

Wylie City Council Regular Meeting

June 27, 2023 – 6:00 PM

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



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS & RECOGNITIONS

PR1. Junior Mayor Tristan Rhodus.

PR2. Presentation to outgoing Wylie Boards and Commission Members.

PR3. Oath of Office for Incoming Wylie Boards and Commission Members.

PR4. National Park and Recreation 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 June 13, 2023 Regular City Council Meeting minutes.
- B. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for May 31, 2023.
- C. Consider, and place on file, the City of Wylie Monthly Investment Report for May 31, 2023.
- D. Consider, and act upon, Ordinance No. 2023-26 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.
- E. Consider, and act upon, approval of the Non-Profit Park Event Application from Cure Sanfilippo Foundation representative Katharine Sink, to hold the 2nd Annual Do it for Declan 5K and Fun Run event at Founders Park on Saturday, December 9, 2023.
- F. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of May 31, 2023.

REGULAR AGENDA

1. **Tabled from 05-30-2023**

Remove from table and consider

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

2. Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Agricultural (AG/30) to Light Industrial - Special Use Permit (LI-SUP) on 8.96 acres to allow for a battery storage use. Property located at 1011 E. Brown St. (ZC 2023-08).

3. Consider, and act upon, approval of the Non-Profit Park Event Application from Hope's Gate representative Patricia Bauman, to hold the "Hope Under The Stars" fundraiser event at Olde City Park on Saturday, October 21, 2023.

4. Discussion and consideration of all matters incident and related to the issuance and sale of "City of Wylie, Texas, General Obligation Bonds, Series 2023," including the adoption of Ordinance No. 2023-27 authorizing the issuance of such bonds and related agreements.

WORK SESSION

WS1. Discuss Breezy Beach RV Resort Sanitary Sewer.

WS2. Discuss General Fund, Utility Fund, and 4B Fund.

RECONVENE INTO REGULAR SESSION

EXECUTIVE SESSION

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

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

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

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

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 June 23, 2023 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

Stephanie Storm, City Secretary

Date Notice Removed

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

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

Texas Government Code Section:

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



Wylie City Council

AGENDA REPORT

Department: City Secretary
Prepared By: Stephanie Storm

Account Code: _____

Subject

Consider, and act upon, approval of the June 13, 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

June 13, 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 6:02 p.m. The following City Council members were present: Junior Mayor Aubri Heverly, Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, Councilman Sid Hoover, and Councilman Gino Mulliqi.

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; Parks and Recreation Director Carmen Powlen; Purchasing Manager Glenna Hayes; City Engineer Tim Porter; Fire Marshal Cory Claborn; Library Director Ofilia Barrera; Public Works Director Tommy Weir; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Forrester led the invocation, and Junior Mayor Aubri Heverly led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

PR1. Junior Mayor - Aubri Heverly.

Mayor Porter introduced Junior Mayor Aubri Heverly, administered the oath of office, and presented a proclamation for "Mayor of the Day."

PR2. Recognition of Detective Chris Meehan for the Attorney General's Special Commendation Award.

Mayor Porter recognized Detective Chris Meehan for being recognized in Washington D.C. with the Attorney General's Special Commendation Award for his work in combating and investigating child exploitation crimes. Detective Meehan and members of the Wylie Police Department were present for the recognition.

PR3. Recognition of Chuck Flesch and his many years of service organizing the Wylie Veterans Memorial Salute to Heroes.

Mayor Porter presented a proclamation proclaiming June 13, 2023 as Chuck Flesch Day in Wylie, Texas. Chuck Flesch and his family and friends were present to accept the Proclamation.

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.

There were no persons present wishing to address the Council.

CONSENT AGENDA

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

- A. **Consider, and act upon, approval of the May 30, 2023 Regular City Council Meeting minutes.**
- B. **Consider, and act upon, Ordinance No. 2023-23 regarding an Amendment to 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 (ZC 2023-07).**
- C. **Consider, and act upon, the approval of a request for substantial renovation to construct an addition to an existing residential structure, located at 409 N. Ballard within the Downtown Historic District.**
- D. **Consider, and act upon, Ordinance No. 2023-24 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.**
- E. **Consider, and act upon, Ordinance No. 2023-25 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.**

Council Action

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

REGULAR AGENDA

- 1. **Consider, and act upon, appointments to fill the Board of Review vacancies for a term to begin July 1, 2023 and end June 30, 2025.**

Council Comments

Mayor Porter confirmed there are four positions, two seated positions and two alternates, available on the Board of Review.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to appoint James Koch and Navin Kumar, and alternates William Crowe and Mary Nitschke for the Board of Review vacancies for a term to begin July 1, 2023 and ending June 30, 2025. A vote was taken and the motion passed 7-0.

- 2. **Consider, and act upon, the recommendations of the 2023 Boards and Commission Council Interview Panel for appointments to the Animal Shelter Advisory Board, Construction Code Board, Historic Review Commission, Library Board, Parks and Recreation Board, Parks and Recreation Facilities Development Corporation Board (4B), Planning and Zoning Commission, Public Arts Advisory Board, Wylie Economic Development Corporation, and the Zoning Board of Adjustments to fill board vacancies for a term to begin July 1, 2023 and ending June 30, 2025/26.**

Council Comments

Mayor Porter asked the Board and Commission Interview Panel Chair Forrester for recommendations.

Mayor Porter announced that he filed a Conflict of Interest before the meeting for the Animal Shelter Advisory Board appointments and was stepping out during the discussion and action. Mayor Porter left his seat at the dais at 6:34 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Animal Shelter Advisory Board: re-appoint Amber Porter, and appoint Laurie Black and Joe Webb to the two new positions. A vote was taken and the motion passed 6-0 with Mayor Porter abstaining (conflict of interest on file).

Mayor Porter returned to his seat at the dais at 6:35 p.m.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Construction Code Board: re-appoint James Byrne, Brian Ortiz, and Bruce Moilan; appoint Bryan Rogers to replace Lowell Davis; and Justin Grayczyk to replace Michael Innella as Alternate 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Historic Review Commission: re-appoint Kali Patton, Krisleigh Hoermann, and Sandra Stone; appoint Stephen Burkett to replace Joe Chandler, Kevin Hughes as Replacement 1, and Bob Ollry as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Library Board: appoint Roberta Schaafsma to replace Kristina Jones, Monica Munoz to replace Kristin Botsford, Zachary Todd to replace Carla McCullough, Irene Chavira to replace Rosalynn Davis, and Brian Ortiz to replace Juan Azcarate (one-year term). A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Parks and Recreation Board: re-appoint Gloria Suarez, appoint Scott Hevel to replace Brian Willeford, Brian Arnold to replace Randall Zabochnik, Justin Grayczyk as Replacement 1, and Krisleigh Hoermann as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Parks and Recreation 4B Board: re-appoint Scott Williams, David R. Duke, and Scott Hevel; appoint Sid Hoover to replace Toby Wallis (one-year term), Auston Foster to replace Brian Willeford (one-year term), and Whitney McDougall to replace Emmett Jones (one-year term). A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Planning and Zoning Commission: re-appoint Joshua Butler and Jacques Loraine III; appoint Joe Chandler to replace Bryan Rogers, Zeb Black as Replacement 1, and Charles Thomas as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Public Arts Advisory Board: re-appoint Esther Bellah and John Treadwell; appoint Cassie Dyson to replace Minerva Bediako, Gloria Suarez to replace Christina Null, Irene Chavira as Replacement 1, and Brian Arnold as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following member to the Wylie Economic Development Corporation Board: re-appoint Aaron Jameson, and appoint Whitney McDougall to replace Gino Mulliqi (two-year term). A vote was taken and the motion passed 6-1 with Councilman Duke voting against.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Zoning Board of Adjustment: re-appoint Aaron Lovelace; appoint Jennifer Greiser to replace Sharon Osisanya, Hamza Fraz to replace Jennifer Grieser as Alternate 1 (one-year term), and Michael Innella to replace John Perdomo as Alternate 2. A vote was taken and the motion passed 7-0.

