

# Wylie City Council Regular Meeting

February 27, 2024 – 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. Recognition of In-Sync Exotics.

## 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 February 13, 2024 Regular City Council Meeting minutes.
- B. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for January 31, 2024.
- C. Consider, and place on file, the City of Wylie Monthly Investment Report for January 31, 2024.
- D. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of January 31, 2024.
- E. Consider, and act upon, a Final Plat of Upwind Capital Addition, being a replat of Lots 2R and 3, Block A of Upwind Capital Addition, establishing two commercial lots on 3.107 acres, located at 2009 North State Highway 78.
- F. Consider, and act upon, a Final Plat of Dodd Elementary Addition, establishing one residential lot on 9.589 acres, located at 1500 Park Boulevard.
- G. Consider, and place on file, the Wylie Police Department 2023 Racial Profiling Analysis.
- H. Consider, and act upon, accepting a donation to the Smith Public Library in the amount of \$5,779.00 from the Catholic Foundation of the Estate of Rita and Truett Smith.
- I. Consider, and act upon, approval of the Texas Therapeutic Riding Center's First Annual Coco Trot Fun Run/5K at Founders Park from 6:00 a.m. to 12:00 p.m. on May 11, 2024.

## REGULAR AGENDA

1. Consider, and act upon, Ordinance No. 2024-05, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, repealing and replacing in its entirety Chapter 38 (Emergency Services), Article III (Emergency Medical Services) of the Wylie Code of Ordinances and adopting new Emergency Medical Services; providing for penalties for the violation of this ordinance; providing repealing, savings and severability clauses, an effective date and for the publication of the caption hereof.

## WORK SESSION

WS1. Discuss the International Jet Ski tournament at Collin Park, located at 2200 Saint Paul Road, Wylie, Texas.

WS2. Discuss 5 Year Projections for 4B Fund, Utility Fund, and General Fund.

## 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 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. 551.087. 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.*

## 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 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.

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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 February 13, 2024 Regular City Council Meeting minutes.

### Recommendation

Motion to approve the Item as presented.

### Discussion

The minutes are attached for your consideration.



# Wylie City Council Regular Meeting Minutes

February 13, 2024 – 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 6:02 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang (6:18 p.m.), Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, Councilman Sid Hoover, and Councilman Gino Mulliqi.

Staff present included: Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Fire Chief Brandon Blythe; Police Lieutenant Matt Miller; Public Information Officer Craig Kelly; City Secretary Stephanie Storm; Purchasing Manager Chris Rodriguez; Finance Director Melissa Brown; City Engineer Tim Porter; Public Works Director Tommy Weir; Library Director Ofilia Barrera; Community Services Director Jasen Haskins; Parks and Recreation Director Carmen Powlen; and Animal Control Manager Shelia Patton; and various support staff.

## INVOCATION & PLEDGE OF ALLEGIANCE

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

## PRESENTATIONS & RECOGNITIONS

### PR1. Black History Month.

Mayor Porter recognized the month of February as Black History 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.*

Bruce Moilan, representing the Kreymer Estates HOA, addressed Council with concerns related to the Kreymer Estates neighborhood.

## 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 January 23, 2024 Regular City Council Meeting minutes.
- B. Consider, and act upon, Resolution No. 2024-03(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall counties, Texas, ordering a General Election to be held on May 4, 2024, in the City of Wylie, Texas, for the purpose of electing the positions of two Council members (Place 2 and Place 4) of the Wylie City Council, to hold office for a period of three years; designating locations of

polling places; designating filing deadlines; and ordering Notices of Election to be given as prescribed by law in connection with such election.

- C. Consider, and act upon, Resolution No. 2024-04(R) authorizing the City Manager to execute a Joint General and Special Election Services Contract between the City of Wylie and the Collin County Elections Administrator to be administered by the Collin County Elections Administrator for the May 4, 2024 Wylie General Election.
- D. Consider, and act upon, Resolution No. 2024-05(R) authorizing the City Manager to execute a Joint General and Special Election Services Contract between the City of Wylie and the Dallas County Elections Administrator to be administered by the Dallas County Elections Administrator for the May 4, 2024 Wylie General Election.
- E. Consider, and act upon, Resolution No. 2024-06(R) authorizing the City Manager to execute a Joint General and Special Election Services Contract between the City of Wylie and the Rockwall County Elections Administrator to be administered by the Rockwall County Elections Administrator for the May 4, 2024 Wylie General Election.
- F. Consider, and place on file, the Animal Shelter Advisory Board report to City Council.
- G. Consider, and act upon, Resolution No. 2024-07(R) authorizing the City Manager of the City of Wylie to execute, on behalf of the City Council of the City of Wylie, the Highway Crossing Overpass Construction Agreement between The Kansas City Southern Railway Company, Collin County, and the City of Wylie, Texas concerning the construction of the bridge railroad mainline crossing of the Park Boulevard Extension project.
- H. Consider, and act upon, the award of contract W2023-110-A to Beehive Industries for Comprehensive Infrastructure and Asset Management Software (CIAMS) in estimated amount of \$99,800 for the initial contract base term and estimated annual amount of \$48,600 after base term and authorizing the City Manager to execute any necessary documents.
- I. Consider, and act upon, Resolution No. 2024-08(R) of the City Council of the City of Wylie, Texas (Wylie), hereby authorizing the City Manager of Wylie to enter into an interlocal cooperative purchasing agreement between the Sheriff's Association of Texas (SAT) and Wylie for the use of the SAT's contracts and authorizing the City Manager to execute any and all necessary documents.
- J. Consider, and act upon, the approval of the purchase of one (1) Chevrolet Tahoe SSV and two (2) Chevrolet Silverado SSV vehicles in the estimated amount of \$153,564.61 through a cooperative purchasing contract with the Sheriffs Association of Texas, and authorizing the City Manager to execute any necessary documents.
- K. Consider, and act upon, the award of contract W2024-8-A to IGM Technology for Budget Software in estimated amount of \$59,750 for the first year and authorizing the City Manager to execute any necessary documents.
- L. Consider, and act upon, Resolution No. 2024-09(R) of the City Council of the City of Wylie, Texas (Wylie), hereby authorizing the City Manager of Wylie to enter into an interlocal cooperative purchasing agreement between the City of Midlothian (Midlothian) and Wylie for the use of the Midlothian's contracts and authorizing the City Manager to execute any and all necessary documents.
- M. Consider, and act upon, the approval of the purchase of EMS Medical Supplies in an estimated annual amount of \$87,956.60 from Bound Tree Medical, LLC for Wylie Fire Rescue through an

interlocal agreement with the City of Midlothian and authorizing the City Manager to execute any and all necessary documents.

- N. Consider, and act upon, a Preliminary Plat of Lots 1-8, Block A of Ladylike Addition, creating eight commercial lots on 19.726 acres, located north of 801 North State Highway 78.
- O. Consider, and act upon, a Final Plat of Lot 1R-3R1, Block C of Woodlake Village, amending one commercial lot on 2.411 acres, located at 2016 North State Highway 78.
- P. Consider, and act upon, a Final Plat of Lot 11R, Block C of Regency Business Park Phase 3, amending one light industrial lot on 1.275 acres, located at 2772 Capital Street.

Councilman Duke requested Item F, Mayor *pro tem* Forrester requested Item G, and Mayor Porter requested Item N be pulled from the Consent Agenda and considered individually.

#### **Council Action**

A motion was made by Councilman Mulliqi seconded by Councilman Williams, to approve Consent Agenda Items A-E, H-M, O, and P as presented. A vote was taken and the motion passed 6-0 with Councilman Strang absent.

#### **REGULAR AGENDA**

- F. Consider, and place on file, the Animal Shelter Advisory Board report to City Council.

#### **Council Comments**

Councilman Duke asked if staff is giving input or if they are relying on the opinion of the consultant. Ollie replied staff would be involved in the process and would be giving input.

#### **Council Action**

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

- G. Consider, and act upon, Resolution No. 2024-07(R) authorizing the City Manager of the City of Wylie to execute, on behalf of the City Council of the City of Wylie, the Highway Crossing Overpass Construction Agreement between The Kansas City Southern Railway Company, Collin County, and the City of Wylie, Texas concerning the construction of the bridge railroad mainline crossing of the Park Boulevard Extension project.

#### **Staff Comments**

City Engineer Porter addressed the Council stating a couple of months ago the county and railroad approached the City requesting to be a part of an agreement. Staff and the City Attorney reviewed the proposed agreement and provided input, resulting in the final agreement being presented tonight. The City is not a part of the construction of the project, only included for future maintenance of the project. Porter added bridges in Texas are almost all designed by TxDOT standards which average about 50 years of life expectancy, and the City anticipates that it will be at least 15 years before any maintenance is needed on the bridge. TxDOT does send out investigators every year, and every two years they provide the City with a report that shows where the City is as far as the bridges and what scale they are on. Porter stated at this time, it is hard to estimate how much the maintenance costs will be, but Public Works does plan on budgeting funds for the maintenance of bridges, and added this year the City is doing a stormwater fee study that could potentially fund some bridge maintenance and TxDOT has three different programs that utilize state funding to support bridge maintenance. Porter added typically on a lot of these bridges, cities are only responsible for about 10 percent of the fixes even on non TxDOT roads. Porter stated although this is a county project, the City does plan on doing a walkthrough with our inspection team before the

acceptance of the project to ensure that everything is done to our standards, but if it is done to TxDOT standards it usually holds up well.

### **Council Comments**

Mayor *pro tem* Forrester asked for the time frame for construction, the target dates that the project will start, and the approximate completion date. City Engineer Porter replied they expect to begin in late spring/early summer of 2024 and be completed in the summer of 2026. Forrester confirmed there are no fees or expenses for the City. City Engineer Porter replied only maintenance costs after the project is completed. Forrester confirmed staff will set aside funds for the bridge and road maintenance. City Engineer Porter confirmed that this is correct. Councilman Mulliqi confirmed the City would be responsible for maintenance of the road that is only located in the City; not the parts in the county. City Engineer Porter replied yes; however, that discussion has not taken place yet as this agreement is for the bridge only which is located in the City. Mulliqi added he does not want the City to get overwhelmed with road maintenance and would like those discussions to be had with the county.

Councilman Strang took his seat at the dias at 6:18 p.m.

### **Council Action**

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

- N. Consider, and act upon, a Preliminary Plat of Lots 1-8, Block A of Ladylike Addition, creating eight commercial lots on 19.726 acres, located north of 801 North State Highway 78.**

### **Council Comments**

Mayor Porter asked if a deceleration lane is included. Haskins replied not at this time but one would be built if Engineering requires it after reviewing. Porter expressed concerns with not having a deceleration lane with this size of a development. Haskins replied staff believes Engineering would require a deceleration lane on a busy roadway such as this with the higher speed limit. Porter confirmed the deceleration lane is not required to be part of the plat. Haskins replied it is not required. Mayor *pro tem* Forrester asked about a nearby traffic study. Haskins replied a traffic impact analysis does not usually show the need for a deceleration lane. Forrester stated he would want to see a deceleration lane. Haskins said there is a chance this development may require two deceleration lanes after Engineering review. Councilman Mulliqi confirmed staff does not know what these lots are being created for. Haskins replied staff has not seen development plans yet, but the plats would come before Council for approval.

### **Council Action**

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

- 1. Consider, and act upon, Resolution No. 2024-10(R) establishing a public newspaper of general circulation to be the “Official Newspaper” for the City of Wylie.**

### **Staff Comments**

City Secretary Storm addressed the Council stating each year, the City Council does have to designate an official newspaper for the City. The fees for the Dallas Morning News and Wylie News have been included in the agenda packet for consideration and recommendation.

### **Council Action**

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Resolution No. 2024-10(R) establishing the Wylie News as the “Official Newspaper” of the City of Wylie. A vote was taken and the motion passed 7-0.

## WORK SESSION

Mayor Porter convened the Council into Work Session at 6:34 p.m.

### WS1. Discussion regarding the Capital Improvement Program (CIP) Project Status and 5-Year Plan.

City Engineer Porter gave a presentation on the Capital Improvement Plan Project Status and 5-Year Plan including the Engineering Department responsibilities; recently completed capital projects; current capital projects including Eubanks Lane (SH 78 to NTMWD Driveway), E. FM 544 (Alfred to County Line), McMillen Road (McCreary to Country Club), Park Boulevard (Country Club to FM 2514), three signal projects, Ballard Water Tower, Dogwood Waterline Replacement, and Downtown Traffic and Drainage Improvements; five-year plan for streets, utility, and signals/lighting/other; current and future projects by others; and partner agency projects.

Council comments and questions included does the City have money budgeted for waterline relocation on E. FM 544 for East Fork SUD waterlines, will this delay the project, and will the relocation of the water lines affect the traffic; want to ensure citizens can get from one side of town to the other and not overcrowd roadways as projects progress at the same time; is there an entity delaying the progress on McMillen Road; if staff runs into a lack of response for a period of time for the McMillen Road project please let Council know so they can assist; will there be any permits or anticipated delay with the Park Blvd. project; when will the Ballard Water Tower be demolished; what is the status of the discussions with TxDOT regarding the downtown traffic improvements; has staff reached out to Collin County regarding their section of Troy Road for the Kreymer Lane (SH 78 to Troy Road) project; confirmed about the process of the funding for the different projects presented; Council would like to assist with NCTCOG discussions if needed; are the street projects listed in priority order; would the funding for the five-year utility plan projects be part of the rate study; are some of the Woodbridge/Hensley signal funds carried forward with them not being utilized; is funding factored in for lights along E. Brown Street; status of the Sachse Road project with City of Sachse; look at completing the City's portion of Sachse Road project to the bridge using the designated bond funds; and would like to see all costs associated, including operation and maintenance, with the projects as they come to fruition so Council has information on the future impacts.

## RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 7:29 p.m.

## ADJOURNMENT

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to adjourn the meeting at 7:30 p.m. A vote was taken and the motion passed 7-0.

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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: Finance  
Prepared By: Melissa Brown

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

### Subject

Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for January 31, 2024.

### Recommendation

Motion to approve the Item as presented.

### Discussion

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

## CITY OF WYLIE

## MONTHLY FINANCIAL REPORT

January 31, 2024

| ACCOUNT DESCRIPTION                                                                                                                                                                                                                 | ANNUAL<br>BUDGET<br>2023-2024 | CURRENT<br>MONTH ACTUAL<br>2023-2024 | YTD ACTUAL<br>2023-2024 | YTD ACTUAL<br>AS A PERCENT<br>OF BUDGET | Benchmark<br>33.33% |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------|-------------------------|-----------------------------------------|---------------------|
| <b>GENERAL FUND REVENUE SUMMARY</b>                                                                                                                                                                                                 |                               |                                      |                         |                                         |                     |
| TAXES                                                                                                                                                                                                                               | 39,807,333                    | 8,606,693                            | 28,538,561              | 71.69%                                  | A                   |
| FRANCHISE FEES                                                                                                                                                                                                                      | 2,953,146                     | 12,871                               | 424,125                 | 14.36%                                  | B                   |
| LICENSES AND PERMITS                                                                                                                                                                                                                | 1,275,000                     | 76,922                               | 279,798                 | 21.94%                                  | C                   |
| INTERGOVERNMENTAL REV.                                                                                                                                                                                                              | 2,609,490                     | 60,805                               | 881,629                 | 33.79%                                  |                     |
| SERVICE FEES                                                                                                                                                                                                                        | 4,343,203                     | 463,101                              | 1,315,846               | 30.30%                                  | D                   |
| COURT FEES                                                                                                                                                                                                                          | 340,000                       | 30,474                               | 107,628                 | 31.66%                                  |                     |
| INTEREST INCOME                                                                                                                                                                                                                     | 1,526,221                     | 139,794                              | 408,582                 | 26.77%                                  | E                   |
| MISCELLANEOUS INCOME                                                                                                                                                                                                                | 260,807                       | 39,547                               | 58,676                  | 22.50%                                  |                     |
| OTHER FINANCING SOURCES                                                                                                                                                                                                             | 2,645,506                     | 0                                    | 2,647,283               | 100.07%                                 | F                   |
| <b>REVENUES</b>                                                                                                                                                                                                                     | <b>55,760,706</b>             | <b>9,430,207</b>                     | <b>34,662,126</b>       | <b>62.16%</b>                           |                     |
| USE OF FUND BALANCE                                                                                                                                                                                                                 | 0                             | 0                                    | 0                       | 0.00%                                   |                     |
| USE OF CARRY-FORWARD FUNDS                                                                                                                                                                                                          | 1,914,392                     | NA                                   | NA                      | NA                                      | G                   |
| <b>TOTAL REVENUES</b>                                                                                                                                                                                                               | <b>57,675,098</b>             | <b>9,430,207</b>                     | <b>34,662,126</b>       | <b>60.10%</b>                           |                     |
| <b>GENERAL FUND EXPENDITURE SUMMARY</b>                                                                                                                                                                                             |                               |                                      |                         |                                         |                     |
| CITY COUNCIL                                                                                                                                                                                                                        | 96,401                        | 2,588                                | 23,669                  | 24.55%                                  |                     |
| CITY MANAGER                                                                                                                                                                                                                        | 1,319,397                     | 106,053                              | 414,329                 | 31.40%                                  |                     |
| CITY SECRETARY                                                                                                                                                                                                                      | 424,452                       | 40,468                               | 130,760                 | 30.81%                                  |                     |
| CITY ATTORNEY                                                                                                                                                                                                                       | 170,000                       | 4,713                                | 46,646                  | 27.44%                                  |                     |
| FINANCE                                                                                                                                                                                                                             | 1,399,631                     | 134,139                              | 641,706                 | 45.85%                                  | H                   |
| FACILITIES                                                                                                                                                                                                                          | 1,069,225                     | 70,635                               | 283,697                 | 26.53%                                  |                     |
| MUNICIPAL COURT                                                                                                                                                                                                                     | 609,517                       | 46,321                               | 186,945                 | 30.67%                                  |                     |
| HUMAN RESOURCES                                                                                                                                                                                                                     | 866,880                       | 109,070                              | 315,803                 | 36.43%                                  |                     |
| PURCHASING                                                                                                                                                                                                                          | 329,321                       | 21,305                               | 125,457                 | 38.10%                                  |                     |
| INFORMATION TECHNOLOGY                                                                                                                                                                                                              | 2,243,720                     | 185,656                              | 1,010,204               | 45.02%                                  | I                   |
| POLICE                                                                                                                                                                                                                              | 14,196,132                    | 980,516                              | 4,047,635               | 28.51%                                  |                     |
| FIRE                                                                                                                                                                                                                                | 16,604,336                    | 1,116,764                            | 4,368,925               | 26.31%                                  |                     |
| EMERGENCY COMMUNICATIONS                                                                                                                                                                                                            | 2,638,451                     | 127,127                              | 655,762                 | 24.85%                                  |                     |
| ANIMAL CONTROL                                                                                                                                                                                                                      | 785,941                       | 39,762                               | 207,233                 | 26.37%                                  |                     |
| PLANNING                                                                                                                                                                                                                            | 380,280                       | 27,802                               | 104,280                 | 27.42%                                  |                     |
| BUILDING INSPECTION                                                                                                                                                                                                                 | 657,941                       | 35,400                               | 177,306                 | 26.95%                                  |                     |
| CODE ENFORCEMENT                                                                                                                                                                                                                    | 222,680                       | 16,634                               | 61,715                  | 27.71%                                  |                     |
| STREETS                                                                                                                                                                                                                             | 4,206,796                     | 394,918                              | 1,006,225               | 23.92%                                  |                     |
| PARKS                                                                                                                                                                                                                               | 2,844,493                     | 161,017                              | 694,034                 | 24.40%                                  |                     |
| LIBRARY                                                                                                                                                                                                                             | 2,328,582                     | 172,201                              | 717,138                 | 30.80%                                  |                     |
| COMBINED SERVICES                                                                                                                                                                                                                   | 5,217,922                     | 364,124                              | 1,684,432               | 32.28%                                  |                     |
| <b>TOTAL EXPENDITURES</b>                                                                                                                                                                                                           | <b>58,612,099</b>             | <b>4,157,213</b>                     | <b>16,903,900</b>       | <b>28.84%</b>                           |                     |
| <b>REVENUES OVER/(UNDER) EXPENDITURES</b>                                                                                                                                                                                           | <b>-937,001</b>               | <b>5,272,993</b>                     | <b>17,758,227</b>       | <b>31.26%</b>                           |                     |
| A. Property Tax Collections for FY23-24 as of Januar 31, 2024 are 88%, in comparison to FY22-23 for the same time period of 81%. Sales tax is on a 2 month lag and only two months have been received. Sales Tax is up 8.71%.       |                               |                                      |                         |                                         |                     |
| B. Franchise Fees: Most franchise fees are recognized quarterly with electric fees making up the majority.                                                                                                                          |                               |                                      |                         |                                         |                     |
| C. Building Permits are up 29% from FY 2022-23. Permits fluctuate monthly and are anticipated to meet budget for FY 2023-24.                                                                                                        |                               |                                      |                         |                                         |                     |
| D. Service Fees: Trash fees are on a one month lag and only three months have been received. The remaining fees are from other seasonal fees.                                                                                       |                               |                                      |                         |                                         |                     |
| E. Interest Rates have remained relatively flat over the last few months. Fund Balance has decreased due to large transfers to capital funds.                                                                                       |                               |                                      |                         |                                         |                     |
| F. Yearly transfer from Utility Fund and insurance recoveries.                                                                                                                                                                      |                               |                                      |                         |                                         |                     |
| G. Largest Carry Forward items: \$150,000 for PW/Community Services Software, \$288,000 for police and streets vehicles, \$338,840 for ambulance, \$119,102 for APX Mobile Radios, \$600,000 for Woodbridge/Hensley Traffic Signal. |                               |                                      |                         |                                         |                     |
| H. Annual audit and appraisal district fees                                                                                                                                                                                         |                               |                                      |                         |                                         |                     |
| I. Annual maintenance agreements                                                                                                                                                                                                    |                               |                                      |                         |                                         |                     |

## CITY OF WYLIE

## MONTHLY FINANCIAL REPORT

January 31, 2024

| ACCOUNT DESCRIPTION                                                                                                                                                                                             | ANNUAL<br>BUDGET<br>2023-2024 | CURRENT<br>MONTH ACTUAL<br>2023-2024 | YTD ACTUAL<br>2023-2024 | YTD ACTUAL<br>AS A PERCENT<br>OF BUDGET | Benchmark<br>33.33% |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------|-------------------------|-----------------------------------------|---------------------|
| <b>UTILITY FUND REVENUES SUMMARY</b>                                                                                                                                                                            |                               |                                      |                         |                                         |                     |
| SERVICE FEES                                                                                                                                                                                                    | 29,434,997                    | 2,153,232                            | 7,122,272               | 24.20%                                  | J                   |
| INTEREST INCOME                                                                                                                                                                                                 | 719,896                       | 105,400                              | 414,628                 | 57.60%                                  | K                   |
| MISCELLANEOUS INCOME                                                                                                                                                                                            | 70,000                        | 1,809                                | 9,759                   | 13.94%                                  |                     |
| OTHER FINANCING SOURCES                                                                                                                                                                                         |                               |                                      |                         | 0.00%                                   |                     |
| <b>REVENUES</b>                                                                                                                                                                                                 | <b>30,224,893</b>             | <b>2,260,441</b>                     | <b>7,546,659</b>        | <b>24.97%</b>                           |                     |
| USE OF FUND BALANCE                                                                                                                                                                                             | 0                             | NA                                   | 0                       | 0                                       |                     |
| USE OF CARRY-FORWARD FUNDS                                                                                                                                                                                      | 1,449,523                     | NA                                   | NA                      | NA                                      | L                   |
| <b>TOTAL REVENUES</b>                                                                                                                                                                                           | <b>31,674,416</b>             | <b>NA</b>                            | <b>7,546,659</b>        | <b>23.83%</b>                           |                     |
| <b>UTILITY FUND EXPENDITURE SUMMARY</b>                                                                                                                                                                         |                               |                                      |                         |                                         |                     |
| UTILITY ADMINISTRATION                                                                                                                                                                                          | 660,340                       | 20,680                               | 142,406                 | 21.57%                                  |                     |
| UTILITIES - WATER                                                                                                                                                                                               | 3,927,313                     | 164,655                              | 745,205                 | 18.97%                                  |                     |
| CITY ENGINEER                                                                                                                                                                                                   | 1,361,043                     | 69,585                               | 333,617                 | 24.51%                                  |                     |
| UTILITIES - SEWER                                                                                                                                                                                               | 1,588,719                     | 160,321                              | 408,688                 | 25.72%                                  |                     |
| UTILITY BILLING                                                                                                                                                                                                 | 1,510,513                     | 92,696                               | 347,930                 | 23.03%                                  |                     |
| COMBINED SERVICES                                                                                                                                                                                               | 20,218,615                    | 1,287,481                            | 7,332,398               | 36.27%                                  | M                   |
| <b>TOTAL EXPENDITURES</b>                                                                                                                                                                                       | <b>29,266,543</b>             | <b>1,795,419</b>                     | <b>9,310,243</b>        | <b>31.81%</b>                           |                     |
| <b>REVENUES OVER/(UNDER) EXPENDITURES</b>                                                                                                                                                                       | <b>2,407,872</b>              | <b>465,022</b>                       | <b>-1,763,585</b>       | <b>-7.99%</b>                           |                     |
| J. Most Utility Fund Revenue is on a one month lag and only three months have been received.                                                                                                                    |                               |                                      |                         |                                         |                     |
| K. Interest Rates have remained relatively flat over the last few months. Fund Balance has increased.                                                                                                           |                               |                                      |                         |                                         |                     |
| L. Largest Carry Forward items: PW/Community Services Software \$135,730, Lead and Copper Revision \$150,964, Water Pump Station Backup Generators \$736,937 and Dogwood Drive Waterline Replacement \$100,000. |                               |                                      |                         |                                         |                     |
| M. Annual transfer to the General Fund.                                                                                                                                                                         |                               |                                      |                         |                                         |                     |





# Wylie City Council

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## AGENDA REPORT

Department: Finance

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

Prepared By: Melissa Brown

### Subject

Consider, and place on file, the City of Wylie Monthly Investment Report for January 31, 2024.

