

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS & RECOGNITIONS

- PR1. Presentation of appreciation to outgoing Councilmember Timothy "Toby" Wallis.
- PR2. Shining the Wylie Way Students Term 4: Grades Kinder 12th.
- PR3. Wylie East Lady Raider Soccer Team.
- PR4. Military Appreciation Month.
- PR5. Asian Americans and Pacific Islanders Month.

COMMENTS ON NON-AGENDA ITEMS

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

CONSENT AGENDA

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

- A. Consider, and act upon, approval of the May 9, 2023 Regular City Council Meeting minutes.
- **B.** Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2023.
- C. Consider, and place on file, the City of Wylie Monthly Investment Report for April 30, 2023.
- D. Consider, and act upon, approving the updated bylaws for the Library Advisory Board.
- E. Consider, and act upon, a Preliminary Plat of Lots 1-2, Block A of Stealth BTS Addition, establishing two Light Industrial lots on 14.030 acres, located at 2200 W. Alanis Drive.
- F. Consider, and act upon, approval of the Non-Profit Park Event Application from Wylie Independent School District (WISD) Council of PTAs representative Becky Welch, to hold the "Back the Future" event at Olde City Park on Saturday, September 23, 2023, from 5:00 p.m. to 7:00 p.m.

- <u>G.</u> Consider, and act upon, approval of the Non-Profit Park Event Application from Connection Point Church, representative Megan Williams, to hold the "Run for the Fatherless 5K and Fun Run" event at Founders Park on Saturday, November 18, 2023, from 8:00 a.m. to 12:00 p.m.
- H. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of April 30, 2023.
- <u>I.</u> Consider, and act upon, the approval of the purchase of NeoGov Human Resources Software from Carasoft Technology Corporation in the estimated annual amount of \$52,220.17 through a cooperative contract with Omnia Partners, and authorizing the City Manager to execute any and all necessary documents.
- <u>J.</u> Consider, and act upon, the award of bid #W2023-64-B for Ballard Ave. 1.5MG Elevated Storage Tank to Landmark Structures I, LP in the amount of \$8,188,400.00, and authorizing the City Manager to execute any and all necessary documents.
- K. Consider, and act upon, the award of bid #W2023-51-B for the construction of the Wylie Dog Park to RLM Earth Company in the amount of \$817,147.13, and authorizing the City Manager to execute any and all necessary documents.
- L. Consider, and act upon, Ordinance No. 2023-20 amending Ordinance No. 2022-56, which established the budget for fiscal year 2022-2023; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.
- M. Consider, and act upon, authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Wylie, the City of Sachse, and the City of Murphy to continue the regional trail system that begins in Richardson at Breckenridge Park.

REGULAR AGENDA

- 1. Consider, and act upon, Ordinance No. 2023-21 amending Ordinance No. 2022-56, which established the budget for fiscal year 2022-2023; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.
- 2. Interview applicants for Board of Review vacancies for a term to begin July 1, 2023 and end June 30, 2025.
- <u>3.</u> Hold a Public Hearing, consider, and act upon, the writing of an Ordinance to amend the City of Wylie Zoning Ordinance, Articles 5.1 Land Use Charts, 5.2 Listed Uses, 7.0 General Development Regulations, as they relate to Smoke Shops, Smoking Establishments and Alcohol uses.

<u>4.</u> Tabled from 04-11-2023

Remove from table and consider

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

- 5. Consider, and act upon, Ordinance No. 2023-22 to disannex approximately 4,000 acres of Lavon Lake and surrounding land, situated in the W. W. Bell Survey, Abs A0037; M. I. Geminez Survey, Abs A0338; William Johnson Survey, Abs A0476; John D Kirby Survey, Abs A0515; Madison Walker Survey, Abs A1022; Alex Russell Survey, Abs A0736; B. M. Carr Survey, Abs A0175; James King Survey, Abs A0508; and Thomas Chambers Survey, Abs A1049, Collin County, Texas.
- 6. Consider, and act upon, the recommendation to reject all bids for W2023-50-B East Meadow Trail Splash Pad and Community Park Splash Pad.

WORK SESSION

- WS1. Discuss a potential change of zoning from Neighborhood Services to Planned Development (PD-Mixed Use) on approximately 14.24 acres, generally located on the southeast corner of Country Club Road and Park Boulevard.
- WS2. Discuss Ethiopian Sports Federation in North America Soccer Tournament.

RECONVENE INTO REGULAR SESSION

EXECUTIVE SESSION

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

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

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

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

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

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

- (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).
- 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: 2017-6a, 2021-5a, 2021-6a, 2021-6c, 2021-8a, 2021-9b, 2021-9f, 2022-1c, 2022-7b, 2023-1a, 2023-2d, 2023-3b, 2023-4c, and 2023-5a.

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 May 26, 2023 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

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.



Department: Prepared By: City Secretary Stephanie Storm Account Code:

Subject

Consider, and act upon, approval of the May 9, 2023 Regular City Council Meeting minutes.

Recommendation

Motion to approve the Item as presented.

Discussion

The minutes are attached for your consideration.

Wylie City Council Regular Meeting Minutes

May 09, 2023 – 6:00 PM Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

Mayor Matthew Porter called the regular meeting to order at 6:05 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, and Councilman Garrett Mize. Councilman Timothy T. Wallis was absent.

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Fire Chief Brandon Blythe; Police Chief Anthony Henderson; Finance Director Melissa Brown; Public Information Officer Craig Kelly; City Secretary Stephanie Storm; Purchasing Manager Glenna Hayes; City Engineer Tim Porter; Engineering Project Manager Jenneen Elkhalid; Community Services Director Jasen Haskins; Fire Marshal Cory Claborn; Building Official Phillip Booth; Assistant Library Director Lisa Galletta; Public Works Director Tommy Weir; Wylie Economic Development Executive Director Jason Greiner; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Keith Spurgin, New Hope Church, led the invocation, and Mayor pro tem Forrester led the Pledge of Allegiance.

Mayor Porter requested a moment of silence for the families, friends, and communities affected by the tragic event that occurred this past Saturday in Allen.

PRESENTATION TO OUTGOING COUNCILMEMBERS

Mayor Porter announced that outgoing Councilmember Timothy "Toby" Wallis was unable to attend and would be recognized at the May 30, 2023, City Council meeting.

Mayor Porter and the Wylie City Council presented outgoing Councilmember Garrett Mize with a plaque of appreciation for his dedication and support to the City of Wylie during his tenure as Councilmember Place 6.

ISSUANCE OF CERTIFICATE OF ELECTIONS & ADMINISTRATION OF OATH OF OFFICE

Mayor Porter presented Certificates of Election and Municipal Court Associate Judge Ashley McSwain administered the Oath of Office to Mayor-elect Matthew Porter, and Councilmembers-elect Sid Hoover, Place 5, and Gino Mulliqi, Place 6.

Council took a short recess at 6:25 p.m.

Councilmen Hoover and Mulliqi took their seats at the dais for the remainder of the meeting.

Mayor Porter reconvened the regular meeting at 6:37 p.m.

PRESENTATIONS & RECOGNITIONS

PR1. National Police Week.

Mayor Porter presented a proclamation proclaiming May 14-20, 2023 as National Police Week in Wylie, Texas. Members of the Wylie Police Department were present to accept the Proclamation.

PR2. Economic Development Week.

Mayor Porter recognized May 8-12, 2023 as Economic Development Week.

Additional Recognitions

Mayor Porter recognized a Shining the Wylie Way student.

Mayor Porter recognized National Nurses Week.

COMMENTS ON NON-AGENDA ITEMS

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Robert Heath, representing Downtown Merchants Association, addressed Council thanking WISD staff and student volunteers, and City Parks and Recreation staff for their assistance at the Pedal Car race.

CONSENT AGENDA

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

- A. Consider, and act upon, approval of the April 25, 2023, Regular City Council Meeting minutes.
- B. Consider, and act upon, authorizing the Mayor to enter into a Cooperative Agreement for additional Law Enforcement Services, between the City of Wylie, Lavon Lake, Texas initiates Agreement No. W9126G23Q0010 and the U.S. Army Corps of Engineers. This agreement is for the provisions of additional Law enforcement Services from May 19, 2023, through September 9, 2023, for a sum not to exceed \$53,896.98.
- C. Consider, and act upon, the approval of a request to construct a new residential structure on an existing lot for retail/office use, located at 308 N. Ballard within the Downtown Historic District.
- D. Consider, and act upon, the approval of a request for substantial renovation to construct a new kitchen to an existing residential structure, located at 304 W. Jefferson St. within the Downtown Historic District.
- E. Consider, and act upon, the approval of an update to the 2023 Procurement Manual.
- F. Consider, and act upon, the award of bid #W2023-22-B for Eubanks Lane Improvements from Hwy. 78 to North Texas Municipal Water District Entrance Drive to McMahon Contracting, LP in the amount of \$3,444,832 and authorizing the City Manager to execute any and all necessary documents.

- G. Consider, and act upon, the purchase of two (2) 2016 Horton Ford F550 ambulances from Siddons-Martin Emergency Group in the amount of \$247,403.00; and authorizing the City Manager to sign any and all necessary documents.
- H. Consider, and act upon, Resolution No. 2023-07(R) authorizing the purchase of a LIFEPAK 15 V4 Cardiac Monitor and service agreement from Stryker Sales Corporation Medical Division, as a single source purchase exempt from the competitive bid law pursuant to Local Government Code, Section 252.022(a), in the amount of \$50,926.68; and authorizing the City Manager to execute any necessary documents.

Mayor Porter requested Items C, D, and F be pulled from the Consent Agenda and considered individually.

Council Action

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

REGULAR AGENDA

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

Council Comments

Mayor Porter asked staff with the addition of a new structure that will alter the amount of permeable surface, what is being done regarding drainage. Deputy City Manager Ollie replied the item before Council is the consideration of the zoning to allow this structure on this property in the Downtown Historic District, and approving or denying this item does not allow the construction to take place. If Council approves the request, they will have to submit full building and engineering plans before construction can begin. City Engineer Porter added if the item is approved and plans are submitted, he would review them and the City would work with the owner to help offset the drainage with this addition.

Council Action

A motion was made by Councilman Duke, seconded by Councilman Strang, to approve Consent Item C as presented. A vote was taken and the motion passed 6-1 with Mayor *pro tem* Forrester voting against.

D. Consider, and act upon, the approval of a request for substantial renovation to construct a new kitchen to an existing residential structure, located at 304 W. Jefferson St. within the Downtown Historic District.

Council Comments

Mayor Porter confirmed this Item is specific to the zoning and not engineering. Deputy City Manager Ollie replied this Item is a little different in that it is adding 280 square feet for a kitchen addition that will be attached to the existing structure; therefore, Council will not see the full engineering plans. Councilman Williams confirmed this item is only coming before Council due to its location in the Downtown Historic District and clarified a kitchen remodel does not always come before Council for approval. Ollie confirmed that was correct, and any item that goes to the Historic Review Commission has to come before Council for action.

Council Action

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

F. Consider, and act upon, the award of bid #W2023-22-B for Eubanks Lane Improvements from Hwy. 78 to North Texas Municipal Water District Entrance Drive to McMahon Contracting, LP in the amount of \$3,444,832 and authorizing the City Manager to execute any and all necessary documents.

Council Comments

Mayor Porter stated he had no questions but since this has been an item of interest for some time he wanted to highlight the Item and put forth that the bidding has been completed and is pending Council's vote. Purchasing Manager Hayes added the bid came in at \$2,995,505.86 and there is a procurement law that limits the amount you can increase any contract to 25 percent of the original award to prevent vendors from lowballing and then submitting change orders to drive up the price. Hayes added the City is asking to pre-award 15 percent of the 25 percent so that the department can keep the construction moving if change orders do come through. Mayor *pro tem* Forrester added this is a shared expense between the City and North Texas Municipal Water District (NTMWD). City Engineer Porter confirmed that 80 percent of this contract is paid for by NTMWD and 20 percent by the City.

Council Action

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

1. Consider, and act upon, the appointment of Mayor *pro tem* for a term beginning May 2023 and ending May 2024.

Council Comments

Councilman Williams nominated Councilman Forrester for Mayor pro tem.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Mulliqi, to approve the appointment of Councilman Jeff Forrester as Mayor *pro tem* for a term beginning May 2023 and ending May 2024. A vote was taken and the motion passed 7-0.

2. Tabled from 04-25-2023 Remove from the table and consider

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to remove Item 2 from the table to be considered. A vote was taken and the motion passed 7-0.

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

Staff Comments

Community Services Director Haskins addressed Council stating this Item was requested to be tabled by the applicant at the last Council meeting and was approved for the writing of an ordinance at the April 11 meeting. The land owner and applicant are present this evening.

Applicant Comments

Devan Pharis, the applicant, addressed Council giving a brief presentation on the proposed car wash and gas station, and addressed some of the concerns that were expressed at the April 11 meeting.

Council Comments

Mayor *pro tem* Forrester asked when heading south on Highway 78 will there be a protected light in the turn lane. Pharis confirmed there would be a protected green arrow. Forrester asked what will make up the landscape screen. Pharis replied it will be an eight-foot-tall solid hedge. Councilman Mulliqi asked if there will be any walls or bushes along the back of the property. Pharis replied there will be no shared access with no maneuvering between the two properties but there will not be screening. Councilman Williams added a screening fence appears to be on the neighboring industrial property line, and expressed concerns with traffic with the shared access drive and suggested the applicant look at other potential options related to that. Forrester confirmed the item before Council is for the

developer to move forward with putting this project together and the applicant would bring back a site plan in the future for consideration that would include more details. Haskins replied if the zoning is approved this evening, the site plan would go to the Planning and Zoning Commission for consideration, and a plat would come before Council for consideration.

Citizen Comments

David Zulejkic and Doug Wigby, property owners, addressed Council stating this project is a benefit to the City of Wylie, and addressed some of Council's concerns related to traffic, amenities, screening walls, lighting, and current residents' input.

Council Comments

Forrester asked where the gate will be in the residential home community. Zulejkic showed Council where the two gates would be located as well as the amenities. Mulliqi asked if the current office building is staying or will be removed. Zulejkic replied that the office building will be removed. Mayor Porter confirmed the playground will be walled in. Wigby confirmed that was correct. Mulliqi confirmed there are two entrances and exits. Wigby added there are three. Williams asked if staff is confident that the shared access easement will withstand any future scrutiny for any future sales on both pieces of property. Haskins replied that staff will require a plat and site plan that will dedicate a cross-access easement that is available forever.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to approve Item 2 as presented. A vote was taken and the motion passed 4-3 with Mayor Porter, and Councilmen Duke and Strang voting against.

3. Consider, and act upon, Resolution No. 2023-08(R), approving a Chapter 380 Grant Agreement between the City of Wylie and Agape Resource and Assistance Center, a Texas nonprofit 501(c)(3) tax-exempt corporation, and authorizing the City Manager to execute the Chapter 380 Grant Agreement.

Staff Comments

Deputy City Manager Ollie addressed Council stating this Item is to allow for grant reimbursement where the City will reimburse them on their development and roadway impact fees. Ollie stated that based on the 38 units it is roughly \$184,000 so staff included verbiage in the agreement to not exceed \$200,000. Criteria, a start date of December 31, 2023, and a completion date of June 2025 are also included in the agreement.

Council Comments

Councilman Williams confirmed December 31, 2023, is an adequate amount of time to start the project. Ollie replied yes, the applicant is comfortable with that date.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Mayor Porter, to approve Item 3 as presented. A vote was taken and the motion passed 7-0.

4. Consider, and act upon, the appointment of a 2023 Board and Commissions City Council Interview Panel to conduct the May 2023 board applicant interviews.

Council Comments

Mayor Porter stated historically the Mayor *pro tem* has served as the Chair of the Interview Panel, and asked for any volunteers that would like to serve on the Panel. Councilmen Strang and Duke volunteered to serve on the Panel.

Council Action

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to appoint Mayor *pro tem* Forrester, Councilman Duke, and Councilman Strang to serve on the 2023 Boards and Commissions City Council Interview Panel. A vote was taken and the motion passed 7-0.

5. Consider, and act upon, the appointment of three-committee members to the City of Wylie City Council Subcommittee to represent the City of Wylie in meetings with the Wylie Independent School District City/Schools Partnerships Committee.

Council Comments

Mayor Porter stated this Committee typically meets once per quarter at 7:30 a.m. for an hour to two hours on a weekday and added flexibility and attendance are important. Porter stated he would put forth himself to continue serving as the Mayors from the surrounding communities regularly attend. Mayor *pro tem* Forrester nominated Councilman Williams and Councilman Williams nominated Councilman Mulliqi to serve on this committee.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Williams, to appoint Mayor Porter, Councilman Williams, and Councilman Mulliqi to the City of Wylie City Council Subcommittee to represent the City of Wylie in meetings with the Wylie Independent School District City/Schools Partnerships Committee. A vote was taken and the motion passed 7-0.

WORK SESSION

Mayor Porter recessed the Council into a break at 7:45 p.m. Mayor Porter reconvened the Council into Work Session at 7:54 p.m.

WS1. Discuss the potential development of 24 acres, generally located on the west side of Country Club Road approximately 1200' north of Brown Street.

Community Services Director Haskins addressed Council stating the property owners and developers are seeking input from the City Council for a potential development on approximately 24 acres on the west side of Country Club Road just north of Fire Station No. 2. The current proposal includes a mix of commercial uses along Country Club Road on four acres of land, single-family detached homes on 15 acres along the northern side of the property, and townhome units on 3.8 acres of land along the south side of the property.

Zaman Helaluzzaman and Naim Khan, applicants, gave a presentation to Council on the College Park development proposal addressing the land area, the site plan, a birds-eye view, single-family 10/24 zoning, townhome zoning, building elevations, front and back access, and the building fronts. Helaluzzaman and Khan responded to questions from the Council.

Council feedback and questions included is the mixed use development going to be developed in phases; concerned with the size of the homes on the lots; amenities are missing such as a park area; include more walkability; generally like it; what is the feasibility that has been done regarding the detention pond; concern with the commercial property in the back remaining vacant; confirmed there would be fencing on the property; what is the location for the dumpster concrete pad; confirmed there will be no requests for Special Use Permits for drive throughs at the commercial properties; what commercial building would be developed first; detention pond looks small compared to the size of the development; asked if the residential structures on the north side had entrances to the alley; has the developer done flat roofs and rooftop balconies before; it has an urban look and feel; the single-family homes are a little too urban when looking at the residential housing next door; have the same look and feel as the neighboring development to fit better aesthetically in the area; like the layout and plan; good looking project; would like to see a playground design; make the single-family homes more traditional and make the townhomes more urban; place the flat rooftops on the back of property facing the empty property instead of facing the existing single-family homes; is the developer planning on two story single-family homes throughout the property; what will the square footage of the homes be; and could they request a variance on flat roofs on the townhomes.

Abdul Khan, the property owner, responded to some of the Council's comments, questions, and concerns.

WS2. Discuss 4th of July Fireworks Show.

City Manager Parker addressed Council stating this item was placed on the agenda at the request of the Mayor. Parker added staff has reached out to a vendor and July 2 is available to host an event. The funding would have to come out of the General Fund Fund Balance as this event was not budgeted, but can be budgeted for in future years if that is the desire of the Council. Parker added that hotel-motel occupancy tax cannot pay for the fireworks show, and the cost would be roughly \$1,000-\$1,400 a minute with \$1,000 being a low-level show and \$1,400 being shot up in the air 300-500 feet. Parker added in the past a fireworks show was held at the Wylie High School stadium, so it could be held there or in the east meadow at the Municipal Complex, but would not be able to be held downtown.

Mayor Porter added he was interested in holding this event due to the one-time unique event of the Ethiopian Sports Federation in North America (ESFNA) coming to town and they will be holding their opening ceremonies on July 2. Porter added in future years the City could determine an event to take place before the firework show. Porter added for the funding source, the City did cancel the May 2023 election and therefore saved roughly \$40,000-\$50,000 and thought this event could come out of those savings.

Council feedback and questions included having some type of event that culminates with the end of the day firework show; having an event around such as a family picnic at Founders Park and/or food trucks before the firework show would be good; a firework show is better than nothing; make it a cross-cultural event and invite the community to come together; for funding sources reach out to corporate sponsors to see if the community can help make it happen; do it well or do not do it at all; hold the event on July 2; check with Chief Henderson to ensure the City has enough security with large attendance; and the location be determined by staff.

The consensus of the Council was to spend up to \$25,000 on a Fourth of July fireworks show.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 8:55 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 8:55 p.m. Mayor Porter stated they would like to invite representatives from Retail Coach to any of the Executive Sessions listed below at the discretion of the Council.

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. Discuss property generally located in the area of Parker Rd. and Country Club Rd.

ES2. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, FM 1378/Parker, Jackson/Oak, and State Hwy 78/Brown.

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

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

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

- (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).
- ES3. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2017-6a, 2021-5a, 2021-6a, 2021-6c, 2021-8a, 2021-9b, 2021-9f, 2022-1c, 2022-7b, 2022-10d, 2023-1a, 2023-1c, 2023-2d, 2023-3b, and 2023-4c.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter convened the Council into Open Session at 10:37 p.m.

READING OF ORDINANCES

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

City Secretary Storm read the caption to Ordinance No. 2023-17 into the official record.

ADJOURNMENT

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to adjourn the meeting at 10:38 p.m. A vote was taken and the motion passed 7-0.

ATTEST:

Matthew Porter, Mayor

Stephanie Storm, City Secretary



Department:

Finance

Account Code:

Prepared By:

Melissa Brown

Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2023.

Recommendation

Subject

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 April 30, 2023

	ANNUAL	CURRENT		YTD ACTUAL	Benchmark
ACCOUNT DESCRIPTION	BUDGET 2022-2023	MONTH ACTUAL 2022-2023	YTD ACTUAL 2022-2023	AS A PERCENT OF BUDGET	58.33%
ACCOUNT DESCRIPTION	2022-2023	2022-2023	2022-2023	OF BUDGET	
GENERAL FUND REVENUE SUMMARY					
TAXES	37,234,844	767,925	32,039,021	86.05%	Α
FRANCHISE FEES	2,802,400	83,014	1,882,932	67.19%	в
LICENSES AND PERMITS	1,442,750	131,005	761,920	52.81%	С
INTERGOVERNMENTAL REV.	2,429,011	33,234	1,360,947	56.03%	D
SERVICE FEES	4,338,970	363,063	2,202,145	50.75%	E
COURT FEES	339,000	35,100	183,513	54.13%	F
INTEREST INCOME	60,000	139,251	773,629	1289.38%	G
MISCELLANEOUS INCOME	231,643	31,628	293,007	126.49%	н
OTHER FINANCING SOURCES	2,668,397	16,612	2,705,961	101.41%	1
REVENUES	51,547,015	1,600,833	42,203,074	81.87%	
USE OF FUND BALANCE	0	0	0	0.000/	
	-	-	-	0.00%	
USE OF CARRY-FORWARD FUNDS	1,711,613	NA	NA	NA	J
TOTAL REVENUES	53,258,628	1,600,833	42,203,074	79.24%	
	05.070	0.047	04.004	05 75%	
CITY COUNCIL	95,279	3,847	34,064	35.75%	
CITY MANAGER	1,298,947	95,818	679,051	52.28%	
CITY SECRETARY	379,083	25,549	160,560	42.35%	
CITY ATTORNEY	170,000	10,986	81,765	48.10%	
FINANCE	1,363,432	65,677	794,826	58.30%	
FACILITIES	1,056,813	99,248	494,404	46.78%	
MUNICIPAL COURT	551,921	37,550	254,766	46.16%	
HUMAN RESOURCES	816,388	56,870	423,025	51.82%	
PURCHASING	294,695	22,534 133,613	134,918	45.78% 52.38%	
POLICE	2,297,362 13,395,457	1,129,922	1,203,343 7,369,463	52.38% 55.01%	
FIRE				49.59%	
FIRE EMERGENCY COMMUNICATIONS	13,469,355 2,420,717	1,078,620 121,349	6,679,279 1,253,474	49.59% 51.78%	
ANIMAL CONTROL	736,445	47,997	358,195	48.64%	
PLANNING	363,226	47,997 25,966	187,204	48.64% 51.54%	
BUILDING INSPECTION	516.490	25,966 34.873	223.392	43.25%	
CODE ENFORCEMENT	262.424	34,873 17,572	111,578	43.25%	
STREETS	5,482,715	138,757	1,602,304	42.52%	к
PARKS	2,705,420	163,728	1,002,304	41.69%	n
LIBRARY	2,705,420	156,276	1,265,366	53.90%	
	10,491,759	6,140,577	7,692,299	73.32%	L
COMBINED SERVICES					

REVENUES OVER/(UNDER) EXPENDITURES

-7,256,907 -8,006,497 10,071,965 26.15% A. Property Tax Collections for FY22-23 as of April 30, 2023 are 98.05%, in comparison to FY21-22 for the same time period of 98.52%. Sales tax is on a 2 month lag and five months have been received and fiscal year to date is 14.7% higher than last year.

B. Franchise Fees: The majority of franchise fees are recognized quarterly with electric fees making up the majority.

C. Licenses and Permits are down 20% from the same period last fiscal year, partially due to rising interest rates.

D. Intergovernmental Rev: The majority of intergovernmental revenues come from WISD reimbursements and Fire Services which are billed quarterly.

E. Service Fees: Trash fees are on a one month lag and only six months have been received. The remaining fees are from other seasonal fees.

F. Court Fees continue to increase and are only 1% lower than April YTD 2023.

G. Interest Rates have gone from 1% when the budget was prepared to 4.81% in April 2023. Interest was budgeted conservatively.

H. Miscellaneous auction proceeds of \$180,749.

I.Yearly transfer from Utility Fund.

J. Largest Carry Forward items: \$150,000 for Department Software Solution, \$217,000 for advance vehicle replacements, \$338,840 for ambulance, \$390,000 for Stone Road Rehab.

K. The Hensley/Woodbridge signal for \$500,000 has not been expensesd.

L. The \$6 million transfer for Stone Road Improvement was transferred to a capital fund.

CITY OF WYLIE MONTHLY FINANCIAL REPORT April 30, 2023 ANNUAL CURRENT YTD ACTUAL Benchmark BUDGET MONTH ACTUAL YTD ACTUAL AS A PERCENT 58.33% ACCOUNT DESCRIPTION 2022-2023 2022-2023 2022-2023 OF BUDGET UTILITY FUND REVENUES SUMMARY SERVICE FEES 25,933,619 2,050,731 12,564,600 48.45% М INTEREST INCOME 24,000 71,440 419,939 1749.75% Ν MISCELLANEOUS INCOME 70,000 1,615 38,856 55.51% OTHER FINANCING SOURCES 0.00% REVENUES 26,027,619 2,123,786 13,023,395 50.04% USE OF FUND BALANCE 0 NA 0 0 USE OF CARRY-FORWARD FUNDS 2,276,241 NA NA NA о TOTAL REVENUES 28,303,860 NA 13,023,395 46.01% UTILITY FUND EXPENDITURE SUMMARY UTILITY ADMINISTRATION 634,180 19,205 281,172 44.34% UTILITIES - WATER 4,401,342 423,705 1,756,653 39.91% CITY ENGINEER 62,660 39.70% 1,120,418 444,840 UTILITIES - SEWER 1,209,378 57,147 511,090 42.26% UTILITY BILLING 1,287,416 81,422 642,612 49.91% Ρ COMBINED SERVICES 18,380,749 11,117 11,650,183 63.38% TOTAL EXPENDITURES 27,033,483 655,257 15,286,549 56.55% **REVENUES OVER/(UNDER) EXPENDITURES** 1,468,529 -2,263,155 -10.53% 1,270,376

M. Most Utility Fund Revenue is on a one month lag and only six months have been received.

N. Interest Rates have gone from 1% when the budget was prepared to 4.81% in April 2023. Interest was budgeted conservatively.