Mayor Porter thanked members of the 2023 Boards and Commissions Interview Panel (Mayor *pro tem* Forrester, Councilman Duke, and Councilman Strang).

WORK SESSION

Mayor Porter convened the Council into Work Session at 6:44 p.m.

WS1. North Texas Municipal Water District (NTMWD) to provide an overview of the District to new council members and discuss current and future projects.

Jenna Covington, Billy George, and R.J. Muraski, representing North Texas Municipal Water District (NTMWD), addressed Council giving a presentation on who NTMWD is, an overview of services, key regional projects, projects supporting Wylie, water supply planning, strategic financial plans, and wrap-up and questions.

City of Wylie NTMWD board members Keith Stephens and Marvin Fuller were present.

Mayor Porter recessed the Council into a break at 7:25 p.m.

Mayor Porter reconvened the Council into Work Session at 7:35 p.m.

WS2. Discuss FY 2023-2024 General Fund Budget.

City Manager Parker addressed Council giving a presentation on the proposed revenue assumptions, Strategic Goals, items included in the proposed base budget, the General Fund Summary, General Fund new recommendations, and use of General Fund Fund Balance.

Parker stated the proposed revenue assumptions include a certified total estimated value as of April 30, 2023 of \$6,920,554,955, certified estimated value of new construction as of April 30, 2023 of \$213,430,800 (equates to \$1,244,579 in revenue), assumes an estimated No New Revenue Tax Rate of .533130 and voter approval rate of .640763, assumes an additional two cents for new debt requirement (approved by voters) of .553130, assumes another three cents to partially fund the new Ambulance Service Program of .583130, assumes sales tax increase and interest earnings will fund the remaining cost of the Ambulance Service Program, and proposed sales tax is a 10 percent increase over the FY 2023 projected (six-month actuals at 54 percent).

Parker added items included in the proposed base budget include a 15 percent increase in health insurance of \$486,129, a three percent average merit increase for the General Employees (effective January 2024) of \$267,709, and pay plan adjustments for Police and Fire (effective October 2023) of \$785,000 for a total of \$1,538,838 (supported by No New Revenue Rate).

Parker stated the General Fund Summary includes an estimated beginning Fund Balance as of October 1, 2023 of \$21,426,521, proposed revenues for 2024 (at .583130) of \$57,216,424, new EMS program of \$3,313,032, proposed expenditures base budget for 2024 of \$52,833,348, recurring recommended request expenses of \$744,534, new/replacement equipment one time uses of \$325,510, use of Fund Balance of \$574,200, and estimated ending Fund Balance as of September 30, 2024 of \$20,852,321 (36 percent of expenditures).

Parker stated the recommended recurring and one-time General Fund expenses include upgrade the City Secretary Record Analyst to Records and Information Analyst II, IT System Specialist, four Sworn Officers, a School Resource Officer, Police WISD reimbursement, Police Records Clerk, Signal Technician, Public Information Request software, Police Axon Tasers, Animal Control Needs Assessment Study, Fleet Services equipment and updates, school zone flasher assembly, and Sachse Road/Creek Crossing traffic signal design for a total of \$1,070,044.

Parker stated the recommended Use of General Fund Fund Balance expenses include three Patrol replacement Tahoe's, four new Patrol Tahoe's for requested positions, a replacement Fire Marshall vehicle, and an aerial bucket truck for a total of \$574,200.

Questions and comments from Council included: requested clarification on the six months actuals at 54 percent, why is the ambulance service program separated out, what is the anticipated transport rate for ambulance service, appreciate the hard work of staff, what is the total cost of the ambulance service program, use General Fund Fund Balance as a capital initial year startup for the ambulance service, concerned with a tax increase at this time, need to understand more about the ambulance service program, how long does it take to recoup funds for the ambulance service, is there anywhere in the City budget that can absorb some of the needed funds for the ambulance service program, is there anything that prohibits the use of the General Fund Fund Balance to fund the startup of the ambulance program, do nearby cities close to our population size use third-party agencies or do their own ambulance service program, requested clarification on the need for three ambulances, how would the use of the Fund Balance for the initial ambulance program affect the AA plus rating, is staff comfortable with using the General Fund Fund Balance for the one-time expenses of \$900,000 for the ambulance service program, look at different health insurance plans to help cut savings, the ambulance program is necessary, not in favor of using the Fund Balance for reoccurring expenses, need to narrow down the cost for the ambulance service program, use Fund Balance for non-reoccurring expenses and find other areas to fund the reoccurring expenses, what does the school zone flasher assembly look like, has the City approached the ISD about sharing the SRO cost 50/50, and does the money from vehicles that are sold go back to the General Fund Fund balance.

Parker stated staff will bring back additional information on the ambulance service program at the next Council meeting as well as discuss the Utility Fund and the 4B Fund.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 8:54 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 8:54 p.m.

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

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

ES1. Discuss property located in the general area of E. Farm to Market Road 544 and Sanden Blvd.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter convened the Council into Open Session at 9:13 p.m.

READING OF ORDINANCES

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

City Secretary Storm read the captions to Ordinance Nos. 2023-23, 2023-24, and 2023-25 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Mulliqi, to adjourn the meeting at 9:15 p.m.
A vote was taken and the motion passed 7-0.

Matthew Porter, Mayor**ATTEST:**

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: Finance
Prepared By: Melissa Brown

Account Code: _____

Subject

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

Recommendation

Motion to approve the Item as presented.

Discussion

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

CITY OF WYLIE

MONTHLY FINANCIAL REPORT

May 31, 2023

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2022-2023	CURRENT MONTH ACTUAL 2022-2023	YTD ACTUAL 2022-2023	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 66.67%
GENERAL FUND REVENUE SUMMARY					
TAXES	37,234,844	971,544	33,010,565	88.66%	A
FRANCHISE FEES	2,802,400	206,722	2,093,265	74.70%	B
LICENSES AND PERMITS	1,442,750	120,927	825,247	57.20%	C
INTERGOVERNMENTAL REV.	2,429,011	20,292	1,381,239	56.86%	D
SERVICE FEES	4,338,970	417,649	2,661,326	61.34%	E
COURT FEES	339,000	23,295	206,808	61.01%	F
INTEREST INCOME	60,000	135,433	909,062	1515.10%	G
MISCELLANEOUS INCOME	239,156	14,207	307,213	128.46%	H
OTHER FINANCING SOURCES	2,838,847	0	2,705,961	95.32%	I
REVENUES	51,724,978	1,910,068	44,100,686	85.26%	
USE OF FUND BALANCE	0	0	0	0.00%	
USE OF CARRY-FORWARD FUNDS	1,711,613	NA	NA	NA	J
TOTAL REVENUES	53,436,591	1,910,068	44,100,686	82.53%	
GENERAL FUND EXPENDITURE SUMMARY					
CITY COUNCIL	95,279	6,130	39,535	41.49%	
CITY MANAGER	1,298,947	143,688	822,739	63.34%	
CITY SECRETARY	354,083	36,178	196,738	55.56%	
CITY ATTORNEY	170,000	0	81,765	48.10%	
FINANCE	1,363,432	112,893	907,719	66.58%	
FACILITIES	1,111,013	75,441	569,844	51.29%	
MUNICIPAL COURT	551,921	56,487	311,253	56.39%	
HUMAN RESOURCES	816,388	137,977	561,001	68.72%	
PURCHASING	294,695	45,148	180,065	61.10%	
INFORMATION TECHNOLOGY	2,243,162	229,976	1,451,859	64.72%	
POLICE	13,577,617	1,470,136	8,839,599	65.10%	
FIRE	13,511,975	1,430,716	8,109,995	60.02%	
EMERGENCY COMMUNICATIONS	2,424,317	257,432	1,510,906	62.32%	
ANIMAL CONTROL	736,445	65,758	424,611	57.66%	
PLANNING	363,226	39,037	226,241	62.29%	
BUILDING INSPECTION	516,490	52,889	276,281	53.49%	
CODE ENFORCEMENT	262,424	29,335	140,912	53.70%	
STREETS	5,484,215	376,960	1,979,263	36.09%	K
PARKS	2,715,470	273,125	1,400,961	51.59%	
LIBRARY	2,347,607	255,687	1,521,052	64.79%	
COMBINED SERVICES	10,524,272	516,476	8,208,775	78.00%	L
TOTAL EXPENDITURES	60,762,978	5,611,467	37,761,115	62.14%	
REVENUES OVER/(UNDER) EXPENDITURES	-7,326,387	-3,701,399	6,339,572	20.38%	
<p>A. Property Tax Collections for FY22-23 as of May 31, 2023 are 98.38%, in comparison to FY21-22 for the same time period of 98.95%. Sales tax is on a 2 month lag and six months have been received and fiscal year to date is 13.4% higher than last year.</p> <p>B. Franchise Fees: The majority of franchise fees are recognized quarterly with electric fees making up the majority.</p> <p>C. Licenses and Permits are down 21% from the same period last fiscal year, partially due to rising interest rates.</p> <p>D. Intergovernmental Rev: The majority of intergovernmental revenues come from WISD reimbursements and Fire Services which are billed quarterly.</p> <p>E. Service Fees: Trash fees are on a one month lag and only seven months have been received. The remaining fees are from other seasonal fees.</p> <p>F. Court Fees continue to increase and are only 1% lower than May YTD 2023.</p> <p>G. Interest Rates have gone from 1% when the budget was prepared to 5.02% in May 2023. Interest was budgeted conservatively.</p> <p>H. Miscellaneous auction proceeds of \$180,749.</p> <p>I. Yearly transfer from Utility Fund. Also includes miscellaneous insurance recoveries.</p> <p>J. Largest Carry Forward items: \$150,000 for Department Software Solution, \$217,000 for advance vehicle replacements, \$338,840 for ambulance, \$390,000 for Stone Road Rehab.</p> <p>K. The Hensley/Woodbridge signal for \$500,000 has not been expensed.</p> <p>L. The \$6 million transfer for Stone Road Improvement was transferred to a capital fund.</p>					