### Recommendation

Motion to approve the Item as presented.

### Discussion

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

# City Of Wylie

## 2023-2024 Investment Report January 31, 2024

Money Market Accounts:  
Certificates of Deposit:  
Treasury Bills:  
Treasury Notes:  
Government Agency Notes:

|         |
|---------|
| MMA     |
| CCD     |
| T-Bills |
| T-Notes |
| AN      |

| Invest. Number | Principal Amount | Type Of Security | Interest Rate | Issuer  | Purchase Date | Maturity Date |
|----------------|------------------|------------------|---------------|---------|---------------|---------------|
| 1              | \$16,523,409.31  | MMA              | 5.3455%       | Texpool | 12/31/2006    | NA            |
| 2              | \$17,098,292.58  | MMA              | 5.3200%       | TexStar | 3/15/2011     | NA            |
|                | \$33,621,701.89  |                  |               |         |               |               |

Total

Weighted Average Coupon:  
Weighted Average Maturity (Days):

|         |
|---------|
| 5.3325% |
| 1.00    |

Money Markets:  
Certificates of Deposits:

|                 |
|-----------------|
| \$33,621,701.89 |
| \$0.00          |
| \$33,621,701.89 |



*Melina Burton* 2-21-24

Finance Director/Investment Officer



# Wylie City Council

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## AGENDA REPORT

Department: WEDC  
Prepared By: Jason Greiner

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

### Subject

Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of January 31, 2024.

### Recommendation

Motion to approve the Item as presented.

### Discussion

The Wylie Economic Development Corporation (WEDC) Board of Directors approved the attached financials on February 21, 2024.

# January Rev/Exp Report

## Account Summary

For Fiscal: 2023-2024 Period Ending: 01/31/2024

|                                                                 |                                 | Original<br>Total Budget | Current<br>Total Budget | Period<br>Activity | Fiscal<br>Activity  | Variance<br>Favorable<br>(Unfavorable) | Percent<br>Remaining |
|-----------------------------------------------------------------|---------------------------------|--------------------------|-------------------------|--------------------|---------------------|----------------------------------------|----------------------|
| <b>Fund: 111 - WYLIE ECONOMIC DEVEL CORP</b>                    |                                 |                          |                         |                    |                     |                                        |                      |
| <b>Revenue</b>                                                  |                                 |                          |                         |                    |                     |                                        |                      |
| <a href="#">111-4000-40210</a>                                  | SALES TAX                       | 4,536,561.00             | 4,536,561.00            | 393,994.39         | 768,680.77          | -3,767,880.23                          | 83.06 %              |
| <a href="#">111-4000-46110</a>                                  | ALLOCATED INTEREST EARNINGS     | 112,000.00               | 112,000.00              | 45,361.29          | 174,825.46          | 62,825.46                              | 156.09 %             |
| <a href="#">111-4000-48110</a>                                  | RENTAL INCOME                   | 48,600.00                | 48,600.00               | 14,400.00          | 19,480.65           | -29,119.35                             | 59.92 %              |
| <a href="#">111-4000-48410</a>                                  | MISCELLANEOUS INCOME            | 0.00                     | 0.00                    | 1,250.00           | 2,508.18            | 2,508.18                               | 0.00 %               |
| <a href="#">111-4000-48430</a>                                  | GAIN/(LOSS) SALE OF CAP ASSETS  | 2,655,970.00             | 2,655,970.00            | -20,000.00         | -243,384.36         | -2,899,354.36                          | 109.16 %             |
|                                                                 | <b>Revenue Total:</b>           | <b>7,353,131.00</b>      | <b>7,353,131.00</b>     | <b>435,005.68</b>  | <b>722,110.70</b>   | <b>-6,631,020.30</b>                   | <b>90.18%</b>        |
| <b>Expense</b>                                                  |                                 |                          |                         |                    |                     |                                        |                      |
| <a href="#">111-5611-51110</a>                                  | SALARIES                        | 440,500.00               | 440,500.00              | 27,832.90          | 115,330.78          | 325,169.22                             | 73.82 %              |
| <a href="#">111-5611-51130</a>                                  | OVERTIME                        | 0.00                     | 0.00                    | 0.00               | 871.40              | -871.40                                | 0.00 %               |
| <a href="#">111-5611-51140</a>                                  | LONGEVITY PAY                   | 1,200.00                 | 1,200.00                | 0.00               | 1,092.00            | 108.00                                 | 9.00 %               |
| <a href="#">111-5611-51310</a>                                  | TMRS                            | 68,500.00                | 68,500.00               | 4,066.10           | 16,898.35           | 51,601.65                              | 75.33 %              |
| <a href="#">111-5611-51410</a>                                  | HOSPITAL & LIFE INSURANCE       | 81,000.00                | 81,000.00               | 4,944.74           | 19,919.32           | 61,080.68                              | 75.41 %              |
| <a href="#">111-5611-51420</a>                                  | LONG-TERM DISABILITY            | 1,600.00                 | 1,600.00                | 0.00               | 117.00              | 1,483.00                               | 92.69 %              |
| <a href="#">111-5611-51440</a>                                  | FICA                            | 27,000.00                | 27,000.00               | 1,557.42           | 6,715.48            | 20,284.52                              | 75.13 %              |
| <a href="#">111-5611-51450</a>                                  | MEDICARE                        | 6,400.00                 | 6,400.00                | 364.24             | 1,570.54            | 4,829.46                               | 75.46 %              |
| <a href="#">111-5611-51470</a>                                  | WORKERS COMP PREMIUM            | 2,100.00                 | 2,100.00                | 0.00               | 825.66              | 1,274.34                               | 60.68 %              |
| <a href="#">111-5611-51480</a>                                  | UNEMPLOYMENT COMP (TWC)         | 1,600.00                 | 1,600.00                | 25.96              | 30.96               | 1,569.04                               | 98.07 %              |
| <a href="#">111-5611-52010</a>                                  | OFFICE SUPPLIES                 | 5,000.00                 | 5,000.00                | 405.99             | 1,563.37            | 3,436.63                               | 68.73 %              |
| <a href="#">111-5611-52040</a>                                  | POSTAGE & FREIGHT               | 300.00                   | 300.00                  | 158.40             | 158.40              | 141.60                                 | 47.20 %              |
| <a href="#">111-5611-52810</a>                                  | FOOD SUPPLIES                   | 3,000.00                 | 3,000.00                | 275.37             | 742.16              | 2,257.84                               | 75.26 %              |
| <a href="#">111-5611-54610</a>                                  | FURNITURE & FIXTURES            | 2,500.00                 | 2,500.00                | 0.00               | -193.05             | 2,693.05                               | 107.72 %             |
| <a href="#">111-5611-54810</a>                                  | COMPUTER HARD/SOFTWARE          | 7,650.00                 | 7,650.00                | 0.00               | 2,299.98            | 5,350.02                               | 69.93 %              |
| <a href="#">111-5611-56030</a>                                  | INCENTIVES                      | 1,929,250.00             | 1,929,250.00            | 300,000.00         | 300,000.00          | 1,629,250.00                           | 84.45 %              |
| <a href="#">111-5611-56040</a>                                  | SPECIAL SERVICES                | 37,270.00                | 37,270.00               | 252.50             | 882.50              | 36,387.50                              | 97.63 %              |
| <a href="#">111-5611-56041</a>                                  | SPECIAL SERVICES-REAL ESTATE    | 234,500.00               | 234,500.00              | 21,709.14          | 33,439.46           | 201,060.54                             | 85.74 %              |
| <a href="#">111-5611-56042</a>                                  | SPECIAL SERVICES-INFRASTRUCTURE | 10,324,000.00            | 10,324,000.00           | 0.00               | 6,101.36            | 10,317,898.64                          | 99.94 %              |
| <a href="#">111-5611-56080</a>                                  | ADVERTISING                     | 226,125.00               | 226,125.00              | 7,500.00           | 46,121.62           | 180,003.38                             | 79.60 %              |
| <a href="#">111-5611-56090</a>                                  | COMMUNITY DEVELOPMENT           | 64,950.00                | 64,950.00               | 4,718.23           | 21,424.88           | 43,525.12                              | 67.01 %              |
| <a href="#">111-5611-56110</a>                                  | COMMUNICATIONS                  | 7,900.00                 | 7,900.00                | 492.57             | 1,477.13            | 6,422.87                               | 81.30 %              |
| <a href="#">111-5611-56180</a>                                  | RENTAL                          | 27,000.00                | 27,000.00               | 2,250.00           | 9,000.00            | 18,000.00                              | 66.67 %              |
| <a href="#">111-5611-56210</a>                                  | TRAVEL & TRAINING               | 73,000.00                | 73,000.00               | 237.96             | 17,539.09           | 55,460.91                              | 75.97 %              |
| <a href="#">111-5611-56250</a>                                  | DUES & SUBSCRIPTIONS            | 60,733.00                | 60,733.00               | 3,792.95           | 31,611.85           | 29,121.15                              | 47.95 %              |
| <a href="#">111-5611-56310</a>                                  | INSURANCE                       | 6,800.00                 | 6,800.00                | 0.00               | 5,350.11            | 1,449.89                               | 21.32 %              |
| <a href="#">111-5611-56510</a>                                  | AUDIT & LEGAL SERVICES          | 23,000.00                | 23,000.00               | 6,274.80           | 13,745.67           | 9,254.33                               | 40.24 %              |
| <a href="#">111-5611-56570</a>                                  | ENGINEERING/ARCHITECTURAL       | 530,175.00               | 530,175.00              | 84,824.13          | 169,297.24          | 360,877.76                             | 68.07 %              |
| <a href="#">111-5611-56610</a>                                  | UTILITIES-ELECTRIC              | 2,400.00                 | 2,400.00                | 378.29             | 634.32              | 1,765.68                               | 73.57 %              |
| <a href="#">111-5611-57410</a>                                  | PRINCIPAL PAYMENT               | 600,096.00               | 600,096.00              | 49,578.66          | 197,301.45          | 402,794.55                             | 67.12 %              |
| <a href="#">111-5611-57415</a>                                  | INTEREST EXPENSE                | 631,902.00               | 631,902.00              | 53,087.81          | 213,364.43          | 418,537.57                             | 66.23 %              |
| <a href="#">111-5611-58110</a>                                  | LAND-PURCHASE PRICE             | 1,000,000.00             | 1,000,000.00            | 0.00               | 7,079.00            | 992,921.00                             | 99.29 %              |
| <a href="#">111-5611-58995</a>                                  | CONTRA CAPITAL OUTLAY           | 0.00                     | 0.00                    | 0.00               | -7,079.00           | 7,079.00                               | 0.00 %               |
|                                                                 | <b>Expense Total:</b>           | <b>16,427,451.00</b>     | <b>16,427,451.00</b>    | <b>574,728.16</b>  | <b>1,235,233.46</b> | <b>15,192,217.54</b>                   | <b>92.48%</b>        |
| <b>Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):</b> |                                 | <b>-9,074,320.00</b>     | <b>-9,074,320.00</b>    | <b>-139,722.48</b> | <b>-513,122.76</b>  | <b>8,561,197.24</b>                    | <b>94.35%</b>        |
| <b>Report Surplus (Deficit):</b>                                |                                 | <b>-9,074,320.00</b>     | <b>-9,074,320.00</b>    | <b>-139,722.48</b> | <b>-513,122.76</b>  | <b>8,561,197.24</b>                    | <b>94.35%</b>        |

Budget Report

For Fiscal: 2023-2024 Period Ending: 01/31/2024

Group Summary

| Account Typ...                                           | Original<br>Total Budget | Current<br>Total Budget | Period<br>Activity | Fiscal<br>Activity | Variance                   | Percent |
|----------------------------------------------------------|--------------------------|-------------------------|--------------------|--------------------|----------------------------|---------|
|                                                          |                          |                         |                    |                    | Favorable<br>(Unfavorable) |         |
| Fund: 111 - WYLIE ECONOMIC DEVEL CORP                    |                          |                         |                    |                    |                            |         |
| Revenue                                                  | 7,353,131.00             | 7,353,131.00            | 435,005.68         | 722,110.70         | -6,631,020.30              | 90.18%  |
| Expense                                                  | 16,427,451.00            | 16,427,451.00           | 574,728.16         | 1,235,233.46       | 15,192,217.54              | 92.48%  |
| Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit): | -9,074,320.00            | -9,074,320.00           | -139,722.48        | -513,122.76        | 8,561,197.24               | 94.35%  |
| Report Surplus (Deficit):                                | -9,074,320.00            | -9,074,320.00           | -139,722.48        | -513,122.76        | 8,561,197.24               | 94.35%  |

Budget Report

For Fiscal: 2023-2024 Period Ending: 01/31/2024

Fund Summary

| Fund                          | Original<br>Total Budget | Current<br>Total Budget | Period<br>Activity | Fiscal<br>Activity | Variance<br>Favorable<br>(Unfavorable) |
|-------------------------------|--------------------------|-------------------------|--------------------|--------------------|----------------------------------------|
| 111 - WYLIE ECONOMIC DEVEL CO | -9,074,320.00            | -9,074,320.00           | -139,722.48        | -513,122.76        | 8,561,197.24                           |
| Report Surplus (Deficit):     | -9,074,320.00            | -9,074,320.00           | -139,722.48        | -513,122.76        | 8,561,197.24                           |

Wylie Economic Development Corporation  
Statement of Net Position  
As of January 31, 2024

**Assets**

|                           |                         |        |
|---------------------------|-------------------------|--------|
| Cash and cash equivalents | \$ 13,522,433.79        |        |
| Receivables               | \$ 750,000.00           | Note 1 |
| Inventories               | \$ 14,645,353.88        |        |
| Prepaid Items             | \$ -                    |        |
| <b>Total Assets</b>       | <b>\$ 28,917,787.67</b> |        |

**Deferred Outflows of Resources**

|                                             |                      |
|---------------------------------------------|----------------------|
| Pensions                                    | \$ 114,336.55        |
| <b>Total deferred outflows of resources</b> | <b>\$ 114,336.55</b> |

**Liabilities**

|                                                |                         |        |
|------------------------------------------------|-------------------------|--------|
| Accounts Payable and other current liabilities | \$ 23,687.99            |        |
| Unearned Revenue                               | \$ 4,141.40             | Note 2 |
| Non current liabilities:                       |                         |        |
| Due within one year                            | \$ 463,909.55           | Note 3 |
| Due in more than one year                      | \$ 15,136,816.48        |        |
| <b>Total Liabilities</b>                       | <b>\$ 15,628,555.42</b> |        |

**Deferred Inflows of Resources**

|                                            |                      |
|--------------------------------------------|----------------------|
| Pensions                                   | \$ (8,336.41)        |
| <b>Total deferred inflows of resources</b> | <b>\$ (8,336.41)</b> |

**Net Position**

|                                  |                         |
|----------------------------------|-------------------------|
| Net investment in capital assets | \$ -                    |
| Unrestricted                     | \$ 13,395,232.39        |
| <b>Total Net Position</b>        | <b>\$ 13,395,232.39</b> |

*Note 1: Includes incentives in the form of forgivable loans for \$100,000 (Glen Echo), \$450,000 (Phoenix Ascending), and \$200,000 (MLKJ)*

*Note 2: Deposits from rental property*

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

# Balance Sheet

## Account Summary

As Of 01/31/2024

| Account                                      | Name                           | Balance                     |
|----------------------------------------------|--------------------------------|-----------------------------|
| <b>Fund: 111 - WYLIE ECONOMIC DEVEL CORP</b> |                                |                             |
| <b>Assets</b>                                |                                |                             |
| <a href="#">111-1000-10110</a>               | CLAIM ON CASH AND CASH EQUIV.  | 13,520,433.79               |
| <a href="#">111-1000-10115</a>               | CASH - WEDC - INWOOD           | 0.00                        |
| <a href="#">111-1000-10135</a>               | ESCROW                         | 0.00                        |
| <a href="#">111-1000-10180</a>               | DEPOSITS                       | 2,000.00                    |
| <a href="#">111-1000-10198</a>               | OTHER - MISC CLEARING          | 0.00                        |
| <a href="#">111-1000-10341</a>               | TEXPOOL                        | 0.00                        |
| <a href="#">111-1000-10343</a>               | LOGIC                          | 0.00                        |
| <a href="#">111-1000-10481</a>               | INTEREST RECEIVABLE            | 0.00                        |
| <a href="#">111-1000-11511</a>               | ACCTS REC - MISC               | 0.00                        |
| <a href="#">111-1000-11517</a>               | ACCTS REC - SALES TAX          | 0.00                        |
| <a href="#">111-1000-12810</a>               | LEASE PAYMENTS RECEIVABLE      | 0.00                        |
| <a href="#">111-1000-12950</a>               | LOAN PROCEEDS RECEIVABLE       | 0.00                        |
| <a href="#">111-1000-12996</a>               | LOAN RECEIVABLE                | 0.00                        |
| <a href="#">111-1000-12997</a>               | ACCTS REC - JTM TECH           | 0.00                        |
| <a href="#">111-1000-12998</a>               | ACCTS REC - FORGIVEABLE LOANS  | 750,000.00                  |
| <a href="#">111-1000-14112</a>               | INVENTORY - MATERIAL/ SUPPLY   | 0.00                        |
| <a href="#">111-1000-14116</a>               | INVENTORY - LAND & BUILDINGS   | 14,645,353.88               |
| <a href="#">111-1000-14118</a>               | INVENTORY - BAYCO/ SANDEN BLVD | 0.00                        |
| <a href="#">111-1000-14310</a>               | PREPAID EXPENSES - MISC        | 0.00                        |
| <a href="#">111-1000-14410</a>               | DEFERRED OUTFLOWS              | 1,868,500.00                |
| <b>Total Assets:</b>                         |                                | <b>30,786,287.67</b>        |
|                                              |                                | <b><u>30,786,287.67</u></b> |
| <b>Liability</b>                             |                                |                             |
| <a href="#">111-2000-20110</a>               | FEDERAL INCOME TAX PAYABLE     | 0.00                        |
| <a href="#">111-2000-20111</a>               | MEDICARE PAYABLE               | 0.00                        |
| <a href="#">111-2000-20112</a>               | CHILD SUPPORT PAYABLE          | 0.00                        |
| <a href="#">111-2000-20113</a>               | CREDIT UNION PAYABLE           | 0.00                        |
| <a href="#">111-2000-20114</a>               | IRS LEVY PAYABLE               | 0.00                        |
| <a href="#">111-2000-20115</a>               | NATIONWIDE DEFERRED COMP       | 0.00                        |
| <a href="#">111-2000-20116</a>               | HEALTH INSUR PAY-EMPLOYEE      | -2,735.96                   |
| <a href="#">111-2000-20117</a>               | TMRS PAYABLE                   | 5,902.40                    |
| <a href="#">111-2000-20118</a>               | ROTH IRA PAYABLE               | 0.00                        |
| <a href="#">111-2000-20119</a>               | WORKERS COMP PAYABLE           | 0.00                        |
| <a href="#">111-2000-20120</a>               | FICA PAYABLE                   | 0.00                        |
| <a href="#">111-2000-20121</a>               | TEC PAYABLE                    | 0.00                        |
| <a href="#">111-2000-20122</a>               | STUDENT LOAN LEVY PAYABLE      | 0.00                        |
| <a href="#">111-2000-20123</a>               | ALIMONY PAYABLE                | 0.00                        |
| <a href="#">111-2000-20124</a>               | BANKRUPTCY PAYABLE             | 0.00                        |
| <a href="#">111-2000-20125</a>               | VALIC DEFERRED COMP            | 0.00                        |
| <a href="#">111-2000-20126</a>               | ICMA PAYABLE                   | 0.00                        |
| <a href="#">111-2000-20127</a>               | EMP. LEGAL SERVICES PAYABLE    | 0.00                        |
| <a href="#">111-2000-20130</a>               | FLEXIBLE SPENDING ACCOUNT      | 3,362.42                    |
| <a href="#">111-2000-20131</a>               | EDWARD JONES DEFERRED COMP     | 0.00                        |
| <a href="#">111-2000-20132</a>               | EMP CARE FLITE                 | 12.00                       |
| <a href="#">111-2000-20133</a>               | Unemployment Comp Payable      | 30.97                       |
| <a href="#">111-2000-20151</a>               | ACCRUED WAGES PAYABLE          | 0.00                        |
| <a href="#">111-2000-20180</a>               | ADDIT EMPLOYEE INSUR PAY       | 135.18                      |
| <a href="#">111-2000-20199</a>               | MISC PAYROLL PAYABLE           | 0.00                        |
| <a href="#">111-2000-20201</a>               | AP PENDING                     | 16,980.98                   |
| <a href="#">111-2000-20210</a>               | ACCOUNTS PAYABLE               | 0.00                        |
| <a href="#">111-2000-20530</a>               | PROPERTY TAXES PAYABLE         | 0.00                        |
| <a href="#">111-2000-20540</a>               | NOTES PAYABLE                  | 1,868,500.00                |
| <a href="#">111-2000-20810</a>               | DUE TO GENERAL FUND            | 0.00                        |



