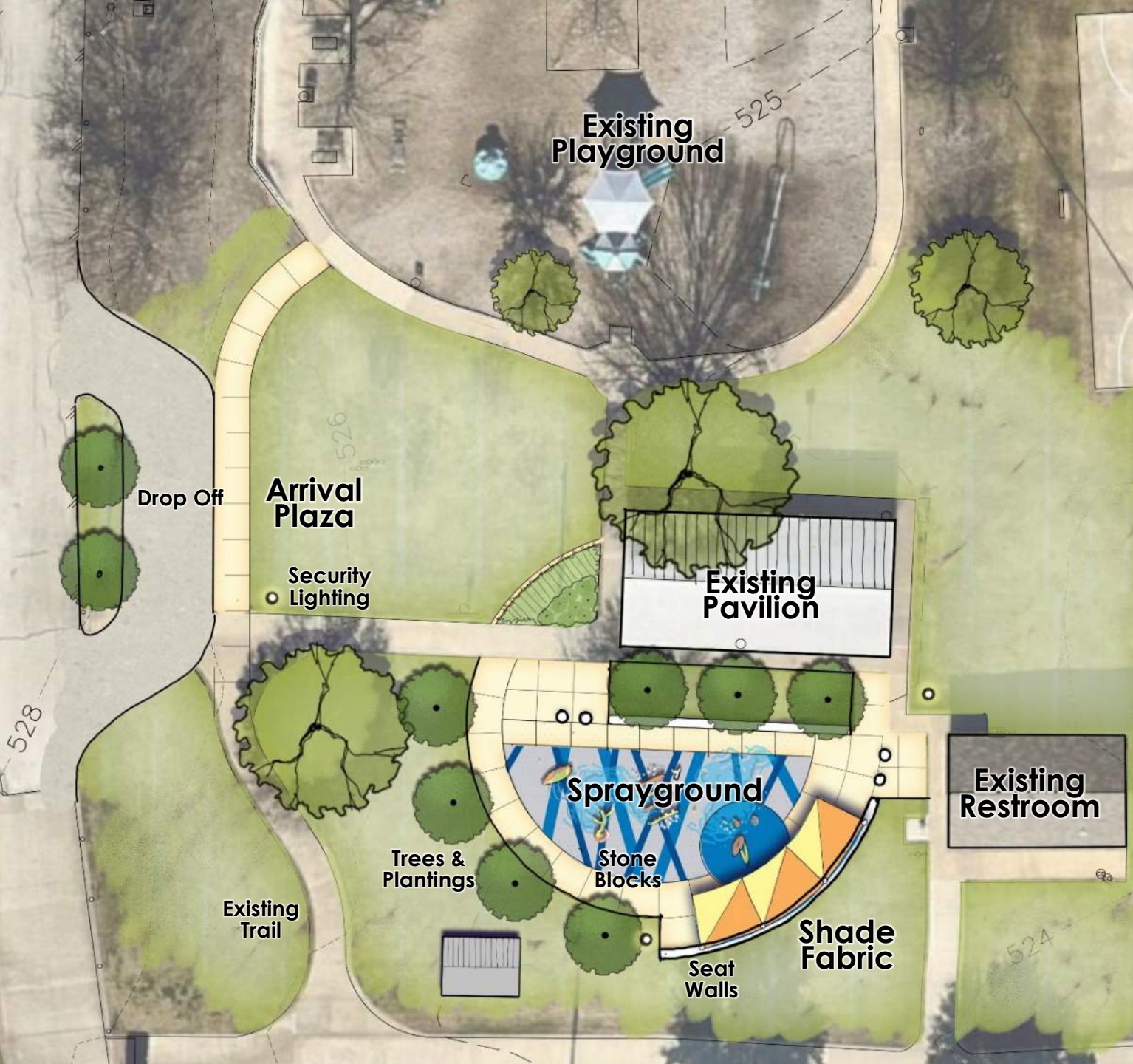




# Community Park

## Key Features:

- Sprayground
  - *Signature Feature*
  - *Bubbler Sprays*
- Stamped Concrete
- Seat Walls
- Shade Fabric
- Arrival Plaza
- Mechanical Enclosure
- Drop Off
- Connection to Existing Trails