CITY OF WYLIE

MONTHLY FINANCIAL REPORT

May 31, 2023

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2022-2023	CURRENT MONTH ACTUAL 2022-2023	YTD ACTUAL 2022-2023	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 66.67%
UTILITY FUND REVENUES SUMMARY					
SERVICE FEES	25,933,619	2,222,103	14,789,999	57.03%	M
INTEREST INCOME	24,000	78,377	498,316	2076.32%	N
MISCELLANEOUS INCOME	70,000	1,715	40,571	57.96%	
OTHER FINANCING SOURCES	1,000	0	0	0.00%	
REVENUES	26,028,619	2,302,195	15,328,886	58.89%	
USE OF FUND BALANCE	0	NA	0	0	
USE OF CARRY-FORWARD FUNDS	2,276,241	NA	NA	NA	O
TOTAL REVENUES	28,304,860	NA	15,328,886	54.16%	
UTILITY FUND EXPENDITURE SUMMARY					
UTILITY ADMINISTRATION	634,180	30,397	311,570	49.13%	
UTILITIES - WATER	4,401,342	191,106	1,947,759	44.25%	
CITY ENGINEER	1,120,418	89,779	534,619	47.72%	
UTILITIES - SEWER	1,210,378	104,678	615,767	50.87%	
UTILITY BILLING	1,287,416	102,726	745,646	57.92%	
COMBINED SERVICES	18,380,749	1,169,138	12,819,321	69.74%	P
TOTAL EXPENDITURES	27,034,483	1,687,825	16,974,682	62.79%	
REVENUES OVER/(UNDER) EXPENDITURES	1,270,376	614,370	-1,645,797	-8.63%	
M. Most Utility Fund Revenue is on a one month lag and only seven months have been received. N. Interest Rates have gone from 1% when the budget was prepared to 5.02% in May 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					



Wylie City Council

AGENDA REPORT

Department: Finance

Account Code: _____

Prepared By: Melissa Brown

Subject

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

Recommendation

Motion to approve the Item as presented.

Discussion

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

City Of Wylie

2022-2023 Investment Report

May 31, 2023

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

MMA
CCD
T-Bills
T-Notes
AN

Invest. Number	Principal Amount	Type Of Security	Interest Rate	Issuer	Purchase Date	Maturity Date
1	\$15,949,122.34	MMA	5.0035%	Texpool	12/31/2006	NA
2	\$16,506,006.64	MMA	5.0471%	TexStar	3/15/2011	NA
	\$32,455,128.98					

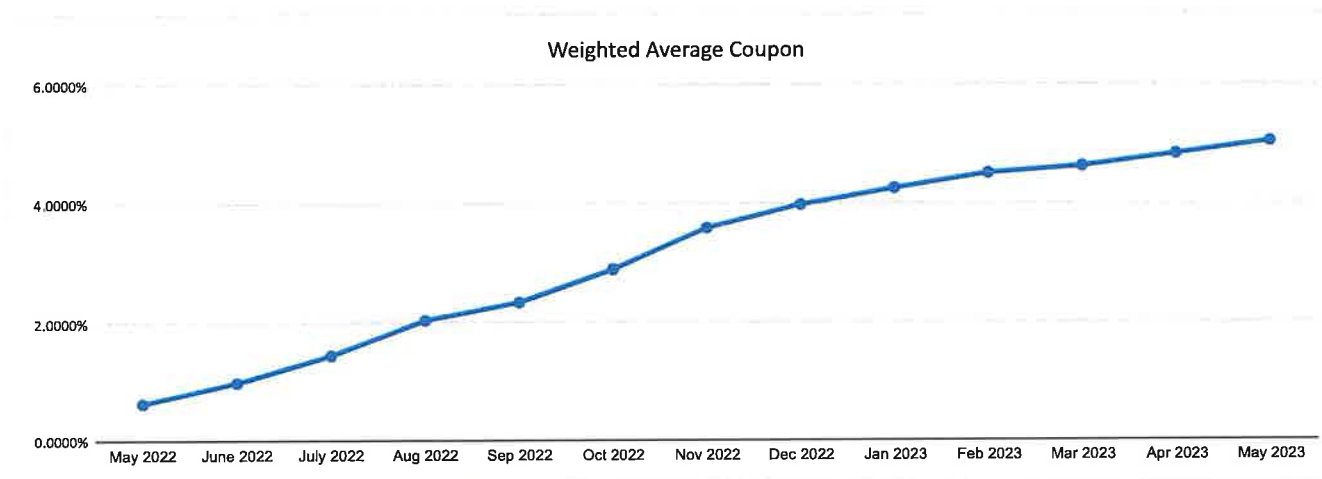
Total

Weighted Average Coupon:
Weighted Average Maturity (Days):

5.0257%
1.00

Money Markets:
Certificates of Deposits:

\$32,455,128.98
\$0.00
\$32,455,128.98



Melvin Burton 6-20-23
Finance Director/Investment Officer



Wylie City Council

AGENDA REPORT

Department: Finance

Prepared By: Melissa Brown

Account Code: See Exhibit A

Subject

Consider, and act upon, Ordinance No. 2023-26 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 purpose of this budget amendment is to account for the reimbursement that we receive from Cigna for the wellness incentives. The incentives are paid from the HR budget and the reimbursement from Cigna is received as miscellaneous income. This amendment will add the \$20,000 expense for HR and offset it with an increase in miscellaneous income.

This is a budget neutral amendment for the General Fund.

ORDINANCE NO. 2023-26

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. 2023-26, 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 27th day of June, 2023.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Budget Amendment
HR - Cigna Reimbursement

Exhibit A

Fund	Department	Account Number	Account Description	Debit	Credit
100	4000	48410	Miscellaneous Income		20,000.00
100	5153	56040	Special Services	20,000.00	
Total General Fund				20,000.00	20,000.00



Wylie City Council

AGENDA REPORT

Department: Parks and Recreation
 Prepared By: Brent Stowers

Account Code: _____

Subject

Consider, and act upon, approval of the Non-Profit Park Event Application from Cure Sanfilippo Foundation representative Katharine Sink, to hold the 2nd Annual Do it for Declan 5K and Fun Run event at Founders Park on Saturday, December 9, 2023.