## Balance Sheet

As Of 01/31/2024

| Account                        | Name                         | Balance             |
|--------------------------------|------------------------------|---------------------|
| <a href="#">111-2000-22270</a> | DEFERRED INFLOW              | 0.00                |
| <a href="#">111-2000-22275</a> | DEF INFLOW - LEASE PRINCIPAL | 0.00                |
| <a href="#">111-2000-22280</a> | DEFERRED INFLOW - LEASE INT  | 0.00                |
| <a href="#">111-2000-22915</a> | RENTAL DEPOSITS              | 4,141.40            |
| <b>Total Liability:</b>        |                              | <b>1,896,329.39</b> |

## Equity

|                                                                 |                               |                             |
|-----------------------------------------------------------------|-------------------------------|-----------------------------|
| <a href="#">111-3000-34110</a>                                  | FUND BALANCE - RESERVED       | 0.00                        |
| <a href="#">111-3000-34590</a>                                  | FUND BALANCE-UNRESERV/UNDESIG | 29,403,081.04               |
| <b>Total Beginning Equity:</b>                                  |                               | <b>29,403,081.04</b>        |
| Total Revenue                                                   |                               | 722,110.70                  |
| Total Expense                                                   |                               | 1,235,233.46                |
| <b>Revenues Over/Under Expenses</b>                             |                               | <b>-513,122.76</b>          |
| <b>Total Equity and Current Surplus (Deficit):</b>              |                               | <b>28,889,958.28</b>        |
| <b>Total Liabilities, Equity and Current Surplus (Deficit):</b> |                               | <b><u>30,786,287.67</u></b> |

Balance Sheet

As Of 01/31/2024

| Account                               | Name                                                     | Balance       |
|---------------------------------------|----------------------------------------------------------|---------------|
| Fund: 922 - GEN LONG TERM DEBT (WEDC) |                                                          |               |
| Assets                                |                                                          |               |
|                                       | Total Assets:                                            | 0.00          |
|                                       |                                                          | 0.00          |
| Liability                             |                                                          |               |
| <a href="#">922-2000-28248</a>        | GOVCAP LOAN/SERIES 2022                                  | 7,556,077.29  |
|                                       | Total Liability:                                         | 7,556,077.29  |
|                                       | Total Equity and Current Surplus (Deficit):              | 0.00          |
|                                       | Total Liabilities, Equity and Current Surplus (Deficit): | 7,556,077.29  |
|                                       | *** FUND 922 OUT OF BALANCE ***                          | -7,556,077.29 |

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

# Wylie Economic Development Corporation

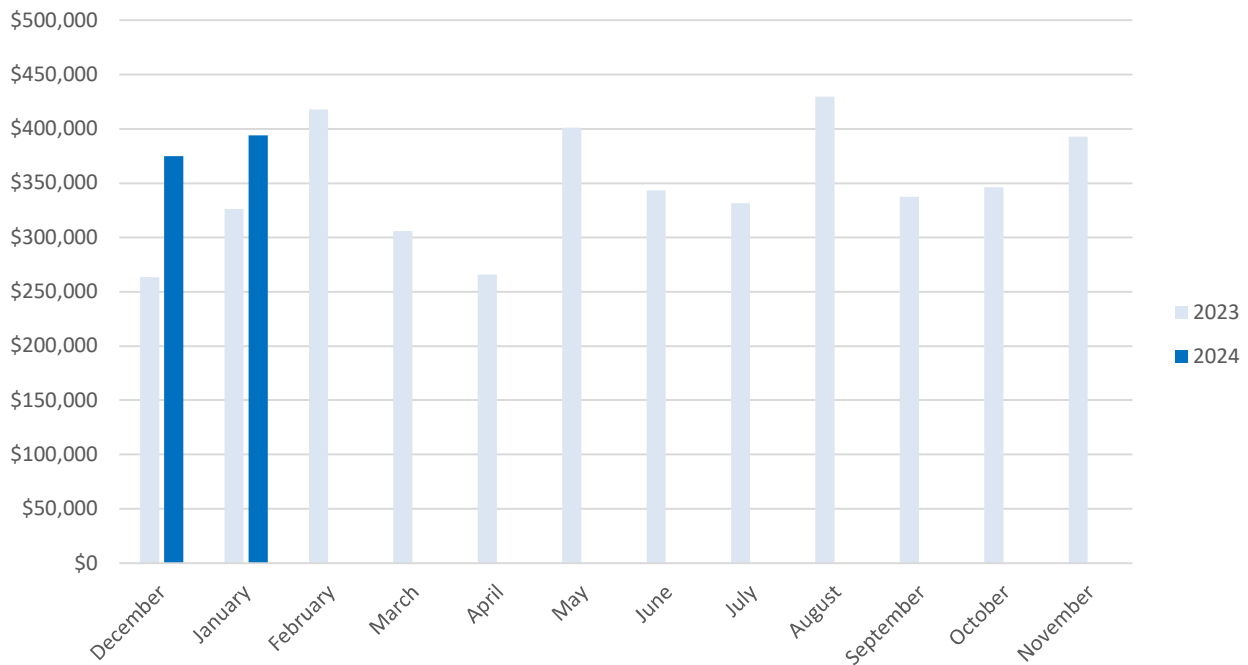
## SALES TAX REPORT

January 31, 2024

### BUDGETED YEAR

| MONTH            | FY 2021                | FY 2022                | FY 2023                | FY 2024              | DIFF<br>23 vs. 24   | % DIFF<br>23 vs. 24 |
|------------------|------------------------|------------------------|------------------------|----------------------|---------------------|---------------------|
| DECEMBER         | \$ 235,381.33          | \$ 263,577.66          | \$ 338,726.54          | \$ 374,686.38        | \$ 35,959.83        | 10.62%              |
| JANUARY          | \$ 262,263.52          | \$ 326,207.92          | \$ 368,377.73          | \$ 393,994.39        | \$ 25,616.67        | 6.95%               |
| FEBRUARY         | \$ 456,571.35          | \$ 417,896.79          | \$ 480,381.11          | \$ -                 |                     |                     |
| MARCH            | \$ 257,187.91          | \$ 305,605.50          | \$ 313,686.17          | \$ -                 |                     |                     |
| APRIL            | \$ 221,881.55          | \$ 265,773.80          | \$ 310,050.94          | \$ -                 |                     |                     |
| MAY              | \$ 400,371.70          | \$ 401,180.20          | \$ 434,878.33          | \$ -                 |                     |                     |
| JUNE             | \$ 290,586.92          | \$ 343,371.26          | \$ 330,236.89          | \$ -                 |                     |                     |
| JULY             | \$ 314,559.10          | \$ 331,432.86          | \$ 379,162.00          | \$ -                 |                     |                     |
| AUGUST           | \$ 390,790.76          | \$ 429,696.16          | \$ 448,253.70          | \$ -                 |                     |                     |
| SEPTEMBER        | \$ 307,681.15          | \$ 337,512.61          | \$ 371,880.65          | \$ -                 |                     |                     |
| OCTOBER          | \$ 326,382.38          | \$ 346,236.36          | \$ 377,466.67          | \$ -                 |                     |                     |
| NOVEMBER         | \$ 411,813.32          | \$ 392,790.84          | \$ 458,694.91          | \$ -                 |                     |                     |
| <b>Sub-Total</b> | <b>\$ 3,875,470.98</b> | <b>\$ 4,161,281.96</b> | <b>\$ 4,611,795.64</b> | <b>\$ 768,680.77</b> | <b>\$ 61,576.50</b> | 8.79%               |
| <b>Total</b>     | <b>\$ 3,875,470.98</b> | <b>\$ 4,161,281.96</b> | <b>\$ 4,611,795.64</b> | <b>\$ 768,680.77</b> | <b>\$ 61,576.50</b> | 8.79%               |

### WEDC Sales Tax Analysis



\*\*\* Sales Tax collections typically take 2 months to be reflected as Revenue. SlsTx receipts are then accrued back 2 months.  
Example: January SlsTx Revenue is actually November SlsTx and is therefore the 2nd allocation in FY24.

# Wylie Economic Development Corporation

## PERFORMANCE AGREEMENT REPORT

January 31, 2024

| PERFORMANCE AGREEMENTS   | TOTAL INCENTIVE        | FY 2024                | FY 2025              | FY 2026             | FY 2027     | FY 2028     | REMAINING AFTER CURRENT FY | PREVIOUS FY PAYMENTS | TOTAL INCENTIVE        |   |
|--------------------------|------------------------|------------------------|----------------------|---------------------|-------------|-------------|----------------------------|----------------------|------------------------|---|
| LUV-ROS                  | \$ 10,000.00           | \$ -                   | \$ -                 | \$ -                | \$ -        | \$ -        | \$ -                       | \$ 10,000.00         | \$ 10,000.00           | A |
| AMERICAN ENTITLEMENTS II | \$ 35,000.00           | \$ 25,000.00           | \$ 10,000.00         | \$ -                | \$ -        | \$ -        | \$ 10,000.00               | \$ -                 | \$ 35,000.00           |   |
| NORTH DALLAS WYLIE LAND  | \$ 120,000.00          | \$ 20,000.00           | \$ -                 | \$ -                | \$ -        | \$ -        | \$ -                       | \$ 100,000.00        | \$ 120,000.00          |   |
| AXL                      | \$ 65,000.00           | \$ 9,250.00            | \$ 9,250.00          | \$ -                | \$ -        | \$ -        | \$ 9,250.00                | \$ 46,500.00         | \$ 65,000.00           |   |
| GLEN ECHO BREWING        | \$ 100,000.00          | \$ 50,000.00           | \$ 30,000.00         | \$ 20,000.00        | \$ -        | \$ -        | \$ 50,000.00               | \$ -                 | \$ 100,000.00          | B |
| MLKJ                     | \$ 80,000.00           | \$ -                   | \$ 40,000.00         | \$ 40,000.00        | \$ -        | \$ -        | \$ 80,000.00               | \$ -                 | \$ 80,000.00           | C |
| CLF II LI WYLIE (LOVETT) | \$ 1,300,000.00        | \$ 650,000.00          | \$ 650,000.00        | \$ -                | \$ -        | \$ -        | \$ 650,000.00              | \$ -                 | \$ 1,300,000.00        |   |
| DEANAN/DANK              | \$ 30,000.00           | \$ 15,000.00           | \$ -                 | \$ -                | \$ -        | \$ -        | \$ -                       | \$ 15,000.00         | \$ 30,000.00           |   |
| FIREWATER                | \$ 300,000.00          | \$ 100,000.00          | \$ -                 | \$ -                | \$ -        | \$ -        | \$ -                       | \$ 200,000.00        | \$ 300,000.00          |   |
| PHOENIX ASCENDING        | \$ -                   | \$ -                   | \$ -                 | \$ -                | \$ -        | \$ -        | \$ -                       | \$ -                 | \$ -                   | D |
| SANDEN INTERNATIONAL     | \$ 500,000.00          | \$ 300,000.00          | \$ 200,000.00        | \$ -                | \$ -        | \$ -        | \$ 200,000.00              | \$ -                 | \$ 500,000.00          |   |
|                          | <b>\$ 2,540,000.00</b> | <b>\$ 1,169,250.00</b> | <b>\$ 939,250.00</b> | <b>\$ 60,000.00</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 999,250.00</b>       | <b>\$ 371,500.00</b> | <b>\$ 2,540,000.00</b> |   |
|                          |                        |                        |                      |                     |             |             | <i>Deferred Out Flow</i>   | \$ 1,868,500.00      |                        |   |

A. Performance Agreement (\$10,000) and Forgiveable Land Grant (\$60,000 forgiven over 3 years). \$20,000/year in 2022, 2023, & 2024.

B. Performance Agreement (\$100,000) and Forgiveable Land Grant (\$100,000 forgiven over 3 years). \$33,000 CO, \$33,000 in 2025, and \$34,000 in 2026.

C. Performance Agreement (\$80,000) and Forgiveable Land Grant (\$200,000 forgiven over 3 years). \$50,000 CO & \$50,000/year in 2025, 2026, & 2027.

D. Forgiveable Land Grant (\$450,000 forgiven over 4 years). \$112,500 CO & \$112,500/year in 2026, 2027, & 2028.



# Wylie City Council

## AGENDA REPORT

**Department:** Planning

**Prepared By:** Jasen Haskins

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

### Subject

Consider, and act upon, a Final Plat of Upwind Capital Addition, being a replat of Lots 2R and 3, Block A of Upwind Capital Addition, establishing two commercial lots on 3.107 acres, located at 2009 North State Highway 78.

### Recommendation

Motion to approve Item as presented.

### Discussion

**OWNER: Main and Main Capital Group, LLC**

**APPLICANT: Main and Main Capital Group, LLC**

The applicant has submitted a replat to establish two commercial lots and dedicate necessary easements. The property is located at 2009 N. SH 78 and is zoned Commercial Corridor (CC). The site plan for a Dutch Bros Coffee Shop is to be located on Lot 3 as allowed by a Special Use Permit approved in September 2023.

This plat is dedicating a 30' fire lane easement with access from SH 78, maneuverability for vehicles to exit the property, and a cross access easement to the property to the west (Popshelf).

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 7-0 to recommend approval.





# Wylie City Council

## AGENDA REPORT

Department: Planning  
 Prepared By: Jasen Haskins

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

### Subject

Consider, and act upon, a Final Plat of Dodd Elementary Addition, establishing one residential lot on 9.589 acres, located at 1500 Park Boulevard.

### Recommendation

Motion to approve Item as presented.

### Discussion

#### OWNER: Wylie ISD

#### APPLICANT: RLK Engineering

The applicant has submitted a final plat to establish one residential lot and dedicate necessary right-of-way. The property is located at 1500 Park Boulevard and is zoned Residential (SF-10/24). The elementary school use is allowed by-right.

The plat for Dodd Elementary was previously approved by City Council in September of 1998; However the plat document was never recorded with the County, therefore a new submittal was required.

This plat is dedicating a 24' fire lane, access, utility and drainage easement for existing drives and utilities for Dodd Elementary. Additionally, 50' of right-of-way is dedicated for Park Boulevard and 25' of right-of-way is dedicated for Cheyenne Road.

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.

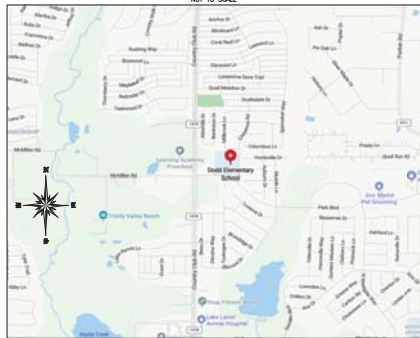
The City Council must provide a written statement of the reasons for conditional approval or disapproval to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Government Code.

#### P&Z Recommendation

The Commission voted 7-0 to recommend approval.



R.M. = REFERENCE MONUMENT  
CRS = CAPPED 1/2" IRON ROD SET STAMPED (4613)  
CRF = CAPPED 1/2" IRON ROD FOUND  
IRF = IRON ROD FOUND  
D.R.C.C.T. = DEED RECORDS OF COLLIN COUNTY, TEXAS  
O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS  
P.R.C.C.T. = PLAT RECORDS OF COLLIN COUNTY, TEXAS



| LINK TABLE |                 |          |
|------------|-----------------|----------|
| LINK       | BEARING         | DISTANCE |
| 1          | 02° 56' E       | 1.26     |
| 2          | 02° 06' 57" E   | 147.49'  |
| 3          | 00° 06' 57" E   | 33.91'   |
| 4          | N 63° 37' W     | 1.30     |
| 5          | N 70° 16' 41" W | 56.30'   |
| 6          | N 19° 43' 19" E | 16.47'   |
| 7          | N 19° 43' 19" E | 16.47'   |
| 8          | S 17° 51' 44" W | 24.51'   |
| 9          | N 00° 26' 57" W | 25.00'   |
| 10         | N 00° 26' 57" W | 25.00'   |
| 11         | S 01° 18' 05" E | 101.74'  |
| 12         | N 89° 42' 44" W | 65.90'   |
| 13         | N 00° 26' 57" W | 15.74'   |
| 14         | N 00° 26' 57" W | 15.74'   |
| 15         | S 01° 18' 05" E | 48.52'   |
| 16         | S 89° 42' 44" E | 15.74'   |
| 17         | S 89° 42' 44" E | 15.74'   |
| 18         | S 89° 42' 44" E | 156.79'  |
| 19         | S 55° 03' 43" W | 22.35'   |
| 20         | S 55° 03' 43" W | 22.35'   |
| 21         | S 55° 03' 43" W | 171.62'  |
| 22         | S 06° 18' 05" W | 109.55'  |
| 23         | S 06° 18' 05" W | 85.38'   |
| 24         | S 06° 18' 05" W | 85.38'   |
| 25         | S 06° 18' 05" W | 125.62'  |
| 26         | S 06° 18' 05" W | 125.62'  |
| 27         | S 06° 18' 05" W | 135.44'  |

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

SHEET 1 OF 2  
FINAL PLAT

Lot 1, Block A

11.373 Acres Situated In The  
(1.784 Acres R.O.W. Dedication)  
CHARLES ATTERBURY SURVEY  
ABSTRACT No. 22  
WYLIE, COLLIN COUNTY, TEXAS

Owner  
Wylie Independent School District  
951 South Ballard Avenue  
Wylie, Texas 75098  
Telephone 972 429-3000

**Engineer**  
RLK Engineering, Inc.  
Texas Registration No. 579  
111 West Main Street  
Allen, Texas 75013  
Telephone 972 359-1733  
Contact: Ronny Klingbell  
Email: [Ronny@rlkengineering.com](mailto:Ronny@rlkengineering.com)

**Surveyor**  
Surdukan Surveying, Inc.  
PO Box 126  
Anna, Texas 75409  
Telephone 972 924-8200  
Contact: David Surdukan  
Email: david@surdukansurveying.com

December 14, 2023



STATE OF TEXAS §  
COUNTY OF COLLIN §

WHEREAS, Wylie Independent School District is the Owner of a tract of land situated in the Charles Atterbury Survey, Abstract No. 22, Collin County, Texas and being all of Tract I, a called 10.799 acre tract of land, and Tract II, a called 0.574 acre tract of land conveyed by Special Warranty Deed to the Wylie Independent School District as recorded in Volume 4139, Page 2759 of the Deed Records of Collin County, Texas, and being more particularly described in metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "4613" set for the southeast corner of said Tract I, said iron rod set being the southern most southwest corner of Birmingham Farms Phase 3A as shown on the plat thereof recorded in Volume N, Page 906 of the Plat Records of Collin County, Texas, said iron rod set also being set in the north line of a 70' Right-of-Way (ROW) Dedication for Park Boulevard as shown on the Bear Foot Lodge Addition plat recorded in Volume P, Page 901 of the Plat Records of Collin County, Texas, and said iron rod set being at the beginning of a non-tangent curve to the left;

THENCE with the south line of said Tract I and with said non-tangent curve to the left running parallel to the future centerline of Park Boulevard and having an arc length of 654.01', a radius of 1084.00', a chord bearing of N 73°09'53" W, and a chord length of 644.14', to an iron rod with plastic cap stamped "WA" found for the southwest corner of said Tract I and said iron rod found also being the southeast corner of said Tract II;

THENCE S 89°33'03" W continuing to run parallel to the future centerline of Park Boulevard for a distance of 500.00' to a on X Cut set for the southwest corner of said Tract II in the west ROW line of Country Club Road;

THENCE N 00°26'57" W with the west ROW line of Country Club Road a distance of 50.00' to an X Cut set for the northwest corner of said Tract II;

THENCE N 89°33'03" E a distance of 500.00' to a 1/2" iron rod with plastic cap stamped "4613" set for the northeast corner of said Tract II in the west line of said Tract I and said iron rod set being the southeast corner of Lot 2, Block A of Birmingham Place Phase 5 as shown on the plat thereof recorded in Volume 2019, Page 781 of the Plat Records of Collin County, Texas;

THENCE N 00°26'57" W with the west line of said Tract I a distance of 567.60' to a 1/2" iron rod with plastic cap stamped "4613" set for the northwest corner of said Tract I and said iron rod set being an internal ell corner on the lot dedicated for Park Area on said Birmingham Farms Phase 3A;

THENCE N 89°33'03" E with the north line of said Tract I and the south line of said Birmingham Farms Phase 3A for a distance of 685.00' to an X Cut set in the centerline of Cheyenne Road for the northeast corner of said Tract I;

THENCE S 00°26'57" E with the centerline of Cheyenne Road a distance of 660.79' to a X Cut found for corner at the beginning of a curve to the right;

THENCE continuing with the centerline of Cheyenne Road and along said curve to the right having an arc length of 90.50', a radius of 150.00', a chord bearing of S 16°50'06" W, and a chord length of 89.13', to an X Cut found for corner;

THENCE S 34°07'09" W a distance of 76.61' to the POINT OF BEGINNING, and containing 495,416 Square Feet or 11.373 acres of land.

OWNER'S ACKNOWLEDGEMENT AND DEDICATION  
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

The City of Wylie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wylie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Wylie, Texas.

WITNESS, my hand, this the \_\_\_\_ day of \_\_\_\_\_, 2024.  
BY:

Authorized Signature of Owner

Printed Name and Title

STATE OF TEXAS §  
COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.  
Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2024.