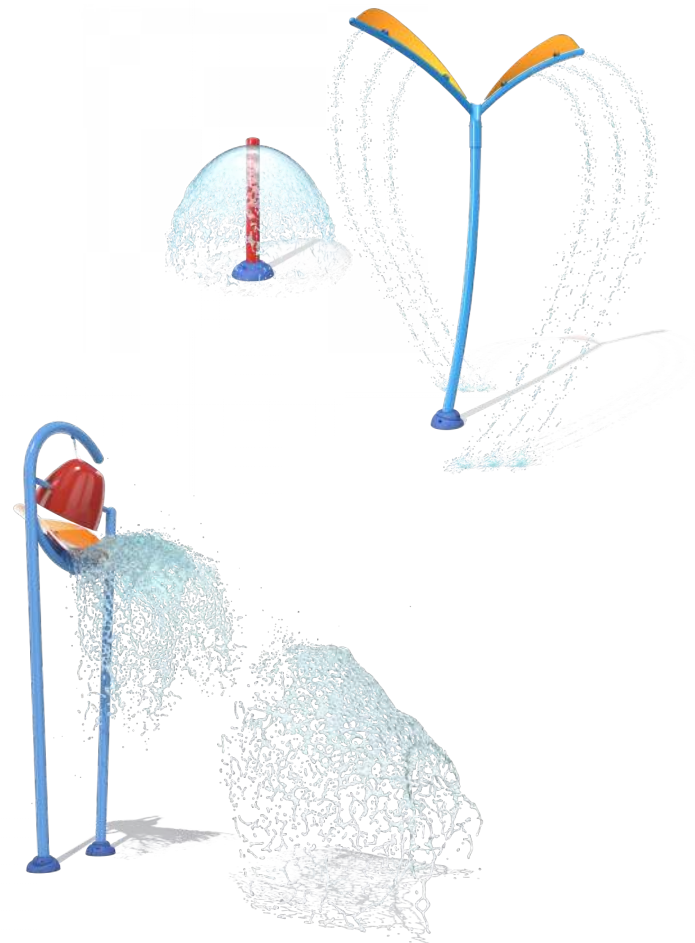
Futuristic



08/09/2022 Item WS2.