Recommendation

Motion to approve the Item as presented.

Discussion

This is a repeat event hosted by the Cure Sanfilippo Foundation at Founders Park on Saturday, December 9, 2023, from 5:00 am to 11:00 am. Representative Katharine Sink noted on her application that they plan to sell same-day registrations for the 5K and fun run and Cure Sanfilippo Foundation merchandise. Food trucks selling various items such as popsicles, smoothies, and breakfast food are also planned during the event.

The Parks and Recreation Board approved this application at the June 12, 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 (no car shows permitted 30 days prior to or 14 days after the City-sponsored Bluegrass on Ballard event);
 - c. Present an unreasonable danger to health or safety;
 - d. Cause loss or damage to City property;
 - e. Interfere with or place a burden on Public Safety services;
 - f. Interrupt the safe and orderly movement of pedestrians and vehicles.
- For events including food items, applicant provides documentation from the Collin County Environmental Services indicating whether or not a Food Service/Health permit is required for the event. This includes all food items: sold, free, food trucks, catering, homemade, prepackaged, etc.;
 - a. Please contact the Environmental Services Specialist at 972-548-5528 or 972-548-5585. The Collin County website is www.collincountytx.gov 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 *

Cure Sanfilippo Foundation

Website<https://curesanfilippofoundation.org/>**Are you a non profit? ***☒ Yes ☐ No**Please upload 501c3 Documents**

Determination Letter IRS-1.pdf 393.93KB

Contact Information**Primary Contact Name ***

Katharine Sink

Event Information**Event Name/Title ***

2nd Annual Do it for Declan 5K and Fun Run

Event Type *

5k/Walk

Purpose of event *

Fundraiser for the Cure Sanfilippo Foundation

Event Location *

Founders Park

851 Hensley Lane

Proposed Event Date *

12/09/2023

Alternative Event Date *

12/16/2023

Start Time *

05:00:00 AM

☐ Include Setup**End Time ***

11:00:00 AM

☐ Include Cleanup**Do you plan to sell items of any kind?**

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

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

We will have food trucks that will sell various items such as popsicles, smoothies, and breakfast food. We will also sell Cure Sanfilippo Foundation merchandise, and same day registration for the fun run and 5K will be made available for purchase.

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

We will provide coffee, bottled water/energy drinks, energy bars. The additional food (smoothies, breakfast food) will be provided by food vendors from trucks.

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

Anticipated number of Participating Vendors *

5

Anticipated Event Attendance *

200

Event Target Audience *

Wylie community families and runners

Event Details *

We will be holding our 2nd annual one mile fun run and 5K run at Founders Park. The 5K will use the USATF certified route. We will have food trucks, vendor booths, and additional activities for children such as face painting, chalk, and giant games like Connect4. All proceeds from our event go to the non profit, Cure Sanfilippo Foundation (CureSFF), which funds critical research for treatments and a cure for Sanfilippo syndrome. Sanfilippo is often compared to Alzheimers, but in children. Children with Sanfilippo lose all the skills they have developed such as the ability to walk, talk, and feed themselves. They develop seizures and movement disorders. They experience pain and then pass away, often in their early teens. Currently, there are no treatments or cure for this devastating disease. We call it Do it for Declan because it is named after our son, Declan, who is 9 with Sanfilippo. Our event helps CureSFF with their mission along with raising awareness for the disease in our community. Awareness is just as important.

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

06/01/2023



Wylie City Council

AGENDA REPORT

Department: WEDC
Prepared By: Jason Greiner

Account Code: _____

Subject

Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of May 31, 2023.

Recommendation

Motion to approve the item as presented.

Discussion

The Wylie Economic Development Corporation (WEDC) Board of Directors approved the attached financials on June 21, 2023.

May Rev/Exp Report

Account Summary

For Fiscal: 2022-2023 Period Ending: 05/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 111 - WYLIE ECONOMIC DEVEL CORP							
Revenue							
111-4000-40210	SALES TAX	4,124,241.00	4,124,241.00	434,878.33	2,246,100.82	-1,878,140.18	45.54 %
111-4000-43518	380 ECONOMIC AGREEMENTS	0.00	0.00	0.00	279,047.05	279,047.05	0.00 %
111-4000-46110	ALLOCATED INTEREST EARNINGS	6,000.00	6,000.00	36,507.60	224,472.89	218,472.89	3,741.21 %
111-4000-48110	RENTAL INCOME	134,220.00	134,220.00	0.00	74,667.68	-59,552.32	44.37 %
111-4000-48410	MISCELLANEOUS INCOME	0.00	0.00	0.00	1,000.00	1,000.00	0.00 %
111-4000-48430	GAIN/(LOSS) SALE OF CAP ASSETS	3,915,685.00	3,915,685.00	0.00	-24,603.10	-3,940,288.10	100.63 %
	Revenue Total:	8,180,146.00	8,180,146.00	471,385.93	2,800,685.34	-5,379,460.66	65.76%
Expense							
111-5611-51110	SALARIES	310,346.40	310,346.40	37,175.27	222,230.67	88,115.73	28.39 %
111-5611-51130	OVERTIME	0.00	0.00	458.63	1,734.20	-1,734.20	0.00 %
111-5611-51140	LONGEVITY PAY	914.00	914.00	0.00	916.00	-2.00	-0.22 %
111-5611-51310	TMRS	48,245.30	48,245.30	5,833.27	34,997.12	13,248.18	27.46 %
111-5611-51410	HOSPITAL & LIFE INSURANCE	51,987.17	51,987.17	6,272.90	35,466.24	16,520.93	31.78 %
111-5611-51420	LONG-TERM DISABILITY	1,768.97	1,768.97	117.00	445.48	1,323.49	74.82 %
111-5611-51440	FICA	19,298.12	19,298.12	2,136.43	12,943.43	6,354.69	32.93 %
111-5611-51450	MEDICARE	4,513.27	4,513.27	499.63	3,027.10	1,486.17	32.93 %
111-5611-51470	WORKERS COMP PREMIUM	854.85	1,089.21	0.00	1,088.89	0.32	0.03 %
111-5611-51480	UNEMPLOYMENT COMP (TWC)	1,080.00	1,080.00	0.00	35.98	1,044.02	96.67 %
111-5611-52010	OFFICE SUPPLIES	5,000.00	5,000.00	262.26	1,410.52	3,589.48	71.79 %
111-5611-52040	POSTAGE & FREIGHT	300.00	300.00	0.00	212.90	87.10	29.03 %
111-5611-52810	FOOD SUPPLIES	3,000.00	3,000.00	135.18	1,562.25	1,437.75	47.93 %
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	1,975.00	1,975.00	5,675.00	74.18 %
111-5611-56030	INCENTIVES	3,209,183.00	1,209,183.00	23,602.41	534,377.51	674,805.49	55.81 %
111-5611-56040	SPECIAL SERVICES	34,770.00	34,620.00	157.50	11,504.33	23,115.67	66.77 %
111-5611-56041	SPECIAL SERVICES-REAL ESTATE	276,300.00	276,300.00	2,808.59	60,421.32	215,878.68	78.13 %
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	8,390.00	74,933.43	54,166.57	41.96 %
111-5611-56090	COMMUNITY DEVELOPMENT	54,950.00	54,950.00	7,061.59	45,946.30	9,003.70	16.39 %
111-5611-56110	COMMUNICATIONS	7,900.00	7,900.00	439.20	3,107.41	4,792.59	60.67 %
111-5611-56180	RENTAL	27,000.00	27,000.00	2,250.00	18,000.00	9,000.00	33.33 %
111-5611-56210	TRAVEL & TRAINING	73,000.00	73,000.00	2,126.60	45,654.58	27,345.42	37.46 %
111-5611-56250	DUES & SUBSCRIPTIONS	57,824.00	57,824.00	83.52	47,786.12	10,037.88	17.36 %
111-5611-56310	INSURANCE	6,303.00	6,453.00	0.00	6,449.31	3.69	0.06 %
111-5611-56510	AUDIT & LEGAL SERVICES	23,000.00	23,000.00	4,405.00	11,717.50	11,282.50	49.05 %
111-5611-56570	ENGINEERING/ARCHITECTURAL	87,500.00	587,500.00	8,379.18	149,801.98	437,698.02	74.50 %
111-5611-56610	UTILITIES-ELECTRIC	2,400.00	2,400.00	140.36	1,533.14	866.86	36.12 %
111-5611-57410	PRINCIPAL PAYMENT	575,973.97	575,973.97	48,241.06	381,352.34	194,621.63	33.79 %
111-5611-57415	INTEREST EXPENSE	656,023.67	656,023.67	54,425.41	439,979.42	216,044.25	32.93 %
111-5611-58110	LAND-PURCHASE PRICE	2,090,000.00	2,090,000.00	0.00	345,441.57	1,744,558.43	83.47 %
111-5611-58995	CONTRA CAPITAL OUTLAY	0.00	0.00	0.00	-345,441.57	345,441.57	0.00 %
	Expense Total:	16,143,685.72	16,143,920.08	217,375.99	2,159,891.93	13,984,028.15	86.62%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):		-7,963,539.72	-7,963,774.08	254,009.94	640,793.41	8,604,567.49	108.05%
Report Surplus (Deficit):		-7,963,539.72	-7,963,774.08	254,009.94	640,793.41	8,604,567.49	108.05%