Notary Public in and for the State of Texas

My Commission Expires On:

CERTIFICATE OF REGISTERED PROFESSIONAL LAND SURVEYOR  
KNOW ALL MEN BY THESE PRESENTS:

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

DAVID J. SURDUKAN  
Registered Professional Land Surveyor No. 4613

STATE OF TEXAS §  
COUNTY OF COLLIN §

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared DAVID J. SURDUKAN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.  
Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2024.

Notary Public in and for the State of Texas

My Commission Expires On:

BASIS OF BEARINGS

The basis of bearings, are derived from ALLTERRA CENTRAL RTX Network, Texas State Plane Coordinates System, NAD83, North Central Zone, NAD 83 (GRS96) Epoch 2002.0.

NOTICE:

- The original copy will have original signatures, stamp seal and an impression seal.
- All lots comply with the minimum size requirements of the zoning district.
- This property may be subject to charges related to impact fees and the applicant should contact the City regarding any applicable fees due.
- This survey is subject to all easements of record.
- This plat does not alter or remove existing deed restrictions, if any, on this property.
- Selling a portion of this addition by metes and bounds is a violation of City ordinance and State Law and is subject to fines and withholding of utilities and building permits.
- The subject property does not lie within a 100-year flood plain and within within Zone X, according to Flood Insurance Rate Map (FIRM) Map No. 4808500415L, dated 6/2/2009, prepared by the Federal Emergency Management Agency (FEMA) for Collin County, Texas.

"RECOMMENDED FOR APPROVAL"

Chairman, Planning & Zoning Commission Date  
City of Wylie, Texas

"APPROVED FOR CONSTRUCTION"

Mayor, City of Wylie, Texas Date

"ACCEPTED"

Mayor, City of Wylie, Texas Date

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing final plat of the \_\_\_\_\_ subdivision or addition to the City of Wylie was submitted to the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2024, and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easement, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this \_\_\_\_ day of \_\_\_\_\_, A.D., 2024.

City Secretary  
City of Wylie, Texas

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

SHEET 2 OF 2  
FINAL PLAT

## DODD ELEMENTARY SCHOOL ADDITION

Lot 1, Block A

11.373 Acres Situated In The  
(1.784 Acres R.O.W. Dedication)  
CHARLES ATTERBURY SURVEY  
ABSTRACT NO. 22  
WYLIE, COLLIN COUNTY, TEXAS

Owner:

Wylie Independent School District  
951 South Ballard Avenue  
Wylie, Texas 75013  
Telephone 972 429-3000

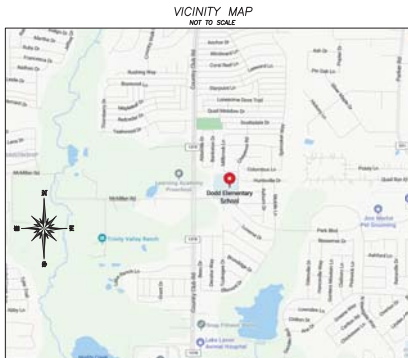
Engineer:

RLK Engineering, Inc.  
Texas Registration No. 579  
111 West Main Street  
Allen, Texas 75013  
Telephone 972 359-1733  
Contact: Ronny Klingbeil  
Email: Ronny@rlkengineering.com

Surveyor:

Surdukan Surveying, Inc.  
PO Box 126  
Anna, Texas 75409  
Telephone 972 924-8200  
Contact: David Surdukan  
Email: david@surdukansurveying.com

December 14, 2023





# Wylie City Council

## AGENDA REPORT

Department: Police

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

Prepared By: Anthony Henderson

### Subject

Consider, and place on file, the Wylie Police Department 2023 Racial Profiling Analysis.

### Recommendation

Motion to approve the Item as presented.

### Discussion

Texas Senate Bill (SB 1074), Sandra Bland Act, and HB 3051 requires Police Departments to collect traffic-related contact data and report the contact data to their governing body every year, no later than March of the following year. The 2023 Wylie Police Department Annual Racial Profiling Analysis meets all requirements of SB 1074, HB 3051, HB 3389, and the Sandra Bland Act. Exhibit: Report by Justice Research Consultants, LLC.

# WYLIE POLICE DEPARTMENT

2023

## RACIAL PROFILING ANALYSIS

PREPARED BY:

Eric J. Fritsch, Ph.D.  
Chad R. Trulson, Ph.D.  
Justice Research Consultants, LLC



## Executive Summary

Article 2.132-2.134 of the Texas Code of Criminal Procedure (CCP) requires the annual reporting to the local governing body of data collected on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to data collection and reporting requirements. Article 2.134 of the CCP directs that “a comparative analysis of the information compiled under 2.133” be conducted, with specific attention to the below areas:

1. evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
2. examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;
3. evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and
4. information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

The analysis of material and data from the Wylie Police Department revealed the following:

- **A COMPREHENSIVE REVIEW OF THE WYLIE POLICE DEPARTMENT REGULATIONS, SPECIFICALLY POLICY 614 OUTLINING THE DEPARTMENT’S POLICY CONCERNING UNBIASED POLICING, SHOWS THAT THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.**
- **A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.**
- **A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT IN BOTH PRINT AND ELECTRONIC FORM REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.**
- **ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.**
- **THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCOLE.**
- **THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW REGARDING CCP ARTICLES 2.132-2.134.**

## Introduction

This report details an analysis of the Wylie Police Department's policies, training, and statistical information on racial profiling for the year 2023. This report has been prepared to specifically comply with Article 2.132, 2.133, and 2.134 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of traffic stop data. Specifically, the analysis will address Articles 2.131 – 2.134 of the CCP and make a determination of the level of compliance with those articles by the Wylie Police Department in 2023. The full copies of the applicable laws pertaining to this report are contained in Appendix A.

This report is divided into six sections: (1) Wylie Police Department's policy on racial profiling; (2) Wylie Police Department's training and education on racial profiling; (3) Wylie Police Department's complaint process and public education on racial profiling; (4) analysis of Wylie Police Department's traffic stop data; (5) additional traffic stop data to be reported to TCOLE; and (6) Wylie Police Department's compliance with applicable laws on racial profiling.

For the purposes of this report and analysis, the following definition of racial profiling is used: racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05).

## Wylie Police Department Policy on Racial Profiling

A review of Wylie Police Department Policy 614 "Unbiased Policing" revealed that the department has adopted policies in compliance with Article 2.132 of the Texas CCP (see Appendix B). There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in Policy 614. Wylie Police Department regulations provide clear direction that any form of bias-based policing is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. The regulations also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race or ethnicity. Appendix C lists the applicable statute and corresponding Wylie Police Department regulation.

***A COMPREHENSIVE REVIEW OF WYLIE POLICE DEPARTMENT POLICY 614 SHOWS THAT THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.***

## Wylie Police Department Training and Education on Racial Profiling

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas peace officers. Documentation provided by Wylie Police Department reveals that all officers have received bias-based/racial profiling training. It should also be noted that Wylie Police Department is in the process of becoming accredited with Texas Best Practices, and one requirement of that process is that officers are assigned Policy 614 (Unbiased Policing) and are tested on the policy through PowerDMS.

***A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.***

## **Wylie Police Department Complaint Process and Public Education on Racial Profiling**

Article 2.132 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Wylie Police Department Policy 614 Section V and VI cover this requirement. The department also has information on how to file a complaint on their website ([https://www.wylietexas.gov/about\\_us/divisions\\_and\\_units/professional\\_standards.php](https://www.wylietexas.gov/about_us/divisions_and_units/professional_standards.php)).

***A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT IN BOTH PRINT AND ELECTRONIC FORM REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.***

## **Wylie Police Department Statistical Data on Racial Profiling**

Article 2.132(b) 6 and Article 2.133 requires that law enforcement agencies collect statistical information on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to other information noted previously. Wylie Police Department submitted statistical information on all motor vehicle stops in 2023 and accompanying information on the race/ethnicity of the person stopped. Accompanying this data was the relevant information required to be collected and reported by law.

***ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.***

## **Analysis of the Data**

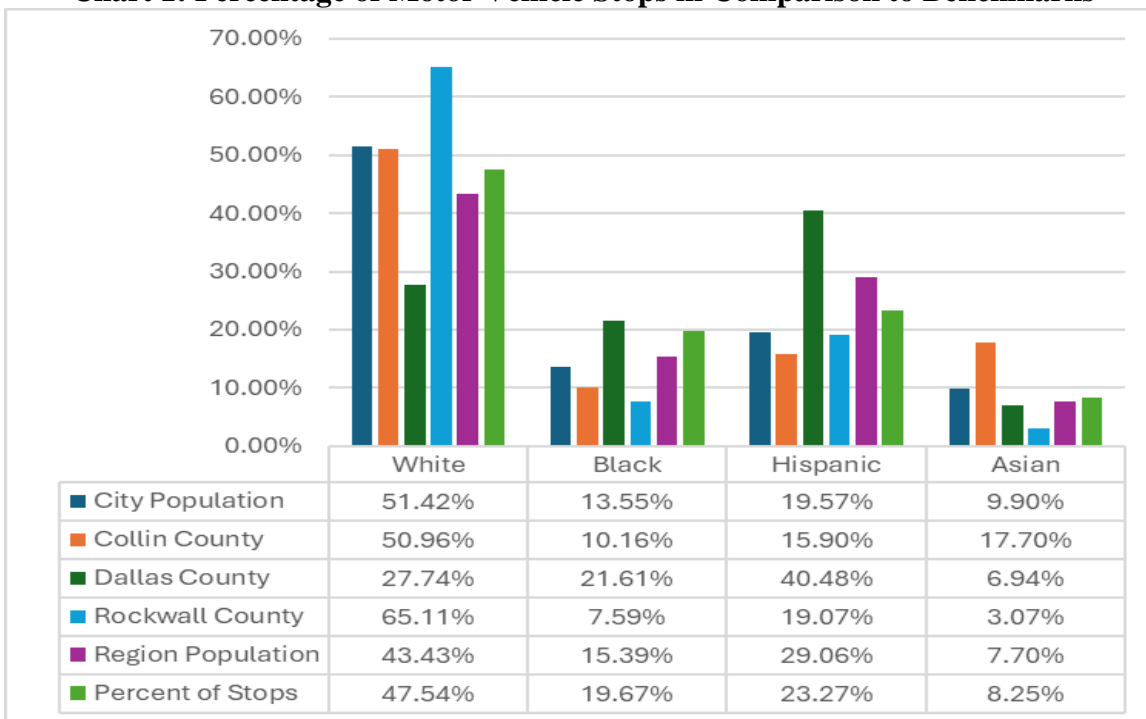
### Comparative Analysis #1:

*Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities. Texas Code of Criminal Procedure Article 2.134(c)(1)(A)*

The first chart depicts the percentages of people stopped by race/ethnicity among the total 10,376 motor vehicle stops in which a ticket, citation, or warning was issued, including arrests made, in 2023.<sup>1</sup>

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<sup>1</sup> There were 132 motor vehicle stops of drivers considered Alaska Native/American Indian. These motor vehicle stops were not charted in the first figure of this report due to the small number of stops relative to the population of the City of Wylie and relative to the total number of motor vehicle stops among all drivers (10,376).

**Chart 1: Percentage of Motor Vehicle Stops in Comparison to Benchmarks**

*White drivers* constituted 47.54 percent of all drivers stopped, whereas Whites constitute 51.42 percent of the city population, 50.96 percent of the Collin county population, 27.74 percent of the Dallas county population, 65.11 percent of the Rockwall county population, and 43.43 percent of the region population.<sup>2</sup>

*Black drivers* constituted 19.67 percent of all drivers stopped, whereas Blacks constitute 13.55 percent of the city population, 10.16 percent of the Collin county population, 21.61 percent of the Dallas county population, 7.59 percent of the Rockwall county population, and 15.39 percent of the region population.

*Hispanic drivers* constituted 23.27 percent of all drivers stopped, whereas Hispanics constitute 19.57 percent of the city population, 15.90 percent of the Collin county population, 40.48 percent of the Dallas county population, 19.07 percent of the Rockwall county population, and 29.06 percent of the region population.

*Asian drivers* constituted 8.25 percent of all drivers stopped, whereas Asians constitute 9.90 percent of the city population, 17.70 percent of the Collin county population, 6.94 percent of the

<sup>2</sup> City and County and Regional populations were derived from 2020 Decennial Census Redistricting Data (DEC) of the U.S. Census Bureau. Region is defined as the 16 county Dallas-Ft. Worth Area including the following counties: Collin, Dallas, Denton, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise. City and County populations by gender noted later in this report are based on 2019 American Community Survey estimates.

Dallas county population, 3.07 percent of the Rockwall county population, and 7.70 percent of the region population.

The chart shows that White drivers are stopped at rates lower than the percentage of Whites found in the city, Collin county, and Rockwall county population but higher than the percentage of Whites in the Dallas county and regional population. Black drivers are stopped at rates higher than the percentage of Blacks found in the city, Collin county, Rockwall county, and regional population, but lower than the percentage of Blacks in the Dallas county population. Hispanic drivers are stopped at rates higher than the percentage of Hispanics found in the city, Collin county and Rockwall county population, but lower than the percentage of Hispanics in the Dallas county and regional populations. Asian drivers are stopped at rates almost equal to the percentage of Asians found in the regional population, lower than the percentage of Asians found in the city and Collin county population, and higher than the percentage of Asians in the Dallas county and Rockwall county population.

### **Methodological Issues**

*Upon examination of the data, it is important to note that differences in overall stop rates of a particular racial or ethnic group, compared to that racial or ethnic group's proportion of the population, cannot be used to make determinations that officers have or have not racially profiled any given individual motorist. Claims asserting racial profiling of an individual motorist from the aggregate data utilized in this report are erroneous.*

For example, concluding that a particular driver of a specific race/ethnicity was racially profiled simply because members of that particular racial/ethnic group as a whole were stopped at a higher rate than their proportion of the population—are as erroneous as claims that a particular driver of a specific race/ethnicity could NOT have been racially profiled simply because the percentage of stops among members of a particular racial/ethnic group as a whole were stopped at a lower frequency than that group's proportion of the particular population base (e.g., city or county population). In short, aggregate data as required by law and presented in this report cannot be used to prove or disprove that a member of a particular racial/ethnic group was racially profiled. Next, we discuss the reasons why using aggregate data—as currently required by the state racial profiling law—are inappropriate to use in making claims that any individual motorist was racially profiled.

#### **Issue #1: Using Group-Level Data to Explain Individual Officer Decisions**

The law dictates that police agencies compile aggregate-level data regarding the *rates* at which agencies *collectively* stop motorists in terms of their race/ethnicity. These aggregated data are to be subsequently analyzed in order to determine whether or not *individual* officers are “racially profiling” motorists. This methodological error, commonly referred to as the “ecological fallacy,” defines the dangers involved in making assertions about individual officer decisions based on the examination of aggregate stop data. **In short, one cannot prove that an individual officer has racially profiled any individual motorist based on the rate at which a department stops any given group of motorists.** In sum, aggregate level data cannot be used to assess individual officer decisions, but the state racial profiling law requires this assessment.



## Issue #2: Problems Associated with Population Base-Rates

There has been considerable debate as to what the most appropriate population “base-rate” is in determining whether or not racial/ethnic disparities exist. The base-rate serves as the benchmark for comparison purposes. The outcome of analyses designed to determine whether or not disparities exist is dependent on which base-rate is used. While this report utilized the most recent 2020 Census as a population base-rate, this population measure can become quickly outdated, may be inaccurate, and may not keep pace with changes experienced in city and county and regional population measures. Utilizing a different base rate can make differences regarding whether disproportionality exists or not. Even then, as noted above, disproportionality in the rate of stops among different racial/ethnic groups does not automatically equate to a finding of racial profiling.

In addition, the validity of the benchmark base-rate becomes even more problematic if analyses fail to distinguish between residents and non-residents who are stopped. This is because the existence of significant proportions of non-resident stops will lead to invalid conclusions if racial/ethnic comparisons are made exclusively to resident population figures. **In sum, a valid measure of the driving population does not exist. As a proxy, census data is used which is problematic as an indicator of the driving population.** In addition, stopped motorists who are not residents of the city, county, or region where the motor vehicle stop occurred are not included in the benchmark base-rate.

## Issue #3: Officers Do Not Know the Race/Ethnicity of the Motorist Prior to the Stop

As illustrated in Table 3 near the end of this report, of the 10,376 motor vehicle stops in 2023, the officer knew the race/ethnicity of the motorist prior to the stop in 4.6% of the stops (480/10,376). This percentage is consistent across law enforcement agencies throughout Texas. An analysis of all annual racial profiling reports submitted to the Texas Commission on Law Enforcement, as required by the Texas racial profiling law, found that in 2.9% of the traffic stops in Texas, the officer knew the race/ethnicity of the motorist prior to the stop.<sup>3</sup> The analysis included 1,186 Texas law enforcement agencies and more than 3.25 million traffic stops.

As noted, the legal definition of racial profiling in the Texas Code of Criminal Procedure Article 3.05 is “a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.”

Almost always, Wylie PD officers do not know the race/ethnicity of the motorist prior to the stop. This factor further invalidates any conclusions drawn from the stop data presented in Chart 1. If an officer does not know the race/ethnicity of the motorist prior to the stop, then the officer cannot, by legal definition, be racial profiling. Racial profiling is a law-enforcement action based on the race/ethnicity of an individual. If the officer does not know the person's

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<sup>3</sup> Winkler, Jordan M. (2016). *Racial Disparity in Traffic Stops: An Analysis of Racial Profiling Data in Texas*. Master's Thesis. University of North Texas.

race/ethnicity before the action (in this case, stopping a vehicle), then racial profiling cannot occur.

Based on this factor, post-stop outcomes are more relevant for a racial profiling assessment, as presented later in this report, in comparison to initial motor vehicle stop data disaggregated by race/ethnicity. Once the officer has contacted the motorist after the stop, the officer has identified the person's race/ethnicity and all subsequent actions are more relevant to a racial profiling assessment than the initial stop data.

In short, the methodological problems outlined above point to the limited utility of using aggregate level comparisons of the rates at which different racial/ethnic groups are stopped in order to determine whether or not racial profiling exists within a given jurisdiction.

Table 1 reports the summaries for the total number of motor vehicle stops in which a ticket, citation, or warning was issued, and to arrests made as a result of those stops, by the Wylie Police Department in 2023. Table 1 and associated analyses are utilized to satisfy the comparative analyses as required by Texas law, and in specific, Article 2.134 of the CCP.

#### Comparative Analysis #2:

*Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction. Texas Code of Criminal Procedure Article 2.134(c)(1)(B)*

As shown in Table 1, there were a total of 10,376 motor vehicle stops in 2023 in which a ticket, citation, or warning was issued. The table also shows arrests made as a result of those stops. Roughly 67 percent of stops resulted in a verbal warning (6,985/10,376), roughly 14 percent resulted in a written warning, and roughly 16 percent resulted in a citation. These actions accounted for roughly 97 percent of all stop actions and will be discussed in greater detail below.

Specific to **verbal warnings**, White motorists received a verbal warning in roughly 67 percent of stops involving White motorists (3,285/4,933), Black motorists received a verbal warning in roughly 68 percent of stops of Black motorists, Hispanic motorists received a verbal warning in roughly 64 percent of stops of Hispanic motorists, and Asian motorists received a verbal warning in roughly 75 percent of stops of Asian motorists.

Specific to **written warnings**, White motorists received a written warning in roughly 15 percent of stops involving White motorists (745/4,933), Black motorists received a written warning in roughly 14 percent of stops of Black motorists, Hispanic motorists received a written warning in roughly 12 percent of stops of Hispanic motorists, and Asian motorists received a written warning in roughly 9 percent of stops of Asian motorists.

Specific to **citations**, White motorists received a citation in roughly 16 percent of stops involving White motorists (773/4,933), Black motorists received a citation in roughly 15 percent of stops of Black motorists, Hispanic motorists received a citation in roughly 19 percent of stops of

Hispanic motorists, and Asian motorists received a citation in roughly 14 percent of stops of Asian motorists.

Of the 10,376 total stops in 2023, 328 **arrests** [written warning and arrest (11), citation and arrest (26) and arrest only (291)] were made, and this accounts for 3.2 percent of all stops. White motorists were arrested in 2.6 percent of stops involving White motorists (130/4,933), Black motorists were arrested in 3.9 percent of stops involving Black motorists, Hispanic motorists were arrested in 4.5 percent of stops involving Hispanic motorists, and Asian motorists were arrested in 0.9 percent of stops involving Asian motorists.

As illustrated in Table 1, most arrests were based on a **violation of the penal code** (52.7%; 173/328) or an **outstanding warrant** (39.0%; 128/328).

Finally, as presented in Table 1, **physical force resulting in bodily injury** occurred once in 2023. Of the 10,376 total stops, one involved physical force resulting in bodily injury. In this instance, the officer was injured.

**Table 1: Traffic Stops and Outcomes by Race/Ethnicity**

| Stop Table                                             | White | Black | Hispanic /Latino | Asian /Pacific Islander | Alaska Native /American Indian | Total  |
|--------------------------------------------------------|-------|-------|------------------|-------------------------|--------------------------------|--------|
| Number of Stops                                        | 4,933 | 2,041 | 2,414            | 856                     | 132                            | 10,376 |
| <b>Gender</b>                                          |       |       |                  |                         |                                |        |
| Female                                                 | 1,868 | 745   | 641              | 265                     | 35                             | 3,554  |
| Male                                                   | 3,065 | 1,296 | 1,773            | 591                     | 97                             | 6,822  |
| <b>Reason for Stop</b>                                 |       |       |                  |                         |                                |        |
| Violation of Law                                       | 72    | 26    | 41               | 8                       | 3                              | 150    |
| Preexisting Knowledge                                  | 100   | 57    | 123              | 6                       | 0                              | 286    |
| Moving Traffic Violation                               | 3,081 | 1,236 | 1,318            | 640                     | 62                             | 6,337  |
| Vehicle Traffic Violation                              | 1,680 | 722   | 932              | 202                     | 67                             | 3,603  |
| <b>Result of Stop</b>                                  |       |       |                  |                         |                                |        |
| Verbal Warning                                         | 3,285 | 1,383 | 1,555            | 645                     | 117                            | 6,985  |
| Written Warning                                        | 745   | 279   | 295              | 79                      | 3                              | 1,401  |
| Citation                                               | 773   | 299   | 456              | 124                     | 10                             | 1,662  |
| Written Warning and Arrest                             | 7     | 2     | 2                | 0                       | 0                              | 11     |
| Citation and Arrest                                    | 6     | 10    | 10               | 0                       | 0                              | 26     |
| Arrest                                                 | 117   | 68    | 96               | 8                       | 2                              | 291    |
| <b>Arrest Based On</b>                                 |       |       |                  |                         |                                |        |
| Violation of Penal Code                                | 74    | 30    | 62               | 5                       | 2                              | 173    |
| Violation of Traffic Law                               | 9     | 9     | 7                | 2                       | 0                              | 27     |
| Violation of City Ordinance                            | 0     | 0     | 0                | 0                       | 0                              | 0      |
| Outstanding Warrant                                    | 47    | 41    | 39               | 1                       | 0                              | 128    |
| <b>Physical Force Resulting in Bodily Injury Used?</b> |       |       |                  |                         |                                |        |
| No                                                     | 4,932 | 2,041 | 2,414            | 856                     | 132                            | 10,375 |
| Yes                                                    | 1     | 0     | 0                | 0                       | 0                              | 1      |

### Comparative Analysis #3:

*Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches. Texas Code of Criminal Procedure Article 2.134(c)(1)(C)*

In 2023, a total of 453 **searches** of motorists were conducted, or 4.4 percent of all stops resulted in a search (453/10,376). Among searches within each racial/ethnic group, White motorists were searched in 3.6 percent of all stops of White motorists (176/4,933), Black motorists were searched in 6.6 percent of all stops of Black motorists, Hispanic motorists were searched in 5.6 percent of all stops of Hispanic motorists, and Asian motorists were searched in 0.8 percent of all stops of Asian motorists.