O. Largest Carry Forward items: Department Software Solutions \$135,730, Pump Station Backup Generators \$1.6M, Newport Harbor Tank Repairs \$130,000 and TXDOT payment \$260,172.

P. Annual transfer to the General Fund of \$2.56 million. Other expenses are payments to NTMWD for water minimum and sewer treatment and February debt payment



Department:

Finance

Account Code:

Prepared By:

Melissa Brown

Subject

Consider, and place on file, the City of Wylie Monthly Investment Report for April 30, 2023.

Recommendation

Motion to approve the Item as presented.

Discussion

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

City Of Wylie

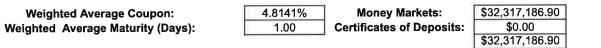
2022-2023 Investment Report

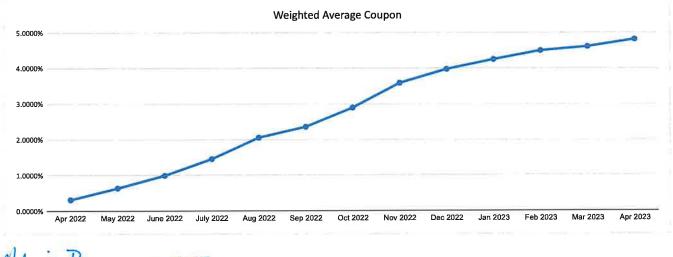
April 30, 2023

Money Market Accounts:	MMA
Certificates of Deposit:	CCD
Treasury Bills:	T-Bills
Treasury Notes:	T-Notes
Government Agency Notes:	AN

Invest.	Principal	Type Of	Interest		Purchase	Maturity
Number	Amount	Security	Rate	lssuer	Date	Date
1	\$15,881,632.55	MMA	4.7984%	Texpool	12/31/2006	NA
2	\$16,435,554.35	MMA	4.8292%	TexStar	3/15/2011	NA
	\$32,317,186.90					

Total





Finance Director/Investment Officer



Department:

Library

Account Code:

Prepared By:

Ofilia Barrera

Subject

Consider, and act upon, approving the updated bylaws for the Library Advisory Board.

Recommendation

Motion to approve the Item as presented.

Discussion

The bylaws had not been updated since 2004 and changes needed to be made regarding meeting frequency, meeting location, the procedure for replacing a board member, and the timeline for swearing in. With the City Secretary's assistance, information on Addressing the Board (Article III) in accordance with Ordinance No. 2019-29 was added. The only other addition was Article VIII on Term Limits.

RITA AND TRUETT SMITH PUBLIC LIBRARY LIBRARY ADVISORY BOARD BYLAWS

ARTICLE I

Name

Name As authorized by the City Charter, City of Wylie and City Ordinance No. 69- 2: This body shall be known as the Rita and Truett Smith Public Library Advisory Board.

ARTICLE II

Meetings

Section 1. The regular meeting of the Library Advisory Board shall be held monthly or more often if needed in Council Chambers at the Municipal Complex unless the Board determines otherwise.

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

Section 3. A majority of the members shall constitute a quorum at all meetings of the Board. Should a quorum not be available for any regular meeting, the Board Liaison will schedule a meeting where a quorum can be present as close to the regularly scheduled meeting as possible and post such meeting according to the Open Meetings Regulations.

Section 4. All questions presented for a vote of the Board shall be decided by a simple majority of the quorum, including the vote of the Chair.

Section 5. Any member of the Board who misses three consecutive meetings without good cause, or neglects to notify the Board Liaison of such absence with good cause shall be deemed to have resigned, and the Board will recommend to City Council that a replacement be appointed for the balance of the unexpired term.

Section 6. Robert's Rules of Order (current edition) shall govern the parliamentary procedure of the Board, in cases to which they are applicable and in which they are not inconsistent with these by- laws.

ARTICLE III

Addressing the Board

Section 1. In accordance with Ordinance No. 2019-29, any member of the public shall have a reasonable opportunity to be heard at any Board meeting; however, any matter not posted on

the agenda may not be discussed by the Board, nor shall any action be taken by the Board, except to provide a statement of specific factual information given in response to an inquiry, to recite existing policy in response to an inquiry or to indicate that the matter may be placed on a later agenda.

Section 2. Persons desiring to address the Board shall complete a "Request to Speak" form and submit it to the Secretary.

Section 3. The Secretary will sort the forms by agenda item and deliver them to the Chairperson.

Section 4. The Chairperson will refer to the speaker forms for comments on items not on the printed agenda and individual agenda items.

Section 5. Persons who note on a speaker form their desire to address the Board will be called to the podium by the Chairperson at the appropriate time and will follow the guidelines of Ordinance 2019-29 as outlined below when addressing the Board:

- a. Approach the podium, state their name and address and whether or not they are representing a person, group or organization
- b. Speak so that all present in the room may hear clearly
- c. Address all statements and questions to the Chairperson
- d. Be courteous in language and deportment
- e. Be concise and focused in their comments
- f. Group comments should not exceed 6 minutes, individual comments should not exceed 3 minutes unless an interpreter is needed, in which case 6 minutes is allowed

Section 6. The Chairperson may interrupt an individual to redirect or terminate remarks when they are not relevant to the matter before the Board or when the Chairperson determines the remarks to be out of order.

ARTICLE IV

Officers

Section 1. The officers of the Board shall be a Chairperson and a Vice-Chairperson.

Section 2. Officers shall be elected and take office by the first regular meeting after new Board members have been appointed and sworn in.

Section 3. Vacancies in office shall be handled as follows:

- a. In the event of resignation or incapacity of the Chair, the Vice- Chair shall become the Chair for the unexpired portion of the term.
- b. The Board will recommend to City Council that a replacement be appointed for the balance of the unexpired term for any vacancies.

Section 4. Duties of the officers shall be as follows:

a. Chair:

i) Preside at all meetings.

ii) Represent the Board at public functions.

iii) Appoint special committees.

b. Vice- Chair:

i) Assist the Chair in directing the affairs of the Board and act in the Chair's absence.

c. Secretary:

i) The Secretary will be responsible for compiling and recording all minutes.

ii) The Library Director will be responsible for distributing minutes to the City Council, Library Advisory Board, and City Manager. An official record of attendance will be kept in the minutes.

ARTICLE V

Committees

Section 1. Committees may be appointed for special purposes by the Chair and with the consent of the majority of the Board. All committees will have at least one Board member serving on them. These committees are automatically dissolved upon completion of assignment.

Section 2. Progress reports will be given at each Board Meeting and a final report on completion of assignments.

ARTICLE VI

Library Director

Section 1. The Library Director shall be an ex-officio Board Liaison member of the Board.

Section 2. The Library Director shall have sole charge of the Administration of the library under the direction and review of the City Council and City Manager.

Section 3. The Library Director shall be held responsible for the care of the building and equipment, for the employment and direction of the staff, for the efficiency of the library services to the public, and for the operations set forth in the annual budget.

ARTICLE VII

Powers and Duties of Board Members

Section 1. Board Members shall:

- a. Be appointed by the City Council.
- b. Officers shall be elected and take office by the first regular meeting after new Board members have been appointed and sworn in.
- c. Abide by applicable ordinances of the City of Wylie.
- d. Act in an advisory capacity to the City Council, City Manager and Library Director.
- e. Recommend policies to govern the operation and program of the library.
- f. Assist in planning and give guidance for expansion of library facilities.
- g. Assist in interpreting the policies and functions of the Library Department to the public. Encourage in every possible way the development and advancement of the public library.

ARTICLE VIII

Term Limits

Section 1. Term limits are determined by the City's Code of Ordinances specifically <u>Chapter 66</u> (Library), Article II (Public Library Department), Division 2 (Library Board), Sec. 66-41 (Membership; appointment; terms; absences.)

ARTICLE IX

Amendments

Section 1. These bylaws may be amended by a majority vote at any regular meeting, provided all members have been notified of the proposed amendments 72 hours prior to the meeting as part of the agenda packet.

Revised March 9, 2023 Approved by the Library Advisory Board March 27, 2023



Department:

Planning

Account Code:

Prepared By:

Jasen Haskins, AICP

Subject

Consider, and act upon, a Preliminary Plat of Lots 1-2, Block A of Stealth BTS Addition, establishing two Light Industrial lots on 14.030 acres, located at 2200 W. Alanis Drive.

Recommendation

Motion to approve the Item as presented.

Discussion

OWNER: James Rentrfrow VIII

APPLICANT: Arco Murray

The applicant has submitted a Preliminary Plat to create Lots 1-2, Block A of Stealth BTS Addition on 14.030 acres. The property is located at 2200 W. Alanis Drive. The purpose of the Preliminary Plat is to create two lots for the development of a warehouse distribution use on Lot 1, Block A of Stealth BTS Addition. Lot 2, Block A of Stealth BTS Addition is located within the 100-year floodplain and has no plans for development at this time.

The site plan for the proposed development is on the regular agenda.

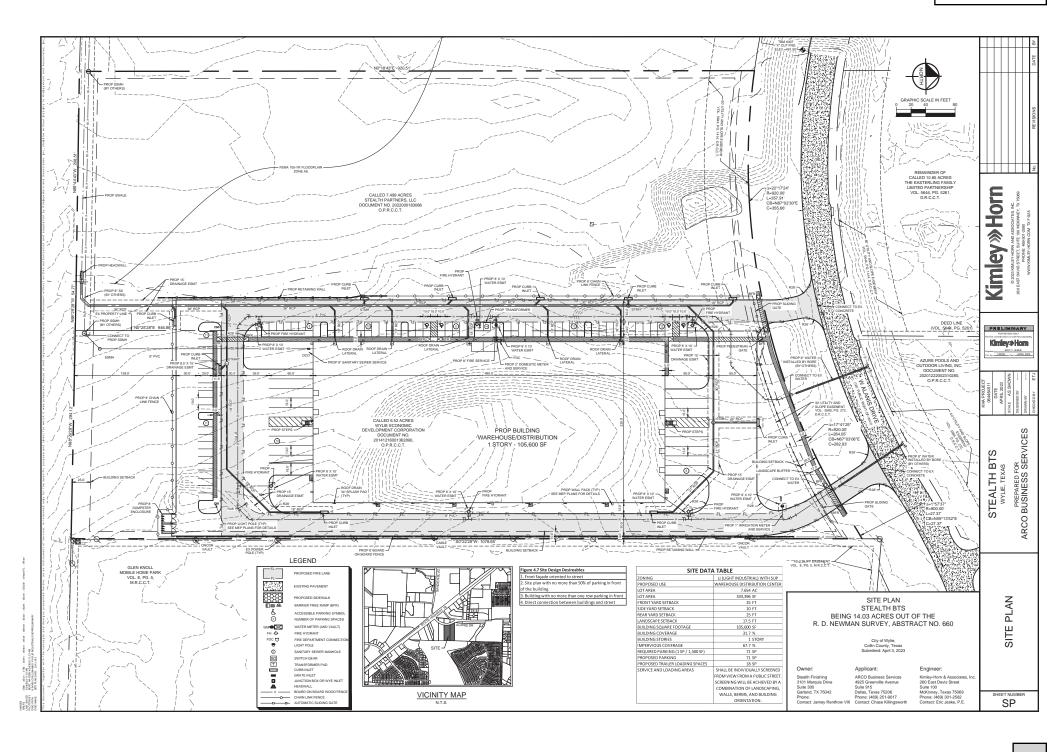
This plat is dedicating access, fire, and utility easements for the developable Lot. Two access points are provided from W. Alanis Drive.

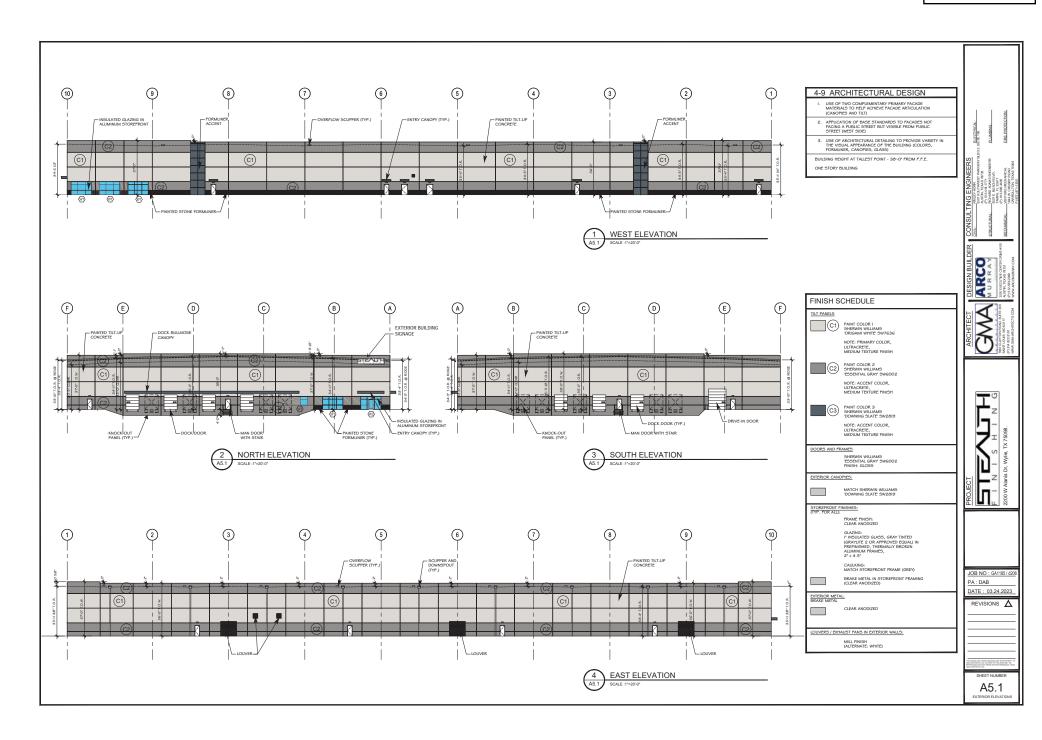
The plat is technically correct and abides by all aspects of the City of Wylie Subdivision Regulations. Approval is subject to additions and alterations as required by the City Engineering Department.

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.





PLANTING NOTES:

LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT

- UTILITES, PPES, STRUCTURES, AND LER BASS THE FELD PROVIDE TO BE SITUATION OF ANY FLANT
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TREE PROTECTION NOTES:

DI ANT COLIEDUI E

- CONTACT DEVELOPMENT SERVICES FOR A TREE REMOVAL PERMIT AT 972-292-5300 PRIOR TO REMOVAL OR TRANSPLANTING OF ANY TREES.

- TANALPARANTES SAN TREAS. LA TRES WHOLVER STORMAN ON IT SHALL BE PROTECTION THAT IS IT IS LISTICATION IN THREMOLY. IN LA TRES WHOLVER STORMAN ON IT SHALL BE PROTECTION THAT IS IT IS BERNIN Y COLORED AND TRES WHOLVER STORMAN ON IT SHALL BE PROTECTION THAT IS IT IS BERNIN Y COLORED TO AND THE AND THE AND THE OWNER AND THE IS AN THREE SAN THAT IS AND DISTICUTE TRENDS OF AND THE IS AND THE OWNER AND ALL BERNIN Y COLORED THE OWNER AND DISTICUTE TRENDS OF ANOTHER SAN THE AND THE AND THE IS AND THE IS AND THE OWNER AND THE IS AND THE IS AND THE DISTICUTE TRENDS OF ANOTHER DISTICUTE TRENDS

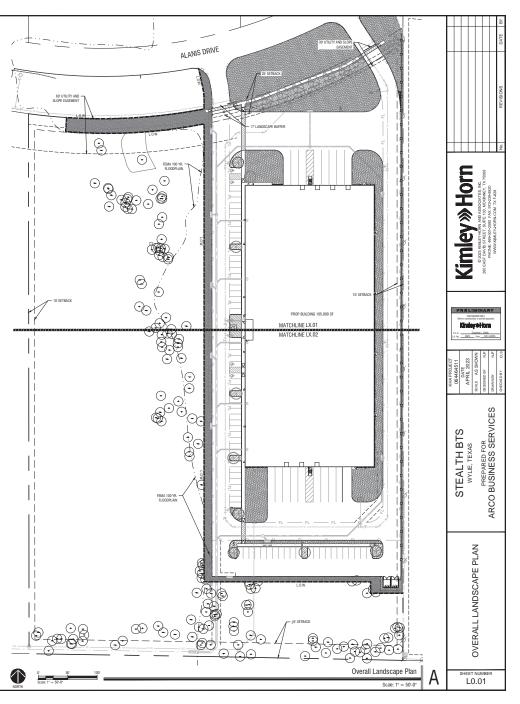
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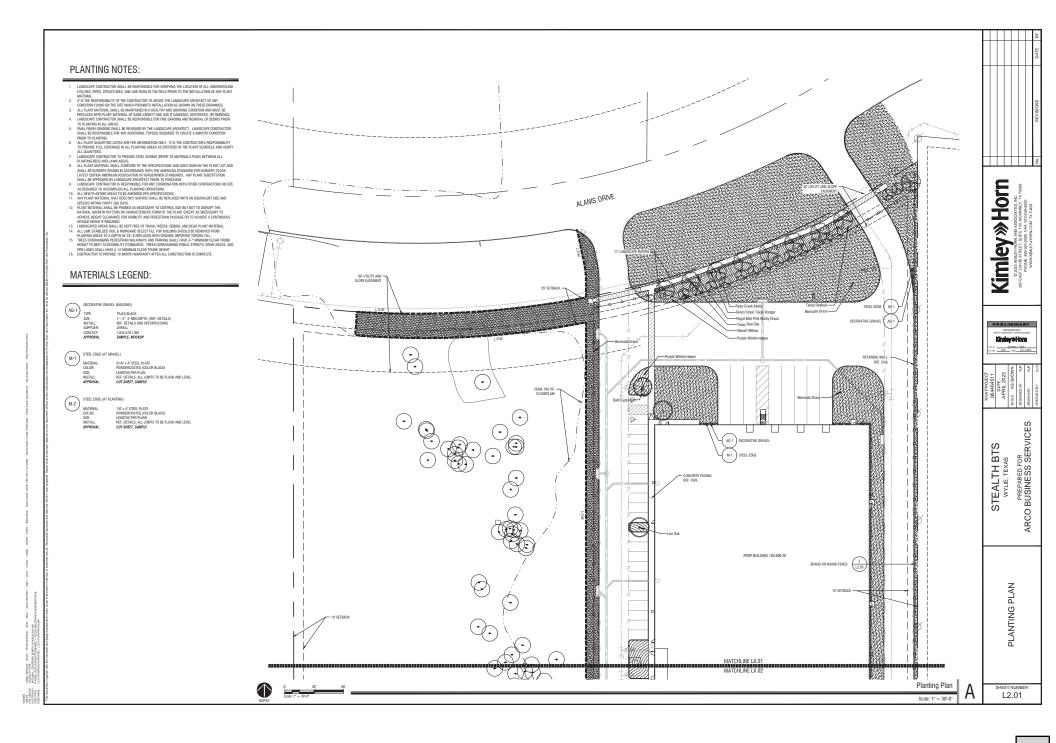
	PLANT	SCHEDULE					
	TREES	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING		REMARKS
	Ø	Baid Cypress / Taxodium distichum	3ª cal. min.	14°-16° ht			B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7° CLEAR AT SIDEWALKS
Ċ)	Live Dak / Quercus virginana	3ª cal. min.	14'-16' ht			B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7° CLEAR AT SIDEWALKS
	\mathbb{R}	Texas Red Dak / Quercus buckleyi	3ª cal. min.	14'-16' ht			B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER; 7' CLEAR AT SIDEWALKS
	FLOWERING TREES	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING		REMARKS
	\otimes	Desert Willow / Chilopsis linearis	45 gal	8°-10° ht			CONTAINER, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, MULTI-TRUNK (3 MIN.)
Q	7	Texas Redbud / Cercis canadensis texensis	45 gal	8'-10' ht			CONTAINER, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED
	SHRUBS	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING		REMARKS
	\odot	Dwarf Southern Wax Myrtle / Myrica pusilla	5 gal	36° h x 24° w	36° OC		CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
	Ø	Green Cloud Texas Ranger / Leucophyllum Irutescens 'Green Cloud' TM	5 gal	36° h x 24° w	36° OC		CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
	\odot	Regal Mist Pink Muhly Grass / Muhlenbergia capillaris 'Regal Mist'	5 gal	36" h x 18" w	30° OC		CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
	\odot	Rose Creek Abelia / Abelia x 'Rose Creek'	5 gal	36° h x 24° w	36° OC		CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
	GROUND COVERS	COMMON / BOTANICAL NAME	CONT.	SIZE		SPACING	
		Bermuda Grass / Cynodon dactylon	sod				REFER TO SPECIFICATIONS
		Purple Wintercreeper / Euonymus fortunei 'Coloratus'	4°pot	8"h x 8"w		12º o.c.	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED

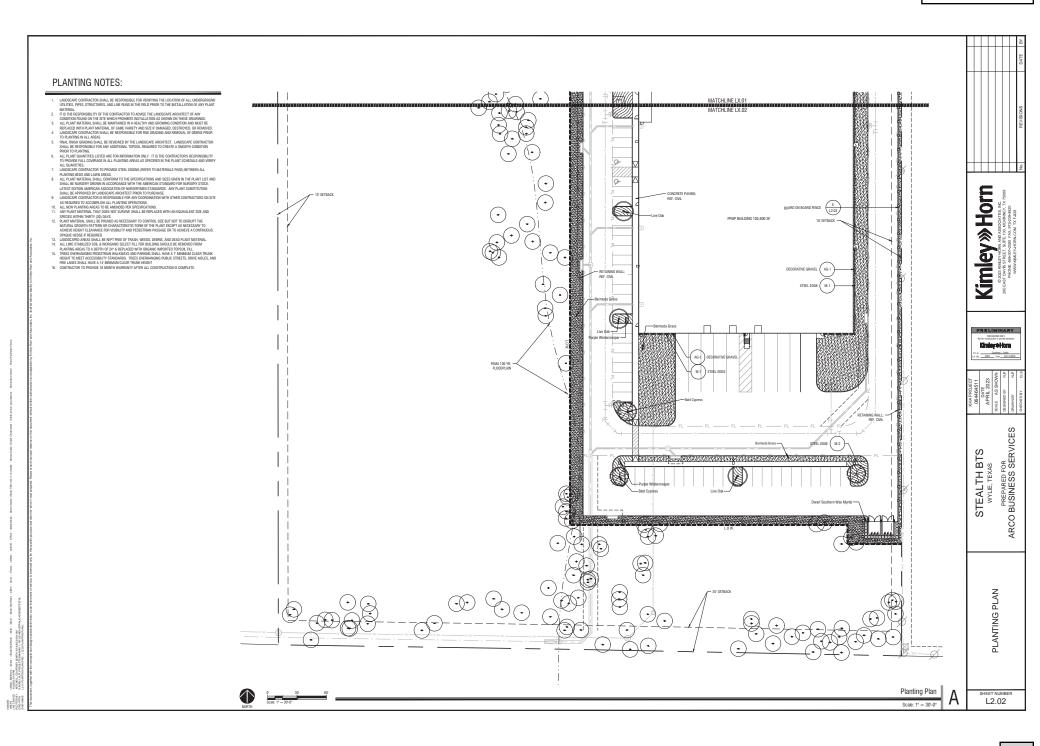
CODE LANDSCAPE CALCULATIONS TABLE:

Wylie Industrial - Wylie Code Calculations Chart		
Site Data	AC	SF
Total Site Area	14.03	611,152
Surface Parking Spaces		72
Landscaping Required in Yard	Required (SF)	Provided (S
20% of site to be landscaped	122,230	397,291
Landscaping in front yard	Yes	Yes
Landscaping required in side and rear yards adjacent to residential	No	No
Landscape of Parking Lots	Required	Provided
1 Tree / 12 Parking Spaces	9	9
50 SF Landscape / Parking Space	3,600	3,929
No parking space futher than 60' from landscaped area on site	Yes	Yes
Landscaped areas every 12 spaces	Yes	Yes
Street Frontage Landscape	Required	Provided
Alanis Drive		
At least 50% of required front yard developed as 10° landscaped buffer	Yes	Yes
1 Tree (3* cal.)/ 30-40 LF	9	9
4 Meandering concrete walkway on perimeter when adjacent to thoroughtae	Yes	Yes
Visual Screening	Required	Provided
Front Yard (Loading and Service Areas)		
1 Flowering Tree/ 20 LF	15	15
5 wide screening strip, plants 3 in height when planted	Yes	Yes
Side Yard		
Board on Board Fence	Yes	Yes

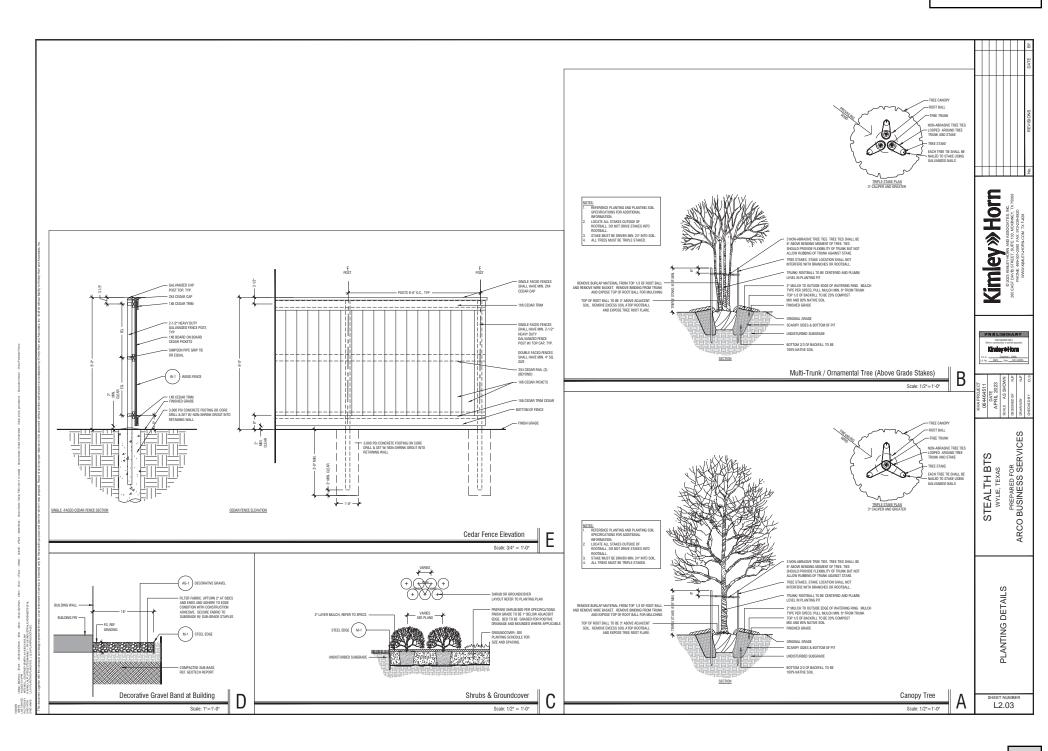
igure 4.5 Desirable Landscape Design Requirements	Required	Provided
(Desirable) Landscaping 10% more in excess of 50 sq.ft/space	3,960 SF	5915 SF
(Desirable) Increase in minimum width of Landscape Buffer by 20%	10' Wide	17.5 Wide
(Desirable) Landscaped pedestrian connection to main entrance	No	Yes
(Desirable) Landscaping exceeds the minimum by 10%	183346 SF	397291 SF







29





Department: Prepared By:

Brent Stowers

Parks and Recreation

Account Code:

Subject

Consider, and act upon, approval of the Non-Profit Park Event Application from Wylie Independent School District (WISD) Council of PTAs representative Becky Welch, to hold the "Back the Future" event at Olde City Park on Saturday, September 23, 2023, from 5:00 p.m. to 7:00 p.m.