Budget Report

For Fiscal: 2022-2023 Period Ending: 05/31/2023

Group Summary

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance	Percent
					Favorable (Unfavorable)	
Fund: 111 - WYLIE ECONOMIC DEVEL CORP						
Revenue	8,180,146.00	8,180,146.00	471,385.93	2,800,685.34	-5,379,460.66	65.76%
Expense	16,143,685.72	16,143,920.08	217,375.99	2,159,891.93	13,984,028.15	86.62%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):	-7,963,539.72	-7,963,774.08	254,009.94	640,793.41	8,604,567.49	108.05%
Report Surplus (Deficit):	-7,963,539.72	-7,963,774.08	254,009.94	640,793.41	8,604,567.49	108.05%

Budget Report

For Fiscal: 2022-2023 Period Ending: 05/31/2023

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
111 - WYLIE ECONOMIC DEVEL CO	-7,963,539.72	-7,963,774.08	254,009.94	640,793.41	8,604,567.49
Report Surplus (Deficit):	-7,963,539.72	-7,963,774.08	254,009.94	640,793.41	8,604,567.49

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

Assets

Cash and cash equivalents	\$ 12,314,528.82	
Receivables	\$ 120,000.00	Note 1
Inventories	\$ 16,006,005.00	
Prepaid Items	\$ -	
Total Assets	\$ 28,440,533.82	

Deferred Outflows of Resources

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

Liabilities

Accounts Payable and other current liabilities	\$ 23,214.47	
Unearned Revenue	\$ 1,200.00	Note 2
Non current liabilities:		
Due within one year	\$ 256,785.73	Note 3
Due in more than one year	\$ 15,621,027.23	
Total Liabilities	\$ 15,902,227.43	

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	\$ 12,421,337.53	
Total Net Position	\$ 12,421,337.53	

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

Balance Sheet

Account Summary

As Of 05/31/2023

Account	Name	Balance
Fund: 111 - WYLIE ECONOMIC DEVEL CORP		
Assets		
111-1000-10110	CLAIM ON CASH AND CASH EQUIV.	12,312,528.82
111-1000-10115	CASH - WEDC - INWOOD	0.00
111-1000-10135	ESCROW	0.00
111-1000-10180	DEPOSITS	2,000.00
111-1000-10198	OTHER - MISC CLEARING	0.00
111-1000-10341	TEXPOOL	0.00
111-1000-10343	LOGIC	0.00
111-1000-10481	INTEREST RECEIVABLE	0.00
111-1000-11511	ACCTS REC - MISC	0.00
111-1000-11517	ACCTS REC - SALES TAX	0.00
111-1000-12810	LEASE PAYMENTS RECEIVABLE	0.00
111-1000-12950	LOAN PROCEEDS RECEIVABLE	0.00
111-1000-12996	LOAN RECEIVABLE	0.00
111-1000-12997	ACCTS REC - JTM TECH	0.00
111-1000-12998	ACCTS REC - FORGIVEABLE LOANS	120,000.00
111-1000-14112	INVENTORY - MATERIAL/ SUPPLY	0.00
111-1000-14116	INVENTORY - LAND & BUILDINGS	16,006,005.00
111-1000-14118	INVENTORY - BAYCO/ SANDEN BLVD	0.00
111-1000-14310	PREPAID EXPENSES - MISC	0.00
111-1000-14410	DEFERRED OUTFLOWS	228,434.00
Total Assets:		28,668,967.82
		28,668,967.82
Liability		
111-2000-20110	FEDERAL INCOME TAX PAYABLE	873.15
111-2000-20111	MEDICARE PAYABLE	329.08
111-2000-20112	CHILD SUPPORT PAYABLE	0.00
111-2000-20113	CREDIT UNION PAYABLE	0.00
111-2000-20114	IRS LEVY PAYABLE	0.00
111-2000-20115	NATIONWIDE DEFERRED COMP	0.00
111-2000-20116	HEALTH INSUR PAY-EMPLOYEE	3,550.52
111-2000-20117	TMRS PAYABLE	8,463.80
111-2000-20118	ROTH IRA PAYABLE	0.00
111-2000-20119	WORKERS COMP PAYABLE	0.00
111-2000-20120	FICA PAYABLE	1,407.14
111-2000-20121	TEC PAYABLE	0.00
111-2000-20122	STUDENT LOAN LEVY PAYABLE	0.00
111-2000-20123	ALIMONY PAYABLE	0.00
111-2000-20124	BANKRUPTCY PAYABLE	0.00
111-2000-20125	VALIC DEFERRED COMP	0.00
111-2000-20126	ICMA PAYABLE	0.00
111-2000-20127	EMP. LEGAL SERVICES PAYABLE	0.00
111-2000-20130	FLEXIBLE SPENDING ACCOUNT	7,043.58
111-2000-20131	EDWARD JONES DEFERRED COMP	0.00
111-2000-20132	EMP CARE FLITE	12.00
111-2000-20133	Unemployment Comp Payable	0.01
111-2000-20151	ACCRUED WAGES PAYABLE	0.00
111-2000-20180	ADDIT EMPLOYEE INSUR PAY	69.74
111-2000-20199	MISC PAYROLL PAYABLE	0.00
111-2000-20201	AP PENDING	1,465.45
111-2000-20210	ACCOUNTS PAYABLE	0.00
111-2000-20530	PROPERTY TAXES PAYABLE	0.00
111-2000-20540	NOTES PAYABLE	228,434.00
111-2000-20810	DUE TO GENERAL FUND	0.00

Balance Sheet**As Of 05/31/2023**

Account	Name	Balance
111-2000-22270	DEFERRED INFLOW	100,000.00
111-2000-22275	DEF INFLOW - LEASE PRINCIPAL	0.00
111-2000-22280	DEFERRED INFLOW - LEASE INT	0.00
111-2000-22915	RENTAL DEPOSITS	1,200.00
	Total Liability:	352,848.47
Equity		
111-3000-34110	FUND BALANCE - RESERVED	0.00
111-3000-34590	FUND BALANCE-UNRESERV/UNDESIG	27,675,325.94
	Total Beginning Equity:	27,675,325.94
Total Revenue		2,800,685.34
Total Expense		2,159,891.93
Revenues Over/Under Expenses		640,793.41
	Total Equity and Current Surplus (Deficit):	28,316,119.35
	Total Liabilities, Equity and Current Surplus (Deficit):	<u>28,668,967.82</u>