As illustrated in Table 2, the most common reason for a search was probable cause (40.6%; 184/453). Among **probable cause searches** within each racial/ethnic group, White motorists were searched based on probable cause in roughly 40 percent of all searches of White motorists (70/176), Black motorists were searched based on probable cause in roughly 50 percent of all searches of Black motorists, Hispanic motorists were searched based on probable cause in roughly 34 percent of all searches of Hispanic motorists, and Asian motorists were searched based on probable cause in roughly 14 percent of all searches of Asian motorists (1 probable cause search out of a total 7 searches of Asian motorists).

Regarding searches, it should be noted that 104 searches (see Table 2) were based on consent, which are regarded as discretionary as opposed to non-discretionary searches. Relative to the total number of stops (10,376), discretionary consent searches occurred in 1.0 percent of stops.

Among **consent searches** within each racial/ethnic group, White motorists were searched based on consent in roughly 27 percent of all searches of White motorists (47/176), Black motorists were searched based on consent in roughly 15 percent of all searches of Black motorists, Hispanic motorists were searched based on consent in roughly 27 percent of all searches of Hispanic motorists, and Asian motorists were searched based on consent in roughly 14 percent of all searches of Asian motorists (1 consent search out of a total 7 searches of Asian motorists).

Of the searches that occurred in 2023, and as shown in Table 2, contraband was discovered in 259 or roughly 57 percent of all searches (259/453 total searches). Among the searches in which contraband was discovered, roughly 73 percent of the time the contraband discovered was drugs (189/259). Finally, as illustrated in Table 2, when contraband was discovered, motorists were arrested roughly 32 percent of the time (83/259).

**Table 2: Searches and Outcomes by Race/Ethnicity**

| Search Table                                         | White | Black | Hispanic /Latino | Asian /Pacific Islander | Alaska Native /American Indian | Total |
|------------------------------------------------------|-------|-------|------------------|-------------------------|--------------------------------|-------|
| <b>Search Conducted</b>                              |       |       |                  |                         |                                |       |
| Yes                                                  | 176   | 135   | 134              | 7                       | 1                              | 453   |
| No                                                   | 4,757 | 1,906 | 2,280            | 849                     | 131                            | 9,923 |
| <b>Reason for Search</b>                             |       |       |                  |                         |                                |       |
| Consent                                              | 47    | 20    | 36               | 1                       | 0                              | 104   |
| Contraband in Plain View                             | 12    | 11    | 13               | 1                       | 0                              | 37    |
| Probable Cause                                       | 70    | 68    | 45               | 1                       | 0                              | 184   |
| Inventory                                            | 27    | 15    | 19               | 1                       | 0                              | 62    |
| Incident to Arrest                                   | 20    | 21    | 21               | 3                       | 1                              | 66    |
| <b>Was Contraband Discovered</b>                     |       |       |                  |                         |                                |       |
| Yes                                                  | 98    | 82    | 75               | 4                       | 0                              | 259   |
| No                                                   | 78    | 53    | 59               | 3                       | 1                              | 194   |
| <b>Description of Contraband</b>                     |       |       |                  |                         |                                |       |
| Drugs                                                | 73    | 63    | 51               | 2                       | 0                              | 189   |
| Weapons                                              | 3     | 0     | 6                | 0                       | 0                              | 9     |
| Currency                                             | 0     | 1     | 0                | 0                       | 0                              | 1     |
| Alcohol                                              | 10    | 9     | 17               | 2                       | 0                              | 38    |
| Stolen Property                                      | 0     | 0     | 0                | 0                       | 0                              | 0     |
| Other                                                | 12    | 9     | 1                | 0                       | 0                              | 22    |
| <b>Did Discovery of Contraband Result in Arrest?</b> |       |       |                  |                         |                                |       |
| Yes                                                  | 34    | 20    | 26               | 3                       | 0                              | 83    |
| No                                                   | 64    | 62    | 49               | 1                       | 0                              | 176   |

**Comparative Analysis #4:**

*Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. Texas Code of Criminal Procedure Article 2.134(c)(2)*

In 2023, internal records indicate that the Wylie Police Department received no complaints alleging that a peace officer employed by the agency engaged in racial profiling.

### Additional Analysis:

*Statistical analysis of motor vehicle stops relative to the gender population of the agency's reporting area.* This analysis is presented in the report based on a December 2020 email sent from TCOLE to law enforcement executives in Texas.

In 2023, 10,376 motor vehicle stops were made by the Wylie Police Department. Of these stops, 3,554 or roughly 34 percent were female drivers (3,554/10,376), and roughly 66 percent were male drivers (see Table 1).

According to 2019 American Community Survey (ACS) city and county population estimates of the U.S. Census Bureau, the City of Wylie was composed of 51.8 percent females and 48.2 percent males. County population 2019 ACS estimates indicate that females accounted for 50.7 percent of the Collin County population, 50.7 percent of the Dallas County population, and 50.6 percent of the Rockwall County population. Males accounted for 49.3 percent of the Collin County population, 49.3 percent of the Dallas County population, and 49.4 percent of the Rockwall County population.

Overall, in 2023, males were stopped at rates higher than their proportion of the city and county populations.

### **Additional Information Required to be Reported to TCOLE**

Table 3 provides additional information relative to motor vehicle stops in 2023 by the Wylie Police Department. The data are required to be collected by the Wylie Police Department under the Texas Code of Criminal Procedure Article 2.133.

As previously noted, the Wylie Police Department received no complaints alleging that a peace officer employed by the agency engaged in racial profiling in 2023. Furthermore, as previously discussed, of the 10,376 motor vehicle stops in 2023, the officer knew the race/ethnicity of the motorist prior to the stop in 4.6% of the stops (480/10,376).

**Table 3: Additional Information**

| <b>Additional Information</b>                   | <b>Total</b> |
|-------------------------------------------------|--------------|
| <b>Was Race/Ethnicity Known Prior to Stop</b>   |              |
| Yes                                             | 480          |
| No                                              | 9,896        |
| <b>Approximate Location of Stop</b>             |              |
| City Street                                     | 7,509        |
| US Highway                                      | 350          |
| County Road                                     | 116          |
| State Highway                                   | 2,394        |
| Private Property/Other                          | 7            |
| <b>Number of Complaints of Racial Profiling</b> | <b>0</b>     |
| Resulted in Disciplinary Action                 | 0            |
| Did Not Result in Disciplinary Action           | 0            |

### **Analysis of Racial Profiling Compliance by Wylie Police Department**

The foregoing analysis shows that the Wylie Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training and educational programs, a formalized complaint process, and the collection and reporting of data in compliance with the law.

In addition to providing summary reports and analysis of the data collected by the Wylie Police Department in 2023, this report also included an extensive presentation of some of the limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Wylie Police Department as well as police agencies across Texas.



# Appendix A: Racial Profiling Statutes and Laws

## Texas Racial Profiling Statutes

### **Art. 3.05. RACIAL PROFILING.**

In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

### **Art. 2.131. RACIAL PROFILING PROHIBITED.**

A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

### **Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.**

(a) In this article:

- (1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.
- (2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
- (3) "Race or ethnicity" means the following categories:
  - (A) Alaska native or American Indian;
  - (B) Asian or Pacific Islander;
  - (C) black;
  - (D) white; and
  - (E) Hispanic or Latino.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search;

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;

(E) the location of the stop; and

(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Texas Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.05, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. 3051), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.01, eff. September 1, 2017.

**Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.**

(a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

- (1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:
  - (A) the person's gender; and
  - (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
- (2) the initial reason for the stop;
- (3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
- (4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
- (5) the reason for the search, including whether:
  - (A) any contraband or other evidence was in plain view;
  - (B) any probable cause or reasonable suspicion existed to perform the search; or
  - (C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
- (6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
- (7) the street address or approximate location of the stop;
- (8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 26, eff. September 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.02, eff. September 1, 2017.

**Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.**

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

- (A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
- (B) examine the disposition of motor vehicle stops made by officers employed by the agency,

categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Texas Commission on Law Enforcement, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.03, eff. September 1, 2017.

#### **Art. 2.136. LIABILITY.**

A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

**Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.**

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

- (1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;
- (2) smaller jurisdictions; and
- (3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using video and audio equipment and body worn cameras for those purposes.



Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.04, eff. September 1, 2017.

**Art. 2.138. RULES.**

The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

**Art. 2.1385. CIVIL PENALTY.**

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an amount not to exceed \$5,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 29, eff. September 1, 2009.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.05, eff. September 1, 2017.

## **Appendix B: Agency Policy**

| WYLIE POLICE DEPARTMENT POLICY   |                                                 |                                                                  |
|----------------------------------|-------------------------------------------------|------------------------------------------------------------------|
| NUMBER: 614                      | EFFECTIVE DATE:<br>January 1, 2010              | APPROVED:<br>April 22, 2022                                      |
| Subject: Unbiased Policing       |                                                 |                                                                  |
| ACCREDITATION STANDARDS:<br>2.01 | REVIEW DATE:<br><br>REVISED DATE:<br>04/22/2022 | DISTRIBUTION:<br>Sworn Personnel,<br>Records, Detention<br>Staff |



## I. PURPOSE

The purpose of this policy is to reaffirm the Wylie Police Department's commitment to unbiased policing in all its encounters between officers and members of the public; to reinforce procedures ensuring public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of department policy and the law.

## II. POLICY

It is the policy of this department to police in a proactive manner and to aggressively investigate suspected violations of the law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race ethnicity or national origin. Officers are strictly prohibited from engaging in biased policing both in enforcement of the law and the delivery of police services, as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas Constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected.

This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

## III. DEFINITIONS

A. **Biased Policing:** Discrimination while performing law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers toward classes of individuals or persons based on individual demographics.

B. **Fair and Impartial Treatment:** A belief and practice that all persons shall be treated in the same manner under the same or similar circumstances, despite race or other distinctions. This does not mean that all persons in the same or similar circumstances can or must be treated identically. Reasonable concessions and accommodations may be made, when dealing with individuals with physical or mental disabilities, injury, illness, or similar conditions, or when information about them necessitates different treatment.

- C. **Individual Demographics:** Personal characteristics, to include, but not limited to race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, cultural group, ~~or~~ political status **or any other identifiable group.**
- D. **Race or ethnicity:** Is defined by Chapter 2 of the Texas Code of Criminal Procedures as, Alaskan native or American Indian, Asian or Pacific Islander, Black, White, and Hispanic or Latino.
- E. **Police Services:** Actions and activities that may not directly include enforcement of the law but that contribute to the overall well-being and safety of the public. These may include, but are not limited to, such tasks as traffic accidents, medical emergencies, and assistance at fire scenes; lifesaving services; preventive patrol; crime prevention; public information; traffic control; and similar activities.
- F. **Motor vehicle stop:** means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

#### IV. TRAINING

- A. Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.
- B. All officers shall complete TCOLE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.
- C. All employees will receive basic and periodic in-service training and, where deemed necessary, remedial training on subjects related to police ethics, cultural diversity, multiculturalism, human relations, police-citizen interaction, standards of conduct, implicit bias, and related topics suitable for preventing incidents of biased policing.

#### V. COMPLAINT INVESTIGATION

- A. The department shall accept complaints from any person who believes he or she has been stopped or searched based on individual demographics.
- B. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
- C. Any person who receives an allegation of biased policing, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channels or direct the individual(s) on the process to do so. Any employee contacted shall provide to that person instructions on the complaint process and will report any allegation of biased policing to their superior before the end of shift.
- D. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable time period. The investigation shall be documented in writing and any reviewer's comments or conclusions shall be filed with

the Chief. When applicable, findings and or suggestions for disciplinary action, retraining or changes in policy shall be filed with the Chief.

- E. If a biased policing complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
- F. If there is a department video or audio recording of the events upon which a complaint of biased policing is based, upon commencement of an investigation by this department into the complaint and written request by the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.
- G. The Professional Standards office shall maintain data related specifically to complaints of biased policing. Information shall be provided to the Chief or to his or her designee, in a manner most suitable for administrative review, problem identification, and development of appropriate corrective actions.

## **VI. PUBLIC EDUCATION**

This department will inform the public of its policy against biased policing and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the internet, as well as governing board meetings. Additionally, information will be made available as appropriate in languages other than English.

## **VII. DATA COLLECTION AND REPORTING**

- A. An officer is required to collect information relating to motor vehicle stops **regardless of whether the stop results in a verbal warning, a written warning, a citation being issued or an arrest.** ~~in which a citation is issued or an arrest is made as a result of those stops.~~ **The following information shall be collected:** ~~On the citation officers must include:~~

1. The person's gender; and
2. The race or ethnicity of the individual detained; as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
3. The initial reason for the stop;
4. Whether a search was conducted as a result of the stop;
5. If a search was conducted, whether the person detained consented to the search;
6. The reason for the search, including any probable cause or reasonable suspicion that existed to perform the search;
7. Whether contraband or other evidence was found in plain view;
8. Whether the search was a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
9. If an arrest occurred, was the arrest based on a violation of the Penal Code, traffic law, ordinance, or outstanding warrant;
10. Whether the person contacted is a resident or non-resident of the City of Wylie;

11. The street address or approximate location of the stop;
  12. Whether the officer used physical force that resulted in bodily injury (as defined by section 1.07, Penal Code);
  13. Whether the peace officer knew the race or ethnicity of the individual detained before detaining the individual; and,
  14. Whether the peace officer issued a verbal or written warning or a citation as a result of the stop.
- B. The information collected shall be compiled in an annual report covering the period of January 1 through December 31 of each year, and shall be submitted to the governing body of the City of Wylie no later than March 1 of the following year. The report will include:
1. A breakdown of motor vehicle stops by race or ethnicity;
  2. Number of motor vehicle stops citations that resulted in a search broken down by race or ethnicity;
  3. Number of searches that were consensual;
  4. Number of citations or warnings that resulted in custodial arrest for this cited violation or any other violation; and
  5. The number of biased policing complaints to the department.
- C. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.

## VIII. USE OF VIDEO AND AUDIO EQUIPMENT

- A. All marked motor vehicles regularly used by this department to make motor vehicle stops shall be equipped with a video camera and transmitter-activated equipment.
- B. Each motor vehicle stop made by an officer of this department that is capable of being recorded by video and audio, or audio as appropriate, shall be recorded.
- C. This department shall retain the video and audio tapes, or digital video and audio recording of each motor vehicle stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in biased policing with respect to a motor vehicle stop, this department shall retain the video and audio tapes or digital video and audio recordings of the stop until final disposition of the complaint.
- D. Supervisors will ensure officers of this department are recording their motor vehicle stops. Two A recordings of each officer will be reviewed at least once every ninety (90) days. These reviews will be documented. This review includes body-worn cameras as well as in-car cameras.
  1. If the equipment used to record audio and video of a motor vehicle stop is malfunctioning or otherwise not operable, officers will drive a vehicle with operable equipment. Police units with malfunctioning or inoperable mobile video camera equipment shall not be utilized, under normal circumstances.

2. Supervisors shall have the authority to assign units with malfunctioning or inoperable mobile video equipment when situations dictate.

| WYLIE POLICE DEPARTMENT POLICY |                                    |                          |
|--------------------------------|------------------------------------|--------------------------|
| NUMBER: 614                    | EFFECTIVE DATE:<br>January 1, 2010 | APPROVED:<br>May 1, 2020 |
| Subject: Vigilancia Imparcial  |                                    |                          |
| ACCREDITATION STANDARDS:       | REVIEW DATE:<br>May 1, 2021        | RELATED POLICY #:        |



## I. PROPÓSITO

El propósito de esta póliza es reafirmar el compromiso del Departamento de Policía de Wylie con una policía imparcial en todos sus encuentros entre oficiales y miembros del público; reforzar los procedimientos que garantizan la confianza pública y la confianza mutua mediante la prestación de servicios de manera justa y equitativa; y para proteger a nuestros oficiales de acusaciones injustificadas de mala conducta cuando actúan dentro de los dictados de la política del departamento y la ley.

## II. PÓLIZA

La póliza de este departamento es vigilar de manera proactiva y investigar agresivamente las presuntas violaciones de la ley. Los oficiales deben hacer cumplir activamente las leyes estatales y federales de manera responsable y profesional, sin tener en cuenta la raza, el origen étnico o el origen nacional. Se prohíbe estrictamente que los oficiales realicen actividades policiales sesgadas tanto en la aplicación de la ley como en la prestación de servicios policiales, tal como se define en esta póliza. Esta póliza se aplicará a todas las personas, ya sean conductores, pasajeros o peatones.

Los oficiales se comportarán de manera digna y respetuosa en todo momento cuando traten con el público. Dos de los derechos fundamentales garantizados tanto por las Constituciones de los Estados Unidos como por las de Texas son la igualdad de protección ante la ley y la ausencia de registros y incautaciones irrazonables por parte de agentes del gobierno. Se debe respetar el derecho de todas las personas a ser tratadas por igual ya estar libres de registros y incautaciones irrazonables.

Esta póliza no debe impedir que los agentes ofrezcan asistencia, como al observar una sustancia que se escapa de un vehículo, una llanta desinflada o alguien que parece estar enfermo, perdido o confundido. Esta póliza tampoco prohíbe detener a alguien sospechoso de un delito en base a las acciones observadas y / o la información recibida sobre la persona.

## III. DEFINICIONES

- A. **Vigilancia Parcial:** Discriminación al desempeñar funciones de cumplimiento de la ley o prestación de servicios policiales, en función de los prejuicios personales o la parcialidad de los funcionarios con respecto a las clases de individuos o personas basadas en datos demográficos individuales.
- B. **Tratamiento Justo e Imparcial:** Una creencia y práctica de que todas las personas deben ser tratadas de la misma manera en circunstancias iguales o similares, a pesar de la raza u otras distinciones. Esto no significa que todas las personas en circunstancias iguales o similares puedan o deban ser tratadas de manera idéntica. Se pueden hacer



concesiones y ajustes razonables, cuando se trata de personas con discapacidades físicas o mentales, lesiones, enfermedades o afecciones similares, o cuando la información sobre ellos requiere un tratamiento diferente.

- C. ***Datos Demográficos Individuales:*** Características personales, que incluyen, entre otras, raza, origen étnico, origen nacional, género, identidad de género, orientación sexual, religión, estatus socioeconómico, edad, discapacidad, grupo cultural o estatus político.
- D. ***Raza o etnicidad:*** El Capítulo 2 del Código de Procedimientos Penales de Texas lo define como nativo de Alaska o indio americano, asiático o de las islas del Pacífico, negro, blanco e hispano o latino.
- E. ***Servicios Policiales:*** Acciones y actividades que pueden no incluir directamente la aplicación de la ley pero que contribuyen al bienestar general y la seguridad del público. Estos pueden incluir, entre otros, tareas como accidentes de tráfico, emergencias médicas y asistencia en escenas de incendio; servicios de salvamento; patrulla preventiva prevención del crimen; información pública; control de tráfico; y actividades similares.
- F. ***Parada de Vehículo:*** Significa una ocasión en la que un oficial detiene un vehículo motorizado por una presunta violación de una ley u ordenanza.

#### IV. ENTRENAMIENTO

- A. Los oficiales son responsables de cumplir con toda la capacitación de la Comisión de Cumplimiento de la Ley de Texas (TCOLE) y los requisitos del Instituto de Administración de Cumplimiento de la Ley de Texas (LEMIT) según lo estipulado por la ley.
- B. Todos los oficiales deberán completar el programa de capacitación y educación TCOLE sobre perfiles raciales a más tardar en el segundo aniversario de la fecha en que el oficial tiene licencia según el Capítulo 1701 del Código de Ocupaciones de Texas o la fecha en que el oficial solicita un certificado de aptitud intermedia, cualquiera que sea la fecha más temprano.
- C. Todos los empleados recibirán capacitación básica y periódica en el servicio y, cuando se considere necesario, capacitación correctiva sobre temas relacionados con la ética policial, la diversidad cultural, el multiculturalismo, las relaciones humanas, la interacción entre la policía y los ciudadanos, las normas de conducta, los prejuicios implícitos, y temas relacionados adecuados para prevenir incidentes de vigilancia parcial.

#### V. INVESTIGACIÓN DE RECLAMACIONES

- A. El departamento aceptará las quejas de cualquier persona que crea que se ha detenido o registrado en función de datos demográficos individuales.
- B. Ninguna persona debe ser desalentada, intimidada o obligada a presentar una queja, ni tampoco debe ser discriminada porque haya presentado dicha queja.
- C. Cualquier persona que reciba una acusación de policía parcial, incluido el oficial que inició la parada, registrará el nombre, la dirección y el número de teléfono de la persona,

- y enviará la queja a través de los canales apropiados o indicará a la (s) persona (s) persona (s) sobre el proceso. Cualquier empleado contactado proporcionará a esa persona instrucciones sobre el proceso de quejas y reportará cualquier alegación de policía parcial a su superior antes del final del turno.
- D. La investigación de una queja se llevará a cabo de manera exhaustiva y oportuna. Todas las quejas serán reconocidas por escrito al iniciador, quien recibirá la disposición con respecto a dicha queja dentro de un período de tiempo razonable. La investigación se documentará por escrito y los comentarios o conclusiones de cualquier revisor se archivarán con el Jefe. Cuando corresponda, los hallazgos y / o sugerencias para acción disciplinaria, reentrenamiento o cambios en la póliza deberán presentarse ante el Jefe.
  - E. Si una queja policial parcial es sostenida contra un oficial, resultará en una acción correctiva y / o disciplinaria apropiada, hasta y incluyendo la terminación.
  - F. Si hay un video o audio del departamento que graba los eventos en los que se basa una queja de vigilancia parcial, al inicio de una investigación por parte de este departamento de la queja y una solicitud por escrito del oficial que fue el tema de la queja, este departamento deberá proporcionar de inmediato una copia de la grabación a ese oficial.
  - G. La oficina de Estándares Profesionales mantendrá datos relacionados específicamente con quejas de vigilancia parcial. La información se proporcionará al Jefe o a su designado, de la manera más adecuada para la revisión administrativa, la identificación del problema y el desarrollo de las acciones correctivas apropiadas.