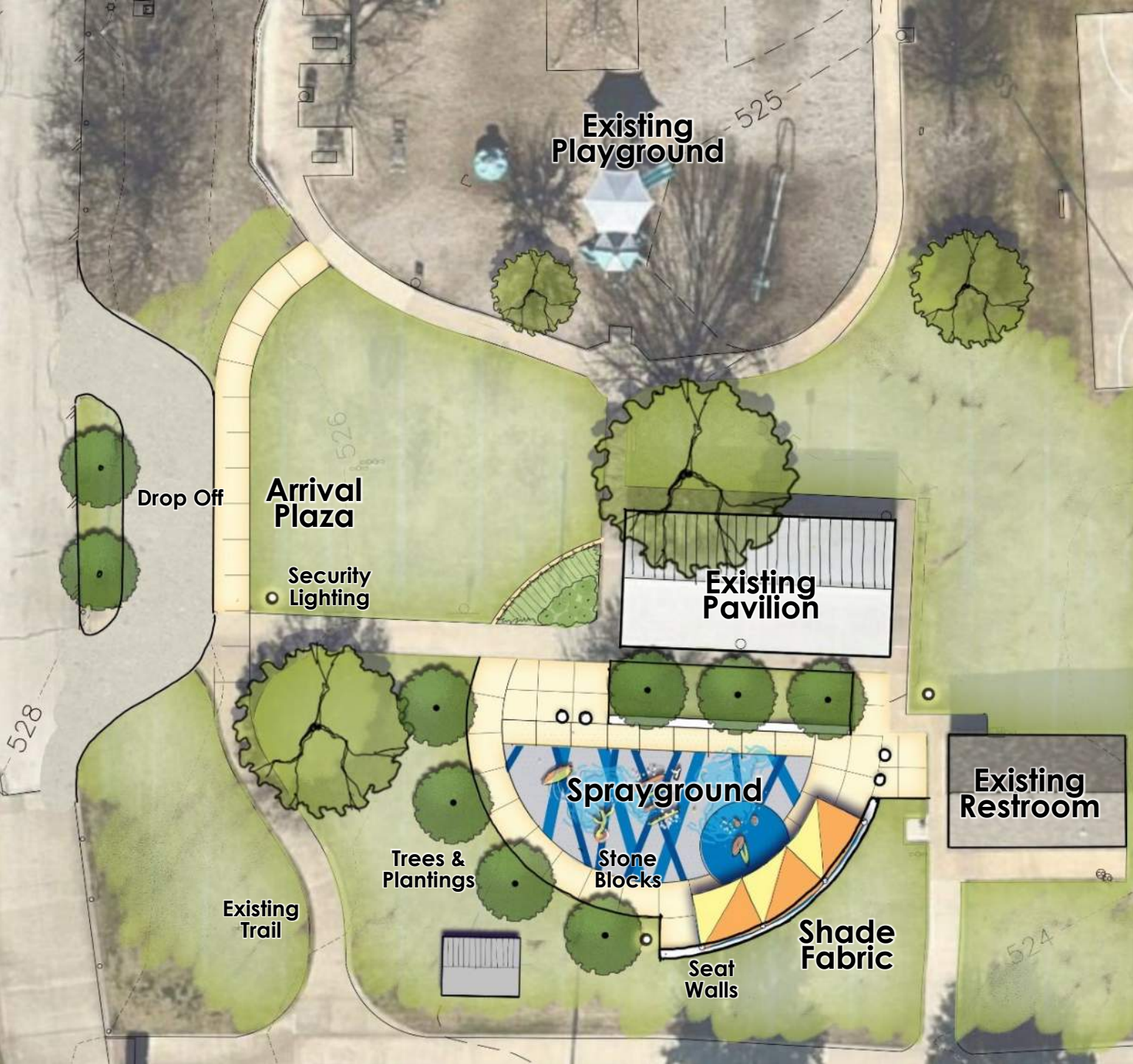






# Cost Estimate

GENERAL SITE ITEMS	\$100,000
SITE IMPROVEMENTS	\$110,000
CONCRETE PAVING	\$25,000
FABRIC SHADE STRUCTURE	\$50,000
SEAT WALLS	\$20,000
DROP OFF	\$15,000
SPRAYGROUND	\$475,000
SPRAYGROUND EQUIPMENT & INSTALLATION	\$250,000
FILTRATION	\$150,000
SURFACING & SLAB	\$75,000
LANDSCAPE & IRRIGATION & SITE FURNISHINGS	By City
MECHANICAL ENCLOSURE	\$75,000
<b>BASE SUBTOTAL</b>	<b>\$760,000</b>
<b>+/- 15% CONTINGENCY</b>	<b>\$115,000</b>
<b>CONSTRUCTION TOTAL:</b>	<b>\$875,000</b>