Balance Sheet**As Of 05/31/2023**

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

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

Wylie Economic Development Corporation

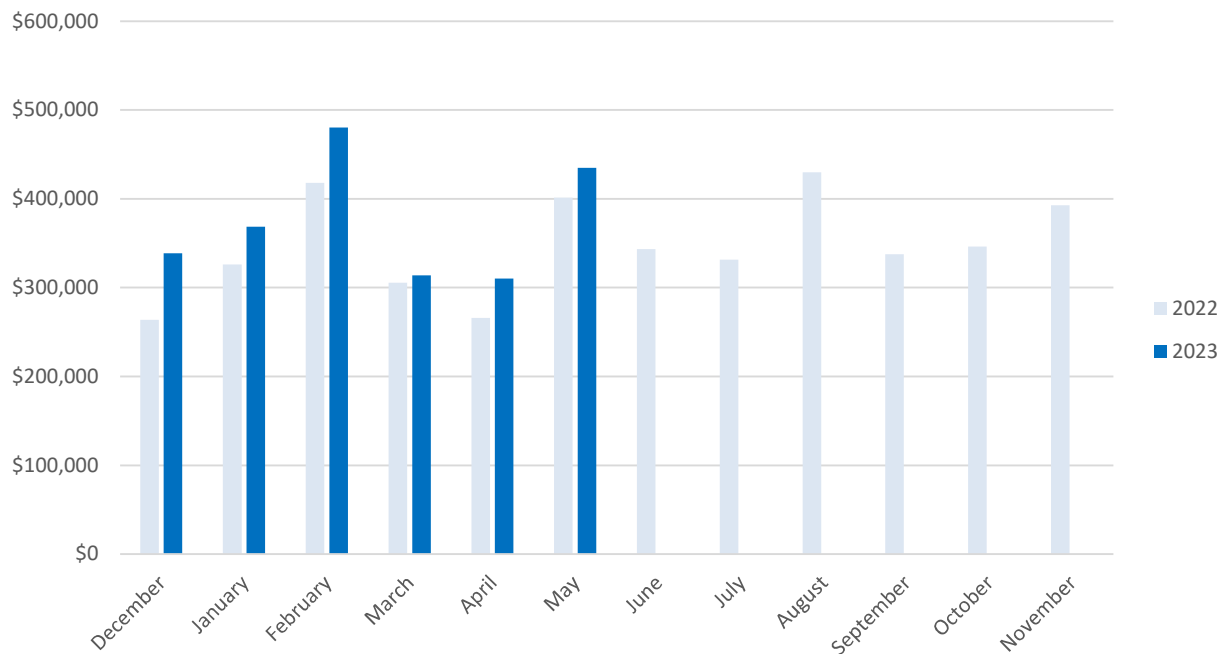
SALES TAX REPORT

May 31, 2023

BUDGETED YEAR

MONTH	FY 2020	FY 2021	FY 2022	FY 2023	DIFF 22 vs. 23	% DIFF 22 vs. 23
DECEMBER	\$ 226,663.94	\$ 235,381.33	\$ 263,577.66	\$ 338,726.54	\$ 75,148.88	28.51%
JANUARY	\$ 218,520.22	\$ 262,263.52	\$ 326,207.92	\$ 368,377.73	\$ 42,169.80	12.93%
FEBRUARY	\$ 362,129.18	\$ 456,571.35	\$ 417,896.79	\$ 480,381.11	\$ 62,484.32	14.95%
MARCH	\$ 228,091.34	\$ 257,187.91	\$ 305,605.50	\$ 313,686.17	\$ 8,080.67	2.64%
APRIL	\$ 203,895.57	\$ 221,881.55	\$ 265,773.80	\$ 310,050.94	\$ 44,277.14	16.66%
MAY	\$ 289,224.35	\$ 400,371.70	\$ 401,180.20	\$ 434,878.33	\$ 33,698.14	8.40%
JUNE	\$ 239,340.35	\$ 290,586.92	\$ 343,371.26			
JULY	\$ 296,954.00	\$ 314,559.10	\$ 331,432.86			
AUGUST	\$ 325,104.34	\$ 390,790.76	\$ 429,696.16			
SEPTEMBER	\$ 259,257.89	\$ 307,681.15	\$ 337,512.61			
OCTOBER	\$ 249,357.02	\$ 326,382.38	\$ 346,236.36			
NOVEMBER	\$ 384,953.89	\$ 411,813.32	\$ 392,790.84			
Sub-Total	\$ 3,283,492.09	\$ 3,875,470.98	\$ 4,161,281.96	\$ 2,246,100.83	\$ 265,858.95	14.02%
Total	\$ 3,283,492.09	\$ 3,875,470.98	\$ 4,161,281.96	\$ 2,246,100.83	\$ 265,858.95	14.02%

WEDC Sales Tax Analysis



*** Sales Tax collections typically take 2 months to be reflected as Revenue. SlsTx receipts are then accrued back 2 months.
 Example: May SlsTx Revenue is actually March SlsTx and is therefore the 6th allocation in FY23.



Wylie City Council

AGENDA REPORT

Department: WEDC
 Prepared By: Jason Greiner

Account Code: _____

Subject

Tabled from 05-30-2023

Remove from table and consider

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

Recommendation

Motion to approve this Item as presented.

Discussion

As Council will recall, this item was tabled at the May 30, 2023 City Council Meeting for consideration at the June 27, 2023 City Council Meeting. The Wylie Economic Development Board of Directors began the process of reviewing and discussing the need for modifications to the existing bylaws at the November 29, 2021 WEDC Work Session. At that time, the Board directed WEDC Staff to provide examples of bylaws and handbook material from other Type A Corporations for their individual review. In March 2022, the WEDC Board appointed Melisa Whitehead and Tim Gilchrist to a Subcommittee of the Board to review and recommend any modifications to the existing bylaws of the organization. Blake Brininstool was appointed to the Subcommittee in January 2023 due to the Board resignation of Tim Gilchrist.

WEDC Bylaws require that a notice of proposed amendments is posted ten days in advance and any amendments/repeals/new bylaws require approval of four out of five Board Members prior to review/approval by City Council. Accordingly, the WEDC Board met at a Special Called Meeting on April 3, 2023 and voted unanimously to approve the Second Amended and Restated Bylaws of the Wylie Economic Development Corporation, subject to approval by Wylie City Council. While some modifications to the bylaws are routine in nature and include minor procedural/administrative revisions and updates, staff has provided additional detail concerning notable revisions to the proposed Second Amended Bylaws.

4.04 1h	Amended - Director shall be hired by the Board, subject to City Council Approval and removed by a vote of 4 members of the Board, subject to Council Approval
4.04 4a v	Amended to provide annual report to City Council no later than April 1.
4.06	Discussed term limits, but no significant changes. At this time, there are no term limits.
4.07	Amended - Annual Meeting of the Board in October.
4.08	Correction of numbering to include 4.08 and modification on subsequent sections; Updated to require attendance of 75% of the regularly scheduled Board Meetings.
4.14	Added Section 4.14 outlining the creation of the Board Member Handbook.
5.02	Amended this section to state that the Board only votes on the Vice President, who serves a 1-year term. VP then becomes President and shall serve a 1-year term. After the 1-year term the President shall revert back to a Board Member. The President and VP shall serve until the next Vice President is elected. Amended the Election Date from July to Oct.
5.09 and 7.03	Amended to include Director of Econ Dev authorization to make purchases and/or expenditures up to \$25,000 without obtaining any approval or consent.

As defined within Section 3 of Ordinance No. 2022-01, the WEDC Board is subject to the Code of Conduct as an “Administrative Board” and is therefore required to comply with all standards of conduct approved by City Council.