## **VI. EDUCACION PÚBLICA**

Este departamento informará al público de su política contra la policía sesgada y el proceso de quejas. Los métodos que se pueden utilizar para informar al público son los medios de comunicación, la radio, el servicio o las presentaciones cívicas, Internet y las reuniones de la junta directiva. Además, la información estará disponible según corresponda en otros idiomas además del Inglés.

## **VII. RECOPIACIÓN DE DATOS Y INFORMES**

- A. Se requiere que un oficial recopile información relacionada con las paradas de vehículos motorizados en las que se emite una citación o se realice un arresto como resultado de esas paradas. En la citación los oficiales deben incluir:
  - 1. El género de la persona; y
  - 2. La raza y origen étnico de la persona detenida; según lo indicado por la persona o, si la persona no indica la raza o el origen étnico de la persona, según lo determine el oficial de la mejor manera posible;
  - 3. ¿Se conocía la raza o el origen étnico antes de la detención?
  - 4. La razón inicial de la parada;
  - 5. Ubicación aproximada de la parada;
  - 6. Si se realizó una búsqueda como resultado de la detención;
  - 7. El motivo de la búsqueda, incluida cualquier causa probable o sospecha razonable que existiera para realizar la búsqueda;

8. Si se descubrió el contrabando;
  9. Descripción del contrabando;
  10. Resultado de la parada; y
  11. Si ocurrió un arresto, fue el arresto basado en una violación del Código Penal, la ley de tránsito, una ordenanza o una orden pendiente.
- B. La información recopilada se compilará en un informe anual que abarcará el período comprendido entre el 1 de enero y el 31 de diciembre de cada año y se presentará al órgano rector de la Ciudad de Wylie a más tardar el 1 de marzo del año siguiente. El informe incluirá toda la información requerida indicada en VII.A.1-11 de esta póliza.
  - C. El informe anual no incluirá información de identificación sobre ninguna persona detenida o arrestada, y no incluirá información de identificación sobre ningún oficial de paz involucrado en una detención o arresto.

### **VIII. USO DE VIDEO Y EQUIPO DE AUDIO**

- A. Todos los vehículos motorizados marcados utilizados regularmente por este departamento para realizar paradas de vehículos motorizados deben estar equipados con una cámara de video y un equipo activado por el transmisor.
- B. Se debe registrar cada parada de vehículo motorizado realizada por un oficial de este departamento que pueda ser grabado por video y audio, o audio, según corresponda.
- C. Este departamento conservará las cintas de video y audio, o la grabación de video y audio digital de cada parada de vehículo motorizado por lo menos noventa (90) días después de la fecha de la parada. Si se presenta una queja ante este departamento alegando que uno de nuestros oficiales se ha involucrado en una actuación policial parcial con respecto a una parada de vehículo motorizado, este departamento conservará las cintas de video y audio o las grabaciones de audio y video digitales de la parada hasta la disposición final de la queja.
- D. Los supervisores se asegurarán de que los oficiales de este departamento estén registrando las paradas de sus vehículos motorizados. Se revisará una grabación de cada oficial al menos una vez cada noventa (90) días.
  1. Si el equipo utilizado para grabar el audio y el video de una parada de un vehículo motorizado no funciona correctamente o no está operativo, los oficiales conducirán un vehículo con un equipo operable. En circunstancias normales, no se deben utilizar unidades de policía con equipo de cámara de video móvil que no funcione correctamente o que no funcione.
  2. Los supervisores deberán tener la autoridad para asignar unidades con equipo de video móvil que no funcione correctamente o que no funcione cuando la situación lo dictan.

## Appendix C: Racial Profiling Laws and Corresponding Agency Policy

| <b>Texas CCP Article</b> | <b>WYLIE POLICE DEPARTMENT Policy 614<br/>Unbiased Policing</b> |
|--------------------------|-----------------------------------------------------------------|
| 2.132(b)1                | Definitions Section                                             |
| 2.132(b)2                | Policy Section                                                  |
| 2.132(b)3                | Complaint Investigation Section                                 |
| 2.132(b)4                | Public Education Section                                        |
| 2.132(b)5                | Complaint Investigation Section                                 |
| 2.132(b)6                | Data Collection and Reporting Section                           |
| 2.132(b)7                | Data Collection and Reporting Section                           |



# Wylie City Council

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## AGENDA REPORT

Department: Library Account Code: \_\_\_\_\_  
Prepared By: Ofilia Barrera

**Subject**

Consider, and act upon, accepting a donation to the City in the amount of \$ 5,779.00 from the Catholic Foundation of the Estate of Rita and Truett Smith.

**Recommendation**

Motion to approve the Item as presented.

**Discussion**

The Catholic Foundation of the Estate of Rita and Truett Smith have made a donation to the library to be used for library improvements in the form of new furniture and special programming.

If the donation is accepted by the City Council, the revenue will be added to the FY23-24 General Fund budget with the midyear amendment.

Any expenditures of the library relative to this donation will also be budgeted at that time. Per Ordinance No. 2005-57 the City Council must approve any donation with a value exceeding \$5,000.00. Staff recommends acceptance of the donation.



# Wylie City Council

## AGENDA REPORT

**Department:** Parks and Recreation

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

**Prepared By:** Janet Pieper

### Subject

Consider, and act upon, approval of the Texas Therapeutic Riding Center's First Annual Coco Trot Fun Run/5K at Founders Park from 6:00 a.m. to 12:00 p.m. on May 11, 2024.

### Recommendation

Motion to approve the Item as presented.

### Discussion

This is a new fun run/5K fundraising event to raise money to support the TxTRC (Texas Therapeutic Riding Center), continue serving children and adults with special needs, and educate the community about the organization's services. The applicant plans to take donations and sell t-shirts and food items; they understand they must contact the Collin County Health Department regarding food items they intend to sell during their event.



**Parks & Recreation Department**  
 300 Country Club Rd, Building 100  
 Wylie, TX 75098  
 972-516-6340 | Parks@wylietexas.gov

## Non-Profit Park Event Application

**Please note that this application is NOT required in order to reserve a pavilion or gazebo for typical private group parties, meetings, reunions, or family events. It is also NOT required to reserve an athletic field for practices or pick up games; instead click on the following link to make a reservation: <https://anc.apm.activecommunities.com/wylie>**

Submission of this Non-Profit Park Event Application is required for special public non-profit events, 5K/fun runs, fundraisers, events with food and/or merchandise vendors, and all events wherein items will be sold. This form is reviewed by staff for approval prior to the requested event and must be submitted a minimum of twelve weeks in advance, and no sooner than 6 months prior to the event date being requested.

After City staff reviews the application, a Non-Profit Park Event Application may be considered for recommendation of approval by the Wylie Parks and Recreation Board, with the final review for approval completed by Wylie City Council if staff finds that:

- Priority use is given to City Events and private rentals;
- All fees have been paid;
- The event does not:
  - a. Conflict or compete with another approved non-City event, in consideration of event size, location, expected attendance, etc., as determined by staff;
  - b. Conflict or compete with City events and programs, as determined by staff (no car shows permitted 30 days prior to or 14 days after the City-sponsored Bluegrass on Ballard event);
  - c. Present an unreasonable danger to health or safety;
  - d. Cause loss or damage to City property;
  - e. Interfere with or place a burden on Public Safety services;
  - f. Interrupt the safe and orderly movement of pedestrians and vehicles.
- For events including food items, applicant provides documentation from the Collin County Environmental Services indicating whether or not a Food Service/Health permit is required for the event. This includes all food items: sold, free, food trucks, catering, homemade, prepackaged, etc.;
  - a. 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) for further information.
  - b. If permit is required by Environmental Services, provide staff with a list of all planned food vendors and a copy of their current Collin County Food Service/Health permit, or intent to receive a Temporary/Short-Term Event Food Service/Health Permit.
- There will be adequate sanitation available in or adjacent to the event, in addition to the City facilities as deemed necessary, such as port-a-lets, wash stations, and other required health facilities.
- The event is not being conducted for unlawful or discriminatory purposes. The event is in adherence to all Parks and Recreation rules and City Ordinances.

Please call the Parks and Recreation Department at 972-516-6340, prompt 1, if you have any questions pertaining to the Park Event Application.

### Applicant Information

**Name of Organization \***

Texas Therapeutic Riding Center

**Website**

https://txtrc.org/

**Are you a non profit? \***☒ Yes ☐ No**Please upload 501c3 Documents**

Tax Document.pdf

648.68KB

**Contact Information****Primary Contact Name \***

Shelby Nicoletti

**Event Information****Event Name/Title \***

Texas Therapeutic Riding Center 1st Annual Coco Trot Fun Run/5K

**Event Type \***

Other

**If other, please explain \***

Fun Run Fundraiser

**Purpose of event \***

Fundraising opportunity for charity &amp; raise awareness of charity's services &amp; volunteer opportunities

**Event Location \***

Founders Park

851 Hensley Lane

**Proposed Event Date \***

05/11/2024

**Alternative Event Date \***

05/11/2024

**Start Time \***

06:00:00 AM

☐ Include Setup**End Time \***

12:00:00 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**

TxTRC t-shirts, Accepting donations to charity

**Will there be food items provided?**☒ Yes ☐ No**Please specify the types of food items to be provided**

Hot Chocolate, Coffee, Bottled water, Marshmallows, Whipped Cream, Donuts

**Who is providing the food?**☒ Applicant☐ Food Vendor☐ Other



**Anticipated number of Participating Vendors \***

0

**Anticipated Event Attendance \***

100

**Event Target Audience \***

Community of Wylie

**Event Details \***

This fun run/5K will be a fundraising opportunity to raise funds to support TxTRC and our mission to continue to serve our children and adults with special needs as well as educate the community on the services we provide. We are also looking to use this event as a platform to educate members of the community with what our charity does as well as encourage their participation as a potential volunteer. We will have a fun run and 5K option for participants followed by offering participants coffee, hot chocolate, water, and donuts. We will be selling TxTRC shirts and accepting donations to TxTRC. Participants will be encouraged to register & pay online.

**Event Announcement and/or Flyers****Signature****Date \***

02/01/2024



# Wylie City Council

## AGENDA REPORT

**Department:** Fire Department

**Prepared By:** Brandon Blythe

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

### Subject

Consider, and act upon, Ordinance No. 2024-05, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, repealing and replacing in its entirety Chapter 38 (Emergency Services), Article III (Emergency Medical Services) of the Wylie Code of Ordinances and adopting new Emergency Medical Services; providing for penalties for the violation of this ordinance; providing repealing, savings and severability clauses, an effective date and for the publication of the caption hereof.

### Recommendation

Motion to approve Item as presented.

### Discussion

The transition from a third-party EMS provider to an in-house EMS system for Wylie Fire Rescue marks a significant and strategic shift in our emergency medical services delivery. By repealing existing City ordinances and introducing a new ordinance tailored to our in-house EMS model, we align regulatory frameworks with our organizational objectives and ensure a more responsive, accountable, and locally tailored approach to emergency medical services. This move reflects our commitment to advancing public safety, optimizing resource utilization, and ultimately improving the overall well-being of our community.

**ORDINANCE NO. 2024-05**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE'S CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED, REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 38 (EMERGENCY SERVICES), ARTICLE III (EMERGENCY MEDICAL SERVICES) OF THE WYLIE CODE OF ORDINANCES AND ADOPTING NEW EMERGENCY MEDICAL SERVICES; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING REPEALING, SAVINGS AND SEVERABILITY CLAUSES, AN EFFECTIVE DATE AND FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") previously adopted Ordinance No. 2001-17 of the City of Wylie, Texas ("Wylie"), codified as Chapter 38 (Emergency Services), Article III (Emergency Medical Services) of the City's Code of Ordinances, Ordinance No. 2021-17, as amended ("Code of Ordinances"), which established Emergency Medical Services; and

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") has investigated and determined that the City of Wylie, Texas ("City") desires to establish ambulance service within the City and declare that City will be the sole provider of emergency ambulance response to emergency calls for service except as provided for herein; and

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") has investigated and determined that the City of Wylie, Texas ("City") desires to establish regulations for private ambulance service within the City and declare that City will be the sole provider of emergency ambulance service except as provided for herein; and

WHEREAS, in order to safely and effectively manage the number of private ambulances within the City, the City Council has investigated and determined that it is in the best interests of the citizens of the City to adopt regulations governing ambulance service in the City; and

WHEREAS, the City Council has investigated and determined that it would be advantageous and beneficial to the citizens of Wylie to repeal Ordinance No. 2001-26, codified as Chapter 38 (Emergency Services), Article III (Emergency Medical Services) of the City's Code of Ordinances, Ordinance No. 2021-17, as amended ("Code of Ordinances") in its entirety, to replace the existing Emergency Medical Services; and

WHEREAS, the City Council has investigated and determined that the adoption of Emergency Medical Services will be advantageous and beneficial to the citizens of Wylie and will protect the public health, safety, and welfare.

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

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. Repeal of Ordinance No. 2001-26, codified as Chapter 38 (Emergency Services), Article III (Emergency Medical Services) of the City's Code of Ordinances, Ordinance No. 2021-17, as amended ("Code of Ordinances"). Ordinance No. 2001-26, codified as Chapter 38 (Emergency Services),

Article III (Emergency Medical Services) of the City’s Code of Ordinances, Ordinance No. 2021-17, as amended (“Code of Ordinances”), is hereby repealed and replaced in its entirety as follows:

...

### **“ARTICLE III. - EMERGENCY MEDICAL SERVICES<sup>2</sup>**

<sup>2</sup> State law reference(s)—Municipality may establish standards for emergency medical services provider stricter than state law, Texas Health and Safety Code § 773.051; emergency medical services, Texas Health and Safety Code § 773.001 et seq.

#### **Sec. 38-51. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Administrator* means that unit of local government designated in the interlocal agreement which has accepted responsibility for providing administrative and clerical services necessary to the orderly issuance, renewal, suspension, revocation, or restriction of licenses, certifications and permits pursuant to authorization by the medical control board, which licenses, certifications, and permits shall be accepted as valid throughout the regulated service area, including this jurisdiction.

*Advanced life support ambulance* means any vehicle which is equipped to provide treatment of life-threatening emergencies through the use of advanced airway management, intravenous therapy, and other advanced prehospital care procedures, and which is equipped to transport sick or injured persons to or from health care facilities.

*Ambulance* means any privately or publicly owned motor vehicle or helicopter that is specially designed or constructed and equipped and is intended to be used for and is maintained or operated for the transportation of the injured or sick in response to an emergency call or a nonemergency transfer call.

*Ambulance patient or patient* means any person being transported in a reclining position within the regulated service area to or from a healthcare facility except when the transportation originates outside the regulated service area.

*Ambulance personnel* means a person who has the duty of performing or assisting in the performance of an ambulance call, including driving or acting as an attendant on an ambulance.

*Ambulance service contractor* means that entity which is then currently under contract to provide ambulance and ambulance patient services within this jurisdiction and throughout the contracted service area, except those services specifically exempted by this article.

*Approved emergency room/department* means an emergency healthcare facility recognized by the Department of State Health Services.

*Attendant* means a person trained and qualified for the care of the patient or patients being transported in an ambulance.

*Approved user fee* means those membership fees, mileage charges, subsidy payments, if any, and total bill (exclusive of mileage charges) approved for this jurisdiction by the City council from the uniform schedule of price/subsidy options.

*Base station physician* means a physician licensed to practice medicine in the state, and knowledgeable of the prehospital emergency medical protocols, EMS radio procedures and the general

operating policies of the ambulance service contractor, and from whom ambulance personnel may take medical direction by radio or other remote communications device.

*City* means the City of Wylie, Texas.

*Contract* means any agreement by and between the City and the county and any municipality, hospital or governmental unit within the county or the area immediately surrounding said county for the purpose of providing ambulance service duly and legally approved by the City council and any other contracting body.

*Contract service area* means the geographic area encompassing the regulated service area plus unincorporated areas of the county and such counties as may choose to contract with the ambulance service contractor pursuant to a contract incorporating clinical standards required hereunder, and incorporating financial provisions with those contained in the contract with the ambulance service contractor.

*Critical care transport* means the provision of medical care by a critical care transport team to a patient requiring critical care transport by a critical care transport agency such that the failure to initiate on an urgent basis or maintain during transport acute medical interventions, pharmacological interventions, or technologies would likely result in sudden, clinically significant or life threatening deterioration in the patient's condition.

*Driver* means a person trained and qualified to drive an ambulance.

*Emergency* means any circumstance that calls for immediate action and in which the element of time in transporting the sick, wounded or injured for medical treatment is essential to the health or life of the person. Such circumstances include, but are not limited to, accidents generally, traffic accidents, acts of violence resulting in personal injury and sudden illnesses.

*Emergency call* means any request for an ambulance that is made by telephone or other means of communication which is, or has been reported to be, an emergency requiring immediate ambulance service.

*Emergency patient* means a person in whom a sickness or injury may cause a significant risk to the person's life or limb. Such sickness or injury may include, but is not limited to, trauma (major injury to the body, head, or extremities), chest pain, abdominal pain, unconsciousness, delirium, imminent delivery of a child, and serious infection.

*Emergency run* means an emergency ambulance trip, requiring the use of warning lights or sirens, to the place where an emergency exists or from the place of the emergency to a hospital, medical clinic or office, or other appropriate destination for the patient.

*EMS system* means a network of individuals, organizations, facilities and equipment whose participation is required to generate a clinically-appropriate, pre-planned system-wide response to each request for prehospital care and/or interfacility transport, so as to provide each patient the best possible chance of survival without disability, given available financial resources.

*Emergency Medical Technician (EMT)* means an individual who is a specially skilled emergency medical technician under Texas Health and Safety Code chapter 773, or its successor.

*Extraordinary adjustment* means that adjustment justified on the basis of either an increase in the system standard of care whose cost of implementation and ongoing compliance exceeds the then-remaining balance of the upgrade reserve, or on the basis of an unusual increase in the cost of a factor of production when such increase in cost is industry wide and the result of causes beyond the ambulance service contractor's reasonable control.

*Fee* means a predetermined monetary charge or payment required by the City of Wylie from individuals, businesses, or organizations for the use of ambulance services provided by the city or its designated ambulance service providers. This fee is typically established to cover the costs associated with

the provision of emergency medical services, including but not limited to personnel salaries, equipment maintenance, vehicle operation, and other related expenses.

*Fire Chief* means the fire chief of the City of Wylie or the Chief's duly authorized representative.

*Fire rescue department* means the fire rescue department of the City.

*First response, first responder, first response organization* means that service and those units (e.g., fire department, first responders) which provide initial stabilization and trained assistance on-scene and, when required, en route to medical facilities, as well as certain extrication and rescue services. In accordance with priority dispatch protocols, a first response unit is routinely sent to all presumptively-classified life-threatening calls within the service area.

*Health department* means the health department of Collin County.

*Helicopter rescue unit* means any rotary wing aircraft providing basic or advanced life support services and patient transportation originating from the scene of emergency incidents which occur within the contract service area.

*Interlocal agreement* means that a certain agreement between the City of Wylie and other jurisdictions which provide EMS services, pursuant to Texas Government Code § 791.001 et seq., annotated and known as the Interlocal Cooperation Act and called herein the Interlocal Agreement.

*Medical audit* means an official inquiry into the circumstances involving an ambulance run or request for ambulance service, conducted by the EMS program manager, medical director or a licensed physician designated by the medical director.

*Medical control* means that direction given to ambulance personnel by a base station physician through direct voice contact, with or without vital sign telemetry, as required by applicable medical protocols promulgated by the medical control board, and by Texas Health and Safety Code chapter 773, or its successors.

*Medical director* means an emergency physician, expert in the prehospital practice of emergency medicine, appointed by the City of Wylie.

*Medical protocol* means any diagnosis-specific or problem-oriented written statement of standard procedures, or algorithm, promulgated by the medical control board as the proper standard of prehospital care for a given clinical condition.

*Multiple patients* means not more than four and not less than two persons transported by ambulance between two or more points at the same time by the same ambulance.

*Mutual aid agreement* means a written agreement between one or more providers of ambulance service whereby the signing parties agree to provide backup ambulance service to one another under conditions and pursuant to terms specified in the agreement.

*Operate* means to drive or to be in control of an ambulance.

*Operator* means any individual, firm or corporation engaged in the business of transporting the injured, wounded, sick or dead and using the streets of the city for such purpose.

*Paramedic* means a person qualified as a certified paramedic emergency medical technician, as defined by Texas Health and Safety Code chapter 773, or its successor.

*Person* means any individual, corporation, business, trust, partnership, association, or other legal entity.

*Private ambulance* means an ambulance constructed, equipped, and used for transporting sick, injured, or deceased persons under circumstances that do not constitute an emergency and have not been represented as an emergency.

*Private ambulance service* means the business of transporting, for compensation, sick, injured, or deceased persons under circumstances that do not constitute an emergency and have not been represented as an emergency.

*Street* means any street, alley, avenue, boulevard, drive or highway commonly used for the purpose of travel within the corporate limits of the city.

*Registered Agency* means a person or entity authorized under this article to engage in private ambulance service. The term includes any owner, operator, driver, ambulance personnel, employee, or agent of the licensed business, but does not include a subcontractor.

*Regulated service area* means the combined corporate limits or legal boundaries of all jurisdictions which adopt this article.

*Special event* means any public event such as a parade, sporting event, concert, or other event or gathering requiring on-site standby medical personnel, located within the regulated or contracted service area, for which standby ambulance service is arranged in advance, and for which an ambulance (or ambulances) are hired by the sponsor of the event or other interested party.

*Specialized mobile intensive care unit* means a vehicle which is specially constructed, equipped, staffed, and employed in the interfacility transport of patients whose requirements for en route medical support are likely to exceed the clinical capabilities of a paramedic level ambulance.

*Specialized Emergency Medical Services vehicle* means a vehicle that is designed for responding to and transporting sick or injured persons by any means of transportation other than by standard automotive ground ambulance or rotor or fixed wing aircraft and that has sufficient staffing, equipment and supplies to provide for the specialized needs of the patient transported. This category includes, but is not limited to, water craft, off-road vehicles, and specially designed, configured or equipped vehicles used for transporting special care patients such as critical care or burn patients.

*Street* means any street, alley, avenue, boulevard, drive, highway or other surface commonly used for the purpose of travel within the corporate limits of the City.