Recommendation

Motion to approve the Item as presented.

Discussion

This is a repeat event hosted by the WISD Council of PTAs at Olde City Park on September 23, 2023, from 5:00 p.m. to 7:00 p.m. Representative Becky Welch noted on her application that the local PTAs plan to sell spirit wear and PTA memberships. Local vendor booths will sell items such as home-based products (Scentsy, Usborne, Thirty-One, etc.,) soaps, jewelry, toys, apparel, handmade wooden items, wreaths, etc. Food items will be available from In and Out Burger truck, Lalos Tacos, Kona Ice, Dippin' Dots, and possibly a popcorn vendor.

Becky Welch included on her application the following event details:

"This is the annual WISD Council of PTAs "Back the Future" event which celebrates the start of another great school year! We invite all our local Wylie ISD PTAs to set up a booth where they will have games, sell their spirit wear, etc. We also invite local businesses to come out and set up booths and help support our local community. It is a great way to kick off the new school year. We will have the drum lines, bands, football teams, and cheerleaders from both high schools at the event and host a School Mascot Dance Off Competition in the park. The In and Out Burger Truck will be on-site, giving away free meals while supplies last. It is open to all of our Wylie ISD families and Wylie community members. Our hope is that this event will help unite everyone in our community!"

The Parks and Recreation Board approved this application at the May 8, 2023 Parks and Recreation Board Meeting.



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;
 - 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 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

05/30/2023 Item F.

		05/				
Name of Organization *	Website					
Wylie ISD Council of PTAs						
Are you a non profit? *	Please upload 501c3 Documents					
● Yes ○ No						
Contact Information						
Primary Contact Name *						
Becky Welch						
Event Information						
Event Name/Title *						
Back the Future Event						
Event Type*	*					
Other	If other, please explain * Community					
	Contracting					
Purpose of event *						
Increase community involvement in PTA and or	ur school district and celebrate the start of a new school year.					
Event Location *						
Olde City Park	112 S Ballard Avenue					
Proposed Event Date *	Alternative Event Date *					
09/23/2023	09/23/2023					
Start Time*	End Time*					
05:00:00 PM	07:00:00 PM					
Include Setup	Include Cleanup					
Do you plan to sell items of any kind?						
example: drinks, food items, t-shirts, snow cones	, memberships, registrations etc.					
Yes O No						
Please specify all items you plan to sell						
Our local PTAs will sell spirit wear and pta men	nberships; local vendor booths will sell items such as home based					
products (Scentsy, Usborne, Thirty One, etc), soaps, jewelry, toys, apparel, handmade wooden items, wreaths, etc.						
Will there be food items provided?						
Yes O No						
Please specify the types of food items to be	provided					
In and Out Burger Truck will give away free food, Lalos Tacos, Kona Ice, Dippin Dots, possible popcorn vendor						
Who is providing the food?						
⊖ Applicant						
Food Vendor						

Other

Anticipated number of Participating Vendors*

75

1,000

Anticipated Event Attendance*

Event Target Audience*

Wylie ISD Community at large and local businesses

Event Details*

This is the annual Wylue ISD Council of PTAs "Back the Future" event which celebrates the start to another great school year! We invite all our local Wylie ISD PTAs to set up a booth where they will have games, sell their spirit wear, etc. We also invite local businesses to come out and set up booths and help support our local community. It is a great way to kick off the new school year. We have the drum lines, bands, football teams, and cheerleaders from both high schools at the event and host a School Mascot Dance Off Competition in the park. The In and Out Burger Truck will be on site giving away free meals while supplies last. It is open for all of our Wylie ISD families and Wylie community members. Our hope is that this event will help unite everyone in our community!

Event Announcement and/or Flyers

Signature

Buyguer

Date * 03/24/2023



Department: Prepared By:

Brent Stowers

Parks and Recreation

Account Code:

Subject

Consider, and act upon, approval of the Non-Profit Park Event Application from Connection Point Church, representative Megan Williams, to hold the "Run for the Fatherless 5K and Fun Run" event at Founders Park on Saturday, November 18, 2023, from 8:00 a.m. to 12:00 p.m.

Recommendation

Motion to approve the Item as presented.

Discussion

This is the second annual event hosted by the Connection Point Church to host the Run for the Fatherless 5K and Fun Run event. Their intent is to raise money to help support the "Hope for the Fatherless" ministry in Ethiopia; this ministry helps find homes for orphans and educates Ethiopians on Fostering and Adoption. Connection Point Church plans to have approved food and coffee vendor trucks during their event and provide water and snacks for those participating in the 5K/fun run.

Megan Williams included on her application the following event details:

"This is our second annual 5k & Fun Run. We had over 100 participants last year and believe it will grow this year. It was a timed race with a DJ and bounce houses, and we raised over \$8,500 for Hope for the Fatherless. We partnered with local sponsors to cover the cost of the race, and so all participant fees and donations were sent to Hope for the Fatherless. We are excited to do it again this year!!"

The Parks and Recreation Board approved this application at the May 8, 2023 Parks and Recreation Board Meeting.



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;
 - 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 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*

Connection Point Church

Are you a non profit?*

Yes No

Website www.connectionpoint.church

Please upload 501c3 Documents

Contact Information

Primary Contact Name *

Megan Williams

Event Information

Event Name/Title *

Run For the Fatherless 5K & Fun Run

Event Type*

5k/Walk

Purpose of event*

Raising funds to help support a ministry in Ethiopia called Hope for the Fatherless that helps find homes for orphans and educates Ethiopians on fostering and adoption.

Event Location*

Founders Park

851 Hensley Lane

Alternative Event Date*

Proposed Event Date*

11/18/2023

11/04/2023

Start Time* 08:00:00 AM

Include Setup

End Time^{*} 12:00:00 AM Include Cleanup

Do you plan to sell items of any kind?

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

Yes O No

Please specify all items you plan to sell

Approved food trucks and coffee trucks.

Will there be food items provided?

Yes O No

Please specify the types of food items to be provided

water, granola bars, & bananas for the runners.

Who is providing the food?

- Applicant
- Food Vendor

Other Hopefully this will be food sponsored by a local grocery store.

Anticipated number of Participating Vendors*

8

Event Target Audience*

Runners, wylie residents and people who care about orphan care.

Event Details*

This is our second annual 5k & Fun Run. We had over 100 participants last year and believe it will grow this year. It was a timed race with a DJ, bounce houses and we raised over \$8500 for Hope for the Fatherless. We partnered with local sponsors to cover the cost of the race and so all participant fees and donations were sent to Hope for the Fatherless. We are excited to do it again this year!!

200

Event Announcement and/or Flyers

Signature

Megan Wittiams

Date* 05/01/2023

Anticipated Event Attendance*



Department:

WEDC

Account Code:

Prepared By:

Jason Greiner

Subject

Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of April 30, 2023.

Recommendation

Motion to approve the Item as presented.

Discussion

The Wylie Economic Development Corporation (WEDC) Board of Directors approved the attached financials on May 17, 2023.



April Rev/Exp Report

Account Summary

For Fiscal: 2022-2023 Period Ending: 04/30/2023

						Variance	
		Original	Current	Period	Fiscal	Favorable	Percent
		Total Budget	Total Budget	Activity	Activity	(Unfavorable)	Remaining
Fund: 111 - WYLIE ECON	OMIC DEVEL CORP						
Revenue							
Category: 400 - Taxe	25						
<u>111-4000-40210</u>	SALES TAX	4,124,241.00	4,124,241.00	310,050.94	1,811,222.49	-2,313,018.51	56.08 %
	Category: 400 - Taxes Total:	4,124,241.00	4,124,241.00	310,050.94	1,811,222.49	-2,313,018.51	56.08%
Category: 430 - Inter	rgovernmental						
111-4000-43518	380 ECONOMIC AGREEMENTS	0.00	0.00	0.00	279,047.05	279,047.05	0.00 %
	Category: 430 - Intergovernmental Total:	0.00	0.00	0.00	279,047.05	279,047.05	0.00%
Cotogory 160 Into					-,	-,	
Category: 460 - Inter 111-4000-46110	ALLOCATED INTEREST EARNINGS	6,000.00	6,000.00	0.00	154,958.98	148,958.98	2 E 02 E E %
111-4000-40110	Category: 460 - Interest Income Total:	6,000.00	6,000.00	0.00	154,958.98	148,958.98	-
		0,000.00	0,000.00	0.00	134,558.58	140,550.50	2,402.05/0
Category: 480 - Misc							
<u>111-4000-48110</u>	RENTAL INCOME	134,220.00	134,220.00	17,010.00	74,667.68	-59,552.32	44.37 %
<u>111-4000-48410</u>	MISCELLANEOUS INCOME	0.00	0.00	0.00	1,000.00	1,000.00	0.00 %
<u>111-4000-48430</u>	GAIN/(LOSS) SALE OF CAP ASSETS	3,915,685.00	3,915,685.00	-3,123.00	-24,603.10	-3,940,288.10	100.63 %
	Category: 480 - Miscellaneous Income Total:	4,049,905.00	4,049,905.00	13,887.00	51,064.58	-3,998,840.42	98.74%
	Revenue Total:	8,180,146.00	8,180,146.00	323,937.94	2,296,293.10	-5,883,852.90	71.93%
Expense							
Category: 510 - Pers	onnel Services						
111-5611-51110	SALARIES	310,346.40	310,346.40	24,768.90	185,112.23	125,234.17	40.35 %
<u>111-5611-51130</u>	OVERTIME	0.00	0.00	0.00	1,275.57	-1,275.57	0.00 %
<u>111-5611-51140</u>	LONGEVITY PAY	914.00	914.00	0.00	916.00	-2.00	-0.22 %
<u>111-5611-51310</u>	TMRS	48,245.30	48,245.30	3,839.18	29,163.85	19,081.45	39.55 %
<u>111-5611-51410</u>	HOSPITAL & LIFE INSURANCE	51,987.17	51,987.17	4,099.36	29,193.34	22,793.83	43.85 %
<u>111-5611-51420</u>	LONG-TERM DISABILITY	1,768.97	1,768.97	0.00	328.48	1,440.49	81.43 %
<u>111-5611-51440</u>	FICA	19,298.12	19,298.12	1,404.42	10,807.00	8,491.12	44.00 %
<u>111-5611-51450</u>	MEDICARE	4,513.27	4,513.27	328.44	2,527.47	1,985.80	44.00 %
<u>111-5611-51470</u>	WORKERS COMP PREMIUM	854.85	1,089.21	118.68	1,088.89	0.32	0.03 %
<u>111-5611-51480</u>	UNEMPLOYMENT COMP (TWC)	1,080.00	1,080.00	0.00	35.98	1,044.02	96.67 %
	Category: 510 - Personnel Services Total:	439,008.08	439,242.44	34,558.98	260,448.81	178,793.63	40.70%
Category: 520 - Supp	blies						
<u>111-5611-52010</u>	OFFICE SUPPLIES	5,000.00	5,000.00	74.87	1,148.26	3,851.74	77.03 %
<u>111-5611-52040</u>	POSTAGE & FREIGHT	300.00	300.00	0.00	212.90	87.10	29.03 %
<u>111-5611-52810</u>	FOOD SUPPLIES	3,000.00	3,000.00	331.61	1,427.07	1,572.93	52.43 %
	Category: 520 - Supplies Total:	8,300.00	8,300.00	406.48	2,788.23	5,511.77	66.41%
Category: 540 - Mat	erials for Maintenance						
111-5611-54610	FURNITURE & FIXTURES	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
111-5611-54810	COMPUTER HARD/SOFTWARE	7,650.00	7,650.00	0.00	0.00	7,650.00	100.00 %
С	ategory: 540 - Materials for Maintenance Total:	10,150.00	10,150.00	0.00	0.00	10,150.00	100.00%
Category: 560 - Cont	ractual Services						
111-5611-56030	INCENTIVES	3,209,183.00	1,209,183.00	5,000.00	510,775.10	698,407.90	57.76 %
111-5611-56040	SPECIAL SERVICES	34,770.00	34,620.00	2,850.00	11,290.00	23,330.00	67.39 %
<u>111-5611-56041</u>	SPECIAL SERVICES-REAL ESTATE	276,300.00	276,300.00	32,971.37	57,612.73	218,687.27	79.15 %
111-5611-56042	SPECIAL SERVICES-INFRASTRUCTURE	8,375,000.00	9,875,000.00	0.00	9,281.46	9,865,718.54	99.91 %
111-5611-56080	ADVERTISING	129,100.00	129,100.00	12,620.00	66,543.43	62,556.57	48.46 %
111-5611-56090	COMMUNITY DEVELOPMENT	54,950.00	54,950.00	358.20	38,884.71	16,065.29	29.24 %
111-5611-56110	COMMUNICATIONS	7,900.00	7,900.00	310.00	2,668.21	5,231.79	66.23 %
111-5611-56180	RENTAL	27,000.00	27,000.00	2,250.00	15,750.00	11,250.00	41.67 %
111-5611-56210	TRAVEL & TRAINING	73,000.00	73,000.00	541.77	43,527.98	29,472.02	40.37 %
111-5611-56250	DUES & SUBSCRIPTIONS	57,824.00	57,824.00	3,773.16	47,702.60	10,121.40	17.50 %

Page 1 of 4

Budget Report

For Fiscal: 2022-2023 Period Ending: 04/30/2023

						Variance	
		Original	Current	Period	Fiscal	Favorable	Percent
		Total Budget	Total Budget	Activity	Activity	(Unfavorable)	Remaining
<u>111-5611-56</u>	INSURANCE	6,303.00	6,453.00	303.00	6,449.31	3.69	0.06 %
<u>111-5611-56</u>	AUDIT & LEGAL SERVICES	23,000.00	23,000.00	0.00	7,312.50	15,687.50	68.21 %
<u>111-5611-56</u>	570 ENGINEERING/ARCHITECTURAL	87,500.00	587,500.00	66,014.11	141,422.80	446,077.20	75.93 %
<u>111-5611-56</u>	610 UTILITIES-ELECTRIC	2,400.00	2,400.00	145.45	1,392.78	1,007.22	41.97 %
	Category: 560 - Contractual Services Total:	12,364,230.00	12,364,230.00	127,137.06	960,613.61	11,403,616.39	92.23%
Categor	y: 570 - Debt Service & Capital Replacement						
<u>111-5611-57</u>	PRINCIPAL PAYMENT	575,973.97	575,973.97	48,076.48	333,111.28	242,862.69	42.17 %
<u>111-5611-57</u>	415 INTEREST EXPENSE	656,023.67	656,023.67	54,589.99	385,554.01	270,469.66	41.23 %
Category: 570 - Debt Service & Capital Replacement Total:		1,231,997.64	1,231,997.64	102,666.47	718,665.29	513,332.35	41.67%
Categor	y: 580 - Capital Outlay						
<u>111-5611-58</u>	LAND-PURCHASE PRICE	2,090,000.00	2,090,000.00	0.00	345,441.57	1,744,558.43	83.47 %
<u>111-5611-58</u>	2995 CONTRA CAPITAL OUTLAY	0.00	0.00	0.00	-345,441.57	345,441.57	0.00 %
	Category: 580 - Capital Outlay Total:	2,090,000.00	2,090,000.00	0.00	0.00	2,090,000.00	100.00%
	Expense Total:	16,143,685.72	16,143,920.08	264,768.99	1,942,515.94	14,201,404.14	87.97%
I	Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):	-7,963,539.72	-7,963,774.08	59,168.95	353,777.16	8,317,551.24	104.44%
	 Report Surplus (Deficit):	-7,963,539.72	-7,963,774.08	59,168.95	353,777.16	8,317,551.24	104.44%

Page 2 of 4

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Group Summary

					Variance	
	Original	Current	Period	Fiscal	Favorable	Percent
Categor	Total Budget	Total Budget	Activity	Activity	(Unfavorable)	Remaining
Fund: 111 - WYLIE ECONOMIC DEVEL CORP						
Revenue						
400 - Taxes	4,124,241.00	4,124,241.00	310,050.94	1,811,222.49	-2,313,018.51	56.08%
430 - Intergovernmental	0.00	0.00	0.00	279,047.05	279,047.05	0.00%
460 - Interest Income	6,000.00	6,000.00	0.00	154,958.98	148,958.98	2,482.65%
480 - Miscellaneous Income	4,049,905.00	4,049,905.00	13,887.00	51,064.58	-3,998,840.42	98.74%
Revenue Tota	l: 8,180,146.00	8,180,146.00	323,937.94	2,296,293.10	-5,883,852.90	71.93%
Expense						
510 - Personnel Services	439,008.08	439,242.44	34,558.98	260,448.81	178,793.63	40.70%
520 - Supplies	8,300.00	8,300.00	406.48	2,788.23	5,511.77	66.41%
540 - Materials for Maintenance	10,150.00	10,150.00	0.00	0.00	10,150.00	100.00%
560 - Contractual Services	12,364,230.00	12,364,230.00	127,137.06	960,613.61	11,403,616.39	92.23%
570 - Debt Service & Capital Replacement	1,231,997.64	1,231,997.64	102,666.47	718,665.29	513,332.35	41.67%
580 - Capital Outlay	2,090,000.00	2,090,000.00	0.00	0.00	2,090,000.00	100.00%
Expense Tota	l: 16,143,685.72	16,143,920.08	264,768.99	1,942,515.94	14,201,404.14	87.97%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit): -7,963,539.72	-7,963,774.08	59,168.95	353,777.16	8,317,551.24	104.44%
Report Surplus (Deficit): -7,963,539.72	-7,963,774.08	59,168.95	353,777.16	8,317,551.24	104.44%

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
111 - WYLIE ECONOMIC DEVEL COR	-7,963,539.72	-7,963,774.08	59,168.95	353,777.16	8,317,551.24
Report Surplus (Deficit):	-7,963,539.72	-7,963,774.08	59,168.95	353,777.16	8,317,551.24

Wylie Economic Development Corporation Statement of Net Position As of April 30, 2023

Assets Cash and cash equivalents Receivables Inventories Propaid Itoms	\$ \$ \$	12,044,089.54 120,000.00 16,006,005.00	Note 1
Prepaid Items	\$		
Total Assets	\$	28,170,094.54	
Deferred Outflows of Resources Pensions	\$	67,748.55	
	<u>ر</u>	07,740.35	
Total deferred outflows of resources	\$	67,748.55	
Liabilities			
Accounts Payable and other current liabilities	\$	6,785.13	
Unearned Revenue	\$	1,200.00	Note 2
Non current liabilities:			
Due within one year	\$	305,026.79	Note 3
Due in more than one year	\$	15,621,027.23	
Total Liabilities	\$	15,934,039.15	
Deferred Inflows of Resources			
Miscellaneous	\$	(100,000.00)	
Pensions	\$	(84,717.41)	
Total deferred inflows of resources	\$	(184,717.41)	
Net Position			
Net investment in capital assets	\$	-	
Unrestricted	\$	12,119,086.53	
Total Net Position	\$	12,119,086.53	

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

Note 2: Deposits from rental property

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

WYLIE ECONOMIC DEVELOPMENT

Balance Sheet Account Summary

As Of 04/30/2023

Account	Name	Balance	
Fund: 111 - WYLIE ECONOMIC DEVI	EL CORP		
Assets			
<u>111-1000-10110</u>	CLAIM ON CASH AND CASH EQUIV.	12,014,656.23	
<u>111-1000-10115</u>	CASH - WEDC - INWOOD	0.00	
<u>111-1000-10135</u>	ESCROW	0.00	
<u>111-1000-10180</u>	DEPOSITS	2,000.00	
<u>111-1000-10198</u>	OTHER - MISC CLEARING	0.00	
<u>111-1000-10341</u>	TEXPOOL	0.00	
<u>111-1000-10343</u>	LOGIC	0.00	
<u>111-1000-10481</u>	INTEREST RECEIVABLE	0.00	
<u>111-1000-11511</u>	ACCTS REC - MISC	0.00	
<u>111-1000-11517</u>	ACCTS REC - SALES TAX	0.00	
<u>111-1000-12810</u>	LEASE PAYMENTS RECEIVABLE	0.00	
<u>111-1000-12950</u>	LOAN PROCEEDS RECEIVABLE	0.00	
<u>111-1000-12996</u>	LOAN RECEIVABLE	0.00	
<u>111-1000-12997</u>	ACCTS REC - JTM TECH	0.00	
<u>111-1000-12998</u>	ACCTS REC - FORGIVEABLE LOANS	120,000.00	
<u>111-1000-14112</u>	INVENTORY - MATERIAL/ SUPPLY	0.00	
<u>111-1000-14116</u>	INVENTORY - LAND & BUILDINGS	16,006,005.00	
<u>111-1000-14118</u>	INVENTORY - BAYCO/ SANDEN BLVD	0.00	
<u>111-1000-14310</u>	PREPAID EXPENSES - MISC	0.00	
<u>111-1000-14410</u>	DEFERRED OUTFLOWS	233,434.00	
	Total Assets:	28,376,095.23	28,376,095.23
Liability		0.00	
<u>111-2000-20110</u>	FEDERAL INCOME TAX PAYABLE	0.00	
<u>111-2000-20111</u>		0.00	
<u>111-2000-20112</u>	CHILD SUPPORT PAYABLE	0.00	
<u>111-2000-20113</u>		0.00	
<u>111-2000-20114</u>	IRS LEVY PAYABLE	0.00	
<u>111-2000-20115</u>		0.00 899.57	
<u>111-2000-20116</u>	HEALTH INSUR PAY-EMPLOYEE TMRS PAYABLE	5,569.17	
<u>111-2000-20117</u>			
<u>111-2000-20118</u>		0.00	
<u>111-2000-20119</u>		0.00	
<u>111-2000-20120</u>		0.00	
<u>111-2000-20121</u>	TEC PAYABLE STUDENT LOAN LEVY PAYABLE	0.00	
<u>111-2000-20122</u>		0.00	
<u>111-2000-20123</u>		0.00	
<u>111-2000-20124</u>	BANKRUPTCY PAYABLE	0.00	
<u>111-2000-20125</u>		0.00	
		0.00	
<u>111-2000-20126</u>	ICMA PAYABLE	0.00	
<u>111-2000-20126</u> <u>111-2000-20127</u>	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE	0.00 0.00	
<u>111-2000-20126</u> <u>111-2000-20127</u> <u>111-2000-20130</u>	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT	0.00 0.00 5,787.36	
<u>111-2000-20126</u> <u>111-2000-20127</u> <u>111-2000-20130</u> <u>111-2000-20131</u>	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP	0.00 0.00 5,787.36 0.00	
111-2000-20126 111-2000-20127 111-2000-20130 111-2000-20131 111-2000-20132	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP EMP CARE FLITE	0.00 0.00 5,787.36 0.00 12.00	
111-2000-20126 111-2000-20127 111-2000-20130 111-2000-20131 111-2000-20132 111-2000-20133	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP EMP CARE FLITE Unemployment Comp Payable	0.00 0.00 5,787.36 0.00 12.00 0.01	
111-2000-20126 111-2000-20127 111-2000-20130 111-2000-20131 111-2000-20132 111-2000-20133 111-2000-20151	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP EMP CARE FLITE Unemployment Comp Payable ACCRUED WAGES PAYABLE	0.00 0.00 5,787.36 0.00 12.00 0.01 0.00	
111-2000-20126 111-2000-20137 111-2000-20130 111-2000-20131 111-2000-20132 111-2000-20133 111-2000-20151 111-2000-20150	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP EMP CARE FLITE Unemployment Comp Payable ACCRUED WAGES PAYABLE ADDIT EMPLOYEE INSUR PAY	0.00 0.00 5,787.36 0.00 12.00 0.01 0.00 90.02	
111-2000-20126 111-2000-20137 111-2000-20130 111-2000-20131 111-2000-20132 111-2000-20133 111-2000-20151 111-2000-20180 111-2000-20199	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP EMP CARE FLITE Unemployment Comp Payable ACCRUED WAGES PAYABLE ADDIT EMPLOYEE INSUR PAY MISC PAYROLL PAYABLE	0.00 0.00 5,787.36 0.00 12.00 0.01 0.00 90.02 0.00	
111-2000-20126 111-2000-20137 111-2000-20130 111-2000-20131 111-2000-20132 111-2000-20133 111-2000-20151 111-2000-20180 111-2000-20199 111-2000-20201	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP EMP CARE FLITE Unemployment Comp Payable ACCRUED WAGES PAYABLE ADDIT EMPLOYEE INSUR PAY MISC PAYROLL PAYABLE AP PENDING	0.00 0.00 5,787.36 0.00 12.00 0.01 0.00 90.02 0.00 0.00	
111-2000-20126 111-2000-20127 111-2000-20130 111-2000-20131 111-2000-20132 111-2000-20133 111-2000-20151 111-2000-20180 111-2000-20199 111-2000-20201 111-2000-20201	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP EMP CARE FLITE Unemployment Comp Payable ACCRUED WAGES PAYABLE ADDIT EMPLOYEE INSUR PAY MISC PAYROLL PAYABLE AP PENDING ACCOUNTS PAYABLE	0.00 0.00 5,787.36 0.00 12.00 0.01 0.00 90.02 0.00 0.00 0.00	
111-2000-20126 111-2000-20127 111-2000-20130 111-2000-20131 111-2000-20132 111-2000-20133 111-2000-20151 111-2000-20180 111-2000-20199 111-2000-20201 111-2000-20201 111-2000-20201 111-2000-20201	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP EMP CARE FLITE Unemployment Comp Payable ACCRUED WAGES PAYABLE ADDIT EMPLOYEE INSUR PAY MISC PAYROLL PAYABLE AP PENDING ACCOUNTS PAYABLE PROPERTY TAXES PAYABLE	0.00 0.00 5,787.36 0.00 12.00 0.01 0.00 90.02 0.00 0.00 0.00 0.00	
111-2000-20126 111-2000-20127 111-2000-20130 111-2000-20131 111-2000-20132 111-2000-20133 111-2000-20151 111-2000-20180 111-2000-20199 111-2000-20201 111-2000-20201	ICMA PAYABLE EMP. LEGAL SERVICES PAYABLE FLEXIBLE SPENDING ACCOUNT EDWARD JONES DEFERRED COMP EMP CARE FLITE Unemployment Comp Payable ACCRUED WAGES PAYABLE ADDIT EMPLOYEE INSUR PAY MISC PAYROLL PAYABLE AP PENDING ACCOUNTS PAYABLE	0.00 0.00 5,787.36 0.00 12.00 0.01 0.00 90.02 0.00 0.00 0.00	

05/30/2023 Item H.

