

Wylie Economic Development Corporation Board Special Called Meeting



March 01, 2024 – 7:30 AM

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

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

COMMENTS ON NON-AGENDA ITEMS

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

CONSENT AGENDA

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

- A. Consider and act upon approval of Minutes from the February 21, 2024 Regular Meeting of the WEDC Board of Directors.
- B. Consider and act upon tree removal at Hwy 78 & Brown.

REGULAR AGENDA

- 1. Consider and act upon construction services at FM 544 Gateway Addition.
- 2. Consider and act upon construction services at Hwy 78 & Brown.

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 Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, FM 1378/Park, Jackson/Oak, Regency/Steel, State Hwy 78/Ballard, State Hwy 78/Brown, and State Hwy 78/Skyview.

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
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(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.

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: 2013-9a, 2022-1c, 2022-10c, 2022-10d, 2023-1c, 2023-2d, 2023-4c, 2023-5b, 2023-9b, 2023-10a, 2023-12c, 2024-1a, 2024-1b, 2024-1c, 2024-1d, 2024-2a, 2024-2b, 2024-2c, 2024-2d, and 2024-2e.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

FUTURE AGENDA ITEMS

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on February 23, 2024 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

Stephanie Storm, City Secretary

Date Notice Removed

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

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

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

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

Minutes
Wylie Economic Development Corporation
Board of Directors Regular Meeting

February 21, 2024 – 7:30 A.M.
WEDC Offices – Conference Room
250 S Hwy 78 – Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum

President Melisa Whitehead called the meeting to order at 7:31 a.m. Board Members present were Aaron Jameson, Whitney McDougall and Demond Dawkins.

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

WEDC staff present included Executive Director Jason Greiner, Assistant Director Rachael Hermes, BRE Director Angel Wygant, Administrative Assistant Marissa Butts and Marketing & Communications Coordinator Will Kelly.

INVOCATION & PLEDGE OF ALLEGIANCE

Immediate Past President Demond Dawkins gave the invocation and led the Pledge of Allegiance.

COMMENTS ON NON-AGENDA ITEMS

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

CONSENT AGENDA

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

- A. **Consider and act upon approval of Minutes from January 12, 2024 Special Called Meeting and January 12, 2024 Work Session of the WEDC Board of Directors.**
- B. **Consider and act upon approval of the January 2023 WEDC Treasurer's Report.**

Board Action

A motion was made by Aaron Jameson, seconded by Demond Dawkins, to approve the Consent Agenda as presented. A vote was taken, and the motion passed 4-0.

REGULAR AGENDA

- 1. **Consider and act upon Committee Appointments by the Board President.**

Staff Comments

Committees and Committee Appointments were discussed previously at the WEDC Board Retreat on January 12, 2024. Staff noted that Committees stand unless the Board terminates the Committee and Committee Members continue to serve until the next appointment of the Board of Directors or until a successor is appointed. Bylaw Section VI and information regarding the current Committees

was provided in the Agenda Report and attachments for the Board’s review. The Board opted not to take any action on this item until all Board Members could be present for discussion.

Board Action

No action was taken.

2. Consider and act upon construction services at Hwy 78 & Brown.

Staff Comments

As previously discussed, WEDC is engaged with a company to provide construction services for this project and staff is now awaiting final updates to construction costs. Kimley Horn will be managing this process for WEDC and will be managing future engineering projects to ensure that bids include all necessary components of construction. Staff noted that no action is needed at this time but will further discuss this item in Executive Session.

Board Action

No action was taken.

DISCUSSION ITEMS

DS1. Discussion regarding the WEDC 2023 Annual Reports.

Staff Comments

Staff discussed the Annual Report and FY 23-24 Goals & Objectives for the Board’s review. The Board discussed their desire to focus on project completion dates for FY 24-25. Staff will bring back the WEDC 2023 Annual Report for review in March.

DS2. Discussion regarding the WEDC Board Member Handbook.

Staff Comments

Regarding the WEDC Board Member Handbook, Vice President Jameson noted his desire to focus on the mentorship aspect referenced within the Handbook for continuity within the organization. The Board also discussed formalizing a summary page of the expectations and commitments of WEDC Board Members so that it can be provided to potential candidates prior to the Board application process or during the interview process. Staff noted the possibility of adding this information to the acknowledgment section at the bottom of the application process or including a link in the PDF attachment for applicants to review.

DS3. Discussion regarding future WEDC Board Retreats/Work Sessions.

Staff Comments

The Board previously discussed an interest in future Work Sessions that may include community tours, downtown tours, and/or redevelopment/development tours to give the Board the opportunity to talk with other EDC’s/community leaders and discuss any events or development projects they are interested in bringing to Wylie. Staff noted that the future of these tours could be discussed in open meetings, or they could be presented to the Board after a Committee has worked through the details of an event. The Board considered the possibility of quarterly community tours and discussed whether a Special Events Committee is needed to facilitate these tours. The Board agreed to hold the

next Work Session on Friday, April 26, 2024. The Board discussed what they would like to accomplish on these tours, including reviewing new developments and best practices from similar communities. Mayor Porter suggested that the Board consider setting up video calls for discussion with communities that are further away. The Board discussed utilizing conferences, such as TDA/TEDC, for discussion with other communities. City Manager Brent Parker commented that the WEDC has many ongoing engineering projects that are still unfinished and asked the Board to stay focused on the completion of the projects. The Board and Staff discussed the ongoing challenges related to the projects and the desire to create additional jobs, sales tax, and property tax revenues, while also taking advantage of the opportunity to implement ideas from other communities.