*System standard of care* means the combined compilation of all priority dispatching protocols, pre-arrival instruction protocols (i.e., ambulances), protocols for selecting destination hospital, standards for certification of prehospital care personnel (i.e., telephone call takers, ambulance personnel, and online medical control physicians), as well as standards governing requirements for on-board medical equipment and supplies, and licensure of ambulance services and first responder agencies. The system standard of care shall simultaneously serve as both a regulatory and contractual standard.

*Transfer ambulance* means any motor vehicle constructed, equipped and used for transferring the injured or sick under circumstances which do not constitute an emergency and which have not been represented as an emergency.

*Transfer call* means any request for ambulance service that is made by telephone or other means of communication in circumstances which are, or have been reported to be, a nonemergency call and not requiring immediate service.

*Wylie Public Safety Communication Center* means the central communications center of the Wylie Police and Fire Department.

## **Sec. 38.52. Created.**

Thereby created the Wylie Fire Rescue Emergency Medical Services Division, service shall be operated within the city fire department, under the supervision of the fire chief.

**Sec. 38.53. Emergency service provided by fire rescue department; fee.**

- (a) Emergency ambulance service within the corporate limits of the City shall be provided by, supervised by and under the control and authority of the Wylie Fire Rescue department. The fire chief or his designee shall retain the right to refuse emergency ambulance transport to nonemergency medical facilities.
- (b) The Fire Department shall provide all special event emergency medical services (EMS) upon the streets, alleys or any public way or place within the City or its contracted service areas; provided, however, Wylie Fire Rescue may authorize private ambulance services to provide special event services when Fire Department ambulances are not available.

The following elements of a special event:

- (1) Any gathering of people which is required by federal or state law to have an emergency ambulance standing by on the premises where the event is being held; or
  - (2) Any gathering of people which is required by the regulations of a public or semi-public organization such as but not limited to the National Football League, the National Collegiate Athletic Association or the University Interscholastic League to have an emergency ambulance standing by on the premises where the event is being held; or
  - (3) Any concert, festival, theatrical performance, or athletic event at which more than five thousand (5,000) people are reasonably expected to gather or do gather to observe the event in person.
- (c) The City shall charge fees for emergency ambulance services in the City provided in response to a call received by the fire rescue department requesting the services, and such fees shall be established by the City council and on file in the office of the City secretary. The City may utilize a third party to collect these fees.
- (d) The person receiving emergency ambulance service and any person contracting for the service shall be responsible for payment of the fee. In the case of service received by a minor, the parent or guardian of the minor shall be responsible for payment of the fee.
- (e) The City does not regulate fees for non-emergency ambulance service or community healthcare programs not provided by the fire department. The City does not accept any responsibility for service or payments arising from nonemergency transfer ambulance service or the community healthcare program. The City may, however, charge a fee to a healthcare program that requests the fire department to provide community healthcare program outreach services to its patients, clients, or customers.

**Sec. 38.54. Availability of service.**

The ambulance service shall be and by the terms of this article is hereby available to all persons who live, work or visit within the corporate limits of the City, to persons residing within the corporate limits of other towns or municipalities within the county when provided for by contract, to other persons residing within the county when provided for by contract, and to persons not residing within the county when provided for by contract. For the purpose of defining resident and nonresident persons, those persons residing within the corporate city limits and the contracted service areas will be considered residents.

**Sec. 38.55. Authority to operate; exceptions.**



- (a) No person shall operate or cause to be operated an ambulance nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of ambulance patients within the regulated service area, or provide special events standby coverage, unless such person is the ambulance service provider. No person shall knowingly solicit ambulance services, as regulated herein, except the ambulance service contractor.
- (b) However, the prohibitions set forth in subsection (a) of this section shall not be applicable to an ambulance or ambulance service provider:
  - (1) Which is rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances are insufficient or unable to cope;
  - (2) Transporting a patient who is picked up from a location beyond the regulated service area and transported to a location within the regulated service area; or
  - (3) Transporting a patient who is picked up from a location beyond the regulated service area and transported to a location beyond the limits of the regulated service area and only incidentally passing through the regulated service area.
- (c) Wylie Fire Rescue may use another ambulance service provider for non-emergency transfers to and from the member jurisdictions if the Wylie Fire Rescue is unable to perform the service due to unavailability.
- (d) All emergency and non-emergency calls and requests for ambulance services originating within the City of Wylie or contracting jurisdictions will be dispatched through Wylie Public Safety Communications.
- (f) Violations of this article are hereby declared to be public nuisances and shall be prohibited and abated in actions at law or in equity.

**Sec. 38-56. Failure to pay charges, prohibited.**

- (a) It shall be unlawful for any person, with intent to defraud, to request or accept the service of any ambulance within the City, having no intention of paying for such service.
- (b) Failure, by the person requesting or accepting the services of an ambulance, to pay to the person furnishing such service the customary charge therefore within 90 days after demand for payment is made, shall be prima facie evidence of intent to defraud and prima facie evidence that such person had no intention of paying for such services when the same were requested or accepted.
- (c) Demand for payment, as used in this article, shall be written demand, sent by registered or certified mail addressed to the person requesting or accepting such services and to the address given by or on behalf of such person at the time the services were requested or accepted. Intent to defraud or intention not to pay for such services may be shown by direct evidence.

**Sec. 38.57 - Unlawful operations and prohibited activities.**

- (a) It shall be unlawful for any person to intentionally or knowingly:
  - (1) Follow any police car, ambulance, or fire apparatus that is responding to an emergency call on the streets of the City.
  - (2) Solicit on the streets of the City the business of transporting injured or sick persons.
  - (3) Intercept any communication concerning emergency incidents within the City and divulge or publish the existence, contents, substance, purpose, effect or meaning of such intercepted communication and no such solicitor, owner or person, not being entitled thereto, shall receive or assist in receiving any such message emanating through the radio

medium of the Police or Fire Department for his own benefit or for the benefit of another solicitor, owner, operator or person in the business of furnishing ambulance service.

- (4) Unless on an emergency run, use on a vehicle a siren and/or emergency warning light(s) without prior authorization by the Wylie Public Safety Communication Center.
- (5) Use a uniform, insignia, badge, title, identification card, or vehicle marking for the purpose of identification to the public or others as an authorized provider of emergency medical services without prior approval from the Fire Chief or his designee.
- (6) Operate or cause to be operated an ambulance on any street of the City or provide ambulance standby services at any location within the City without first having notified the Wylie Fire Rescue in accordance with this Ordinance or unless exempted therefrom by the provisions of this Ordinance.
- (7) Operate a private ambulance or uses any equipment in providing private ambulance service that fails to comply with all minimum safety and equipment standards required for a basic life support vehicle by the Emergency Medical Services Act (Chapter 773, Texas Health and Safety Code), as amended, or by any rule or regulation promulgated under that act.
- (8) Sell or attempt to sell any plan including subscription to provide any ground ambulance services within the City limits which are not allowed by this Ordinance or any applicable law.
- (9) Request the services of any ambulance which is not registered in accordance with the provisions of this Ordinance or exempted therefrom by the provisions of this Ordinance.
- (10) Give false information to induce the dispatch of an ambulance or helicopter rescue unit.

#### **Sec. 38-58. Private ambulance service regulations**

- (a) It shall be unlawful for any person, either as owner, agent or otherwise, other than a member of the Fire Department, or any town, county, state or agency of the United States, or duly appointed representative of the City, to furnish, operate, conduct, maintain, advertise or otherwise be engaged in or profess to be engaged in the operation of emergency ambulance service or special event EMS service, upon the streets, alleys or any public way or place within the City, for the purpose of treating and/or transporting patients within the City, except in the following circumstances:
  - (1) A person shall operate an emergency ambulance within the City to render assistance during a catastrophe or major emergency, whether an emergency exists, if requested to do so by the Wylie Public Safety Communications Center or the Fire Chief, when Fire Department emergency ambulances are determined to be insufficient in number or inadequate for other reasons.
  - (2) An ambulance provider may operate a private ambulance within the City as a backup emergency ambulance if requested to do so by the Wylie Public Safety Communications Center or the Fire Chief when Fire Department emergency ambulances are not available.
  - (3) A person may operate a private ambulance on an emergency run to a hospital within the City, if:
    - (a) The emergency patient was picked up by the ambulance outside the City limits; and
    - (b) The ambulance making the emergency run is licensed and operated in accordance with the Emergency Medical Services Act (Chapter 773, Texas Health and Safety Code), as amended.

- (4) An agency may operate a private ambulance on an emergency run if, upon responding to a direct call for non-emergency private ambulance service within the City, the Registered Agency determines that an emergency exists requiring the sick or injured person to be transported with all practical speed to a hospital and notifies the Wylie Public Safety Communications Center of the emergency run.
- (5) An Agency may operate a private ambulance on an emergency run if, while performing the service of maintaining a private ambulance at a particular location for a special event within the City, the Registered Agency determines that an emergency exists requiring a sick or injured person to be transported with all practical speed to a hospital and notifies the Wylie Public Safety Communications of the emergency run.
- (6) An Agency may operate a private ambulance on an emergency run to transport vital organs, including, but not limited to, hearts, lungs, kidneys, and eyes, to or from a hospital within the City.
- (7) An Agency may operate a private ambulance, critical care transport ambulance, or other specialized emergency medical service vehicle on an emergency run to transport a newborn, pediatric or other critical care patient from a lower level skill facility to a higher level skill facility if:
  - (a) The patient's doctor has determined that an emergency exists; and
  - (b) The patient is accompanied by neonate, pediatric or critical care transport personnel.
- (b) This prohibition does not apply to the operation of an air ambulance that is regulated and certified by the U.S. Federal Aviation Administration and that is operating in compliance with state licensing requirements.
- (c) Any person who operates a private ambulance on an emergency run under this section shall, if requested in writing by the Fire Department, within 10 days of each emergency run, submit to the Fire Chief a report describing the circumstances requiring the emergency run.
- (d) In the event a patient dies while being transported from one place within the City to another place within or beyond its limits, the registrant of such ambulance shall:
  - (1) Immediately notify the Wylie Public Safety Communication Center of such death, by two-way radio or public telephone; and
  - (2) Within twenty four hours of the incident, file a written report with the police department upon such forms as he may provide or prescribe, giving all information therein required and any other relevant information which the Police department may require.
- (e) Vehicles and Equipment.
  - (1) Each private ambulance must be licensed as an emergency medical services vehicle with the Texas Department of State Health Services. Each private ambulance and all private ambulance equipment must comply with all applicable federal and state motor vehicle safety standards and with the standards for emergency medical services vehicles set forth in the Emergency Medical Services Act (Chapter 773, Texas Health and Safety Code), as amended. All safety mechanisms on each vehicle must be operative and in good repair, including, but not limited to, headlights, taillights, turn signals, brakes, brake lights, emergency lights, windshield wipers, wiper blades, handles opening doors and windows, tires, and spare tires.

- (2) Each private ambulance, while on an ambulance call, must be accompanied by at least two ambulance personnel. One of the ambulance personnel shall serve as the driver while the other remains in attendance on the sick or injured patient.
- (3) The Fire Chief, Police Chief, or their designee may inspect a private ambulance service operating in the City to determine whether the service complies with this ordinance, rules and regulations established by this ordinance, and other applicable law.

**Sec. 38-59. Private ambulance service registration requirements**

- (a) To obtain a private ambulance service registration, a person must make a written application to the Fire Department upon a form provided for that purpose. The application must be signed by an applicant who is the owner of the private ambulance service and notarized.
- (b) The application must be submitted annually and include the following:
  - (1) the name, address, telephone number and email address of the applicant, the trade name under which the applicant does business, and the street address and telephone number of the business establishment from which the private ambulance service will be operated;
  - (2) the form of business of the applicant and, if the business is a sole proprietorship, partnership, corporation, or association, a copy of the documents establishing the business and the name and address of each person with a direct interest in the business;
  - (3) a statement of the nature and character of the service that the applicant proposes to provide, the facts showing the demand for the service, the experience that the applicant has in providing such service, the fees charged for the service, and the time period, if any, that the applicant provided such service within the City;
  - (4) the number and description of vehicles to be operated in the proposed service, including the year, make, model, vehicle identification number, and state registration plate number and the class, size, design, and color scheme (including color photograph) of each ambulance;
  - (5) documentary evidence from an insurance company indicating the applicant has obtained liability insurance as required by this ordinance;
  - (6) a list, to be current at all times, of the owners and management personnel of the private ambulance service including names, addresses, dates of birth, state driver's registration numbers;
  - (7) a list of any claims or judgments against the applicant, other owners or management personnel, or employees for damages resulting from the negligent operation of an ambulance or any other vehicle;
  - (8) proof of registration from the Texas Department of State Health Services to operate as an emergency medical services provider;
  - (9) any other information determined by the fire chief or his designee to be necessary to the implementation and enforcement of this ordinance or protection of the public safety; and
  - (10) a nonrefundable application processing fee of \$250.

**Sec. 38-60. Expiration and renewal of private ambulance registration**

A private ambulance service registration expires one year from the date of issuance. A registrant shall apply for a renewal at least thirty (30) days before the expiration of the registration.

**Sec. 38-61. Private ambulance service insurance required**

- (a) A Registered Agency shall procure and keep in full force and effect automobile liability insurance, professional liability insurance, and commercial general liability insurance written by an insurance company approved by the State of Texas and acceptable to the City and issued in the standard form approved by the Texas Department of Insurance. All provisions of the policies must be acceptable to the City. The insured provisions of each policy must name the City and its officers and employees as additional insureds, and the coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the operation of a private ambulance service by the registrant.
- (b) Each registrant shall provide documentation meeting the following minimum requirements:
  - (1) Automobile Liability: Coverage for claims for damages resulting from an automobile accident resulting in property damage and/or personal injury or death in an amount of not less than One Million Dollars (\$1,000,000) per occurrence Combined Single Limit. Such coverage is to include Uninsured/Underinsured Motorist Coverage in an amount of not less than One Million Dollars (\$1,000,000) per occurrence; and
  - (2) Professional Liability: Coverage for claims for damages resulting from professional malpractice liability in an amount of not less than One Million Dollars (\$1,000,000.00) per occurrence and One Million Dollars (\$1,000,000.00) annual aggregate. If coverage is provided on a "claims made" basis, extended period or "tail" coverage shall be provided for a minimum of four years after the expiration date of the period the ambulance provider is authorized to operate in the City; and
  - (3) Commercial General Liability: Coverage for claims for damages because of bodily injury, sickness or disease or death of any person other than ambulance service provider's employees, claims insured by usual bodily injury liability coverages, and claims for damages because of injuries to or destruction of tangible property, including loss of use resulting therefrom in an amount of not less than One Million Dollars (\$1,000,000) per occurrence.
- (c) Insurance required under this section must include:
  - (1) a cancellation provision in which the insurance company is required to notify the Fire Department in writing not fewer than 10 days before canceling, failing to renew, or making a material change to the insurance policy; and
  - (2) a provision to cover all vehicles, whether or not owned by the registrant, operating under the private ambulance service registration.

#### **Sec. 38-62. False statement of emergency prohibited**

It shall be unlawful for any person to willfully inform the communications dispatcher or other fire or police official that an ambulance or more than one ambulance is needed at a location or address when such person knows that such statement is false. State Law reference— False alarm or report, V.T.C.A., Penal Code § 42.06.

#### **Sec. 38-63. Enforcement.**

Officers of the police department, the fire chief or his/her designee(s) may assist in the enforcement of this ordinance. Upon observing or investigating a violation of this ordinance or the rules and regulations established by this ordinance, necessary enforcement action may be taken to ensure effective regulation of private ambulance service.

#### **Sec. 38-64. Penalty**

Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined as provided in this Code. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Each offense shall be punishable by a fine not to exceed Five Hundred (\$500.00) Dollars. It shall not be necessary for the complaint to negate any exception contained in this article concerning any prohibited act, but any such exception made in this article may be urged as a defense by any person charged by such complaint.

...”

**SECTION 3: Emergency Medical Services Adopted.** The City Council hereby approves and adopts Emergency Medical Services and incorporated herein by reference for all purposes. Wylie commits to implement the requirements and procedures set forth in the adopted Emergency Medical Services Program.

**SECTION 4: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/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, sentence, clause and/or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses and/or phrases is declared unconstitutional and/or invalid.

**SECTION 5: Effective Date.** This Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS** on this 27th day of February 2024.

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

**ATTESTED TO AND CORRECTLY  
RECORDED BY:**

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

Dates of Publication: *March 6, 2024, Wylie News*



# Wylie City Council

## AGENDA REPORT

Department: Public Information Office  
 Prepared By: Craig Kelly

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

### Subject

Discuss the International Jet Ski tournament at Collin Park, located at 2200 Saint Paul Road, Wylie, Texas.

### Recommendation

Discussion

### Discussion

The owner of Woody's Boat Rentals and Woody's on the Lake, James Woodruff (aka Woody), is planning to host the IJSBA South Nationals Jet Ski Championship tournament at Collin Park Marina, August 1-4, 2024. The park located at 2200 Saint Paul Road in Wylie is owned by the Army Corp of Engineers and leased to Mr. Woodruff.

Mr. Woodruff approached Wylie Fire Rescue and the Public Information Office about partnering with the event and the potential use of occupancy funds to grow and enhance the event. Options include sponsoring a large concert that would highlight the City's location on the lake.

According to Mr. Woodruff, the National Jet Ski Finals should attract 150 racers from around the country and approximately 500 spectators. Based on similar events a large number of the racers, sponsors, and potential spectators will stay at hotels and dine at restaurants within Wylie. National sponsors include Oakley, Yamaha, Sea-Doo Watercraft, Yeti, and Kawasaki.

Wylie Fire Rescue has been consulted regarding this event for fire safety/access.







Untitled Map  
Write a description for your map.

Legend  
Colin Park Marina  
Line Measure



Google Earth



# Tournament Track





Wylie City Council

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**AGENDA REPORT**

Department: Finance

Prepared By: Melissa Beard

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

**Subject**

Discuss 5 Year Projections for 4B Fund, Utility Fund, and General Fund.

**Recommendation**

Discussion

**Discussion**

Discuss with City Council the 5 Year Projections for 4B Fund, Utility Fund, and General Fund.

# 5 Year Projections

4B Fund, Utility Fund, and General Fund

# 4B Sales Tax Fund

5 Year Projection

# 4B Personnel and Equipment/Capital Requests

|                                                     | 2025        | 2026        | 2027        | 2028        | 2029        |
|-----------------------------------------------------|-------------|-------------|-------------|-------------|-------------|
| Equipment Operator (Irrigation)                     | 57,019      |             |             |             |             |
| Equipment                                           | 475,000     | 390,000     | 170,000     | 15,000      | 125,000     |
| Capital Requests fund balance                       | 525,000     | 2,300,000   | 1,150,000   | 1,150,000   | 1,050,000   |
| Total Funded Requests                               | 1,057,019   | 2,690,000   | 1,320,000   | 1,165,000   | 1,175,000   |
| <b>Bond Funded Requests</b>                         | <b>2025</b> | <b>2026</b> | <b>2027</b> | <b>2028</b> | <b>2029</b> |
| Founders Parking Phase 1 (Pirate Cove Area)         | 1,000,000   |             |             |             |             |
| Founders South Field Renovation                     | 1,000,000   |             |             |             |             |
| Skyview Property Acquisition                        | 4,000,000   |             |             |             |             |
| Founders Football Concession, Restrooms and Parking |             | 1,650,000   |             |             |             |
| Founders Parking (Northwest)                        |             |             | 1,000,000   |             |             |
| Splash Pad Pirate Cove                              |             |             |             | 3,000,000   |             |
| WRC Renovation                                      |             |             |             |             | 5,000,000   |
| Total Bond Funded Requests (\$16,650,000)           | 6,000,000   | 1,650,000   | 1,000,000   | 3,000,000   | 5,000,000   |

# 4B Sales Tax Fund Assumptions

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Sales tax increase of 10% each year

Service Fees increase 3% each year

3% increase in personnel expense each year to cover merit and health insurance

5% increase in personnel for market adjustments 2025, 2027 and 2029

1.5% increase in operating expenses

One time expenses from FY 2024 have been pulled out to start with a base budget

Debt issuance of \$16,650,000 in 2025 to fund projects throughout next five years

# 4B Sales Tax Fund

|                                               | PROJECTED<br>FY 2023-24 | PROJECTED<br>FY 2024-25 | PROJECTED<br>FY 2025-26 | PROJECTED<br>FY 2026-27 | PROJECTED<br>FY 2027-28 | PROJECTED<br>FY 2028-29 |
|-----------------------------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| <b>BEGINNING FUND BALANCE (1)</b>             | \$ 6,651,065            | \$ 4,706,711            | \$ 3,644,613            | \$ 2,095,978            | \$ 2,238,638            | \$ 3,054,458            |
| <b>TOTAL REVENUES</b>                         | \$ 5,696,500            | \$ 6,178,356            | \$ 6,706,424            | \$ 7,285,265            | \$ 7,919,896            | \$ 8,615,833            |
| Transfers from Other Funds                    | -                       | -                       | -                       | -                       | -                       | -                       |
| <b>TOTAL REVENUES &amp; TRANSFERS-IN</b>      | \$ 5,696,500            | \$ 6,178,356            | \$ 6,706,424            | \$ 7,285,265            | \$ 7,919,896            | \$ 8,615,833            |
| <b>TOTAL EXPENDITURES</b>                     | \$ 5,092,691            | \$ 5,059,279            | \$ 4,689,659            | \$ 4,727,205            | \$ 4,688,677            | \$ 5,083,532            |
| Use of Fund Balance                           | 2,161,098               | 525,000                 | 2,300,000               | 1,150,000               | 1,150,000               | 1,050,000               |
| Transfers to Other Funds (Debt Payments)      | 387,065                 | 1,656,175               | 1,265,400               | 1,265,400               | 1,265,400               | 1,265,400               |
| <b>TOTAL EXPENDITURES &amp; TRANSFERS-OUT</b> | \$ 7,640,854            | \$ 7,240,454            | \$ 8,255,059            | \$ 7,142,605            | \$ 7,104,077            | \$ 7,398,932            |
| <b>ENDING FUND BALANCE</b>                    | \$ 4,706,711            | \$ 3,644,613            | \$ 2,095,978            | \$ 2,238,638            | \$ 3,054,458            | \$ 4,271,360            |
| <b>FUND BALANCE - % OF SALES TAX</b>          | <b>103.75%</b>          | <b>73.04%</b>           | <b>38.18%</b>           | <b>37.07%</b>           | <b>45.99%</b>           | <b>58.46%</b>           |
| <b>EXCESS FUND BALANCE (OVER 25%)</b>         | <b>3,572,571</b>        | <b>2,397,059</b>        | <b>723,668</b>          | <b>729,098</b>          | <b>1,393,963</b>        | <b>2,444,015</b>        |