Balance Sheet

Balance Sheet			As Of 04/30/2023
Account	Name	Balance	
<u>111-2000-22270</u>	DEFERRED INFLOW	100,000.00	
111-2000-22275	DEF INFLOW - LEASE PRINCIPAL	0.00	
<u>111-2000-22280</u>	DEFERRED INFLOW - LEASE INT	0.00	
<u>111-2000-22915</u>	RENTAL DEPOSITS	1,200.00	
	Total Liability:	346,992.13	
Equity			
<u>111-3000-34110</u>	FUND BALANCE - RESERVED	0.00	
<u>111-3000-34590</u>	FUND BALANCE-UNRESERV/UNDESIG	27,675,325.94	
	Total Beginning Equity:	27,675,325.94	
Total Revenue		2,296,293.10	
Total Expense		1,942,515.94	
Revenues Over/Under Expenses	_	353,777.16	
	Total Equity and Current Surplus (Deficit):	28,029,103.10	

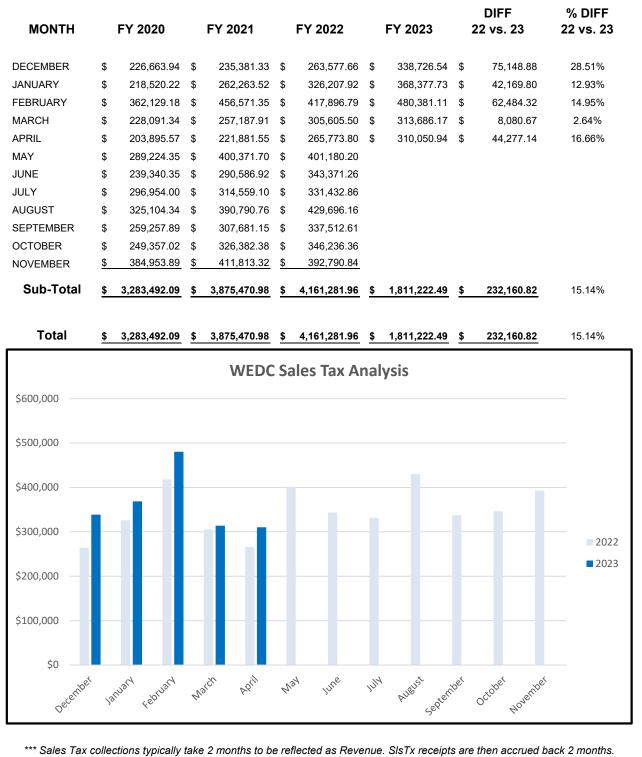
Total Liabilities, Equity and Current Surplus (Deficit): 28,376,095.23

Balance Sheet				As Of 04/30/2023
Account	Name	Balance		
Fund: 922 - GEN LONG TERM DEBT (WEI	DC)			
Assets	-			
	Total Assets:	0.00 =	0.00	
Liability				
<u>922-2000-28248</u>	GOVCAP LOAN/SERIES 2022	7,817,937.04		
	Total Liability:	7,817,937.04		
	Total Equity and Current Surplus (Deficit):	0.00		
	Total Liabilities, Equity and Cu	urrent Surplus (Deficit): _	7,817,937.04	
	*** FUND 922	2 OUT OF BALANCE ***	-7,817,937.04	

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

Wylie Economic Development Corporation SALES TAX REPORT April 30, 2023

BUDGETED YEAR



Example: April SIsTx Revenue is actually February SIsTx and is therefore the 5th allocation in FY23.



Departm	nent:

Purchasing

Account Code:

100-5155-54810

Prepared By:

Glenna Hayes

Subject

Consider, and act upon, the approval of the purchase of NeoGov Human Resources Software from Carasoft Technology Corporation in the estimated annual amount of \$52,220.17 through a cooperative contract with Omnia Partners, and authorizing the City Manager to execute any and all necessary documents.

Recommendation

Motion to approve the Item as presented.

Discussion

The City currently utilizes NeoGov software modules throughout an employee's lifecycle. The modules streamline the hiring process, automate onboarding and offboarding processes (HR, payroll, vehicle, and fuel access, etc.), track employee accomplishments and performance evaluations, and assist with ongoing education requirements. The City utilizes:

- Insight Annual Enterprise License recruiting, applicant tracking;
- Perform Annual License employee performance and evaluations;
- Onboard Annual License onboarding of new hires, paperwork and processing; and
- Learn Annual License centralized training and development programs, and tracking

Staff recommends the continuation of NeoGov software through their authorized reseller Carasoft Technology Corporation in the amount of \$52,220.17, as providing the best overall value for the City. Approval of this item will establish an annual agreement term of October 1, 2022 – September 30, 2023 with renewals under OMNIA Cooperative for Contract #R191902/Wylie Agreement #W2023-45-I.



Department:

Purchasing

Account Code:

625-5740-58310

Prepared By:

Glenna Hayes

Subject

Consider, and act upon, the award of bid # W2023-64-B for Ballard Ave. 1.5MG Elevated Storage Tank to Landmark Structures I, LP in the amount of \$8,188,400.00, and authorizing the City Manager to execute any and all necessary documents.

Recommendation

Motion to approve the Item as presented.

Discussion

The existing storage tank located at 1401 S. Ballard Avenue has been identified for improvements to provide a greater capacity and better serve the City's current and future needs. The new 1.5 million-gallon Ballard Elevated Storage Tank will be located near the southeast corner of South Ballard Avenue and Enchanted Forest Drive. The project includes the design of a new 1.5 million-gallon composite elevated steel all-welded water storage tank supported on a reinforced concrete pedestal including site piping and valves, and the design of an access drive and parking area within the new site for maintenance of the elevated storage tank. The project also includes improvements to the Wylie Fire Station #1 parking area. Additionally, this project includes the removal of the existing 250,000 gallon elevated storage tank and related piping and valves to allow abandonment of the facility. All ROW has been acquired, and coordination with the NTMWD and other utilities is ongoing, as needed.

Staff completed a competitive sealed bid process, and received one (1) bid in the amount of \$7,444,000 from Landmark Structures I, LP. The Engineering Firm of Record, Birkhoff Hendricks & Carter, LP, reviewed the bid documents and client work history and has deemed Landmark Structures the lowest responsive responsible bidder. Staff recommends the award of #W2023-64-B for Ballard Ave. 1.5MG Elevated Storage Tank to Landmark Structures I, LP in the total amount of \$8,188,400.00 consisting of the base bid amount of \$7,444,000.00 and \$744,400.00 (pre-award of 10% for change orders as outlined in Texas Local Gov Code 252.048), as the lowest responsive, responsible bidder.



BID TABULATION W2023-64-B

BALLARD ST. 1.5MG ELEVATED STORAGE TANK May 11, 2023 @ 3:00 pm CDT

Respondents:

LANDMARK STRUCTURES

\$7,444,000.00

I certify that the above includes all firms who submitted a bid and that pricing is as submitted.

Glenna Hayes

Glenna Hayes C.P.M., A.P.P. Purchasing Manager

May 11, 2023 Date

"BID TABULATION STATEMENT"

ALL BIDS SUBMITTED FOR THE DESIGNATED PROJECT ARE REFLECTED ON THIS BID TAB SHEET. HOWEVER, THE LISTING OF A BID ON THIS SHEET SHOULD NOT BE CONSTRUED AS A COMMENT ON THE RESPONSIVENESS OF SUCH BID OR AS ANY INDICATION THAT THE CITY ACCEPTS SUCH BID AS RESPONSIVE. THE CITY WILL MAKE A DETERMINATION AS TO THE RESPONSIVENESS OF BIDS SUBMITTED BASED UPON COMPLIANCE WITH ALL APPLICABLE LAWS AND CITY OF WYLIE BID SPECIFICATIONS AND PROJECT DOCUMENTS. THE CITY WILL NOTIFY THE SUCCESSFUL BIDDER UPON AWARD OF THE CONTRACT AND, ACCORDING TO LAW, ALL BIDS RECEIVED WILL BE AVAILABLE FOR INSPECTION AT THAT TIME.

PURCHASING DEPARTMENT CITY OF WYLIE, TEXAS



Department: Prepared By:

Glenna Hayes

Purchasing

Account Code:

470-5470-58510

Subject

Consider, and act upon, the award of bid #W2023-51-B for the construction of the Wylie Dog Park to RLM Earth Company in the amount of \$817,147.13, and authorizing the City Manager to execute any and all necessary documents.

Recommendation

Motion to approve the Item as presented.

Discussion

As a result of the citizens' survey, the request for a Dog Park was addressed in the current 2019 Parks, Recreation, and Open Space Master Plan. City Council adopted the Master Plan in the summer of 2020, and staff have been diligently working towards accomplishing as many of the priorities as possible. Dunaway and Associates was brought on as the design firm in early 2022 to help develop a design and scope of work for a unique Dog Park to be located at the eastern edge of the Municipal Complex. This Dog Park will feature three separate fenced dog paddocks, one for smaller dogs and two for larger dogs that will alternate from month to month for maintenance. Each dog paddock will have its own shade pavilion, accompanied with different dog agility equipment throughout. Sod installation, irrigation, lighting, and accessible concrete paths will also be part of the project. Special bullpens will be installed at all three entrances providing extra security for pets while guests are entering or exiting the park.

Staff completed a competitive sealed bid process, and received six (6) responses. RLM Earth Company was the apparent low bidder submitting a total base bid plus alternates (artificial turf, additional paving, and agility equipment) in the amount of \$817,147.13. The architect of record, Dunaway Associates, reviewed the bid documents and client work history and has deemed RLM Earth Company as qualified for the project. Staff recommends the award of bid #W2023-51-B for the construction of the Wylie Dog Park to RLM Earth Company in the amount of \$817,147.13.



BID TABULATION W2023-51-B

CITY OF WYLIE DOG PARK MAY 03, 2023 @ 5:00 pm CDT

Respondents:	Base Bid + Alternate
RLM EARTH CO.	\$817,147.13
NORTH ROCK CONTRUCTION	\$1,007,050.01
MILLIS DEVELOPMENT	\$1,130,970.21
SRH LANDSCAPE	\$1,141,045.64
FAIN GROUP INC.	\$1,390,981.70
MART INC.	\$1,472,544.06

I certify that the above includes all firms who submitted a bid and that pricing is as submitted.

Christopher Rodriguez

Christopher Rodriguez Sr. Buyer

"BID TABULATION STATEMENT"

ALL BIDS SUBMITTED FOR THE DESIGNATED PROJECT ARE REFLECTED ON THIS BID TAB SHEET. HOWEVER, THE LISTING OF A BID ON THIS SHEET SHOULD NOT BE CONSTRUED AS A COMMENT ON THE RESPONSIVENESS OF SUCH BID OR AS ANY INDICATION THAT THE CITY ACCEPTS SUCH BID AS RESPONSIVE. THE CITY WILL MAKE A DETERMINATION AS TO THE RESPONSIVENESS OF BIDS SUBMITTED BASED UPON COMPLIANCE WITH ALL APPLICABLE LAWS AND CITY OF WYLIE BID SPECIFICATIONS AND PROJECT DOCUMENTS. THE CITY WILL NOTIFY THE SUCCESSFUL BIDDER UPON AWARD OF THE CONTRACT AND, ACCORDING TO LAW, ALL BIDS RECEIVED WILL BE AVAILABLE FOR INSPECTION AT THAT TIME.

PURCHASING DEPARTMENT CITY OF WYLIE, TEXAS

May 04 2023

Date



Department:

Finance

Account Code:

100-5211-58850

Prepared By:

Melissa Brown

Subject

Consider, and act upon, Ordinance No. 2023-20 amending Ordinance No. 2022-56, which established the budget for fiscal year 2022-2023; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

Recommendation

Motion to approve the Item as presented.

Discussion

The State Seizure Funds are required to be utilized towards equipment that will enhance Law Enforcement functions and investigations. The requested \$69,480 will be utilized to purchase a CCTV camera trailer and a covert surveillance system. These items will assist the Wylie Police Department by providing video surveillance during community events and police related investigations.

This will increase the General Fund budget by \$69,480. The Unassigned Fund Balance will not be affected, but the Assigned Fund Balance for Law Enforcement will be reduced by this same amount.

ORDINANCE NO. 2023-20

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2022-56, WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2022-2023; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council heretofore adopted Ordinance No. 2022-56 setting forth the Budget for Fiscal Year 2022-2023 beginning October 1, 2022, and ending September 30, 2023; and,

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

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

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

WHEREAS, the City Council has determined that the proposed amendments to the FY 2022-2023 Budget; see Exhibit A, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

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

SECTION I: The proposed amendments to the FY 2022-2023 Budget of the City of Wylie; Exhibit A, as heretofore adopted by Ordinance No. 2023-20, are completely adopted and approved as amendments to the said FY 2022-2023 Budget.

SECTION II: All portions of the existing FY 2022-2023 Budget and Ordinance No. 2022-56, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

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

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

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

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

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

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 30th day of May, 2023.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Exhibit A

Budget Amendment Use of State Seized Funds

Fund	Department	Account Number	Account Description	Debit	Credit
100	5211	58850	Tools and Equipment	69,480.00	
			Total	69,480.00	0.00



Department:
Prepared By:

City Manager Brent Parker Account Code:

Subject

Consider, and act upon, authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Wylie, the City of Sachse, and the City of Murphy to continue the regional trail system that begins in Richardson at Breckenridge Park.

Recommendation

Motion to approve the Item as presented.

Discussion

The City of Wylie has been in discussion with the City of Sachse, City of Murphy, and the NTMWD to continue the regional trail system that currently begins at Breckenridge Park in Richardson. The City of Wylie piece will connect on Woodbridge Parkway by the old landfill and join the current trail at Founders Park. The City of Sachse has taken the lead on the project and is currently applying for grants to cover a portion of the project. This MOU is part of the grant application. The MOU does not obligate the City of Wylie to any funding.

STATE OF TEXAS§§MEMORANDUM OF UNDERSTANDINGCOUNTY OF COLLIN§

This Memorandum of Understanding ("MOU") is made by and between the City of Sachse, Texas ("Sachse"); Wylie, Texas ("Wylie"); and, Murphy, Texas ("Murphy"), (collectively, the "Parties"), acting by and through their authorized representatives.

WHEREAS, the Parties desire to create a comprehensive regional trail system located in Collin County, Texas, by creating a new link between existing trails which shall be known as the Maxwell Creek Trail ("Trail"), as depicted in Exhibit "A" attached hereto; and

WHEREAS, the Trail currently begins at Breckenridge Park located in Richardson, Texas, then syncs up with an existing easement trail in Murphy;

WHEREAS, connectivity to an existing trail in Wylie is not possible because of the barrier created by the closed Maxwell Creek Landfill; and

WHEREAS, the Parties seek to resolve the connectivity issue by partnering with the North Texas Municipal Water District ("NTMWD") to create a new connection across the Maxwell Creek Landfill to provide trail users with full connectivity of trails in the northeastern portion of the Metroplex;

NOW THEREFORE, in exchange for the mutual covenants set forth herein and other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the Parties agree as follows:

1. <u>Sachse Responsibilities</u>. Subject to available funding, Sachse shall be responsible for the design and construction of the Trail over the closed Maxwell Creek Landfill with the connection being at McCreary Road and Woodbridge Parkway. NTMWD has granted Sachse full permission to use the Maxwell Creek Landfill for the Trail.

2. <u>Murphy Responsibilities</u>. Subject to available funding, Murphy shall be responsible for the design and construction for that portion of the Trail connecting with the Oncor easement located within Murphy's city limits that crosses 5 Maxwell Creek Road then connects to McCreary Road.

3. <u>Wylie Responsibilities</u>. Subject to available funding, Wylie shall be responsible for the design and construction of that portion of the Trail connecting from Woodbridge Parkway to Hensley Lane leading to Founders Park.

4. <u>Administrative Costs</u>. The Parties desire to share the administrative costs incurred for the Maxwell Creek Trail project equally.

5. <u>Miscellaneous</u>.

5.1 This MOU constitutes the sole and only agreement between the Parties and supersedes any prior understandings, written or oral agreements between the Parties with respect to this subject matter.

5.2 This MOU may be amended by mutual written agreement of the Parties.

5.3 Both Parties shall designate a representative to act on their behalf to negotiate or mediate any grievances that may arise between the Parties.

(signature page to follow)

EXECUTED this	_day of		,	2023.
		City o	of Sachse, Texas	
		By:	Gina Nash, City Manager	
EXECUTED this	_ day of			2023.
		City o	of Wylie, Texas	
		By:	Brent Parker, City Mana	
EXECUTED this	_ day of			2023.
		City o	of Murphy, Texas	
		By:	Mike Castro, City Manag	ger

EXHIBIT "A" Trail Depiction





Department:

Finance

Account Code:

See Exhibit A

Prepared By:

Melissa Brown

Subject

Consider, and act upon, Ordinance No. 2023-21 amending Ordinance No. 2022-56, which established the budget for fiscal year 2022-2023; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

Recommendation

Motion to approve the Item as presented.

Discussion

The Taste of Wylie proceeds total \$7,513.27. The City of Wylie would like to donate this amount to the local food pantries.

This is a budget neutral amendment.

ORDINANCE NO. 2023-21

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2022-56, WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2022-2023; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council heretofore adopted Ordinance No. 2022-56 setting forth the Budget for Fiscal Year 2022-2023 beginning October 1, 2022, and ending September 30, 2023; and,

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

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

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

WHEREAS, the City Council has determined that the proposed amendments to the FY 2022-2023 Budget; see Exhibit A, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

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

SECTION I: The proposed amendments to the FY 2022-2023 Budget of the City of Wylie; Exhibit A, as heretofore adopted by Ordinance No. 2023-21, are completely adopted and approved as amendments to the said FY 2022-2023 Budget.

SECTION II: All portions of the existing FY 2022-2023 Budget and Ordinance No. 2022-56, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

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

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

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

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

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

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 30th day of May, 2023.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Exhibit A

Budget Amendment Taste of Wylie Proceeds Donation

Fund	Department	Account Number	Account Description	Debit	Credit
100	4000	48410	Miscellaneous Income		7,513.27
100	5181	56040	Special Services	7,513.27	
				7,513.27	7,513.27



Department:

City Manager

Account Code:

Prepared By:

City Secretary

Subject

Interview applicants for Board of Review vacancies for a term to begin July 1, 2023 and end June 30, 2025.

Recommendation

No action taken.

Discussion

Per Ordinance No. 2022-01, prospective Board of Review applicants will be interviewed by the entire City Council.

Applicants:

William Crowe Kevin Hughes James Koch Mary Nitschke Navin Kumar Thirukottiyur Vijayakumar Joe Webb

05/30/2023	Item	2

Board of Review Application			
Personal Information			
First Name *		Last Name [*]	
William		Crowe	
Residency You must be a Wylie resident to serve	e on this board.		
Wylie resident [*]			
Yes No			
Length of Residency			
Years *	Months*		
22	6		
Voter Status			
Registered Voter*		Voter Registration County *	
Yes O No		Collin	
Employment Information	n		
Occupation			
Nurse Practitioner			
Work experience that may be The ability to look at evidence, to			
Board/Commission Service			
Currently serve on a board/commission *			
○ Yes No			
Why you would like to serve as a Board of Review member: * To critically look at an issue to determine logical causes and plans of action			

05/30/2023	Item	2

Board of Review Application			
Personal Information			
First Name [*]		Last Name [*]	
Kevin		Hughes	
Residency You must be a Wylie resident to serve	on this board.		
Wylie resident [*]			
Yes O No			
Length of Residency			
Years *	Months *		
3	11		
Voter Status			
Registered Voter*		Voter Registration County *	
Yes O No		Collin	
Employment Information	n		
Occupation			
Retail Manager			
Work experience that may be beneficial to the board you are applying for.			
	-		
Board/Commission Ser	vice		
Currently serve on a board/co	ommission*		
○ Yes ● No			
Why you would like to serve as a Board of Review member: * Important to be involved in the decisions that affect the city in which I live.			

05/30/2023	Item	2

Board of Review Application			
Personal Information			
First Name [*]		Last Name [*]	
James		Koch	
Residency You must be a Wylie resident to serv	e on this board.		
Wylie resident [*]			
Yes O No			
Length of Residency			
Years*	Months*		
7	6		
Voter Status			
Registered Voter*		Voter Registration County *	
Yes No		Collin	
Employment Information	on		
Occupation	Police Officer		
Work experience that may be beneficial to the board you are applying for.			
Board/Commission Se	Board/Commission Service		
Currently serve on a board/commission*Board/commission currently serving on* ● Yes ○ NoBoard of Review			
Length of service on board/commission [*]			
Why you would like to serve as a Board of Review member: * Would like to continue to serve the city and its citizens.			

05/30/2023	Item	2

Board of Review Application			
Personal Information			
First Name *	Last Name *		
Mary	Nitschke		
Residency You must be a Wylie resident to serve	on this board.		
Wylie resident*			
Yes O No			
Length of Residency			
Years *	Months [*]		
3	10		
Voter Status			
Registered Voter*	Voter Registration County*		
Yes O No	Collin		
Employment Informatic	n		
Occupation VP of Sustainability			
Work experience that may be	e beneficial to the board you are applying for.		
23+ in Multifamily and Commerci Active Volunteer with Urban Land	al Real Estate Work Experience, Energy Resource Manager, True Advisor, I Institute Urban Plan		
Board/Commission Service			
Currently serve on a board/c	ommission *		
⊖ Yes ● No			
Why you would like to serve	as a Board of Review member: *		
I have unexpectedly fallen in love with this city. It is extraordinary in its focus on community, people, art and open space is inspiring. I want to give back to this community and give back.			

05/30/2023 Item 2.

	Board of Review Application	
Personal Information		
First Name *	Last Name [*]	
Navin Kumar	Thirukottiyur Vijayakumar	
Residency You must be a Wylie resident to serve	on this board.	
Wylie resident [*]		
Yes O No		
Length of Residency		
Years *	Months *	
1	2	
Voter Status		
Registered Voter*		
○ Yes ● No		
Employment Information	n	
Occupation		
Principal Consultant		
	e beneficial to the board you are applying for.	
18+ years of experience in Intern		
Board/Commission Service		
Currently serve on a board/c	ommission*	
🔘 Yes 💿 No		
	as a Board of Review member: * osper economically and socially. My broad international experience would new perspective to city council.	

05/30/2023	Item	2

Board of Review Application						
Personal Information						
First Name *	Last Name *					
Joe	Webb					
Residency You must be a Wylie resident to serve	on this board.					
Wylie resident*						
Yes O No						
Length of Residency						
Years *	Months*					
3	6					
Voter Status						
Registered Voter*	Voter Registration County *					
Yes O No	Collin					
Employment Information	n					
Occupation Retired Executive						
Work experience that may be beneficial to the board you are applying for.						
Long-time regional manager experience in Borden Corporation Volunteer deputy sheriff						
Volunteer for Meals On Wheels in Wylie						
Board/Commission Service						
Currently serve on a board/commission *						
○ Yes ● No						
Why you would like to serve as a Board of Review member: *						
I wish to contribute to the well being of my city and the best way I know how is to serve on a city board.						

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, REPEALING ORDINANCE NO. 2014-19, CREATING A CODE OF CONDUCT; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City of Wylie ("City" or "Wylie") desires for all of its citizens to have confidence in integrity, independence, and impartiality of those who act on their behalf in government;

WHEREAS, the City of Wylie previously adopted Ordinance No. 2014-19, establishing a Code of Ethics; and

WHEREAS, the City of Wylie desires to create a Code of Conduct and repeal Ordinance No. 2014-19, as of the Effective Date of this Ordinance.

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

Section 1. Creation of Code of Conduct

The City of Wylie creates this Code of Conduct (the "Code") and repeals Ordinance No. 2014-19, as of the Effective Date of this Ordinance.

Section 2. Policy

The proper operation of democratic local government requires that City Officials be independent, impartial and responsible to the people; that local government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its City Officials. It is the policy of the City of Wylie that its City Officials meet the standards of conduct established in this Ordinance. Conduct not regulated herein is not subject to this Code.

Section 3. Definitions

Administrative Board means any board, commission, or other organized body: (1) that has, by law, final decision-making authority on matters within its jurisdiction and that is either: (a) established under the City Charter, by City ordinance, or by appointment by the City Council or the Mayor; or (b) whose members are all council members or are appointed or confirmed by the City Council; or, (2) created as a non-profit economic development corporation by the City Council under the authority of the Development Corporation Act of 1979, as amended.

Advisory Board means a board, commission, or other organized body other than an Administrative Board, that was created by an act of the City Council whose members are appointed or confirmed by the City Council or by an act of the Mayor and are charged with making recommendations to the City Council on matters within its jurisdiction.

Board of Review means the body charged with reviewing and acting on Complaints under this Ordinance.

City Official or Official means the Mayor; a member of the City Council, members of Administrative Boards, and Advisory Boards, appointed by the Mayor or City Council.

Code of Conduct means this Code of Conduct ("Code"). Only a City Official may be held responsible for violations of the Code.

Economic Interest means a legal or equitable property interest in land, chattels, and intangibles, and contractual rights having a value of more than fifty thousand dollars (\$50,000.00). Service by a City Official as an Officer, director, advisor, or otherwise active participant in an educational, religious, charitable, fraternal, or civic organization does not create for that City Official an "Economic Interest" in the property of the organization.

Official Action means:

- (1) Any affirmative act (including the making of a recommendation) within the scope of, or in violation of, an Official's duties; or
- (2) Any failure to act, if the Official is under a duty to act.

Section 4. Covered officials

The rules of conduct contained below apply generally to City Officials unless otherwise specified.

Section 5. City Officials required to comply with both state and local law

When a City Official's conduct is regulated by a provision of this Ordinance and a similar provision of state law, and it is possible to comply with the requirements of both, a City Official shall comply with both.

Section 6. Education

The City shall provide training and educational materials to City Officials on their obligations under state law and this Ordinance. Such training shall include at least one formal classroom session in each calendar year. All City Officials shall annually attend the formal training session offered by the City or equivalent training sessions conducted by the City Attorney, the Texas Municipal League, or similar organizations. The City also shall prepare and distribute written materials on the subject to each City Official at the time of his or her election or appointment to office.

Section 7. Standards of Conduct for City Officials

(A) Appearance on behalf of private interests of others

- (1) A member of the City Council shall not appear before the City Council, an Administrative Board or an Advisory Board for the purpose of representing the interests of another person or entity. However, a member of the City Council may, to the extent as otherwise permitted by law, appear before any such body to represent the member's own interests or the interests of the member's spouse or minor children.
- (2) A City Official who is not a member of the City Council shall not appear before the body on which he or she serves for the purpose of representing the interests of another person or entity, and shall not appear before any other body for the purpose of representing the interests of another person or entity in connection with an appeal from a decision of the

body on which the City Official serves. However, the City Official may, to the extent as otherwise permitted by law, appear before any such body to represent the City Official's own interests or the interests of the City Official's spouse or minor children.

(B) Misuse and disclosure of confidential information

- (1) It is a violation of this Code for a City Official to violate Texas Penal Code § 39.06 (Misuse of Official Information).
- (2) A City Official shall not disclose to the public any information that is deemed confidential and/or privileged under any federal, state, local law, or Council rules, unless authorized by law.

(C) Restrictions on political activity and political contributions

- (1) No City Official shall use state or local funds or other resources of the City to electioneer for or against any candidate, measure, or political party.
- (2) A City Official shall not directly or indirectly induce, or attempt to induce, any City employee:
 - a. To participate in an election campaign (beyond merely encouraging another to vote), to participate in a political fundraising activity, or to contribute to a political candidate or political committee;
 - b. To engage in any other activity relating to a particular candidate, party or issue that is not directly related to a legitimate function of City government; or
 - c. To refrain from engaging in any lawful political activity after working hours.

(D) Use of cell phones or electronic devices by appointed or elected officials during meetings of Administrative Boards and Advisory Boards, of which they are a member

City Officials shall refrain from communicating on cell phones or electronic devices during a City meeting at which the City Official is attending as a member of that Administrative Board or Advisory Board, except as provided below. However, City Officials may access agendas and information relevant to a past, current, and/or future agenda. Cell phones shall be turned off or put on vibrate during meetings. Should it be necessary to use a cell phone, City Officials shall step down from the dais. Text messaging, emails, and other electronic or written communications shall not be sent during a meeting unless it is an emergency.

(E) Conflicts of Interest

A City Official must not use, or attempt to use, his or her official position or office, or take or fail to take any action, or influence, or attempt to influence, others to take or fail to take any action, in a manner which he or she knows, or has reason to believe, may result in a personal, financial benefit, or Economic Interest not shared with a substantial segment of the City's population, for any of the following persons or entities:

- (1) The Official;
- (2) The Official's relative, or the employer or business of the relative;
- (3) A person with which the Official has a financial or business relationship, including but not limited to:
 - a. A business of the Official, or the Official's spouse or domestic partner, or someone who works for such outside employer or business; or
 - b. A client or substantial customer.