DS4. Staff report: WEDC Property Update, Temporary Access Agreements, Downtown Parking, Engineering Report, Upcoming Events, and WEDC Activities/Programs.

Staff Comments

Staff referred the Board to the Agenda Report provided in the packet for all updates related to WEDC Property Updates, Temporary Access Agreements, Downtown Parking, Engineering Report, Upcoming Events, and WEDC Activities/Programs. Staff noted that the Sales Tax numbers for the month of February have been reported to be down 44% due to an audit collection adjustment in the amount of -\$928,579.71. Staff are in communication with the Comptroller's Office and are awaiting additional information concerning the adjustment.

EXECUTIVE SESSION

Recessed into Closed Session at 8:33 a.m. in compliance with Section 551.001, et. seq. Texas Government Code, to wit:

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

ES1. Consider the sale or acquisition of properties located at Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, FM 1378/Park, Jackson/Oak, Regency/Steel, State Hwy 78/Ballard, State Hwy 78/Brown, and State Hwy 78/Skyview.

Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.

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

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: 2013-9a, 2022-1c, 2022-10c, 2022-10d, 2023-1c, 2023-2d, 2023-4c, 2023-5b, 2023-9b, 2023-10a, 2023-12c, 2024-1a, 2024-1b, 2024-1c, 2024-1d, 2024-2a, 2024-2b, 2024-2c, 2024-2d, and 2024-2e.

Mayor Porter left during Executive Session at 9:25 a.m.

RECONVENE INTO OPEN SESSION

Take any action as a result of the Executive Session.

President Whitehead reconvened into Open Session at 9:28 a.m.

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FUTURE AGENDA ITEMS

There were no Items requested for inclusion on future agendas.

ADJOURNMENT

With no further business, President Whitehead adjourned the WEDC Board meeting at 9:29 a.m.

Melisa Whitehead, President

ATTEST:

Jason Greiner, Executive Director

AGENDA REPORT

Meeting Date: March 1, 2024

Item Number: B

Prepared By: Jason Greiner

Subject

Consider and act upon tree removal at Hwy 78 & Brown.

Recommendation

Motion to award a contract to Intercon Construction Company, Inc., in the amount of \$25,500 and further authorize the Executive Director to execute any and all necessary documents.

Discussion

As the Board is aware, tree removal is required to make the necessary TxDOT median improvements associated with the Hwy 78 & Brown project. Following Board direction and discussion, WEDC Staff is bringing this item back for consideration. Staff discussed multiple options for tree removal and relocation, but there is only one viable option at this time:

- Inclusions
 - Demolish existing trees flagged by others
 - Excavate root balls of trees to be removed
 - Coordinate traffic control measures with City of Wylie
 - Grade property to drain
- Exclusions
 - Soils & Materials Testing
 - SWPPP & Erosion Control
 - Disconnection of Utilities
 - Irrigation Systems (by others)
 - Backfill/Compaction (by others)

Staff will coordinate with both contractors for the TxDOT Improvements and Tree Removal to avoid additional lane closures and flagging costs. This work will take place as soon as we get a construction start date on the TxDOT Improvements.

AGENDA REPORT

Meeting Date: March 1, 2024 Item Number: 1
 Prepared By: Jason Greiner *(Staff Use Only)*

Subject

Consider and act upon construction services at FM 544 Gateway Addition.

Recommendation

Discussion

The City of Wylie and WEDC have been working toward the redevelopment of the FM 544 Gateway since 2013. As the Board will recall, the WEDC awarded a contract to Tiseo Paving Company in the amount of \$1,766,920.30 at the Special Called Board Meeting on January 12, 2024. Staff is bringing this item back to the Board to consider and act upon possible modifications to the bid associated with the TxDOT improvements and John Yeager Way.

WEDC staff received multiple bids for construction services which included the following:

- Demo, Subgrade Preparation, Earthwork, and Paving
- Utilities, Storm Sewer
- Erosion Control, Landscaping
- Traffic Control, Signage, SWPPP, and Materials Testing
- Mobilization, Bonds, and Insurance

Additional anticipated costs that are not included in this bid:

- Removal of overhead utility poles

Staff will lead the discussion and provide an update during the meeting.

AGENDA REPORT

Meeting Date: March 1, 2024 Item Number: 2
 Prepared By: Jason Greiner *(Staff Use Only)*

Subject

Consider and act upon construction services at Hwy 78 & Brown.

Recommendation

Motion to award the contract to _____ in the amount of \$ _____ and further authorize the Executive Director to execute any and all necessary documents.

Discussion

As the Board will recall, the WEDC has been working toward the redevelopment of Hwy 78 & Brown since 2018. Staff is bringing this item back to the Board to consider and act upon the construction services associated with the TxDOT improvements.

WEDC staff received multiple bids for construction services which included the following:

- Demo
- Subgrade
- Earthwork
- Paving/Striping
- Storm Sewer
- Erosion Control
- Traffic Control

Additional anticipated costs that are not included in this bid:

- Underground Utilities
- Surveying and Staking
- Tree Removal and Disposal
- Qty Pricing for Block Sodding (Unit Pricing Noted/Qty Unknown)

Staff will provide additional information during the meeting and in the Executive Session.