# Utility Fund

5 Year Projection

# Utility Fund Personnel and Equipment Requests

| Personnel Requests                            | 2025      | 2026      | 2027      | 2028    | 2029    |
|-----------------------------------------------|-----------|-----------|-----------|---------|---------|
| Equipment Operator II (2) Water               |           | 128,680   |           |         |         |
| Fleet Maintenance Technician (Water)          |           |           |           | 60,317  |         |
| Fleet Maintenance Technician (Wastewater)     | 60,317    |           |           |         |         |
| PW Program Coordinator/Trainer                | 83,861    |           |           |         |         |
| Total Utility Fund (5 FTE Positions)          | 144,178   | 128,680   | 0         | 60,317  | 0       |
| Equipment/Vehicle and Other One Time Requests | 2025      | 2026      | 2027      | 2028    | 2029    |
| Utility Admin                                 | 150,000   |           |           |         |         |
| Water                                         | 1,680,000 | 1,693,400 | 1,568,000 | 125,000 | 235,000 |
| Wastewater                                    | 630,000   | 715,000   | 986,000   | 711,000 | 626,000 |
| Engineering                                   |           | 75,000    |           | 60,000  | 60,000  |
|                                               | 2,460,000 | 2,483,400 | 2,554,000 | 896,000 | 921,000 |

# Utility Fund Assumptions

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Water 5% and Sewer 5.5% increase each year

Service Fees increase 3% each year

3% increase in personnel expense each year to cover merit and health insurance

5% increase in personnel for market adjustments 2025, 2027 and 2029

1.5% increase in operating expenses

Payment for NTMWD \$102 million bond included starting in 2025

Includes Dogwood and Hilltop waterline replacement expense

One time expenses from FY 2024 have been pulled out to start with a base budget

# Utility Fund

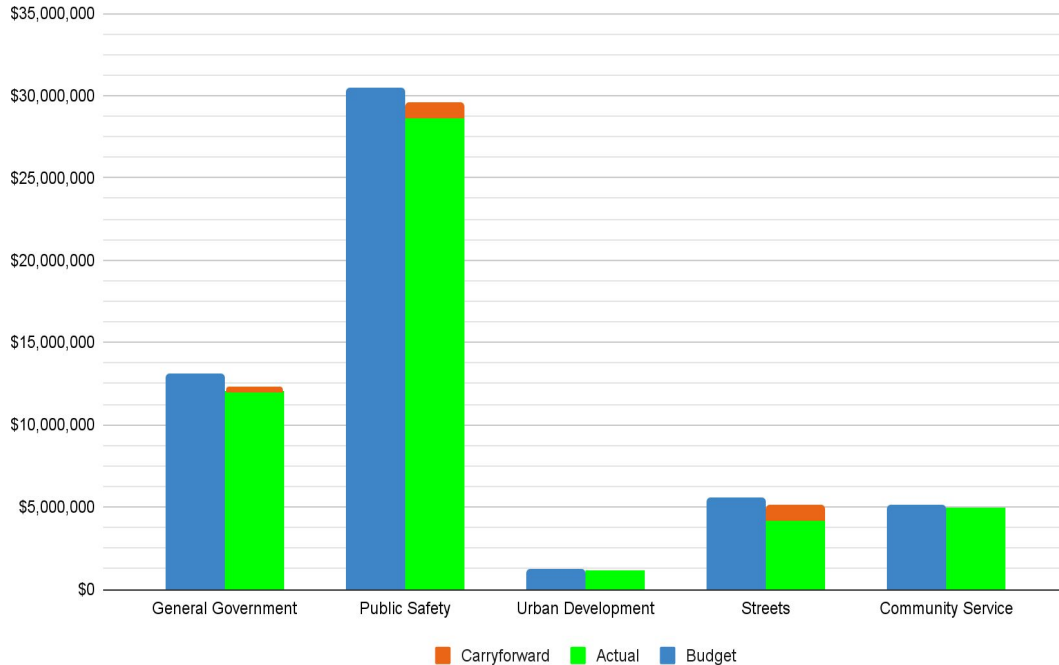
|                                               | BUDGET<br>FY 2023-24 | PROJECTED<br>FY 2024-25 | PROJECTED<br>FY 2025-26 | PROJECTED<br>FY 2026-27 | PROJECTED<br>FY 2027-28 | PROJECTED<br>FY 2028-29 |
|-----------------------------------------------|----------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| <b>BEGINNING FUND BALANCE</b>                 | \$ 23,689,985        | \$ 24,741,655           | \$ 22,068,746           | \$ 19,762,436           | \$ 17,561,407           | \$ 18,444,637           |
| <b>TOTAL REVENUES</b>                         | \$ 30,224,893        | \$ 31,748,627           | \$ 33,351,854           | \$ 35,038,746           | \$ 36,813,692           | \$ 38,681,312           |
| Transfers from Other Funds                    | -                    | -                       | -                       | -                       | -                       | -                       |
| <b>TOTAL REVENUES &amp; TRANSFERS-IN</b>      | \$ 30,224,893        | \$ 31,748,627           | \$ 33,351,854           | \$ 35,038,746           | \$ 36,813,692           | \$ 38,681,312           |
| <b>TOTAL EXPENDITURES</b>                     | \$ 26,533,019        | \$ 31,702,125           | \$ 32,857,172           | \$ 34,354,752           | \$ 32,958,889           | \$ 33,971,795           |
| Transfers to Other Funds                      | 2,640,204            | 2,719,410               | 2,800,992               | 2,885,022               | 2,971,573               | 3,060,720               |
| <b>TOTAL EXPENDITURES &amp; TRANSFERS-OUT</b> | \$ 29,173,223        | \$ 34,421,535           | \$ 35,658,165           | \$ 37,239,774           | \$ 35,930,462           | \$ 37,032,515           |
| <b>ENDING FUND BALANCE</b>                    | \$ 24,741,655        | \$ 22,068,746           | \$ 19,762,436           | \$ 17,561,407           | \$ 18,444,637           | \$ 20,093,433           |
| <b>FUND BALANCE - days of expenditures</b>    | <b>310</b>           | <b>234</b>              | <b>202</b>              | <b>172</b>              | <b>187</b>              | <b>198</b>              |
| <b>EXCESS FUND BALANCE (OVER 90 days)</b>     | <b>17,548,258</b>    | <b>13,581,244</b>       | <b>10,970,012</b>       | <b>8,378,997</b>        | <b>9,585,071</b>        | <b>10,962,128</b>       |

# General Fund

## Analysis and 5 Year Projection

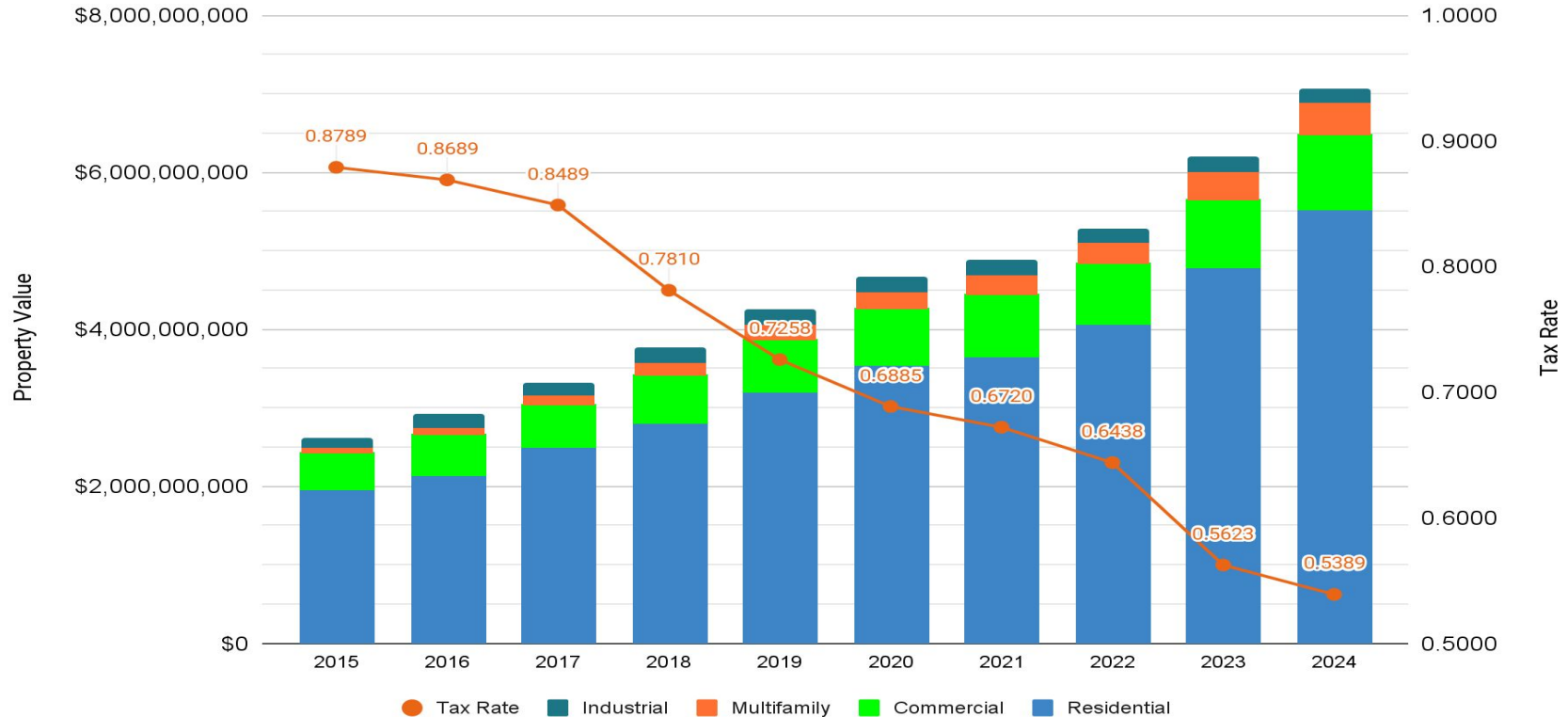
# Fiscal Year 2023 Expenditure Summary

FY 2023 Budget v. Actual (plus Carryforwards)

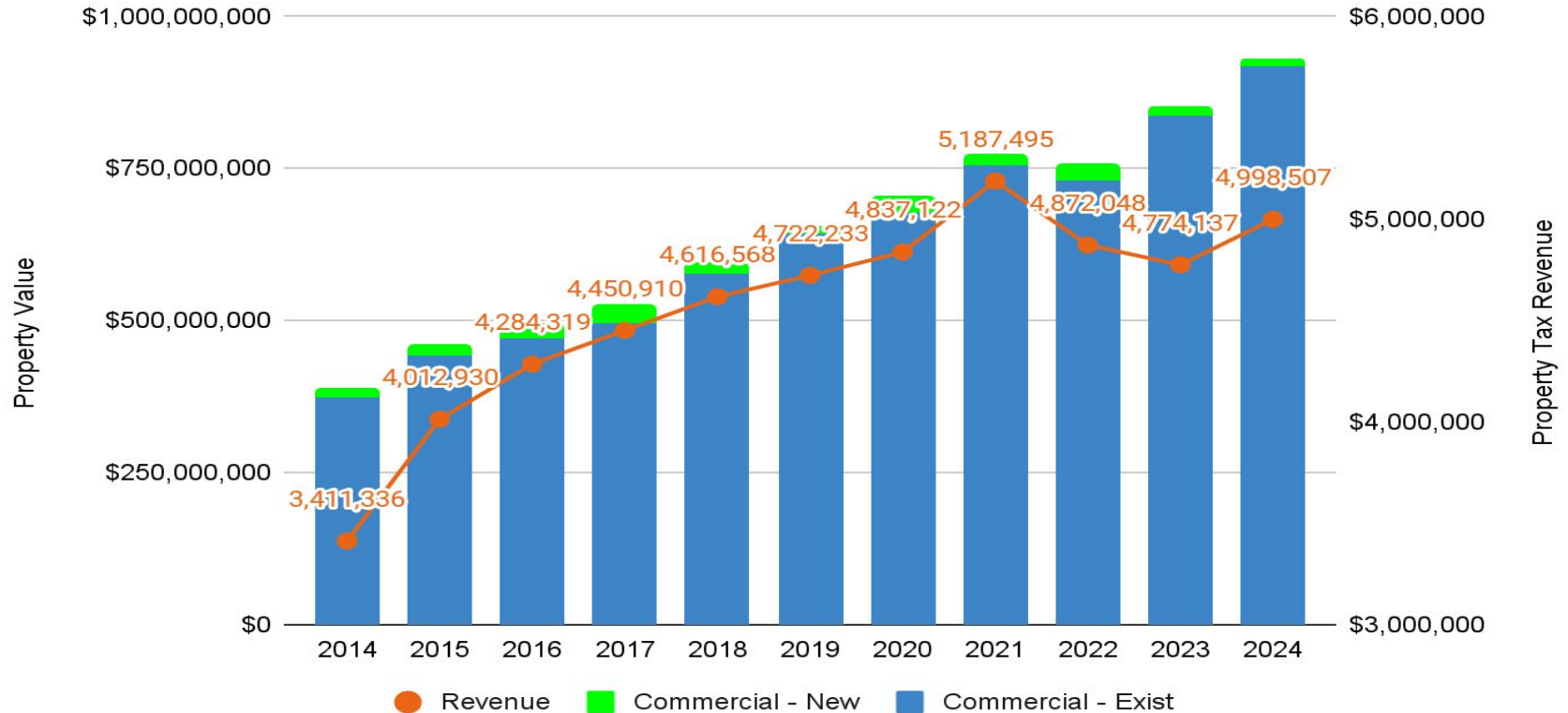


|                    | <u>Variance</u> | <u>% Unspent</u> |
|--------------------|-----------------|------------------|
| General Government | 681,090         | 5.23%            |
| Public Safety      | 906,956         | 2.99%            |
| Urban Development  | 119,275         | 10.39%           |
| Streets            | 429,720         | 7.81%            |
| Community Service  | <u>173,941</u>  | <u>3.43%</u>     |
| Total              | 2,310,982       | 4.19%            |

# Taxable Property Value (by Type) & Tax Rate



# Commercial Property Value & Property Tax Revenue





# Personnel Requests - Public Safety

|                                               | 2025           | 2026           | 2027           | 2028           | 2029           |
|-----------------------------------------------|----------------|----------------|----------------|----------------|----------------|
| <b>Police</b>                                 |                |                |                |                |                |
| SRO (2)                                       | 58,066         | 58,066         |                |                |                |
| Crossing Guards                               | 60,000         |                |                |                |                |
| Detectives (4)                                | 102,881        | 102,881        | 102,881        |                | 102,881        |
| Patrol/Traffic Officers (12)                  | 205,761        | 205,761        | 205,761        | 308,642        | 308,642        |
| Mental Health Unit (3)                        | 102,881        | 102,881        |                | 102,881        |                |
| Training Officer - Professional Standards     | 102,881        |                |                |                |                |
| Upgrade PT Bailiff to Warrant Officer         |                |                | 58,066         |                |                |
| Assistant Chief (Admin)                       |                | 162,075        |                |                |                |
| Civilian (2 and 1 PT)                         |                |                | 107,692        |                | 26,913         |
| <b>Total 26 FTE Positions</b>                 | <b>632,470</b> | <b>631,664</b> | <b>474,400</b> | <b>411,523</b> | <b>438,436</b> |
| <b>Fire and Emergency Communication</b>       |                |                |                |                |                |
| Relief Firefighters (3)                       | 297,321        |                |                |                |                |
| Fire Inspector/Investigator                   | 110,560        |                |                |                |                |
| Mental Health Unit Paramedic (2)              |                | 102,881        | 102,881        |                |                |
| Paramedics 4th Ambulance (4)                  |                |                |                |                | 365,012        |
| EMT 4th Ambulance (4)                         |                |                |                |                | 333,540        |
| Fleet Maintenance Technician                  |                | 60,318         |                |                |                |
| Community & Life Safety Education Coordinator |                |                | 73,345         |                |                |
| Dispatcher (4)                                | 69,380         |                | 69,380         | 69,380         | 69,380         |
| Communications Supervisor                     |                | 91,263         |                |                |                |
| Data Analyst Technician                       | 100,961        |                |                |                |                |
| <b>Total 22 FTE Positions</b>                 | <b>578,222</b> | <b>254,462</b> | <b>245,606</b> | <b>69,380</b>  | <b>767,932</b> |

# Personnel Requests - General Government

|                                                     | 2025             | 2026             | 2027             | 2028           | 2029             |
|-----------------------------------------------------|------------------|------------------|------------------|----------------|------------------|
| Equipment Operator I (5)                            |                  |                  | 114,038          | 57,019         | 114,038          |
| Equipment Operator II (3)                           | 128,680          |                  |                  |                | 64,340           |
| Animal Control Officer                              |                  | 55,655           |                  |                |                  |
| Part Time Kennel Attendant (2)                      |                  | 35,683           |                  |                |                  |
| Code Officer                                        | 64,342           |                  |                  |                |                  |
| City Secretary Admin Assistant - Public Information |                  | 68,665           |                  |                |                  |
| Facilities/Custodian Position                       | 68,665           |                  |                  |                |                  |
| Finance - Accountant                                |                  |                  | 76,412           |                |                  |
| IT Public Safety IT Specialist                      | 68,665           |                  |                  |                |                  |
| Municipal Court PT Judge to FT Judge                |                  |                  | 124,633          |                |                  |
| Municipal Court Magistrate Clerk                    |                  |                  | 68,665           |                |                  |
| <b>Total General Government (17 FTE Positions)</b>  | <b>330,352</b>   | <b>160,003</b>   | <b>383,748</b>   | <b>57,019</b>  | <b>178,378</b>   |
| <b>65 New FTE - General Fund</b>                    | <b>1,541,044</b> | <b>1,046,129</b> | <b>1,103,754</b> | <b>537,922</b> | <b>1,384,746</b> |

# Vehicle, Equipment and One Time Requests

|                    | 2025      | 2026      | 2027      | 2028      | 2029      |
|--------------------|-----------|-----------|-----------|-----------|-----------|
| Police             | 1,642,350 | 1,042,600 | 1,206,200 | 1,327,150 | 745,200   |
| Fire               | 1,115,520 | 2,944,132 | 1,562,132 | 1,270,308 | 2,883,808 |
| Streets            | 1,587,000 | 1,530,000 | 1,510,000 | 1,600,000 | 1,565,000 |
| General Government | 121,250   | 104,850   | 66,600    | 44,600    | 18,600    |
|                    | 4,466,120 | 5,621,582 | 4,344,932 | 4,242,058 | 5,212,608 |

# General Fund Requested Expenditures

|                                                | 2025                 | 2026                 | 2027                 | 2028                 | 2029                 |
|------------------------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Base Expenditures                              | \$ 59,119,555        | \$ 62,118,823        | \$ 64,385,832        | \$ 67,701,699        | \$ 70,202,693        |
| New Personnel Requests - Public Safety         | 1,210,692            | 2,193,673            | 2,979,490            | 3,698,752            | 5,016,082            |
| New Personnel Requests - General Govt          | 330,352              | 500,266              | 924,035              | 1,008,775            | 1,267,855            |
| <b>Total New Personnel Requests Cumulative</b> | <b>1,541,044</b>     | <b>2,693,939</b>     | <b>3,903,524</b>     | <b>4,707,527</b>     | <b>6,283,937</b>     |
| <b>Total Recurring Expenditures</b>            | <b>60,660,599</b>    | <b>64,812,762</b>    | <b>68,289,356</b>    | <b>72,409,226</b>    | <b>76,486,631</b>    |
| Equipment and Vehicle Requests - Public Safety | 2,757,870            | 3,986,732            | 2,768,332            | 2,597,458            | 3,629,008            |
| Equipment and Vehicle Requests - General Govt  | 1,708,250            | 1,634,850            | 1,576,600            | 1,644,600            | 1,583,600            |
| <b>Total Equipment and Vehicle Requests</b>    | <b>4,466,120</b>     | <b>5,621,582</b>     | <b>4,344,932</b>     | <b>4,242,058</b>     | <b>5,212,608</b>     |
| <b>TOTAL EXPENDITURES</b>                      | <b>\$ 65,126,719</b> | <b>\$ 70,434,344</b> | <b>\$ 72,634,288</b> | <b>\$ 76,651,284</b> | <b>\$ 81,699,239</b> |

# Assumptions

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3% increase in personnel expense each year to cover merit and health insurance

5% increase in personnel for general and public safety market adjustments in alternating years

\$1.5 million Public Safety market adjustment in FY 2025

1.5% increase in operating expenses

One time expenses from FY 2024 have been pulled out to start with a base budget

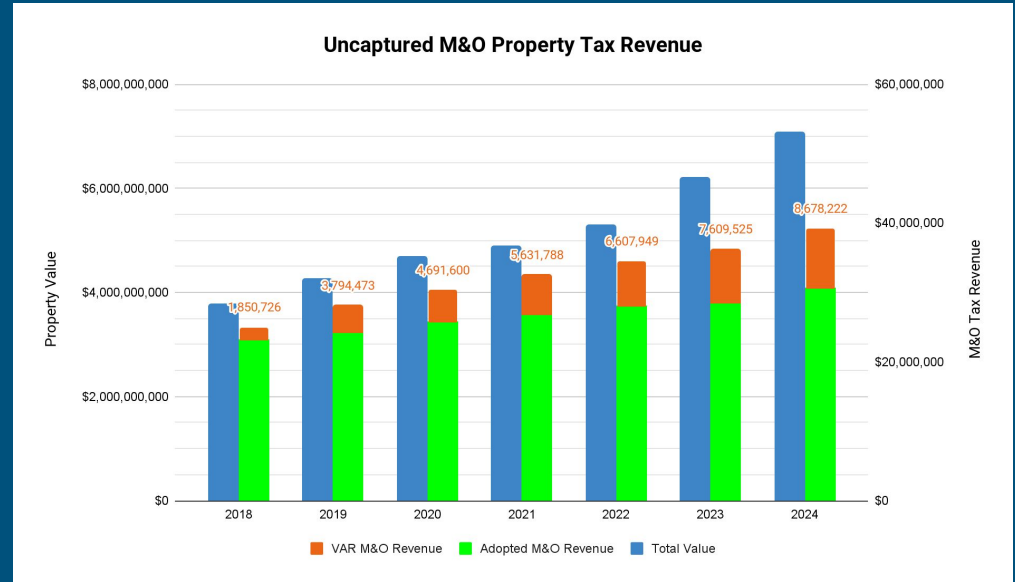
# Revenue Cap S.B. 2 (2019)

3.5% increase on maintenance and operations property tax revenue plus revenue from new construction

Voter-Approval Rate = (No-New-Revenue Maintenance and Operations Rate x 1.035) + Current Debt Service Tax Rate + unused increment

Unused Increment Rate - The city has the ability to “bank”, on a rolling three-year basis, the difference between revenue generated with the Voter Approval Rate and the actual lower rate that was adopted

FY 2024 unused increment rate was 5 cents.



# Questions?