- (4) A nongovernmental civic group, social, charitable, or religious organization of which the Official, or the Official's spouse or domestic partner, is an officer or director; or
- (5) A public or private business entity for which the Official, or his or her relative serves as a director, general partner, or officer, or in any other policy-making position except when so appointed to the position by the City.

(F) Compliance with Texas Local Government Code Chapters 171 and 176

It is a violation of this Code for a City Official to violate Texas Local Government Code, §§ 171 and 176 and Texas Penal Code § 36.08

(G) Prohibitions - Granting Special Privileges and Use of City Supplies and Equipment

It is a violation of this Code for a City Official:

- (1) To use his official position to secure special privileges or exemptions for himself or others;
- (2) To grant any special consideration, treatment or advantage to any citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group. This shall not prevent the granting of fringe benefits to City employees as a part of their contract of employment or as an added incentive to the securing or retaining of employees; or
- (3) To use City supplies, equipment or facilities for any purpose other than the conduct of official City business, unless otherwise provided for by law, ordinance or City policy.

Section 8. Board of Review

(A) Creation and appointment

There is hereby created a Board of Review ("BOR") to consist of five (5) members and two (2) alternates.

- (1) The BOR shall review Complaints regarding alleged violation(s) of the Code ("Complaints"), review applicable waivers regarding the alleged violation(s), and determine if a Complaint should be dismissed under the criteria, as outlined herein.
- (2) Prospective BOR members shall be interviewed and appointed by a majority of the City Council present at a duly called meeting.

(B) Qualifications

- (1) All members must live within the City of Wylie city limits and be at least 18 years of age;
- (2) BOR members may not be:
 - a. The spouse or the domestic partner of the individual filing the Complaint ("Complainant") or the individual who is the subject of the Complaint ("Respondent") is the spouse or domestic partner.
 - b. Serving on any other Council appointed Board or Commission during their term on the BOR;
 - c. A City Council member or City of Wylie employee, or the spouse or domestic partner of a City Council member or City of Wylie employee;
 - d. An elected public official; or
 - e. A candidate for elected public office at the time of their term on the BOR.

(C) Terms of appointment / Limitations

- (1) BOR members may serve only one (1) term of two (2) consecutive years.
- (2) BOR members shall serve until any Complaints pending during their appointed term have been fully adjudicated by the BOR.
- (3) If a person selected to serve on the BOR pursuant to this subsection cannot fulfill his or her duties as a member of the BOR due to illness, travel, disqualification under the terms outlined above, or another bona fide reason, or otherwise refuses to serve on the BOR, that person shall be requested to confirm that fact with the City Secretary in writing within 15 calendar days of receipt of the service notification. In this event, the City Secretary shall repeat the process outlined herein until a substitute has been selected.

(D) Training / Removal

- (1) BOR members must attend training regarding the role and responsibilities of service on the BOR prior to handling a Complaint. The unexcused absence of any member of the BOR from three (3) consecutive meetings, unless the BOR has excused the absence for good and sufficient reasons, as determined by the BOR, shall constitute a resignation from the BOR.
- (2) A BOR member serves at the pleasure of the City Council and may be removed before the expiration of the member's term by the City Council in its sole discretion. Before removing a member, the BOR shall specify the cause for a recommendation of removal and shall give the BOR member the opportunity to present the member's defense to removal. The recommendation for the City Council to remove a BOR member shall be brought to the City Council for an official vote.

(E) Consultation with City Attorney

The City Attorney is authorized to issue to any City Official, upon reasonable request, formal written opinions regarding the applicability of the provisions of the conduct laws to an action the City Official is considering taking in the future. The BOR and/or the City Council may consult with the City Attorney or a designee of the City Attorney regarding legal issues which may arise in connection with this section and may request advisory assistance from the City Attorney in conducting hearings during any stage of the process. The City Attorney serves as legal counsel for the City Council and not any individual City Council member.

(F) Reviewing Attorney

- (1) The City Council shall approve a list of three (3) independent private attorneys recommended by the City Attorney who may individually serve as a "Reviewing Attorney" for Complaints filed under this section. The Reviewing Attorney shall be chosen by the City Manager by lot.
- (2) To be qualified, the Reviewing Attorney must be an attorney in good standing with the State Bar of Texas, have been licensed to practice in the State of Texas for at least ten (10) consecutive years, and have at least five (5) years of experience working with municipalities in Texas. The Reviewing Attorney may not be:
 - a. A City Council member or City of Wylie employee, or the spouse or domestic partner of a City Council member, Board member or City of Wylie employee;
 - b. An elected public official; or
 - c. A candidate for elected public office at the time of their service.

(G) Complaint Process

- (1) Filing Complaints. Any citizen of Wylie who believes that there has been a violation of the Code may file a sworn Complaint with the City Secretary. The Complaint shall:
 - a. Identify the person or persons who allegedly committed the violation;
 - b. Provide a statement of the facts on which the Complaint is based;
 - c. To the extent possible, identify the rule or rules allegedly violated; and
 - d. Be sworn to in the form of an affidavit and be based on personal knowledge of the affiant and be subject to the laws of perjury.
 - e. The Complainant may also recommend other sources of evidence that the Reviewing Attorney should consider and may request a hearing.
 - f. Complaints arising out of an event or a series of related events shall be addressed in one complaint. Complainants shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous Complaint. When two or more Complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the City may consolidate the complaints.
- (2) Confidentiality. No City Official shall reveal information relating to the filing or processing of a Complaint, except as required for the performance of Official duties. Documents relating to a Complaint will be maintained by the City Secretary in accordance with applicable records retention laws and are confidential, to the extent permitted by law.
- (3) Notice / Timelines / Representation
 - a. Days, as used herein, is defined as City business days.
 - b. All timelines provided herein must be followed, subject only to extensions approved in writing by the City Manager based on the individual circumstances surrounding the review of the Complaint.
 - c. A Complaint must be filed with the City Secretary within six (6) months of the date the Complainant knew, or with reasonable diligence should have known, of the events or series of events giving rise to the Complaint. The City Secretary shall not accept or process any Complaint that is filed more than six (6) months after the date of the violation alleged in the Complaint. Complaints not filed within this timeframe are barred and will be dismissed as untimely.
 - d. Within three (3) business days of receiving a Complaint, the City Secretary shall provide a copy of the full Complaint to the City Official who is the subject of the Complaint ("Respondent"), the City Attorney, the City Manager, and the Reviewing Attorney.
 - e. If the City Manager is not available or is implicated, the City Secretary will provide copies, as outlined herein.
 - f. The Reviewing Attorney, BOR, and/or City Council shall allow any person who is the subject of a Complaint to designate a representative if he or she wishes to be represented by someone *else* and to present evidence, according to rules adopted by the City Council.
- (4) Frivolous Complaint
 - a. For purposes of this section, a "frivolous complaint" is a sworn Complaint that is groundless and brought in bad faith or groundless and brought for the purpose of harassment.
 - b. By a vote of at least two-thirds of those present, the City Council may order a Complainant to show cause why the Complaint filed by the Complainant is not frivolous.
 - c. In deciding if a Complaint is frivolous, the City Council will be guided by Rule 13 of the Texas Rules Civil Procedure, and may also consider:

- i. The timing of the sworn Complaint with respect to when the facts supporting the alleged violation became known or should have become known to the Complainant, and with respect to the date of any pending election in which the Respondent is a candidate or is involved with a candidacy, if any;
- ii. The nature and type of any publicity surrounding the filing of the sworn Complaint, and the degree of participation by the Complainant in publicizing the fact that a sworn Complaint was filed;
- iii. The existence and nature of any relationship between the Respondent and the Complainant before the Complaint was filed;
- iv. If Respondent is a candidate for election to office, the existence and nature of any relationship between the Complainant and any candidate or group opposing the Respondent;
- v. Any evidence that the Complainant knew or reasonably should have known that the allegations in the Complaint were groundless; and
- vi. Any evidence of the Complainant's motives in filing the Complaint.
- d. Notice of an order to show cause shall be given to the Complainant, with a copy to the Respondent, and shall include:
 - i. An explanation of why the Complaint against a Respondent appears to be frivolous; and
 - ii. The date, time, and place of the hearing to be held under this section.
- e. Before making a determination that a sworn Complaint against a Respondent is frivolous, the City Council shall hold a hearing at which the Complainant may be heard and accompanied by his or her retained counsel.
- f. By a record vote of at least a simple majority of those present after the hearing under this section, the City Council may determine that a Complainant filed a frivolous Complaint and may recommend sanctions against that Complainant.
- g. Before imposing a sanction for filing a frivolous Complaint, the City Council shall consider the following factors:
 - i. The seriousness of the violation, including the nature, circumstances, consequences, extent, and gravity of the violation;
 - ii. The sanction necessary to deter future violations; and
 - iii. Any other matters that justice may require.
- h. The City Council may impose the following sanctions:
 - i. A civil penalty of not more than \$500;
 - ii. Imposition of attorneys' fees incurred by Respondent;
 - iii. Any other sanction permitted by law; and/or
 - iv. The City Council may notify the appropriate regulatory or supervisory agency for their appropriate action. This may include a referral for criminal prosecution if the facts so warrant.
- (5) Review of Complaint
 - a. Within seven (7) business days of receiving the Complaint from the City Secretary, the Reviewing Attorney shall issue a written advisory opinion, dismissing or referring the Complaint to the BOR:
 - i. Dismiss the Complaint if:
 - 1. The deadline for filing a Complaint has passed;
 - 2. The accused is not subject to the Code;
 - 3. The conduct alleged is not regulated under the Code;
 - 4. The Complaint is not completed as defined herein or signed and sworn to by the person filing the Complaint in the form of an affidavit; or

- 5. The person who is the subject of the Complaint had obtained a waiver permitting the conduct.
- ii. Dismissal of a Complaint under this provision is final and non-appealable.
- iii. If the Reviewing Attorney dismisses the Complaint, the Reviewing Attorney shall forward a copy of the dismissal to the Complainant, Respondent, City Council, and the Board on which the Respondent is a member, if applicable.
- b. If the Reviewing Attorney does not dismiss the Complaint, as provided herein, the Reviewing Attorney shall refer the Complaint and the advisory opinion to the BOR for review under this provision. The Reviewing Attorney's referral of the Complaint and advisory opinion to the BOR does not mean that any of the allegations of the Complaint are true or false or that any current City Official has or has not violated the Code.
- c. If the Complaint is referred to the BOR for review, the Reviewing Attorney shall also copy his or her advisory opinion to the Complainant, the City Manager, and the City Attorney within seven (7) business days of receipt of the Complaint. For Complaints not dismissed by the Reviewing Attorney, and subsequently referred to the BOR, the notice to the Respondent will include notice of the Respondent's option to file a written response to the advisory opinion with the City Secretary within seven (7) business days of receipt of the opinion from the Reviewing Attorney. The City Secretary will forward the Respondent's written response to the BOR with the Complaint and the Reviewing Attorney's advisory opinion.
- (6) Board of Review Process.
 - a. The BOR shall meet within forty-five (45) days of receiving a referral of a Complaint from the Reviewing Attorney, unless extended by the City Council. The BOR will review the Complaint, the Reviewing Attorney's advisory opinion, the Respondent's response (if any), and applicable City policies, ordinances, and/or other related information (the "BOR Record").
 - b. The BOR may dismiss a Complaint as provided below or, if not dismissed, refer the Complaint to the City Council for consideration as outlined herein.
- (7) The BOR Review and City Council Review / Hearing
 - a. The BOR may dismiss a Complaint if:
 - i. The alleged violation is a minor or de minimis violation;
 - ii. The Complaint *is*, on its *face*, frivolous, groundless, or brought for purposes of harassment;
 - iii. The matter has become moot because the Respondent is no longer an elected official or Administrative Board or Advisory Board member; or
 - iv. The Respondent came into voluntary compliance.
 - c. The determination regarding whether a complaint is frivolous and subject to sanctions will be addressed by the City Council as outlined in Section 8(G)(3) herein.
 - d. The BOR will conduct its review of a Complaint not dismissed pursuant to paragraph 3.a.i. of this section at meetings which are open to the public.
 - e. The rules shall require the dismissal and the reason for dismissal to be submitted by the BOR in writing and available to the public within forty-five (45) days of considering the Complaint under paragraph 4.b. above, unless extended by the City Council. A dismissal under this provision by the BOR is final and non-appealable.
 - f. If the BOR does not dismiss the Complaint, the BOR will refer the Complaint, BOR Record to the City Council within forty-five (45) business days of considering the Complaint, unless extended by the City Council.

- (7) City Council Review / Hearing
 - a. Not later than 15 business days after the BOR forwards a Complaint to the City Council for consideration, or 15 business days after the BOR's deadline to issue a decision, the City Secretary shall notify in writing the City Council, the Complainant and the Respondent of the date, time and location of a hearing on the Complaint. Such written notice shall be sent to the Complainant and the Respondent by email, mail, and/or certified mail, return receipt requested. If the hearing is not held within 45 business days after receipt of the Complaint, the City Secretary shall notify both the Complainant and the Respondent of the reasons for the delay.
 - b. All hearings shall be conducted in accordance with the Texas Open Meetings Act, Tex. Government Code Chapter 551. The City Council shall have the right to hold the hearing in open or closed session as permitted by applicable laws and regulations. Additionally, the City Council shall establish time limits and other rules of procedure for a hearing and relating to the participation of any person in the hearing. Subject to the rules of procedure established by the City Council for the hearing:
 - i. Both the Complainant and the Respondent shall have the right to a full and complete hearing with the opportunity to call witnesses and present evidence on his/her behalf.
 - ii. All proceedings of the hearing shall be recorded by audio recording if a court reporter is not used, or reduced to writing by a court reporter if present for the hearing. If a court reporter is not used, the audio recording shall be filed with the City Secretary within such time as specified by the City Council. If a court reporter is used, the court reporter's transcript of the hearing shall be filed with the City Secretary within such time as is specified by the City Council.
 - iii. The procedures established by the City Council shall allow the Complainant and the Respondent sufficient time to examine and respond to any evidence not presented to them in advance of the hearing.
 - iv. The rules shall require the City Council to schedule the hearing at a time that is reasonably convenient to both the person who submitted the Complaint and the subject of the Complaint.
 - g. The City Council shall consider the BOR Record, the Complaint, the Respondent's response (if any), and the advisory opinion of the Reviewing Attorney, and evidence submitted in the course of the hearing. The final action, decision, or vote of the council with regard to the Complaint shall be taken or made only in a meeting that is open to the public. The City Council shall base its finding of whether a violation occurred on a preponderance of the evidence. Only members of the City Council present for the hearing may participate in its decision.
 - h. The City Council shall consider, when it makes findings and recommendations, the severity of offense; the presence or absence of any intention to conceal, deceive, or mislead; whether the violation was deliberate, negligent, or inadvertent; and whether the incident was isolated or part of a pattern.
 - i. The City Council shall dismiss a Complaint if the Complainant does not appear at the hearing and if, in the opinion of the City Council, it would be unfair to the Respondent to proceed without the Respondent having the opportunity to question and address the issues raised in the Complaint.
 - j. A City Council member may not participate in the Complaint review process and/or hearing if the member is the subject of the Complaint or is the Complainant, or if the Respondent or Complainant is related to the City Council member within a prohibited level of affinity or consanguinity.

k. The decision of the City Council is final and non-appealable.

(H) Findings / Consequences

- (1) City Officials deemed to be in violation of the Code are subject to consequences, including but not limited to the following:
 - a. Censure If the violation did not involve a matter of public concern and the City Council finds that a violation of this Code occurred, the City Council may issue a censure of the City Official, to the extent permitted by law.
 - b. Letter of Notification The City Council may issue a letter of notification if the City Council finds that a violation of this Code was clearly unintentional. A letter of notification must advise the City Official of any steps to be taken to avoid future violations.
 - c. Letter of Admonition The City Council may issue a letter of admonition if the City Council finds that a violation of this Code was minor, but where the circumstances call for a more substantial response than a letter of notification.
 - d. Reprimand To the extent permitted by law, City Council may issue a reprimand if the City Council finds that a violation of this Code was not minor and was committed intentionally or through reckless disregard.
 - e. Removal from Leadership Position In addition to, or in place of, the consequences outlined above, the City Council may remove a City Official from any leadership position held by that City Official as a member of the body in which the City Official serves.
 - f. Removal from Administrative Boards and Advisory Boards In addition to, or in place of, the consequences outlined above, the City Council may remove an appointed City Official from Administrative Boards and Advisory Boards.

Section 9. Other Obligations

This Code is cumulative of, and supplemental to, applicable state and federal laws and regulations. Compliance with the provisions of this Code shall not excuse or relieve any person from any obligation imposed by state or federal law regarding conduct, financial reporting, lobbying activities, or any other issue addressed herein.

Even if a City Official is not prohibited from taking official action by this Code, action may be prohibited by duly promulgated personnel rules, which may be more stringent.

Section 10. Effective Date

This Code shall take effect on January, 11, 2022, following its adoption and publication as required by law (the "Effective Date").

Section 11. Distribution and Training

- (A) Every person shall be provided reasonable opportunity to review this Code as a condition of their candidacy and/or application to be a City Official. At the time of application for a position of City Official, every applicant shall be furnished with a copy of this Code.
- (B) Individuals seated as City Officials on the Effective Date of this Ordinance shall be bound by it and shall sign a written acknowledgement of receipt and understanding of this Code within 30 days of the Effective Date. All City Officials elected, appointed or retained following the Effective Date of this Code shall sign a written acknowledgement of receipt and understanding of this Code before

performing any of the duties or functions of the City Official's position.

(C) The City Attorney or City Manager as designated by the City Council shall develop educational materials and conduct educational programs for the City Officials on the provisions of this Code, the City Charter, and Chapters 171 and 176 of the Texas Local Government Code. Such materials and programs shall be designed to maximize understanding of the obligations imposed by these conduct laws.

Section 12. Severability

If any provision of this Code is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application of this Code to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Code which can be given effect without the invalid or unconstitutional provision or application.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 11th day of January, 2022.

Matthew Porter, Mayor ATTESTED AND **CORRECTLY RECORDED:** Stephanie Storm 1887 STATE OF TEX

Date of publication in The Wylie News - January 19, 2022



STATE OF TEXAS COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C & S Media, dba *The Wylie News*, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:

City of Wylie Legal Notice – Ordinance No. 2022-01 & Ordinance No. 2021-55 was published in said newspaper on the following date(s), to-wit: January 19, 2022

Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 20th day of January, 2022, to certify which witness my hand and seal of office.

SONIA A DUGGAN Notary ID #126646343 wy Commission Expires August 12, 2024

Notary Public/in for The State of Texas

THE BUILT OF COMPANY

My commission expires 08/12/2024.

Murphy/Sachse/Wylie Office • 110 N. Ballard • P.O. Box 369 • Wylie, TX 75098 • 972-442-5515 • fax 972-442-4318 Farmersville/Princeton Office • 101 S. Main • P.O. Box 512 • Farmersville, TX 75442 • 972-784-6397 • fax 972-782-7023

Ordinance No. 2021-55

An Ordinance Of The City Of Wylie, Texas, Amending Chapter 110 (Traffic And Vehicles) Of Article Vi. (Stopping, Standing, And Parking) Of Section 110-173 (Stopping, Standing, Or Parking Prohibited In Certain Places) Of The Wylie³ Code Of Ordinances; Creating Section 110-173 (G) Prohibiting The Stopping, Standing; Or Parking Of A Vehicle Along The North Side Of Cloudcroft Dr. From S. Ballard Ave. East To The West Property Line Of 115 Cloudcroft (Approximately 582 Feet) And The South Side Of Cloudcroft Dr. From S. Ballard Ave. East To The Point Of Intersection With Vail Ln. (Approximately 560 Feet) And On Both Sides Of Stoneybrook Dr. From S. Ballard Ave. West To The Point Of Intersection With Willow Way (Approximately 360 Feet) During Those Times Set Forth In This Ordinance: Establishing An Offense; Providing For A Penalty For The Violation Of This Ordinance; Providing For Repealing, Savings And Severability Clauses; Providing For An Effective Date Of This Ordinance; And Providing For The Publication Of The Caption Hereof.

38-1t-86li

CITY OF WYLIE

Ordinance No. 2022-01

An Ordinance Of The City Of Wylie, Texas, Repealing Ordinance No. 2014-19, Creating A Code Of Conduct: Providing For A Penalty For The Violation Of This Ordinance; Providing For Repealing, Savings, And Severability Clauses; Providing For An Effective Date Of This Ordinance; And Providing For The Publication Of The Caption Hereof.

ORDINANCE NO. 2022-70

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE'S CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED, CHAPTER 2 (ADMINISTRATION), ARTICLE III (OFFICERS), DIVISION 2 (CODE OF CONDUCT), SECTION 2-58 (BOARD OF REVIEW) TO AMEND THE TERM LIMITS, ADD A HOLDOVER PROVISION, AND EXCLUDE THE SERVICE OF BOARD MEMBERS SPOUSES OR DOMESTIC PARTNERS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, in January 2022, the City Council of the City of Wylie, Texas ("City Council") adopted Ordinance No. 2022-01 that, among other things, established a Code of Conduct; and

WHEREAS, the City Council has investigated and determined that it would be advantageous and beneficial to the citizens of Wylie to amend Ordinance No. 2022-01 and Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 2 (Administration), Article III (Officers), Division 2 (Code of Conduct), Section 2-58 (Board of Review); and

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

SECTION 1. <u>Findings Incorporated.</u> The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. <u>Amendment of Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended,</u> <u>Chapter 2, Article III, Division 2, Section 2-58, and Ordinance No. 2022-01</u>. Chapter 2, Article III, Division 2, Section 2-58, and Ordinance No. 2022-01 are amended to read as follows:

"CHAPTER 2 (ADMINISTRATION)

•••

ARTICLE III (OFFICERS),

•••

DIVISION 2 (CODE OF CONDUCT)

. . .

Sec. 2-58. Board of Review

• • •

- (B) Qualifications
 - (1) All members must live within the City of Wylie city limits and be at least 18 years of age;

- (2) Board of Review (BOR) members may not be:
 - a. The spouse or the domestic partner of the individual filing the Complaint ("Complainant") or the individual who is the subject of the Complaint ("Respondent") is the spouse or domestic partner.
 - b. Serving on any other Council appointed Board or Commission during their term on the BOR;
 - c. A City Council member or City of Wylie employee, or the spouse or domestic partner of a City Council member, Board and Commission member, or City of Wylie employee;
 - d. An elected public official; or
 - e. A candidate for elected public office at the time of their term on the BOR.
- (C) Terms of appointment / Limitations
 - (1) No member shall serve on the board for more than three consecutive, two-year terms or six consecutive years, whichever is less; provided, however, that should a board member's replacement not be qualified upon the expiration of any term of a board member, then that board member shall holdover on the board until a qualified replacement board member has been appointed.
 - (2) Except for a board member whose tenure has been extended by the City Council as provided above, a member who has served three consecutive, two-year terms or six consecutive years, whichever is less, on the board may be reappointed to serve on the board after being off the board for at least one year, and upon reappointment, the member is eligible to serve another three consecutive terms or six consecutive years, whichever is less. Such member is eligible, however, for appointment to a different board or commission without waiting.
 - (3) BOR members shall serve until any Complaints pending during their appointed term have been fully adjudicated by the BOR.
 - (4) If a person selected to serve on the BOR pursuant to this subsection cannot fulfill his or her duties as a member of the BOR due to illness, travel, disqualification under the terms outlined above, or another bona fide reason, or otherwise refuses to serve on the BOR, that person shall be requested to confirm that fact with the City Secretary in writing within 15 calendar days of receipt of the service notification. In this event, the City Secretary shall repeat the process outlined herein until a substitute has been selected.
- ..."

SECTION 3. <u>Repealing/Saving.</u> Each Ordinance referenced in this Ordinance and the Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any other ordinances in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 4. <u>Severability</u>. 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. Wylie hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases are

declared unconstitutional and/ or invalid.

SECTION 5. Effective Date. This Ordinance shall become effective from and after its adoption. The term limitations and other provisions set forth in Section 2 shall apply retroactively to members serving on the board referenced herein as of the effective date of this Ordinance, including those board members whose appointments were made prior to the adoption of this Ordinance.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 13th day of December, 2022.

Matthew Porter, Mayor

ATTESTED AND CORRECTLY RECORDED:

Stephanie Storm





Wylie City Council AGENDA REPORT

Department:

Planning

Account Code:

Prepared By:

Jasen Haskins, AICP

Subject

Hold a Public Hearing, consider, and act upon, the writing of an Ordinance to amend the City of Wylie Zoning Ordinance, Articles 5.1 Land Use Charts, 5.2 Listed Uses, 7.0 General Development Regulations, as they relate to Smoke Shops, Smoking Establishments and Alcohol uses.

Recommendation

Motion to direct staff to prepare an ordinance approving the zoning change requested and bring it back for final consideration at a subsequent meeting.

Discussion

In February 2023, the P&Z Commission held a work session with staff regarding Smoke Shops, Smoking Establishments, and Alcohol Use requirements. The impetus for this work session was the need to offer clearer requirements for certain tobacco and alcohol related uses. At that work session the Commission directed staff to draft amendments to the Zoning Ordinance that would:

- Establish Smoke Shops as a use and create requirements.
- Establish Smoking Establishments as a use and create requirements.
- Establish Winery, Brewery, and Distillery uses and create requirements.
- Reorganize the requirements for alcohol related uses for readability and usefulness.
- Establish a formal procedure for property owners to request a variance to alcohol related requirements.

Smoke Shops

Currently, the City of Wylie allows Smoke Shops under the General Merchandise Store use category. This allows Smoke Shops to be allowed by-right in many areas of the city that may be detrimental to the health, safety, and welfare of Wylie's citizens and their property.

The proposed amendments to the Zoning Ordinance include creating a 'Smoke Shop' use and its definition. The amendment allows the use in Commercial Corridor districts by Special Use Permit and Light Industrial Districts by-right. The definition includes uses that sell tobacco and 'vape' products. The use also specifies distance requirements from schools and other Smoke Shops of 300 and 1,500 feet, respectively.

Smoking Establishments

Currently, the City of Wylie does not allow Smoke Shops as a stand-alone use. Smoking Establishments in the City currently operate as restaurant uses, in which food is served and extensive ventilation is provided. Creating a use will allow for stand-alone establishments and provide for defined requirements.

The proposed amendments to the Zoning Ordinance include creating a 'Smoking Establishment' use and its definition. The amendment allows the use in most non-residential districts by Special Use Permit, and Light Industrial Districts by-right. The

definition includes uses typical of a cigar or hookah lounge. The use also specifies distance requirements from schools and other Smoke Shops of 300 and 500 feet, respectively along with the requirement for the use to be located in a stand-alone structure, i.e. not in a 'strip mall.'

Alcohol Uses

Currently, the City of Wylie does not have a defined use for breweries, brewpubs, wineries, or distilleries. These establishments in the City currently operate as uses as they are defined by the Texas Alcohol Beverage Code along with Planned Development or Special Use Permit conditions as appropriate. Creating a use will codify the use and provide for clear, defined requirements.

The proposed amendments to the Zoning Ordinance include creating the uses and their definition. The amendment allows the use in most non-residential districts by-right, as allowed by State Law and the City's local option elections. However, the Special Use Permit option is being proposed to allow for other associated uses, such as event centers and food truck parks. The definition references the use as allowed by the Texas Alcohol Code.

Alcohol Provisions

Currently the Zoning Ordinance has alcohol provisions listed under several different uses even though these provisions are identical and based on State Law. The amendments propose to relocate these provisions to Chapter Seven of the Ordinance, which also includes other 'general provisions' that apply to multiple uses, such as noise, parking, and tree preservation. Relocation makes these provisions both easier to locate, understand, and reduce the chance for clerical error due to the same material being located in multiple locations throughout the Zoning Ordinance.