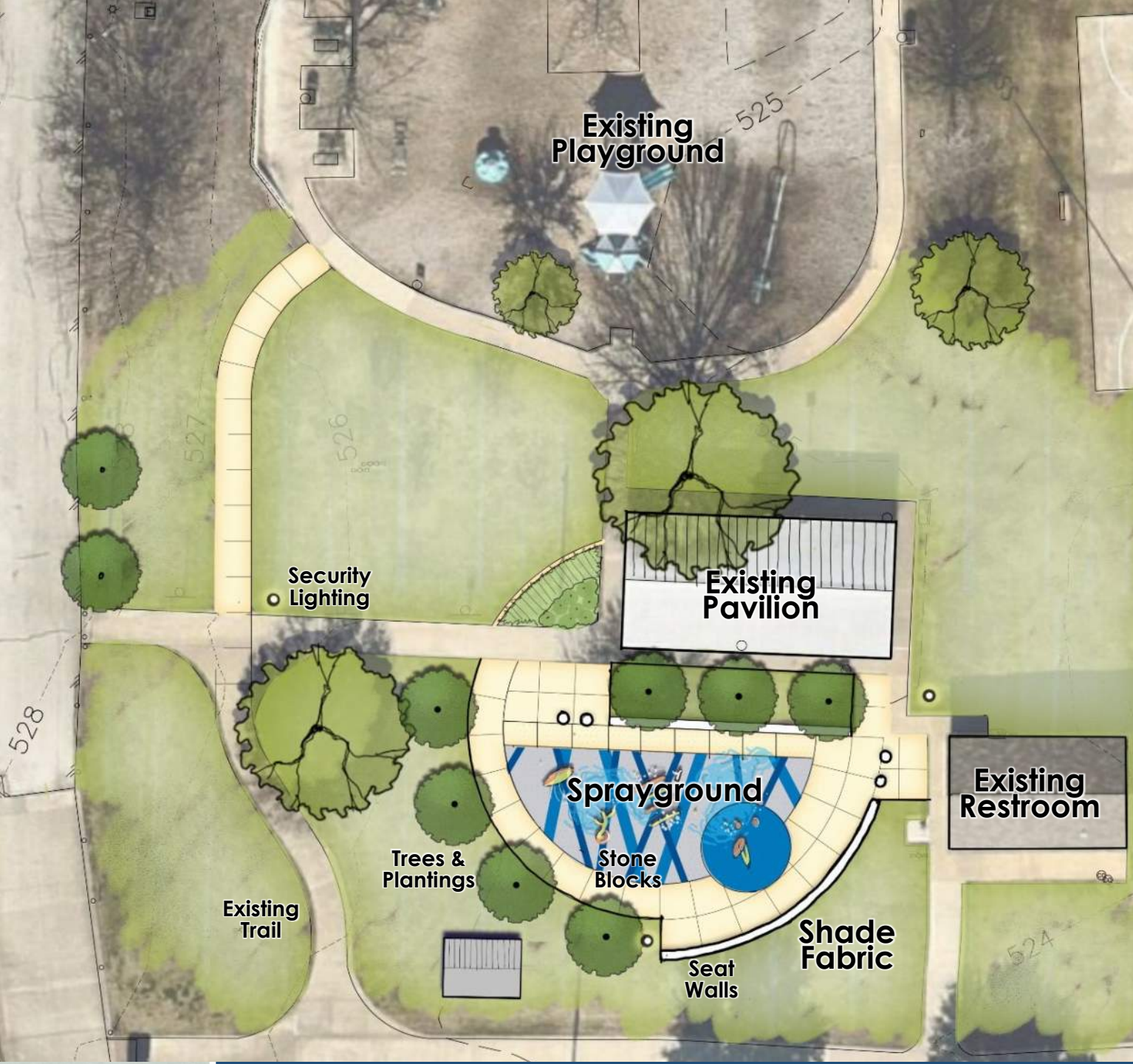




# Community Park

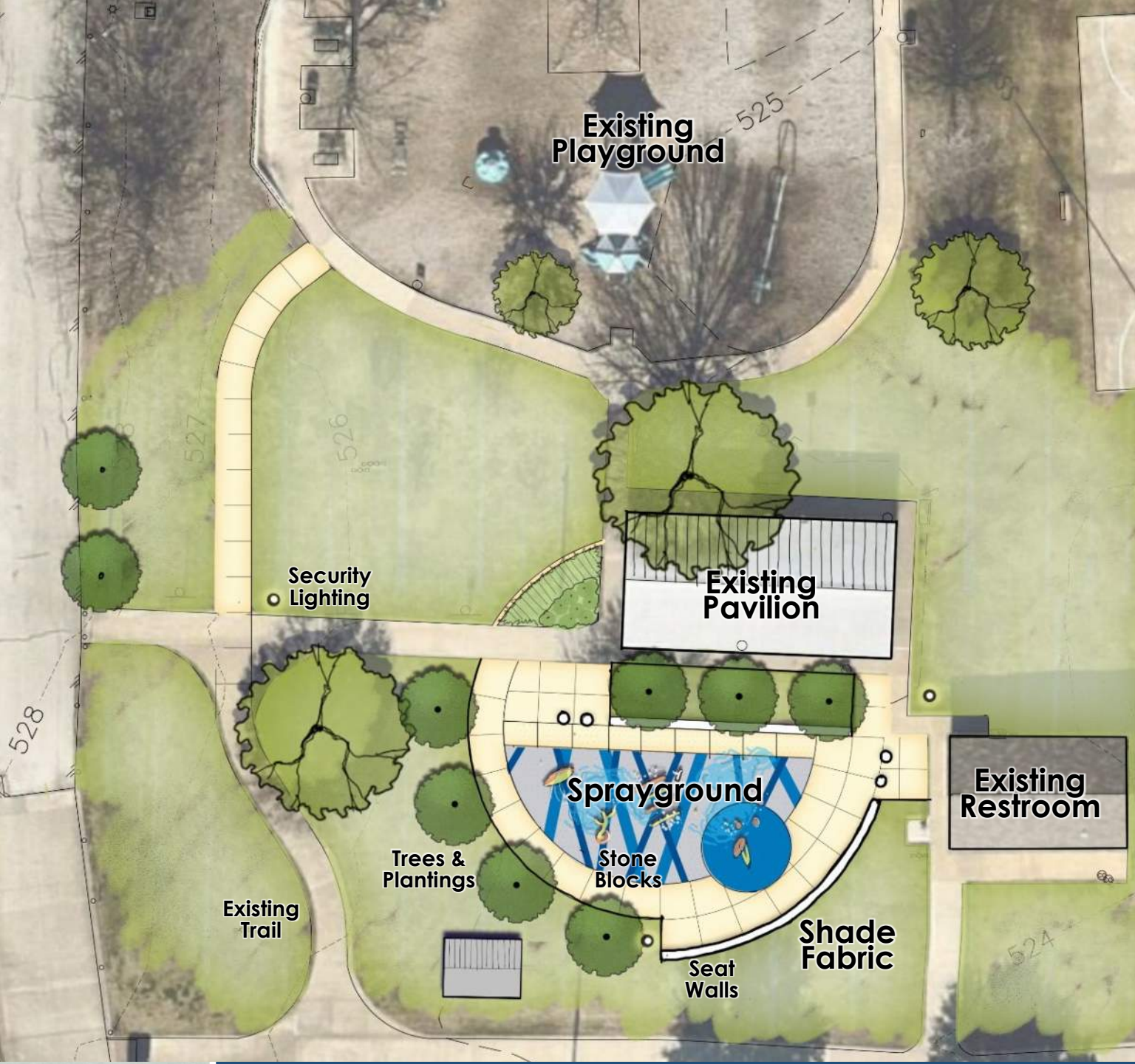
## Key Features:

- Sprayground
  - Signature Feature
  - Bubbler Sprays
- Stamped Concrete
- Seat Walls
- Mechanical Enclosure
- Connection to Existing Trails





# Base Project



GENERAL SITE ITEMS	\$100,000
SITE IMPROVEMENTS	\$50,000
CONCRETE PAVING	\$30,000
SEAT WALLS	\$20,000
SPRAYGROUND	\$475,000
SPRAYGROUND EQUIPMENT & INSTALLATION	\$250,000
FILTRATION	\$150,000
SURFACING & SLAB	\$75,000
LANDSCAPE & IRRIGATION & SITE FURNISHINGS	By City
MECHANICAL ENCLOSURE	\$75,000
<b>BASE SUBTOTAL</b>	<b>\$700,000</b>
<b>+/- 15% CONTINGENCY</b>	<b>\$110,000</b>
<b>CONSTRUCTION TOTAL:</b>	<b>\$810,000</b>



# Project Schedule



Site Evaluation & Programming ..... *complete*

Topographic Survey ..... *complete*

**Schematic Design..... August**

- ☐ *Layout Plans for All 3 Site w/ Cost Opinions*
- ☐ *Review w/ City Staff*

**Design Development..... Sept. – Oct.**

- ☐ *50% CDs & Cost Opinion*

**Final Construction Documents..... Nov. – Dec.**

**Bidding & Construction Phase ..... TBD**

Potential Openings\*  
Splashpads: *Summer 2023*  
Dog Park: *Fall 2023*