**SECOND AMENDED AND RESTATED BYLAWS
OF
WYLIE ECONOMIC DEVELOPMENT CORPORATION
A TEXAS NON-PROFIT CORPORATION**

WYLIE, TEXAS

**ARTICLE I
OFFICES**

1.01 Registered Office and Registered Agent

The Corporation shall have and continuously maintain in the State of Texas a registered Office, and a registered agent whose Office is identical with such registered Office, as required by Chapter 22 of the Texas Business Organizations Code. The Board of Directors may, from time to time, change the registered agent and/or the address of the registered office, provided that such change is appropriately reflected in these Bylaws and in the Articles of Incorporation.

The registered office of the Corporation is located at, 250 South Hwy 78, Wylie, Texas 75098, and at such address is the Corporation, whose mailing address 250 South Hwy 78, Wylie, Texas 75098. The registered agent of the Corporation shall be the President of the Corporation.

1.02 Principal Office

The principal office of the Corporation in the State of Texas shall be located in the City of Wylie, County of Collin, and it may be, but need not be, identical with the registered office of the Corporation.

**ARTICLE II
PURPOSES**

2.01 Purposes

The Corporation is a non-profit corporation created under Section 4A of Tex.Rev.Civ.Stat.art. 5190.6, as amended from time to time, known as the Texas Development Corporation Act of 1979. The Corporation is now governed by Chapter 501 of the Local Government Code (the "Development Corporation Act"). The purpose of the Wylie Economic Development Corporation, is to promote and develop industrial and manufacturing enterprises to promote and encourage employment and the public welfare, in accordance with the Articles of Incorporation.

**ARTICLE III
MEMBERS**

3.01 Members

The Corporation shall have no members.

**ARTICLE IV
BOARD OF DIRECTORS**

4.01 Board of Directors

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the “Board”), appointed by the governing body of the City of Wylie, and subject to applicable limitations imposed by Chapter 22 of the Texas Business Organizations Code, the Development Corporation Act, the Articles of Incorporation, and these Bylaws. The Board may, by contract, resolution, or otherwise, give general or limited or special power and authority to the officers and employees of the Corporation to transact the general business or any special business of the Corporation, and may give powers of attorney to agents of the Corporation to transact any special business requiring such authorization.

The Board may plan and direct its work through a Director of Economic Development, who will be charged with the responsibility of carrying out the Corporation’s program as adopted and planned by the Board. The Board may contract with another entity for the services of a director.

4.02 Number and Qualifications

The authorized number of Directors of this Board shall be five (5).

The Directors of the Corporation shall be appointed by and serve at the pleasure of the Wylie City Council. The number of Directors shall be five (5). Each Director shall meet at least one (1) of the following qualifications:

- (a) serve, or have served, as Chief Executive Officer of a company; or
- (b) serve, or have served, in a position of executive management of a company; or
- (c) serve, or have served, in a professional capacity.

In addition to the above qualifications:

- (1) each Director must have lived in the City Limits or operated a business in the City Limits for a minimum of one (1) year; and
- (2) each Director must live in the City Limits during the tenure of office.

The City Council shall consider an individual’s experience, accomplishments, and educational background in appointing members to the Board to ensure that the interests and concerns of all segments of the community are considered. The Board may make recommendations of individuals to the council for appointment to the Board.

4.03 Bonds and Insurance

The corporation shall all provide a General Liability Policy, including Board Members, and a Public Officials Liability Policy for Board Members of not less than one million dollars (\$1,000,000.00). The corporation shall also provide a Fidelity Bond covering all employees and Board Members of not less than one hundred thousand dollars (\$100,000.00). The bonds and insurance referred to in this section shall be considered for the faithful accounting of all moneys and things of value coming into the hands of the offices. The bonds and insurance shall be obtained from accredited, surety, and insurance companies authorized to do business in the State of Texas.

All premiums for the liability insurance and fidelity bonds will be maintained and funded at the

total expense of the corporation. Copies of bonds and insurance policies shall be filed with the City Secretary, and furnished to the corporation and Board Members.

4.04 General Duties of the Board

1. The Board shall develop an overall economic development plan for the City which shall include and set forth intermittent and/or short term goals which the Board deems necessary to accomplish compliance with its overall economic development plan. Such plan shall be approved by the City Council of the City of Wylie. The overall development plan developed by the Board shall be one that includes the following elements:

- a. An economic development strategy to permanently bolster the business climate throughout the city.
- b. Strategies to fully utilize the assets of the city which enhance economic development.
- c. Identification of strategies to coordinate public, private, military and academic resources to develop and enhance business opportunities for all citizens of Wylie. This plan shall include methods to improve communication and cooperation between the above mentioned entities.
- d. Assurance of accountability of all tax moneys expended for the implementation of the overall economic development plan.
- e. Identification of strategies and provide for implementation of identified strategies for direct economic development as defined in this section.
- f. An annual work plan outlining the activities, tasks, projects and programs to be undertaken by the Board during the upcoming fiscal year.
- g. To assist the Board in the implementation of the overall economic development plan, the Board may seek out and employ a Director of Economic Development. The Director of Economic Development shall be responsible to the Board and shall act as the Board's chief administrative officer and shall assist the Board in carrying out the duties of the Board as set forth in this section. The Board shall, in the annual budget, make provisions for the Compensation to be paid to the Director of Economic Development and such compensation so established by the Board shall comprise the salary and benefits paid to the Director of Economic Development for his/her services.
- h. The Director of Economic Development shall be hired by the Board, subject to final approval by the Wylie City Council, and may be removed by a vote of 3 members of the Board, subject to final approval by the Wylie City Council.

2. The Board shall review and update its overall economic development plan from time to time to ensure that said plan is up to date with the current economic climate and is capable of meeting Wylie's current economic development needs.

3. The Board shall expend, in accordance with State law, the tax funds received by it on direct economic development where such expenditures will have a direct benefit to the citizens of Wylie.

As used herein, "direct economic development" shall mean the expenditure of such tax funds for

programs that directly accomplish or aid in the accomplishment of creating identifiable new jobs or retaining identifiable existing jobs including job training and/or planning and research activities necessary to promote said job creation. The Corporation's focus will be primarily in the areas of:

- a. Business retention and expansion
- b. Business attraction

4. Wylie Economic Development Corporation shall make reports to the City Council of the City of Wylie. The Wylie Economic Development Corporation shall discharge this requirement by reporting to the City Council in the following manner:

- a. Wylie Economic Development Corporation shall make a detailed report to the City Council once each year. Such report shall include, but not be limited to, the following:
 - i. A review of all expenditures made by the Board in connection with their activities involving direct economic development as defined in this article, together with a report of all other expenditures made by the Board.
 - ii. A review of the accomplishments of the Board in the area of direct economic development.
 - iii. The policies and strategy followed by the Board in relation to direct economic development together with any proposed changes in such activities.
 - iv. A review of the activities of the Board in areas of endeavor other than direct economic development together with any proposed changes in such activities.
 - v. The annual required report shall be made to the City Council no later than April 1 of each year.
 - vi. The annual report shall be considered by the City Council for its review and acceptance.
- b. The Board shall be regularly accountable to the City Council for all activities undertaken by them or on their behalf, and shall report on all activities of the Board, whether discharged directly by the Board or by any person, firm, corporation, agency, association or other entity on behalf of the Board. This report shall be made by the Board to the City Council semi-annually with the first report being made each succeeding six (6) months. The semi-annual report shall include the following:
 - i. Accomplishments to date as compared with the overall plan or strategy for direct economic development.
 - ii. Anticipated short term challenges during the next semi-annual reporting period together with recommendations to meet such short term challenges.
 - iii. Long term issues to be dealt with over the succeeding twelve- month period or longer period of time, together with recommendations to meet such issues with emphasis to be placed on direct economic development.
 - iv. A recap of all budgeted expenditures to date, together with a recap of budgeted

funds left unexpended and any commitment made on said unexpended funds.

4.05 Implied Duties

The Wylie Economic Development Corporation is authorized to do that which the Board deems desirable to accomplish any of the purposes or duties set out or alluded to in Section 4.04 of these Bylaws and in accordance with State law.