Additionally, a section has been added that formally codifies the requirements for an applicant to request a variance from the distance requirements. As part of the request procedure, staff is recommending that the school or church be notified along with a notice be published in the newspaper before City Council consider the request, however, neither of these are required by State Law.

P&Z Recommendation

The Commissioners voted 7-0 to recommend approval with the amendments of the Smoke Shop use requiring an SUP in all districts and eliminating the need for the Smoking Establishment use be in stand-alone buildings only. Those amendments are reflected in the Ordinance presented.



Permitted Uses	Residential Districts					Non-Residential Districts							Parking			
	Lo Den		High Density			Commercial			Industrial		Mixed-Use					
F. Retail, Personal Service & Commercial Cont.	AG/ 30	SF- ED	SF- 20/ 26	SF- 10/ 24	ТН	MF	МН	NS	CR	CC	BG	LI	ΗI	DT H	SB O	
29. Smoke Shop										S		S				1 per 300 sq ft
30. Smoking Establishment									S	S		Р		S	S	1 per 150 sq ft
31.Brewery, Winery, Distillery									P*	P*		P*		P*	P*	1 per 500 sq ft

P=Permitted P*=Permitted with additional requirements when located in this district. S=Special Use Permit T=Temporary Use Permit (L)=Loading spaces are required

29. Smoke Shop

a. **Definition:** A retail establishment engaged in the sale of smoking and vaping products and/or paraphernalia for the consumption of smoking related products. These products include, but are not limited to; Cigarettes, cigars, e-cigarettes, pipes, hookahs, bongs, tobacco, vape cartridges, and chewing tobacco. A business shall be classified as being within this use if more than 25% of the floor space, including displays and aisles, is based on the retail sale of the aforementioned products.

b. Additional Provisions:

- (1) A Special Use Permit shall be required in CC Districts.
- (2) No smoke shop shall be established within 1,500 feet of another smoke shop.
- (3) Shall not be closer than 300 feet to a public or private school measured in direct line from property line to property line, and in direct lines across intersections.

30. Smoking Establishment

a. **Definition:** An establishment that primarily caters to the on-site consumption of tobacco, such as a cigar or hookah lounge.

b. Additional Provisions:

- (1) A Special Use Permit shall be required in all permitted districts except LI Districts.
- (2) No smoking establishment shall be within 500 feet of another smoking establishment.



(3) Shall not be closer than 300 feet to a public or private school measured in direct line from property line to property line, and in direct lines across intersections.

31. Brewery, Winery, Distillery

a. **Definition:** An establishment that primarily caters to the on-site manufacturing of alcoholic beverages in accordance with the Texas Alcohol Beverage Code for Breweries, Brewpubs, Distillers, and Wineries.

b. Additional Provisions:

- (1) The General Provisions listed in Section 7.10 shall apply.
- (2) A Special Use Permit shall be required when there are additional uses on the property. Those accessory uses can include but are not limited to; events center, food truck park, restaurant without drive-thru service, and commercial entertainment.

93





19. Restaurant with Drive-in or Drive-through Service

- a. Definition: Restaurant with drive-in or drive through service means
 - (1) A restaurant with drive-in service is an establishment principally for the sale and consumption of food where food service is provided to customers in motor vehicles for consumption on the premises.
 - (2) A restaurant with drive-through service is an establishment principally for the sale and consumption of food which has direct window service allowing customers in motor vehicles to pick up food for off-premises consumption. This use applies for the pick-up of delivery service and / or customer pre-orders of food for off-premises consumption.

b. Additional Provisions:

- (1) The minimum stacking space for the first vehicle stop for a commercial drivethrough shall be a minimum of 100-feet, and a minimum of 40-feet thereafter, for any other stops.
- (2) CR District: Drive through and stacking area shall not be located adjacent to residential uses.
- (3) The General Provisions listed in Section 7.10 shall apply.

20. Restaurant without Drive-in or Drive-through Service

- a. **Definition:** Restaurant without drive-in or drive through service means an establishment principally for the sale and consumption of food on the premises.
- b. Additional Provisions: The General Provisions listed in Section 7.10 shall apply

23. Beer & Wine Package Sales.

- a. **Definition:** An establishment, including but not limited to General Merchandise or Food Store of any size or Motor Vehicle Fueling Station, engaged in the selling of beer and/or wine to the general public for off-site personal or household consumption and rendering services incidental to the sale of such goods.
- b. Additional Provisions: The General Provisions listed in Section 7.10 shall apply.

SECTION 7.10 ALCOHOL PROVISIONS

A. *General Provisions*: The sale of alcohol shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended, and to the following development criteria:

1. Establishments are only permitted to sell alcohol by right if the subject property was located within the City limits as of May 13, 2006. For property annexed into the City after





May 13, 2006, an establishment that sells alcohol must obtain a permit for a Private Club from the Texas Alcoholic Beverage Commission for the ability to sell alcohol.

- 2. An establishment that sells alcohol shall not be located closer than 300 feet to a church and/or public hospital measured along the property lines of the street fronts from front door to front door, and in direct lines across intersections.
- 3. An establishment that sells alcohol shall not be located closer than 300 feet to a public or private school measured in a direct line from property line to property line, and in direct lines across intersections.
- 4. The distance between an establishment that sells alcohol and a private school can be increased to 1,000 feet if the City Council receives a request from the governing body of the private school to do so.
- 5. Establishments that derive more than 75% of their revenue from the sale of alcohol are only permitted by specific use permit.
- 6. In the BG District restaurant Use must be incorporated into the Civic Center facility and owned, managed, operated, or contracted through, in whole or in part by a governmental agency.

B. **Appeal of distance requirements:** As allowed under Chapter 109 of the Texas Alcoholic Beverage Code the City Council may allow variances to the regulation if it is determined that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

1. The property owner shall request the variance, in writing, to the City Planner and provide any additional information that may be required.

2. A fee shall be required equal to the fee of a commercial request for a variance to the Zoning Board of Adjustments.

3. The City Planner shall notify the owner of the property subject to the distance requirement, according to current year County tax rolls, and cause notification to be published in the newspaper of record a time and place of the City Council meeting in which the request for the distance variance will be considered. The notifications shall occur at least 10 days prior to the City Council meeting.



Wylie City Council AGENDA REPORT

Department:

WEDC

Account Code:

Prepared By:

Jason Greiner

Subject

Tabled from 04-11-2023*Remove from table and consider*

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

Recommendation

Motion to table this item until the July 11, 2023 City Council Meeting.

Discussion

As Council will recall, this item was tabled at the April 11, 2023 City Council meeting. Staff recommends this item be tabled until the July 11th City Council meeting to ensure it can be further discussed by the City Council, the EDC Board, and legal at a June City Council meeting.



Wylie City Council AGENDA REPORT

Department:	City Manager	Account Code:
Prepared By:	Renae' Ollie	

Subject

Consider, and act upon, Ordinance No. 2023-22 to disannex approximately 4,000 acres of Lavon Lake and surrounding land, situated in the W. W. Bell Survey, Abs A0037; M. I. Geminez Survey, Abs A0338; William Johnson Survey, Abs A0476; John D Kirby Survey, Abs A0515; Madison Walker Survey, Abs A1022; Alex Russell Survey, Abs A0736; B. M. Carr Survey, Abs A0175; James King Survey, Abs A0508; and Thomas Chambers Survey, Abs A1049, Collin County, Texas.

Recommendation

Motion to approve the Item as presented.

Discussion

Wylie City limits contain approximately 37 square miles of which nearly half of that is Lavon Lake. The Extraterritorial Jurisdiction (ETJ) consists of nearly 6,100 acres (10 square miles).

The city of Princeton approached staff in 2020 to discuss land surrounding the northern peninsula of Lavon Lake. Princeton began working with the U.S. Army Corps of Engineers (USACE) to garner interest in annexation/disannexation of certain properties. Staff worked with Princeton engineers to verify parcels of land situated within Wylie City limits. Princeton covered the cost to have the subject area surveyed.

The subject area is approximately 4,000 unimproved and nontaxable acres solely owned by USACE. Of the total acres, 80% is water and 20% is land. Although owned by USACOE, approximately 17 acres are outside of Wylie City limits, and Clear Lake Park (appx. 89 acres) was disannexed by Wylie Ordinance No. 1999-16.

No portion of the subject area falls within Wylie's CCN. Water is within Culleoka CCN, and Sewer CCN is within the jurisdiction of Princeton. Additionally, Princeton has taken over and will provide fire service for Branch.

In accordance with Texas Local Government Code Chapter 43, Subchapter G

TLGC: Sec. 43.142. DISANNEXATION ACCORDING TO MUNICIPAL CHARTER IN HOME-RULE MUNICIPALITY. A home-rule municipality may disannex an area in the municipality according to rules as may be provided by the charter of the municipality and not inconsistent with the procedural rules prescribed by this chapter.

Article I of the City Charter, Section 4. - Contraction of Boundaries. The City Council may, when it deems appropriate or in the best interest of the City, disannex territory, which has previously been a part of the incorporated City limits of the City of Wylie. The City council is empowered to act in this regard in any manner which is provided by state law or by individual ordinances or resolutions of the City of Wylie.

The aerial view map is included for reference only.

If approved, Princeton will immediately begin annexation proceedings of the subject area.

ORDINANCE NO. 2023-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, DISANNEXING APPROXIMATELY 4,000 ACRES OF LAVON LAKE AND SURROUNDING LAND, SITUATED IN THE W. W. BELL SURVEY, ABS A0037; M. I. GEMINEZ SURVEY, ABS A0338; WILLIAM JOHNSON SURVEY, ABS A0476; JOHN D KIRBY SURVEY, ABS A0515; MADISON WALKER SURVEY, ABS A1022; ALEX RUSSELL SURVEY, ABS A0516; B. M. CARR SURVEY, ABS A0175; JAMES KING SURVEY, ABS A0508; AND THOMAS CHAMBERS SURVEY, ABS A1049, COLLIN COUNTY, TEXAS; PROVIDING FOR AMENDING THE OFFICIAL BOUNDARIES OF THE CITY OF WYLIE, TEXAS, AS HERETOFORE ADOPTED; PROVIDING FOR A PENALTY FOR A VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") under the authority of Section 43.021. Local Government Code and the City of Wylie, Texas' (Wylie) Home Rule Charter, a municipality may disannex an area from the municipality "as may be provided by the charter of the municipality and not inconsistent with the procedural rules prescribed by [Chapter 43 of the Texas Local Government Code]"; and

WHEREAS, the City Council of Wylie, Texas, has received a Petition for Disannexation (the Petition) regarding 4,000 acres of Lavon Lake and surrounding land, from the City of Princeton (Petitioner); and

WHEREAS, the Petitioner acknowledges, and City Council finds, that the amount of property taxes and fees collected by the City during the time the land was located within the City is less than or equal to the amount of money that the City has spent for the direct benefit of the land during that period; and,

WHEREAS, the Petitioner acknowledges, and City Council finds, that the petition waives any remedies or rights in law or equity pertaining to recovery of property taxes and fees collected by the City; and, therefore, the City shall not be required to refund any taxes or fees to the Petitioner; and,

WHEREAS, the Petitioner acknowledges, and City Council finds, that the petition does not allege that the City Council failed or refused to provide services or to cause services to be provided within the territory with a period required by statute or specified in a service plan prepared for the territory; and, therefore, the disannexation does not fall under the purview of Texas Local Government Code Section 43.141; and,

WHEREAS, the Petitioner acknowledges that the proposed disannexation tracts are uninhabited, is not subject to residential use, and no qualified voters reside thereon, and

WHEREAS, the City Council has investigated and determined that it would be advantageous and beneficial to Wylie and its inhabitants to disannex the property (the "Property") as described in Exhibit A; and;

WHEREAS, the City Council finds that the field notes close the boundaries of the Property being disannexed; and

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

<u>SECTION 1.</u> The above findings are hereby incorporated for all purposes as if each word was set out herein; the petition for disannexation is attached hereto as Exhibit A and is hereby incorporated for all purposes as if it were set out fully herein.

<u>SECTION 2.</u> All rights, privileges, and responsibilities previously conferred on the property described in the attached Exhibit A are immediately terminated, and are of no force and effect, and any future inhabitants thereof shall not be entitled to any rights or privileges as citizens; nor shall they be bound by the acts, ordinances, resolutions, and regulations of the City of Wylie, Texas, immediately upon the disannexation of the property from the City of Wylie.

<u>SECTION 3.</u> The official map and boundaries of the City heretofore adopted and amended are hereby amended to exclude the area described in Exhibit A so as to accurately reflect that said area no longer is a part of the City of Wylie, Collin County, Texas.

<u>SECTION 4.</u> Should any word, phrase, clause, sentence, paragraph, or section of this Ordinance be adjudged or held to be illegal, invalid, or unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such adjudication shall not affect the application of any remaining word, phrase, clause, sentence, paragraph, or section of this Ordinance.

<u>SECTION 5.</u> The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

<u>SECTION 6.</u> As of the effective date of this Ordinance, the land and territory shown on Exhibit A consisting of approximately 4,000 acres, shall be disannexed from the City of Wylie, and that execution will occur upon U.S. Army Corps of Engineers annexing the same said properties to the City of Princeton.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS on this 30th day of May, 2023.

Matthew Porter, Mayor

ATTESTED AND CORRECTLY RECORDED:

Stephanie Storm, City Secretary

DATE OF PUBLICATION: June 7, 2023, in the Wylie News

05/30/2023 Item 5.

EXHIBIT A LEGAL DESCRIPTION

EXHIBIT "A"

BEING A TRACT OF LAND, SITUATED IN THE CITY OF WYLIE, COLLIN COUNTY, TEXAS, AND BEING PART OF TRACT 12 (43.1 ACRES) AND ALL OF TRACT 13 (5.4 ACRES), TRACT 16 (18.53 ACRES), TRACT 40 (11.9 ACRES), TRACT 53 (1.12 ACRES), TRACT 42 (1.0 ACRES), TRACT 33 (1.5 ACRES), TRACT 41 (39.1 ACRES), TRACT 39 (50.0 ACRES), TRACT 34 (7.87 ACRES) IN THE WILLIAM JOHNSON SURVEY, ABSTRACT NO. 476,

AND ALL OF TRACT 36 (0.86 ACRES), TRACT 35 (95.32 ACRES), TRACT 37 (9.87 ACRES), TRACT 38 (8.75 ACRES), TRACT 51 (3.67 ACRES), TRACT 39 (7.36 ACRES), TRACT 72 (59.52 ACRES), TRACT 40 (4.53 ACRES), TRACT 41 (1.52 ACRES), TRACT 42 (0.76 ACRES), TRACT 43 (0.76 ACRES), TRACT 44 (0.76 ACRES), TRACT 45 (59.0 ACRES), TRACT 46 (11.93 ACRES), TRACT 47 (6.14 ACRES), TRACT 48 (3.27 ACRES), TRACT 49 (14.97 ACRES), TRACT 50 (15.86 ACRES) IN THE W. W. BELL SURVEY, ABSTRACT NO. 37,

AND ALL OF TRACT 45 (0.1 ACRES), TRACT 69 (752.6701 ACRES) IN THE THOMAS CHAMBERS SURVEY, ABSTRACT NO. 1049,

AND ALL OF TRACT 6 (90.0 ACRES) IN THE MADISON WALKER SURVEY, ABSTRACT NO. 1022,

AND ALL OF TRACT 54 (39.56 ACRES), PART OF TRACT 22 (123.99 ACRES), PART OF TRACT 25 (510.0 ACRES), PART OF TRACT 18 (429.05 ACRES), PART OF TRACT 13 (88.0 ACRES), AND PART OF TRACT 17 (21.57 ACRES) IN THE M. I. GEMINEZ SURVEY, ABSTRACT NO. 338,

AND ALL OF TRACT 1 (458.0 ACRES) IN THE B. M. CARR SURVEY, ABSTRACT NO. 175,

AND ALL OF TRACT 1 (14.78 ACRES) AND TRACT 2 (159.66 ACRES) IN THE JAMES KING SURVEY, ABSTRACT NO. 508,

AND ALL OF TRACT 7 (2.0 ACRES), TRACT 11 (1.0 ACRES), TRACT 14 (1.06 ACRES), TRACT 15 (6.9 ACRES), TRACT 17 (9.16 ACRES), TRACT 19 (8.0 ACRES), TRACT 20 (12.35 ACRES), TRACT 21 (8.08 ACRES), TRACT 22 (28.3 ACRES), TRACT 24 (14.52 ACRES), TRACT NO. 40 (15.2 ACRES), TRACT 41 (21.66 ACRES), TRACT 44 (10.72 ACRES), TRACT NO. 47 (0.5 ACRES), TRACT 48 (0.6 ACRES), TRACT 49 (1.0 ACRES), TRACT 50 (31.3 ACRES) AND TRACT 60 (12.5 ACRES) IN THE JOHN D. KIRBY SURVEY, ABSTRACT NO. 515,

AND ALL OF TRACT 11 (36.19 ACRES), TRACT 12 (226.7 ACRES), TRACT 13 (0.5893 ACRES), TRACT 14 (1.0 ACRES), TRACT 15 (0.5893 ACRES), TRACT 16 (0.5893 ACRES), TRACT 17 (0.5893 ACRES), TRACT 18 (1.2339 ACRES) IN THE ALEX RUSSELL SURVEY, ABSTRACT NO. 736, SAID TRACT BEING MORE PARTICULARLY DESCRIBED, AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER, BEING THE NORTHWESTERLY CORNER OF TRACT 18 (ALEX RUSSELL SURVEY, ABSTRACT NO. 736,

THENCE S 89° 36' 47" E, A DISTANCE OF 2127.00' TO A POINT FOR CORNER;

THENCE S 89° 15' 16" E, A DISTANCE OF 1207.25' TO A POINT FOR CORNER, BEING THE NORTHEASTERLY CORNER OF TRACT 2 (JAMES KING SURVEY, ABSTRACT NO. 508);

THENCE S 00° 02' 37" W, A DISTANCE OF 719.59' TO A POINT FOR CORNER;

THENCE N 90° 00' 00" E, A DISTANCE OF 2285.77' TO A POINT FOR CORNER;

THENCE N 89° 44' 38" E, A DISTANCE OF 654.68' TO A POINT FOR CORNER;

THENCE N 89° 44' 38" E, A DISTANCE OF 612.09' TO A POINT FOR CORNER TO THE NORTHEASTERLY CORNER OF TRACT 12 (ALEX RUSSELL SURVEY, ABSTRACT NO. 736), SAME BEING IN AN OLD CREEK BED;

THENCE ALONG SAID OLD CREEK BED, THE FOLLOWING COURSES AND DISTANCES:

S 30° 18' 45" E, A DISTANCE OF 212.86' TO A POINT FOR CORNER; S 08° 08' 52" E, A DISTANCE OF 278.98' TO A POINT FOR CORNER; S 09° 38' 53" E, A DISTANCE OF 139.49' TO A POINT FOR CORNER; S 11° 08' 15" E, A DISTANCE OF 276.09' TO A POINT FOR CORNER; S 28° 30' 01" E, A DISTANCE OF 100.17' TO A POINT FOR CORNER; S 15° 30' 01" E, A DISTANCE OF 100.17' TO A POINT FOR CORNER; S 02° 30' 01" E, A DISTANCE OF 100.17' TO A POINT FOR CORNER; S 10° 29' 59" W, A DISTANCE OF 100.17' TO A POINT FOR CORNER; S 23° 29' 59" W, A DISTANCE OF 100.17' TO A POINT FOR CORNER; S 36° 29' 27" W, A DISTANCE OF 100.03' TO A POINT FOR CORNER; S 24° 24' 24" W, A DISTANCE OF 381.52' TO A POINT FOR CORNER; S 21° 24' 24" W, A DISTANCE OF 381.52' TO A POINT FOR CORNER; S 18° 48' 05" W, A DISTANCE OF 281.10' TO A POINT FOR CORNER; S 02° 12' 10" W, A DISTANCE OF 114.13' TO A POINT FOR CORNER; N 89° 55' 22" W, A DISTANCE OF 17.05' TO A POINT FOR CORNER; S 23° 35' 11" W, A DISTANCE OF 234.23' TO A POINT FOR CORNER; S 20° 05' 50" W, A DISTANCE OF 214.23' TO A POINT FOR CORNER; S 15° 50' 59" W, A DISTANCE OF 312.82' TO A POINT FOR CORNER; S 10° 20' 59" W, A DISTANCE OF 375.33' TO A POINT FOR CORNER; S 04° 51' 00" W, A DISTANCE OF 312.82' TO A POINT FOR CORNER;

S 00° 09' 01" E, A DISTANCE OF 312.82' TO A POINT FOR CORNER; S 03° 24' 19" E, A DISTANCE OF 94.51' TO A POINT FOR CORNER; S 06° 22' 54" E, A DISTANCE OF 1975.53' TO A POINT FOR CORNER; S 14° 37' 05" E. A DISTANCE OF 207.79' TO A POINT FOR CORNER: S 06° 37' 05" E, A DISTANCE OF 207.79' TO A POINT FOR CORNER; S 01° 22' 55" W, A DISTANCE OF 207.79' TO A POINT FOR CORNER; S 09° 22' 55" W, A DISTANCE OF 207.79' TO A POINT FOR CORNER; S 17° 22' 55" W, A DISTANCE OF 207.78' TO A POINT FOR CORNER; S 25° 22' 55" W, A DISTANCE OF 207.79' TO A POINT FOR CORNER; S 33° 22' 55" W, A DISTANCE OF 207.78' TO A POINT FOR CORNER; S 39° 07' 56" W, A DISTANCE OF 248.74' TO A POINT FOR CORNER; S 41° 01' 08" W, A DISTANCE OF 95.42' TO A POINT FOR CORNER; S 24° 34' 43" W, A DISTANCE OF 296.62' TO A POINT FOR CORNER; S 11° 04' 43" W, A DISTANCE OF 275.52' TO A POINT FOR CORNER; S 03° 38' 29" E, A DISTANCE OF 348.30' TO A POINT FOR CORNER; S 12° 49' 31" E, A DISTANCE OF 385.13' TO A POINT FOR CORNER; S 09° 49' 31" E, A DISTANCE OF 385.13' TO A POINT FOR CORNER; S 06° 19' 31" E, A DISTANCE OF 513.46' TO A POINT FOR CORNER; S 02° 39' 04" E, A DISTANCE OF 429.76' TO A POINT FOR CORNER; S 05° 58' 50" W, A DISTANCE OF 1335.25' TO A POINT FOR CORNER; S 20° 37' 50" W, A DISTANCE OF 226.63' TO A POINT FOR CORNER; S 16° 39' 41" W, A DISTANCE OF 351.36' TO A POINT FOR CORNER; S 16° 06' 51" W, A DISTANCE OF 354.76' TO A POINT FOR CORNER; S 07° 47' 02" W, A DISTANCE OF 212.93' TO A POINT FOR CORNER; S 03° 12' 46" E, A DISTANCE OF 213.15' TO A POINT FOR CORNER;

S 13° 28' 42" E, A DISTANCE OF 184.45' TO A POINT FOR CORNER; S 33° 21' 45" E, A DISTANCE OF 122.02' TO A POINT FOR CORNER; S 31° 21' 45" E, A DISTANCE OF 366.02' TO A POINT FOR CORNER; S 28° 20' 50" E, A DISTANCE OF 518.01' TO A POINT FOR CORNER; S 25° 40' 15" E, A DISTANCE OF 128.43' TO A POINT FOR CORNER; S 05° 10' 39" E, A DISTANCE OF 180.42' TO A POINT FOR CORNER; S 16° 49' 43" W, A DISTANCE OF 150.88' TO A POINT FOR CORNER; S 38° 12' 22" W, A DISTANCE OF 234.73' TO A POINT FOR CORNER; S 44° 29' 36" W, A DISTANCE OF 244.85' TO A POINT FOR CORNER; S 68° 29' 21" W, A DISTANCE OF 337.15' TO A POINT FOR CORNER; S 51° 59' 21" W, A DISTANCE OF 379.21' TO A POINT FOR CORNER;

S 42° 59' 21" W, A DISTANCE OF 379.21' TO A POINT FOR CORNER;

S 35° 11' 30" W, A DISTANCE OF 344.99' TO A POINT FOR CORNER, BEING THE SOUTHEASTERLY CORNER OF TRACT 25 (M. I. GEMINEZ SURVEY, ABSTRACT NO. 338);

THENCE DEPARTING SAID CREEK BED, N 89° 59' 03" W, ALONG THE SOUTHERLY LINE OF SAID TRACT 25, A DISTANCE OF 4293.72' TO A POINT FOR CORNER, BEING THE SOUTHWESTERLY CORNER OF SAID TRACT 25;

THENCE N 00° 03' 18" W, A DISTANCE OF 1378.65' TO A POINT FOR CORNER, BEING THE SOUTHEASTERLY CORNER OF TRACT 22 (M. I. GEMINEZ SURVEY, ABSTRACT NO. 338);

THENCE N 90° 00' 00" W, ALONG THE SOUTHERLY LINE OF SAID TRACT 22, A DISTANCE OF 1704.90' TO A POINT FOR CORNER, BEING THE SOUTHWESTERLY CORNER OF SAID TRACT 22;

THENCE N 00° 00' 00" W, ALONG THE WESTERLY LINE OF SAID TRACT 22, A DISTANCE OF 941.18' TO A POINT FOR CORNER, BEING THE SOUTHEASTERLY CORNER OF TRACT 54 (M. I. GEMINEZ SURVEY, ABSTRACT NO. 338);

THENCE N 90° 00' 00" W, ALONG THE SOUTHERLY LINE OF SAID TRACT 54, A DISTANCE OF 556.89' TO A POINT FOR CORNER, BEING THE SOUTHWESTERLY CORNER OF SAID TRACT 54;

THENCE N 00° 12′ 58" W, ALONG THE WESTERLY LINE OF SAID TRACT 54, A DISTANCE OF 717.36′ TO A POINT FOR CORNER, BEING THE MOST EASTERLY SOUTHEAST CORNER OF TRACT 6 (MADISON WALKER SURVEY, ABSTRACT NO. 1022);

THENCE S 89° 48' 06" W, ALONG THE SOUTHERLY LINE OF SAID TRACT 6, A DISTANCE OF 1778.31' TO A POINT FOR CORNER;

THENCE S 00° 00' 00" E, ALONG THE MOST SOUTHERLY EAST LINE OF SAID TRACT 6, A DISTANCE OF 933.97' TO A POINT FOR CORNER;

THENCE N 90° 00' 00" W, ALONG THE MOST WESTERLY SOUTH LINE OF SAID TRACT 6, A DISTANCE OF 318.35' TO A POINT FOR CORNER, BEING IN THE EASTERLY LINE OF TRACT 69 (THOMAS CHAMBERS SURVEY, ABSTRACT NO. 1049);

THENCE S 00° 08' 38" W, ALONG THE EASTERLY LINE OF SAID TRACT 69, A DISTANCE OF 1288.91' TO A POINT FOR CORNER, BEING THE SOUTHEASTERLY CORNER OF TRACT 69;

THENCE S 89° 56' 37" W, A DISTANCE OF 5241.62' TO A POINT FOR CORNER, BEING IN THE EAST FORK OF THE TRINITY RIVER;

THENCE ALONG SAID EAST FORK OF THE TRINITY RIVER, THE FOLLOWING COURSES AND DISTANCES:

N 05° 14' 22" E, A DISTANCE OF 314.37' TO A POINT FOR CORNER;

N 12° 45' 24" E, A DISTANCE OF 367.99' TO A POINT FOR CORNER;

N 00° 41' 37" W, A DISTANCE OF 413.65' TO A POINT FOR CORNER;

N 15° 41' 37" W, A DISTANCE OF 362.22' TO A POINT FOR CORNER;

N 29° 11' 37" W, A DISTANCE OF 336.47' TO A POINT FOR CORNER;

N 11° 49' 56" W, A DISTANCE OF 423.22' TO A POINT FOR CORNER;

N 04° 55' 47" W, A DISTANCE OF 583.05' TO A POINT FOR CORNER;

N 02° 34' 13" E, A DISTANCE OF 510.26' TO A POINT FOR CORNER;

N 08° 34' 13" E, A DISTANCE OF 364.58' TO A POINT FOR CORNER;

N 01° 55' 21" E, A DISTANCE OF 280.25' TO A POINT FOR CORNER;

N 14° 48' 38" W, A DISTANCE OF 427.94' TO A POINT FOR CORNER;

N 32° 51' 29" W, A DISTANCE OF 422.51' TO A POINT FOR CORNER;

N 29° 53' 48" W, A DISTANCE OF 536.79' TO A POINT FOR CORNER;

N 11° 23' 48" W, A DISTANCE OF 328.13' TO A POINT FOR CORNER;

N 05° 36' 13" E, A DISTANCE OF 467.55' TO A POINT FOR CORNER; N 00° 27' 13" E, A DISTANCE OF 433.60' TO A POINT FOR CORNER; N 07° 43' 19" W, A DISTANCE OF 682.20' TO A POINT FOR CORNER; N 14° 43' 18" W, A DISTANCE OF 273.17' TO A POINT FOR CORNER; N 02° 56' 53" E, A DISTANCE OF 101.10' TO A POINT FOR CORNER; N 11° 48' 22" W, A DISTANCE OF 101.10' TO A POINT FOR CORNER; N 26° 33' 36" W, A DISTANCE OF 101.10' TO A POINT FOR CORNER; N 41° 18' 50" W, A DISTANCE OF 101.10' TO A POINT FOR CORNER; N 56° 04' 05" W, A DISTANCE OF 101.10' TO A POINT FOR CORNER; N 70° 49' 19" W, A DISTANCE OF 101.10' TO A POINT FOR CORNER; N 85° 34' 33" W, A DISTANCE OF 101.10' TO A POINT FOR CORNER; S 79° 40' 12" W, A DISTANCE OF 101.10' TO A POINT FOR CORNER; S 64° 54' 58" W, A DISTANCE OF 101.10' TO A POINT FOR CORNER; S 50° 09' 43" W, A DISTANCE OF 101.10' TO A POINT FOR CORNER; S 89° 38' 25" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 80° 22' 34" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 70° 23' 33" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 60° 24' 31" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 50° 25' 30" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 40° 26' 28" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 30° 27' 27" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 20° 28' 25" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 10° 29' 24" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 00° 30' 22" W, A DISTANCE OF 96.91' TO A POINT FOR CORNER; N 90° 00' 00" W, A DISTANCE OF 80.23' TO A POINT FOR CORNER;

N 32° 45' 05" W, A DISTANCE OF 69.38' TO A POINT FOR CORNER; N 54° 24' 51" W, A DISTANCE OF 53.46' TO A POINT FOR CORNER; N 67° 03' 59" W, A DISTANCE OF 71.62' TO A POINT FOR CORNER; N 40° 43' 52" W, A DISTANCE OF 69.27' TO A POINT FOR CORNER; N 14° 07' 20" W, A DISTANCE OF 71.55' TO A POINT FOR CORNER; N 00° 27' 25" W, A DISTANCE OF 71.25' TO A POINT FOR CORNER; N 13° 32' 32" E, A DISTANCE OF 94.87' TO A POINT FOR CORNER; N 27° 32' 35" E, A DISTANCE OF 71.25' TO A POINT FOR CORNER; N 40° 02' 34" E, A DISTANCE OF 77.17' TO A POINT FOR CORNER; N 42° 25' 08" E, A DISTANCE OF 46.51' TO A POINT FOR CORNER; N 21° 19' 59" E, A DISTANCE OF 59.83' TO A POINT FOR CORNER; N 05° 49' 58" E, A DISTANCE OF 63.80' TO A POINT FOR CORNER; N 13° 10' 03" W, A DISTANCE OF 87.47' TO A POINT FOR CORNER; N 23° 44' 01" W, A DISTANCE OF 78.51' TO A POINT FOR CORNER; N 33° 50' 45" W, A DISTANCE OF 121.24' TO A POINT FOR CORNER; N 46° 20' 44" W, A DISTANCE OF 80.95' TO A POINT FOR CORNER; N 56° 20' 46" W, A DISTANCE OF 80.95' TO A POINT FOR CORNER; N 66° 20' 44" W, A DISTANCE OF 80.95' TO A POINT FOR CORNER; N 75° 50' 45" W, A DISTANCE OF 72.87' TO A POINT FOR CORNER; N 85° 20' 45" W, A DISTANCE OF 80.95' TO A POINT FOR CORNER; S 87° 39' 39" W, A DISTANCE OF 47.94' TO A POINT FOR CORNER;

THENCE DEPARTING SAID EAST FORK OF THE TRINITY RIVER, N 00° 08' 16" E, A DISTANCE OF 2811.06' TO A POINT FOR CORNER;

THENCE N 00° 08' 16" E, A DISTANCE OF 1265.25' TO A POINT FOR CORNER;

THENCE N 00° 08' 16" E, A DISTANCE OF 447.96' TO A POINT FOR CORNER;

THENCE N 00° 04' 58" E, A DISTANCE OF 1960.18' TO A POINT FOR CORNER;

THENCE N 00° 08' 09" W, A DISTANCE OF 862.58' TO A POINT FOR CORNER; THENCE N 00° 08' 09" W, A DISTANCE OF 850.72' TO A POINT FOR CORNER; THENCE N 00° 08' 09" W, A DISTANCE OF 1035.37' TO A POINT FOR CORNER; THENCE N 69° 48' 14" E, A DISTANCE OF 1567.53' TO A POINT FOR CORNER; THENCE S 66° 19' 53" E, A DISTANCE OF 48.64' TO A POINT FOR CORNER; THENCE N 67° 51' 17" E, A DISTANCE OF 116.00' TO A POINT FOR CORNER; THENCE N 68° 18' 36" E, A DISTANCE OF 242.10' TO A POINT FOR CORNER; THENCE N 68° 31' 50" E, A DISTANCE OF 652.30' TO A POINT FOR CORNER; THENCE S 46° 56' 37" W, A DISTANCE OF 682.35' TO A POINT FOR CORNER; THENCE S 02° 28' 15" E, A DISTANCE OF 417.44' TO A POINT FOR CORNER; THENCE S 64° 14' 28" E, A DISTANCE OF 399.56' TO A POINT FOR CORNER; THENCE S 35° 55' 39" E, A DISTANCE OF 946.48' TO A POINT FOR CORNER; THENCE S 13° 01' 25" W, A DISTANCE OF 712.95' TO A POINT FOR CORNER; THENCE N 62° 59' 29" W, A DISTANCE OF 11.26' TO A POINT FOR CORNER; THENCE S 03° 55' 43" W, A DISTANCE OF 32.98' TO A POINT FOR CORNER; THENCE S 21° 27' 36" E, A DISTANCE OF 404.80' TO A POINT FOR CORNER; THENCE S 25° 08' 14" E, A DISTANCE OF 174.58' TO A POINT FOR CORNER; THENCE S 37° 54' 24" E, A DISTANCE OF 303.15' TO A POINT FOR CORNER; THENCE S 40° 25' 50" E, A DISTANCE OF 160.96' TO A POINT FOR CORNER; THENCE S 42° 08' 44" E, A DISTANCE OF 165.20' TO A POINT FOR CORNER; THENCE S 03° 54' 41" E, A DISTANCE OF 122.50' TO A POINT FOR CORNER; THENCE S 20° 58' 50" W, A DISTANCE OF 67.01' TO A POINT FOR CORNER; THENCE S 06° 19' 03" W, A DISTANCE OF 158.38' TO A POINT FOR CORNER; THENCE S 02° 21' 30" W, A DISTANCE OF 311.99' TO A POINT FOR CORNER; THENCE N 84° 27' 38" W, A DISTANCE OF 80.32' TO A POINT FOR CORNER;

THENCE N 01° 37' 09" W, A DISTANCE OF 461.53' TO A POINT FOR CORNER; THENCE N 86° 02' 08" W, A DISTANCE OF 541.36' TO A POINT FOR CORNER; THENCE S 00° 47' 10" W, A DISTANCE OF 972.13' TO A POINT FOR CORNER; THENCE S 23 27' 52" W, A DISTANCE OF 398.08' TO A POINT FOR CORNER; THENCE N 88° 56' 37" E, A DISTANCE OF 294.16' TO A POINT FOR CORNER; THENCE S 01° 26' 14" W, A DISTANCE OF 363.61' TO A POINT FOR CORNER; THENCE S 37° 03' 02" W, A DISTANCE OF 540.41' TO A POINT FOR CORNER; THENCE S 12° 33' 05" E, A DISTANCE OF 149.09' TO A POINT FOR CORNER; THENCE S 11° 18' 04" E, A DISTANCE OF 124.52' TO A POINT FOR CORNER; THENCE S 10° 04' 01" E, A DISTANCE OF 613.43' TO A POINT FOR CORNER; THENCE S 08° 48' 34" E, A DISTANCE OF 390.49' TO A POINT FOR CORNER; THENCE S 71° 56' 18" W, A DISTANCE OF 319.33' TO A POINT FOR CORNER; THENCE S 00° 08' 09" E, A DISTANCE OF 143.22' TO A POINT FOR CORNER; THENCE N 89° 07' 28" W, A DISTANCE OF 85.12' TO A POINT FOR CORNER; THENCE S 27° 47' 39" W, A DISTANCE OF 724.46' TO A POINT FOR CORNER; THENCE S 64° 28' 23" W, A DISTANCE OF 900.02' TO A POINT FOR CORNER; THENCE S 64° 28' 24" W, A DISTANCE OF 44.55' TO A POINT FOR CORNER; THENCE S 25° 01' 24" W, A DISTANCE OF 701.17' TO A POINT FOR CORNER; THENCE S 20° 59' 01" E, A DISTANCE OF 527.10' TO A POINT FOR CORNER; THENCE S 89° 27' 00" E, A DISTANCE OF 215.31' TO A POINT FOR CORNER; THENCE S 32° 48' 17" E, A DISTANCE OF 874.30' TO A POINT FOR CORNER; THENCE S 89° 12' 48" E, A DISTANCE OF 441.37' TO A POINT FOR CORNER; THENCE N 22° 39' 10" E, A DISTANCE OF 616.23' TO A POINT FOR CORNER; THENCE S 87° 47' 18" E, A DISTANCE OF 605.26' TO A POINT FOR CORNER; THENCE S 34° 50' 01" W, A DISTANCE OF 422.62' TO A POINT FOR CORNER;

THENCE S 43° 53' 27" E, A DISTANCE OF 295.55' TO A POINT FOR CORNER; THENCE S 08° 36' 15" W, A DISTANCE OF 88.53' TO A POINT FOR CORNER; THENCE S 32° 44' 21" W, A DISTANCE OF 343.60' TO A POINT FOR CORNER; THENCE S 32° 38' 42" W, A DISTANCE OF 675.28' TO A POINT FOR CORNER; THENCE N 89° 07' 12" W, A DISTANCE OF 123.20' TO A POINT FOR CORNER; THENCE S 43° 37' 12" W, A DISTANCE OF 95.70' TO A POINT FOR CORNER; THENCE S 02° 09' 10" W, A DISTANCE OF 200.74' TO A POINT FOR CORNER; THENCE S 86° 47' 55" E, A DISTANCE OF 311.76' TO A POINT FOR CORNER; THENCE N 74° 59' 47" E, A DISTANCE OF 258.59' TO A POINT FOR CORNER; THENCE N 89° 34' 01" E, A DISTANCE OF 290.00' TO A POINT FOR CORNER; THENCE N 19° 49' 48" E, A DISTANCE OF 29.85' TO A POINT FOR CORNER; THENCE N 89° 53' 46" E, A DISTANCE OF 140.78' TO A POINT FOR CORNER; THENCE N 00° 31' 12" W, A DISTANCE OF 59.86' TO A POINT FOR CORNER; THENCE N 89° 26' 46" E, A DISTANCE OF 72.27' TO A POINT FOR CORNER; THENCE N 00° 31' 12" W, A DISTANCE OF 60.00' TO A POINT FOR CORNER; THENCE S 89° 26' 33" W, A DISTANCE OF 71.39' TO A POINT FOR CORNER; THENCE N 00° 31' 12" W, A DISTANCE OF 35.25' TO A POINT FOR CORNER; THENCE S 87° 56' 33" E, A DISTANCE OF 651.08' TO A POINT FOR CORNER; THENCE S 00° 09' 54" W, A DISTANCE OF 153.57' TO A POINT FOR CORNER; THENCE N 89° 16' 12" E, A DISTANCE OF 184.75' TO A POINT FOR CORNER; THENCE S 01° 36' 20" E, A DISTANCE OF 349.09' TO A POINT FOR CORNER; THENCE S 05° 14' 06" E, A DISTANCE OF 181.54' TO A POINT FOR CORNER; THENCE S 10° 44' 07" E, A DISTANCE OF 217.82' TO A POINT FOR CORNER; THENCE S 12° 18' 07" E, A DISTANCE OF 584.83' TO A POINT FOR CORNER; THENCE N 76° 40' 45" E, A DISTANCE OF 200.93' TO A POINT FOR CORNER;

THENCE S 11° 31' 55" E, A DISTANCE OF 199.07' TO A POINT FOR CORNER; THENCE S 77° 48' 23" W, A DISTANCE OF 203.54' TO A POINT FOR CORNER; THENCE S 10° 59' 16" E, A DISTANCE OF 282.02' TO A POINT FOR CORNER; THENCE S 36° 04' 44" E, A DISTANCE OF 372.38' TO A POINT FOR CORNER; THENCE S 18° 39' 22" W, A DISTANCE OF 142.94' TO A POINT FOR CORNER; THENCE S 22° 26' 38" W, A DISTANCE OF 318.79' TO A POINT FOR CORNER; THENCE N 87° 56' 54" W, A DISTANCE OF 172.23' TO A POINT FOR CORNER; THENCE S 14° 43' 10" W, A DISTANCE OF 467.23' TO A POINT FOR CORNER; THENCE S 22° 31' 25" W, A DISTANCE OF 79.72' TO A POINT FOR CORNER; THENCE S 43° 13' 35" E, A DISTANCE OF 192.14' TO A POINT FOR CORNER; THENCE S 10° 39' 13" W, A DISTANCE OF 13.89' TO A POINT FOR CORNER; THENCE S 45° 28' 22" E, A DISTANCE OF 272.09' TO A POINT FOR CORNER; THENCE N 00° 22' 01" W, A DISTANCE OF 140.59' TO A POINT FOR CORNER; THENCE S 86° 12' 46" E, A DISTANCE OF 29.70' TO A POINT FOR CORNER; THENCE S 24° 18' 37" E, A DISTANCE OF 656.43' TO A POINT FOR CORNER; THENCE S 45° 56' 18" E, A DISTANCE OF 41.41' TO A POINT FOR CORNER; THENCE S 70° 12' 58" E, A DISTANCE OF 41.41' TO A POINT FOR CORNER; THENCE S 00° 33' 21" W, A DISTANCE OF 30.20' TO A POINT FOR CORNER; THENCE S 76° 59' 10" E, A DISTANCE OF 34.17' TO A POINT FOR CORNER; THENCE S 00° 22' 18" W, A DISTANCE OF 511.22' TO A POINT FOR CORNER; THENCE N 89° 15' 36" E, A DISTANCE OF 255.67' TO A POINT FOR CORNER; THENCE S 00° 49' 09" W, A DISTANCE OF 526.63' TO A POINT FOR CORNER; THENCE S 11° 30' 10" W, A DISTANCE OF 329.72' TO A POINT FOR CORNER; THENCE N 90° 00' 00" E, A DISTANCE OF 350.00' TO A POINT FOR CORNER; THENCE N 00° 00' 00" W, A DISTANCE OF 1345.01' TO A POINT FOR CORNER; THENCE S 87° 47' 01" E, A DISTANCE OF 25.21' TO A POINT FOR CORNER; THENCE S 00° 48' 24" E, A DISTANCE OF 1099.67' TO A POINT FOR CORNER; THENCE S 86° 26' 09" E, A DISTANCE OF 817.14' TO A POINT FOR CORNER; THENCE N 00°12'43" E, A DISTANCE OF 375.70' TO A POINT FOR CORNER; THENCE N 26° 45' 55" W, A DISTANCE OF 846.96' TO A POINT FOR CORNER; THENCE N 87° 15' 33" W, A DISTANCE OF 358.34' TO A POINT FOR CORNER; THENCE N 07° 35' 36" E, A DISTANCE OF 570.38' TO A POINT FOR CORNER; THENCE N 20° 22' 12" W, A DISTANCE OF 717.05' TO A POINT FOR CORNER; THENCE N 86° 27' 28" W, A DISTANCE OF 260.27' TO A POINT FOR CORNER; THENCE N 01° 17' 39" E, A DISTANCE OF 448.25' TO A POINT FOR CORNER; THENCE N 00° 33' 16" W, A DISTANCE OF 692.00' TO A POINT FOR CORNER; THENCE N 89° 15' 37" W, A DISTANCE OF 49.05' TO A POINT FOR CORNER; THENCE N 00° 22' 29" E, A DISTANCE OF 139.81' TO A POINT FOR CORNER; THENCE S 89° 54' 19" E, A DISTANCE OF 53.74' TO A POINT FOR CORNER; THENCE N 00° 15' 01" E, A DISTANCE OF 141.61' TO A POINT FOR CORNER; THENCE N 89° 31' 58" E, A DISTANCE OF 50.08' TO A POINT FOR CORNER; THENCE N 00° 22' 36" E, A DISTANCE OF 310.00' TO A POINT FOR CORNER; THENCE S 84° 43' 00" E, A DISTANCE OF 114.79' TO A POINT FOR CORNER; THENCE N 09° 54' 47" E, A DISTANCE OF 172.74' TO A POINT FOR CORNER; THENCE N 84° 56' 09" W, A DISTANCE OF 34.31' TO A POINT FOR CORNER; THENCE N 05° 00' 00" W, A DISTANCE OF 370.00' TO A POINT FOR CORNER; THENCE N 29° 00' 32" W, A DISTANCE OF 636.47' TO A POINT FOR CORNER; THENCE N 87° 15' 06" E, A DISTANCE OF 178.70' TO A POINT FOR CORNER; THENCE S 75° 17' 45" E, A DISTANCE OF 277.60' TO A POINT FOR CORNER; THENCE S 80° 14' 51" E, A DISTANCE OF 107.07' TO A POINT FOR CORNER;

THENCE S 89° 30' 52" E, A DISTANCE OF 97.28' TO A POINT FOR CORNER; THENCE N 76° 28' 10" E, A DISTANCE OF 271.22' TO A POINT FOR CORNER; THENCE S 86° 51' 44" E, A DISTANCE OF 219.72' TO A POINT FOR CORNER; THENCE S 41° 18' 00" W, A DISTANCE OF 314.00' TO A POINT FOR CORNER; THENCE S 55° 02' 00" E, A DISTANCE OF 336.40' TO A POINT FOR CORNER; THENCE S 04° 06' 50" W, A DISTANCE OF 450.54' TO A POINT FOR CORNER; THENCE S 00° 04' 57" E, A DISTANCE OF 230.89' TO A POINT FOR CORNER; THENCE S 87° 27' 19" E, A DISTANCE OF 533.25' TO A POINT FOR CORNER; THENCE S 09° 08' 02" E, A DISTANCE OF 218.81' TO A POINT FOR CORNER; THENCE S 04° 35' 13" E, A DISTANCE OF 108.78' TO A POINT FOR CORNER; THENCE S 50° 43' 31" W, A DISTANCE OF 630.72' TO A POINT FOR CORNER; THENCE S 08° 27' 05" E, A DISTANCE OF 164.79' TO A POINT FOR CORNER; THENCE S 87° 22' 41" E, A DISTANCE OF 1110.90' TO A POINT FOR CORNER; THENCE S 15° 41' 48" W, A DISTANCE OF 354.04' TO A POINT FOR CORNER; THENCE S 02° 08' 56" W, A DISTANCE OF 467.16' TO A POINT FOR CORNER; THENCE N 89° 28' 20" E, A DISTANCE OF 541.08' TO A POINT FOR CORNER; THENCE N 00° 03' 14" W, A DISTANCE OF 50.00' TO A POINT FOR CORNER; THENCE N 44° 33' 48" E, A DISTANCE OF 38.10' TO A POINT FOR CORNER; THENCE S 58° 35' 10" E, A DISTANCE OF 144.47' TO A POINT FOR CORNER; THENCE S 68° 36' 37" E, A DISTANCE OF 92.81' TO A POINT FOR CORNER; THENCE S 86° 12' 52" E, A DISTANCE OF 287.67' TO A POINT FOR CORNER; THENCE S 01° 09' 43" W, A DISTANCE OF 1148.58' TO A POINT FOR CORNER; THENCE S 89° 32' 24" E, A DISTANCE OF 821.05' TO A POINT FOR CORNER; THENCE N 50° 06' 36" E, A DISTANCE OF 396.00' TO A POINT FOR CORNER; THENCE N 11° 16' 12" E, A DISTANCE OF 218.18' TO A POINT FOR CORNER;

THENCE N 49° 09' 00" E, A DISTANCE OF 386.58' TO A POINT FOR CORNER; THENCE N 14° 00' 36" E, A DISTANCE OF 376.45' TO A POINT FOR CORNER; THENCE S 82° 33' 36" E, A DISTANCE OF 107.84' TO A POINT FOR CORNER; THENCE S 36° 20' 24" E, A DISTANCE OF 445.50' TO A POINT FOR CORNER; THENCE S 01° 19' 48" W, A DISTANCE OF 319.90' TO A POINT FOR CORNER; THENCE S 88° 54' 04" E, A DISTANCE OF 211.88' TO A POINT FOR CORNER; THENCE S 48° 03' 04" E, A DISTANCE OF 62.17' TO A POINT FOR CORNER; THENCE S 84° 11' 01" E, A DISTANCE OF 55.99' TO A POINT FOR CORNER; THENCE N 88° 24' 22" E, A DISTANCE OF 463.75' TO A POINT FOR CORNER; THENCE S 00° 10' 35" W, A DISTANCE OF 209.46' TO A POINT FOR CORNER; THENCE S 83° 57' 03" E, A DISTANCE OF 147.85' TO A POINT FOR CORNER; THENCE S 77° 30' 52" E, A DISTANCE OF 114.00' TO A POINT FOR CORNER; THENCE S 76° 32' 42" E, A DISTANCE OF 193.23' TO A POINT FOR CORNER; THENCE S 76° 32' 42" E, A DISTANCE OF 364.76' TO A POINT FOR CORNER; THENCE S 14° 10' 41" W, A DISTANCE OF 551.87' TO A POINT FOR CORNER; THENCE S 08° 25' 38" W, A DISTANCE OF 60.26' TO A POINT FOR CORNER; THENCE S 54° 58' 06" E, A DISTANCE OF 174.36' TO A POINT FOR CORNER; THENCE S 31° 09' 34" E, A DISTANCE OF 221.88' TO A POINT FOR CORNER; THENCE S 34° 59' 31" W, A DISTANCE OF 35.93' TO A POINT FOR CORNER; THENCE S 48° 00' 45" E, A DISTANCE OF 59.41' TO A POINT FOR CORNER; THENCE S 05° 21' 21" W, A DISTANCE OF 47.31' TO A POINT FOR CORNER; THENCE S 62° 52' 43" E, A DISTANCE OF 67.80' TO A POINT FOR CORNER; THENCE S 32° 03' 28" E, A DISTANCE OF 85.97' TO A POINT FOR CORNER; THENCE S 11° 08' 11" E, A DISTANCE OF 190.51' TO A POINT FOR CORNER; THENCE S 28° 53' 12" E, A DISTANCE OF 97.50' TO A POINT FOR CORNER;

THENCE S 39° 03' 46" E, A DISTANCE OF 130.80' TO A POINT FOR CORNER; THENCE S 35° 56' 31" E, A DISTANCE OF 145.44' TO A POINT FOR CORNER; THENCE S 79° 10' 39" E, A DISTANCE OF 101.90' TO A POINT FOR CORNER; THENCE N 44° 15' 56" E, A DISTANCE OF 162.37' TO A POINT FOR CORNER; THENCE N 45° 27' 04" E, A DISTANCE OF 198.27' TO A POINT FOR CORNER; THENCE N 58° 20' 21" E, A DISTANCE OF 77.05' TO A POINT FOR CORNER; THENCE N 58° 12' 53" E, A DISTANCE OF 163.53' TO A POINT FOR CORNER; THENCE N 64° 38' 55" E, A DISTANCE OF 201.36' TO A POINT FOR CORNER; THENCE N 66° 10' 53" E, A DISTANCE OF 158.26' TO A POINT FOR CORNER; THENCE N 74° 52' 32" E, A DISTANCE OF 56.41' TO A POINT FOR CORNER; THENCE N 67° 03' 04" E, A DISTANCE OF 177.42' TO A POINT FOR CORNER; THENCE N 03° 05' 39" E, A DISTANCE OF 218.15' TO A POINT FOR CORNER; THENCE N 71° 22' 20" W, A DISTANCE OF 138.24' TO A POINT FOR CORNER; THENCE N 68° 03' 24" W, A DISTANCE OF 220.57' TO A POINT FOR CORNER; THENCE N 76° 43' 11" W, A DISTANCE OF 243.48' TO A POINT FOR CORNER; THENCE N 65° 00' 35" W, A DISTANCE OF 191.62' TO A POINT FOR CORNER; THENCE N 17° 29' 18" W, A DISTANCE OF 112.65' TO A POINT FOR CORNER; THENCE N 26° 13' 56" E, A DISTANCE OF 113.22' TO A POINT FOR CORNER; THENCE N 88° 21' 14" E, A DISTANCE OF 256.21' TO A POINT FOR CORNER; THENCE S 79° 50' 52" E, A DISTANCE OF 105.65' TO A POINT FOR CORNER; THENCE S 80° 53' 18" E, A DISTANCE OF 49.71' TO A POINT FOR CORNER; THENCE S 85° 18' 51" E, A DISTANCE OF 90.08' TO A POINT FOR CORNER; THENCE N 71° 48' 59" E, A DISTANCE OF 212.24' TO A POINT FOR CORNER; THENCE S 60° 31' 29" E, A DISTANCE OF 38.89' TO A POINT FOR CORNER; THENCE N 88° 27' 07" E, A DISTANCE OF 108.96' TO A POINT FOR CORNER;

THENCE N 68° 54' 08" E, A DISTANCE OF 200.36' TO A POINT FOR CORNER; THENCE N 00° 00' 00" W, A DISTANCE OF 42.68' TO A POINT FOR CORNER; THENCE N 39° 48' 20" E, A DISTANCE OF 68.97' TO A POINT FOR CORNER; THENCE N 53° 35' 01" E, A DISTANCE OF 111.57' TO A POINT FOR CORNER; THENCE N 07° 01' 42" E, A DISTANCE OF 108.26' TO A POINT FOR CORNER; THENCE N 08° 23' 34" W, A DISTANCE OF 90.76' TO A POINT FOR CORNER; THENCE N 64° 10' 44" W, A DISTANCE OF 50.69' TO A POINT FOR CORNER; THENCE N 27° 48' 06" W, A DISTANCE OF 91.52' TO A POINT FOR CORNER; THENCE N 77° 45' 51" W, A DISTANCE OF 125.00' TO A POINT FOR CORNER; THENCE S 72° 07' 18" W, A DISTANCE OF 143.83' TO A POINT FOR CORNER; THENCE N 75° 57' 49" W, A DISTANCE OF 91.03' TO A POINT FOR CORNER; THENCE S 65° 33' 21" W, A DISTANCE OF 35.57' TO A POINT FOR CORNER; THENCE N 69° 34' 02" W, A DISTANCE OF 160.21' TO A POINT FOR CORNER; THENCE N 36° 39' 56" W, A DISTANCE OF 165.14' TO A POINT FOR CORNER; THENCE N 37° 35' 26" W, A DISTANCE OF 234.04' TO A POINT FOR CORNER; THENCE N 40° 26' 59" W, A DISTANCE OF 301.73' TO A POINT FOR CORNER; THENCE N 80° 32' 15" E, A DISTANCE OF 53.72' TO A POINT FOR CORNER; THENCE S 64° 28' 13" E, A DISTANCE OF 109.28' TO A POINT FOR CORNER; THENCE S 83° 44' 11" E, A DISTANCE OF 121.42' TO A POINT FOR CORNER; THENCE S 87° 35' 21" E, A DISTANCE OF 139.95' TO A POINT FOR CORNER; THENCE N 56° 06' 14" E, A DISTANCE OF 113.49' TO A POINT FOR CORNER; THENCE N 41° 55' 21" E, A DISTANCE OF 96.93' TO A POINT FOR CORNER; THENCE N 69° 29' 31" E, A DISTANCE OF 205.86' TO A POINT FOR CORNER; THENCE N 49° 49' 15" E, A DISTANCE OF 86.69' TO A POINT FOR CORNER; THENCE N 40° 09' 21" W, A DISTANCE OF 61.63' TO A POINT FOR CORNER;

THENCE N 27° 27' 40" W, A DISTANCE OF 134.69' TO A POINT FOR CORNER; THENCE N 85° 17' 07" W, A DISTANCE OF 143.26' TO A POINT FOR CORNER; THENCE S 88° 48' 53" W, A DISTANCE OF 213.47' TO A POINT FOR CORNER; THENCE S 78° 06' 41" W, A DISTANCE OF 114.31' TO A POINT FOR CORNER; THENCE N 56° 53' 22" W, A DISTANCE OF 40.42' TO A POINT FOR CORNER; THENCE N 40° 14' 11" W, A DISTANCE OF 50.13' TO A POINT FOR CORNER; THENCE N 33° 01' 25" W, A DISTANCE OF 35.11' TO A POINT FOR CORNER; THENCE N 10° 18' 19" W, A DISTANCE OF 49.37' TO A POINT FOR CORNER; THENCE N 00° 00' 00" W, A DISTANCE OF 47.10' TO A POINT FOR CORNER; THENCE N 39° 48' 20" E, A DISTANCE OF 68.97' TO A POINT FOR CORNER; THENCE N 27° 08' 59" E, A DISTANCE OF 64.51' TO A POINT FOR CORNER; THENCE N 53° 41' 44" E, A DISTANCE OF 89.49' TO A POINT FOR CORNER; THENCE N 20° 04' 18" E, A DISTANCE OF 81.49' TO A POINT FOR CORNER; THENCE N 19° 20' 40" W, A DISTANCE OF 146.63' TO A POINT FOR CORNER; THENCE N 01° 45' 45" E, A DISTANCE OF 39.37' TO A POINT FOR CORNER; THENCE N 23° 04' 43" E, A DISTANCE OF 57.08' TO A POINT FOR CORNER; THENCE N 81° 29' 31" E, A DISTANCE OF 35.68' TO A POINT FOR CORNER; THENCE S 81° 36' 26" E, A DISTANCE OF 45.38' TO A POINT FOR CORNER; THENCE N 51° 49' 05" E, A DISTANCE OF 96.43' TO A POINT FOR CORNER; THENCE N 42° 26' 11" E, A DISTANCE OF 69.80' TO A POINT FOR CORNER; THENCE N 29° 44' 42" W, A DISTANCE OF 47.47' TO A POINT FOR CORNER; THENCE N 11° 33' 36" E, A DISTANCE OF 66.10' TO A POINT FOR CORNER; THENCE N 17° 44' 42" E, A DISTANCE OF 77.27' TO A POINT FOR CORNER; THENCE N 16° 47' 55" W, A DISTANCE OF 81.49' TO A POINT FOR CORNER; THENCE N 71° 33' 54" W, A DISTANCE OF 46.54' TO A POINT FOR CORNER;

THENCE N 26° 33' 55" W, A DISTANCE OF 29.62' TO A POINT FOR CORNER; THENCE N 00° 00' 02" W, A DISTANCE OF 29.44' TO A POINT FOR CORNER; THENCE S 70° 29' 59" W, A DISTANCE OF 463.35' TO A POINT FOR CORNER; THENCE S 42° 25' 06" W, A DISTANCE OF 338.77' TO A POINT FOR CORNER; THENCE S 00° 28' 03" W, A DISTANCE OF 49.79' TO A POINT FOR CORNER; THENCE S 87° 03' 38" W, A DISTANCE OF 188.27' TO A POINT FOR CORNER; THENCE N 02° 45' 44" W, A DISTANCE OF 215.95' TO A POINT FOR CORNER; THENCE S 87° 15' 50" W, A DISTANCE OF 211.65' TO A POINT FOR CORNER; THENCE N 02° 16' 12" E, A DISTANCE OF 232.08' TO A POINT FOR CORNER; THENCE N 02° 21' 17" W, A DISTANCE OF 288.96' TO A POINT FOR CORNER; THENCE N 88° 07' 12" W, A DISTANCE OF 189.90' TO A POINT FOR CORNER; THENCE N 15° 38' 14" W, A DISTANCE OF 102.38' TO A POINT FOR CORNER; THENCE N 43° 53' 06" W, A DISTANCE OF 948.71' TO A POINT FOR CORNER; THENCE N 00° 21' 43" E, A DISTANCE OF 209.54' TO A POINT FOR CORNER; THENCE N 89° 21' 00" E, A DISTANCE OF 208.70' TO A POINT FOR CORNER; THENCE S 00° 04' 16" W, A DISTANCE OF 207.04' TO A POINT FOR CORNER; THENCE N 88° 36' 41" E, A DISTANCE OF 415.10' TO A POINT FOR CORNER; THENCE N 89° 12' 18" E, A DISTANCE OF 118.07' TO A POINT FOR CORNER; THENCE N 73° 48' 39" E, A DISTANCE OF 580.20' TO A POINT FOR CORNER; THENCE N 29° 30' 34" W, A DISTANCE OF 991.56' TO A POINT FOR CORNER; THENCE N 08° 58' 21" W, A DISTANCE OF 20.04' TO A POINT FOR CORNER; THENCE S 88° 49' 43" W, A DISTANCE OF 140.13' TO A POINT FOR CORNER; THENCE N 88° 50' 12" W, A DISTANCE OF 77.97' TO A POINT FOR CORNER; THENCE N 87° 00' 35" W, A DISTANCE OF 214.26' TO A POINT FOR CORNER; THENCE N 03° 36' 19" E, A DISTANCE OF 109.33' TO A POINT FOR CORNER;

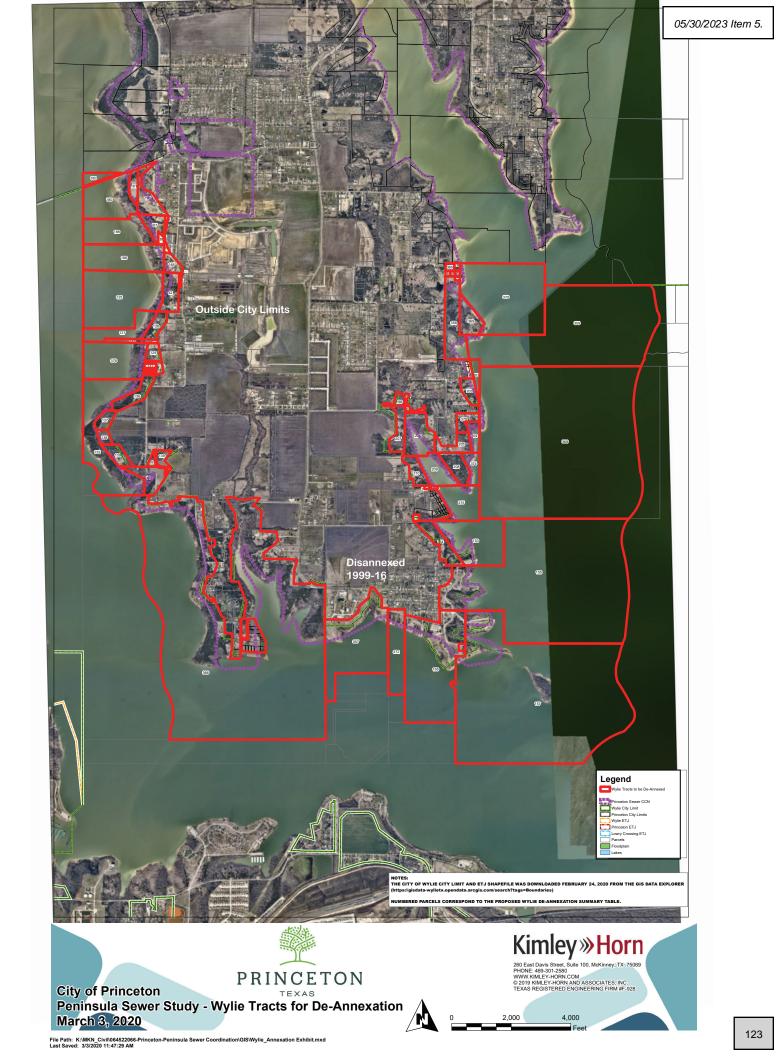
THENCE N 89° 23' 51" W, A DISTANCE OF 373.40' TO A POINT FOR CORNER; THENCE N 00° 30' 00" W, A DISTANCE OF 222.46' TO A POINT FOR CORNER; THENCE N 87° 15' 00" W, A DISTANCE OF 125.82' TO A POINT FOR CORNER; THENCE N 02° 09' 36" W, A DISTANCE OF 450.12' TO A POINT FOR CORNER; THENCE N 58° 32' 38" W, A DISTANCE OF 273.78' TO A POINT FOR CORNER; THENCE N 02° 28' 48" E, A DISTANCE OF 166.53' TO A POINT FOR CORNER; THENCE N 28° 28' 48" E, A DISTANCE OF 120.00' TO A POINT FOR CORNER; THENCE N 01° 33' 36" E, A DISTANCE OF 47.00' TO A POINT FOR CORNER; THENCE N 88° 14' 45" W, A DISTANCE OF 74.04' TO A POINT FOR CORNER; THENCE S 89° 09' 23" W, A DISTANCE OF 406.51' TO A POINT FOR CORNER; THENCE S 89° 09' 23" W, A DISTANCE OF 57.24' TO A POINT FOR CORNER; THENCE N 01° 17' 09" W, A DISTANCE OF 398.77' TO A POINT FOR CORNER; THENCE N 56° 51' 13" E, A DISTANCE OF 300.69' TO A POINT FOR CORNER; THENCE N 01° 11' 11" W, A DISTANCE OF 764.79' TO A POINT FOR CORNER; THENCE N 49° 19' 30" W, A DISTANCE OF 180.35' TO A POINT FOR CORNER; THENCE N 58° 03' 29" W, A DISTANCE OF 70.47' TO A POINT FOR CORNER; THENCE N 78° 12' 40" W, A DISTANCE OF 93.69' TO A POINT FOR CORNER; THENCE N 89° 35' 31" W, A DISTANCE OF 99.93' TO A POINT FOR CORNER; THENCE N 56° 24' 07" W, A DISTANCE OF 59.67' TO A POINT FOR CORNER; THENCE N 00° 25' 22" E, A DISTANCE OF 35.70' TO A POINT FOR CORNER; THENCE N 71° 53' 32" E, A DISTANCE OF 52.96' TO A POINT FOR CORNER; THENCE S 89° 02' 59" E, A DISTANCE OF 127.80' TO A POINT FOR CORNER; THENCE S 77° 11' 02" E, A DISTANCE OF 83.60' TO A POINT FOR CORNER; THENCE S 64° 22' 35" E, A DISTANCE OF 55.83' TO A POINT FOR CORNER; THENCE S 54° 07' 48" E, A DISTANCE OF 55.83' TO A POINT FOR CORNER;

THENCE N 13° 57' 39" E, A DISTANCE OF 459.85' TO A POINT FOR CORNER; THENCE S 83° 43' 21" E, A DISTANCE OF 110.11' TO A POINT FOR CORNER; THENCE S 89° 18' 21" E, A DISTANCE OF 167.55' TO A POINT FOR CORNER; THENCE S 89° 18' 21" E, A DISTANCE OF 182.84' TO A POINT FOR CORNER; THENCE S 01° 15' 29" W, A DISTANCE OF 72.44' TO A POINT FOR CORNER; THENCE S 46° 21' 00" W, A DISTANCE OF 180.00' TO A POINT FOR CORNER; THENCE S 30° 00' 00" E, A DISTANCE OF 278.46' TO A POINT FOR CORNER; THENCE S 30° 00' 00" E, A DISTANCE OF 131.54' TO A POINT FOR CORNER; THENCE N 88° 00' 00" E, A DISTANCE OF 75.00' TO A POINT FOR CORNER; THENCE S 86° 13' 12" E, A DISTANCE OF 80.00' TO A POINT FOR CORNER; THENCE N 69° 24' 36" E, A DISTANCE OF 233.35' TO A POINT FOR CORNER; THENCE N 22° 18' 00" E, A DISTANCE OF 110.00' TO A POINT FOR CORNER; THENCE S 23° 18' 00" E, A DISTANCE OF 131.00' TO A POINT FOR CORNER; THENCE S 40° 00' 00" W, A DISTANCE OF 128.00' TO A POINT FOR CORNER; THENCE S 89° 21' 36" W, A DISTANCE OF 475.00' TO A POINT FOR CORNER; THENCE N 67° 57' 39" W, A DISTANCE OF 147.58' TO A POINT FOR CORNER; THENCE S 00° 57' 48" W, A DISTANCE OF 94.16' TO A POINT FOR CORNER; THENCE N 89° 24' 06" E, A DISTANCE OF 696.72' TO A POINT FOR CORNER; THENCE S 07° 28' 34" E, A DISTANCE OF 531.19' TO A POINT FOR CORNER; THENCE S 61° 17' 11" E, A DISTANCE OF 250.77' TO A POINT FOR CORNER; THENCE S 28° 31' 25" E, A DISTANCE OF 29.32' TO A POINT FOR CORNER; THENCE S 28° 31' 26" E, A DISTANCE OF 503.48' TO A POINT FOR CORNER; THENCE S 89° 28' 17" E, A DISTANCE OF 502.00' TO A POINT FOR CORNER; THENCE N 00° 00' 00" W, A DISTANCE OF 457.40' TO A POINT FOR CORNER; THENCE N 00° 34' 13" W, A DISTANCE OF 642.56' TO A POINT FOR CORNER;

THENCE N 90° 00' 00" E, A DISTANCE OF 766.59' TO A POINT FOR CORNER; THENCE N 00° 00' 00" W, A DISTANCE OF 270.00' TO A POINT FOR CORNER; THENCE N 90° 00' 00" W, A DISTANCE OF 269.81' TO A POINT FOR CORNER; THENCE N 35° 07' 59" W, A DISTANCE OF 572.47' TO A POINT FOR CORNER; THENCE N 08° 06' 37" W, A DISTANCE OF 437.78' TO A POINT FOR CORNER; THENCE N 89° 50' 46" E, A DISTANCE OF 265.44' TO A POINT FOR CORNER; THENCE S 88° 17' 22" E, A DISTANCE OF 208.47' TO A POINT FOR CORNER; THENCE N 13° 12' 21" W, A DISTANCE OF 658.24' TO A POINT FOR CORNER; THENCE N 89° 56' 18" W, A DISTANCE OF 391.95' TO A POINT FOR CORNER; THENCE N 88° 17' 35" W, A DISTANCE OF 433.72' TO A POINT FOR CORNER; THENCE N 00° 23' 43" W, A DISTANCE OF 1127.51' TO A POINT FOR CORNER; THENCE N 01° 05' 16" E, A DISTANCE OF 1654.74' TO A POINT FOR CORNER; THENCE N 01° 05' 16" E, A DISTANCE OF 181.70' TO A POINT FOR CORNER; THENCE N 01° 05' 16" E, A DISTANCE OF 265.95' TO A POINT FOR CORNER; THENCE S 89° 36' 47" E, A DISTANCE OF 2127.00' TO A POINT FOR CORNER; THENCE S 89° 15' 16" E, A DISTANCE OF 1207.25' TO A POINT FOR CORNER; THENCE S 00° 02' 37" W, A DISTANCE OF 719.59' TO A POINT FOR CORNER; THENCE N 90° 00' 00" E, A DISTANCE OF 2285.77' TO A POINT FOR CORNER; THENCE N 89° 44' 38" E, A DISTANCE OF 654.68' TO A POINT FOR CORNER; THENCE N 89° 44' 38" E, A DISTANCE OF 612.09' TO A POINT FOR CORNER; THENCE S 30° 18' 45" E, A DISTANCE OF 212.86' TO A POINT FOR CORNER; THENCE S 08° 08' 52" E, A DISTANCE OF 278.98' TO A POINT FOR CORNER; THENCE S 09° 38' 53" E, A DISTANCE OF 139.49' TO A POINT FOR CORNER; THENCE S 11° 08' 15" E, A DISTANCE OF 276.09' TO A POINT FOR CORNER; THENCE S 28° 30' 01" E, A DISTANCE OF 100.17' TO A POINT FOR CORNER;

THENCE S 15° 30' 01" E, A DISTANCE OF 100.17' TO A POINT FOR CORNER; THENCE S 02° 30' 01" E, A DISTANCE OF 100.17' TO A POINT FOR CORNER; THENCE S 10° 29' 59" W, A DISTANCE OF 100.17' TO A POINT FOR CORNER; THENCE S 23° 29' 59" W, A DISTANCE OF 100.17' TO A POINT FOR CORNER; THENCE S 36° 29' 27" W, A DISTANCE OF 100.03' TO A POINT FOR CORNER; THENCE S 24° 24' 24" W, A DISTANCE OF 381.52' TO A POINT FOR CORNER; THENCE S 21° 24' 24" W, A DISTANCE OF 381.52' TO A POINT FOR CORNER; THENCE S 18° 48' 05" W, A DISTANCE OF 281.10' TO A POINT FOR CORNER; THENCE S 02° 12' 10" W, A DISTANCE OF 114.13' TO A POINT FOR CORNER; THENCE N 89° 55' 22" W, A DISTANCE OF 17.05' TO A POINT FOR CORNER; THENCE S 23° 35' 11" W, A DISTANCE OF 234.23' TO A POINT FOR CORNER; THENCE S 20° 05' 50" W, A DISTANCE OF 214.23' TO A POINT FOR CORNER; THENCE S 15° 50' 59" W, A DISTANCE OF 312.82' TO A POINT FOR CORNER; THENCE S 10° 20' 59" W, A DISTANCE OF 375.33' TO A POINT FOR CORNER; THENCE S 04° 51' 00" W, A DISTANCE OF 312.82' TO A POINT FOR CORNER; THENCE S 00° 09' 01" E, A DISTANCE OF 312.82' TO A POINT FOR CORNER;

THENCE S 03° 24' 19" E, A DISTANCE OF 94.51' TO THE POINT OF BEGINNING AND CONTAINING 174,669,895 SQUARE FEET, OR 4009.87 ACRES OF LAND, MORE OR LESS.





Wylie City Council AGENDA REPORT

Departme	nt:
Prepared	By:

Purchasing Glenna Hayes Account Code:

470-5470-58150

Subject

Consider, and act upon, the recommendation to reject all bids for W2023-50-B East Meadow Trail Splash Pad and Community Park Splash Pad.

Recommendation

Motion to approve the Item as presented.

Discussion

The City issued a competitive sealed bid and advertised in the local newspaper for the East Meadow Trail Splash Pad and Community Park Splash Pad project. The bid contained separate scopes of work which were customized to the requirements of each location, and was comprised of a base bid and alternate items with award subject to budgeted funds.

The City received only one (1) bid for the project. Purchasing and the department completed their due diligence in reviewing the bid and have determined that the bid was over budget and does not meet the standard of being "fair and reasonable" in its pricing, and does not provide the best overall value for the City. Staff recommends that the City of Wylie City Council reject all bids in accordance with Local Government Code 252.043.f.

125

BID TABULATION W2023-50-B

EAST MEADOW TRAIL SPLASH PAD & COMMUNITY PARK SPLASH PAD MAY 03, 2023 @ 4:00 pm CDT

Respondents:

MILLIS DEVELOPMENT

EAST MEADOW \$2,025,173.17 COMMUNITY \$1,144,062.85

I certify that the above includes all firms who submitted a bid and that pricing is as submitted.

Christopher Rodriguez Sr. Buyer

Christopher Rodriguez

"BID TABULATION STATEMENT"

ALL BIDS SUBMITTED FOR THE DESIGNATED PROJECT ARE REFLECTED ON THIS BID TAB SHEET. HOWEVER, THE LISTING OF A BID ON THIS SHEET SHOULD NOT BE CONSTRUED AS A COMMENT ON THE RESPONSIVENESS OF SUCH BID OR AS ANY INDICATION THAT THE CITY ACCEPTS SUCH BID AS RESPONSIVE. THE CITY WILL MAKE A DETERMINATION AS TO THE RESPONSIVENESS OF BIDS SUBMITTED BASED UPON COMPLIANCE WITH ALL APPLICABLE LAWS AND CITY OF WYLIE BID SPECIFICATIONS AND PROJECT DOCUMENTS. THE CITY WILL NOTIFY THE SUCCESSFUL BIDDER UPON AWARD OF THE CONTRACT AND, ACCORDING TO LAW, ALL BIDS RECEIVED WILL BE AVAILABLE FOR INSPECTION AT THAT TIME.

PURCHASING DEPARTMENT CITY OF WYLIE, TEXAS

May 04 2023

CITY OF

/ Date



Wylie City Council AGENDA REPORT

Department:

Planning

Account Code:

Prepared By:

Jasen Haskins, AICP

Subject

Discuss a potential change of zoning from Neighborhood Services to Planned Development (PD-Mixed Use) on approximately 14.24 acres, generally located on the southeast corner of Country Club Road and Park Boulevard.

Recommendation

Discussion.

Discussion

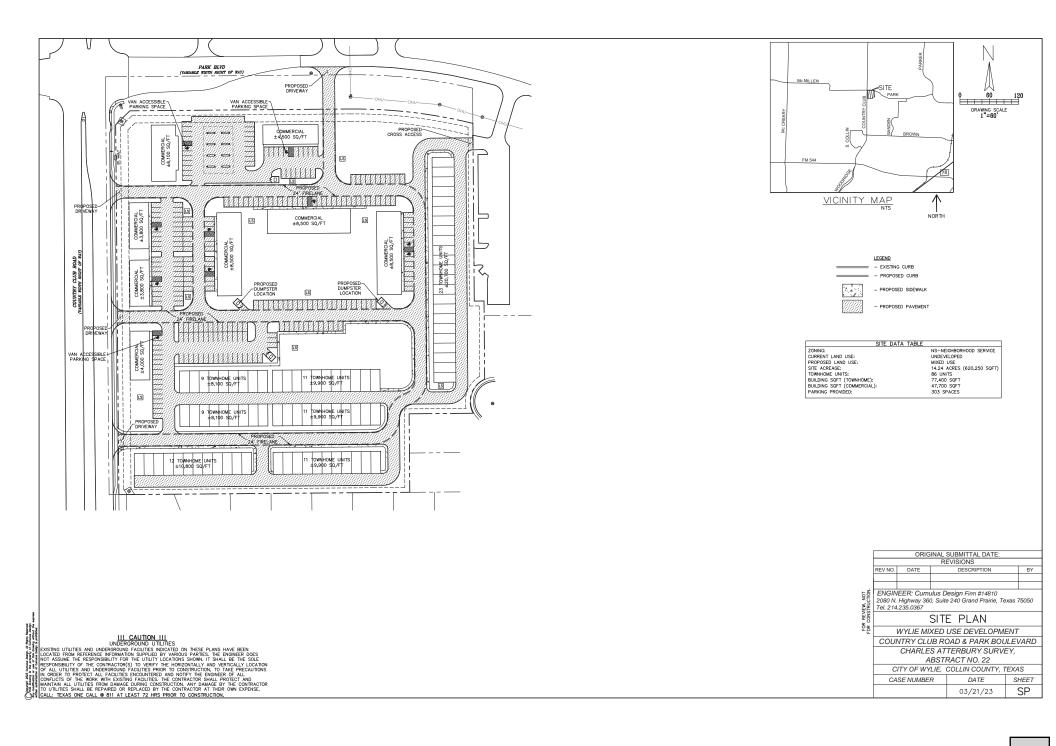
Property owners and developers are seeking input from the City Council for a potential Planned Development on approximately 14.24 acres on the southeast corner of Country Club Road and Park Boulevard.

The current proposal includes a mix of commercial uses along Country Club Road and Park Boulevard totaling 47,700 sq. ft. of commercial development, 86 townhome units as a buffer from the existing residential development, and three 1-2-acre open space areas.

The property is located within the Local Commercial sector of the Future Land Use Plan. The property to the south contains a single-family detached residential development. The property to the north contains a day care center and commercially zoned undeveloped land. The property to the east contains a day care center and single-family residential development. The property to the west is zoned agricultural and is developed with single family detached homes.

P&Z Recommendation

At a work session with P&Z, the Commissioners discussed townhome lot size being less than normally required, the urban feel of the architecture, the possible need for additional landscaping on areas abutting existing residential, the positive aspects of the open space and amenities, and the dual facing of the commercial buildings adjacent to Country Club.







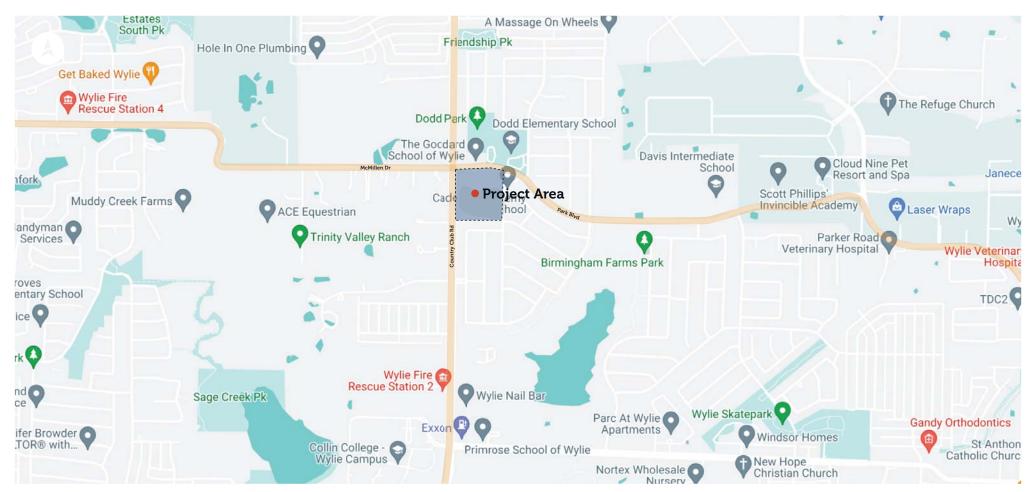
This concept design booklet has been prepared for City of Wylie by Majestic Enterprises LLC and only includes the general approaches. The technical requirements may vary depending on designs, materials, or general decisions.

April 2023

Wylie Square Park - Concept Design Booklet

Location





Wylie Square Park - Concept Design Booklet

Location





Wylie Square Park - Concept Design Booklet

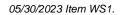
















Visualizations



Wylie Square Park - Concept Design Booklet



















05/30/2023 Item WS1.

Thank You