4.06 Tenure

Directors will be elected to serve terms of three (3) years. No person may be elected to serve more than three (3) consecutive full terms as a Director, provided, however, that the Directors currently serving on the Board as of the effective date that these Bylaws shall all be treated as if they are each in their first term as a Director for purposes of term limitations. For example, if a Director is in the third (3rd) year of their current term, then upon expiration of their existing term, that Director will be eligible to serve up to two (2) more terms of three (3) years each if elected in accordance with these Bylaws.

4.07 Meetings; Notice; Conduct

The Board shall attempt to meet at least once each month within the city of Wylie, at a place and time to be determined by the President. All meetings of the Board shall provide notice thereof as provided and as required by the Open Meetings Act. Any member of the Board may request that an item be placed on the agenda by delivering the same in writing to the secretary of the Board prior to the posting of the notice required by the Open Meetings Act. The President of the Board shall set regular meeting dates and times at the beginning of his/her term. Special Meetings may be called by any member of the Board in accordance with the provisions of the Open Meetings Act.

The notice shall contain information regarding the particular time, date, and location of the meeting and the agenda to be considered. All meetings shall be conducted in accordance with the Open Meetings Act.

The annual meeting of the Board of Directors shall be held in October of each year. The Board may retain the services of a recording secretary if required.

4.08 Attendance; Vacancy

Regular attendance of the Board meetings is required of all Members. The following number of absences may require replacement of a member: three (3) consecutive absences, or attendance reflecting absences constituting 25% of the Board's regular meetings over a 12-month period. In the event that the Board elects to replace the member violating the attendance requirements, the member will be notified by the President and, subsequently, the President shall submit in writing to the City Secretary the need to replace the Board member in question. Any vacancy on the Board shall be filled by appointment by the City Council of a new member or members meeting the qualifications set out in Section 4.02 above. When a person is appointed to fill a vacancy on the Board of Directors to finish out the remainder of a former Director's term, the term served by the appointee shall not count as a full term by such appointee for purposes of the term limits set forth in Section 4.06 above.

4.09 Quorum

A majority of the entire membership of the Board of Directors shall constitute a quorum and shall be required to convene a meeting. If there is an insufficient number of Directors present to convene the

meeting, the presiding officer shall adjourn the meeting.

4.10 Compensation

The duly appointed members of the Board shall serve without compensation, but shall be reimbursed for actual or commensurate cost of travel, lodging and incidental expense while on official business of the Board in accordance with State law.

4.11 Voting; Action of the Board of Directors

Directors must be present in order to vote at any meeting. Unless otherwise provided in these Bylaws or in the Articles of Incorporation or as required by law, the act of a simple majority present shall be the act of the Board of Directors. In the event that a Director is aware of a conflict of interest or potential conflict of interest, with regard to any particular vote, the Director shall bring the same to the attention of the meeting and shall abstain from the vote, unless the Board determines that no conflict of interest exists. Any Director may bring to the attention of the meeting any apparent conflict of interest or potential conflict of interest of any other Director, in which case the Board shall determine whether a true conflict of interest exists before any vote shall be taken regarding that particular matter. The Director as to whom a question of interest has been raised shall refrain from voting with regard to the determination as to whether a true conflict exists.

4.12 Board's Relationship with City Council

In accordance with State law, the City Council shall require that the Wylie Economic Development Corporation be responsible to it for the proper discharge of its duties assigned in this article. The Board shall determine its policies and direction within the limitations of the duties herein imposed by applicable laws, the Articles of Incorporation, these Bylaws, contracts entered into with the City, and budget and fiduciary responsibilities.

4.13 Board's Relationship with Administrative Departments of the City

Any request for services made to the administrative departments of the City shall be made by the Board or its designee in writing to the City Manager. The City Manager may approve such request for assistance from the Board when he/she finds such requested services are available within the administrative departments of the City and that the Board has agreed to reimburse the administrative department's budget for the costs of such services so provided.

4.14 Board Handbook

The Board has established a Board Member Handbook setting forth additional expectations and requirements applicable to members of the Board. All Board members shall be given a copy of the Board Member Handbook and shall familiarize themselves with its contents. The Board Member Handbook may be modified by the Board from time to time.

ARTICLE V OFFICERS

5.01 Officers of the Corporation

The elected officers of the Corporation shall be a President, Vice President, Secretary, and Treasurer. The Board may resolve to elect one or more Assistant Secretaries or one or more Assistant Treasurers as it

may consider desirable. Such officers shall have the authority and perform the duties of the office as the Board may from time to time prescribe or as the Secretary or Treasurer may from time to time delegate to his/her respective Assistant. Any two (2) or more offices may be held by the same person, except the offices of President and Secretary.

5.02 Selection of Officers

The Vice President shall be elected by the Board and shall serve a term of one (1) year. On the expiration of the term of office of the Vice President, the Vice President shall succeed to the office of President, the then-current President shall cease to be President but shall continue as a member of the Board, and the Board shall elect a new Vice President from among its Members to hold such office. The term of office of the President and Vice President shall always be for a period of one year; provided, however, that the President and Vice President continue to serve until the election of the new Vice President.

The Secretary and Treasurer shall be selected by the members of the Board and shall hold office for a period of one (1) year; provided, however, that they shall continue to serve until the election of their successors. Elections shall be held in October at a regular or special meeting of the Board.

Any officer meeting the qualifications of these Bylaws may be elected to succeed himself/herself or to assume any other office of the Corporation.

5.03 Vacancies

Vacancies in any office which occur by reason of death, resignation, disqualification, removal, or otherwise, shall be filled by the Board of Directors for the unexpired portion of the term of that office in the same manner as other officers are elected to office.

5.04 President

1. The President shall be the presiding officer of the Board with the following authority:
 - a. Shall preside over all meetings of the Board.
 - b. Shall have the right to vote on all matters coming before the Board.
 - c. Shall have the authority, upon notice to the members of the Board, to call a special meeting of the Board when in his/her judgment such meeting is required.
 - d. Shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings of other matters incidental to the operation and functions of the Board.
 - e. Shall have the authority to appoint ad hoc committees which may address issues of a temporary nature or concern or which have a temporary affect on the business of the Board.
2. In addition to the above mentioned duties, the President shall sign with the Secretary of the Board any deed, mortgage, bonds, contracts, or other instruments which the Board of Directors has approved and unless the execution of said document has been expressly delegated to some other officer or agent of the Corporation, including the Director of Economic Development, by appropriate Board

resolution, by a specific provision of these Bylaws, or by statute. In general, the President shall perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board of Directors.

5.05 Vice President

In the absence of the President, or in the event of his/her inability to act, the Vice President shall perform the duties of the President. When so acting, the Vice President shall have all power of and be subject to all the same restrictions as upon the President. The Vice President shall also perform other duties as from time to time may be assigned to him/her by the President.

5.06 Secretary

The Secretary shall keep or cause to be kept, at the registered office a record of the minutes of all meetings of the Board and of any committees of the Board. The Secretary shall also file a copy of said Minutes with the City and the same to be given, in accordance with the provisions of these Bylaws, or as required by the Open Meetings Act or the Open Records Act or other applicable law. The Secretary shall be custodian of the corporate records and seal of the Corporation, and shall keep a register of the mailing address and street address, if different, of each director.

5.07 Treasurer

The Treasurer shall be bonded for the faithful discharge of his/her duties with such surety or sureties and in such sum as the Board of Directors shall determine by Board resolution, but in no event shall the amount of such bond be less than an amount equal to the average of the sums which the Treasurer has access to and the ability to convert during a twelve (12) month period of time. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation. The Treasurer shall receive and give receipt for money due and payable to the Corporation from any source whatsoever, and shall deposit all such moneys in the name of the Corporation in such bank, trust corporation, and/or other depositories as shall be specified in accordance with Article VII of these Bylaws. The treasurer shall, in general, perform all the duties incident to that office, and such other duties as from time to time assigned to him/her by the President of the Board.

5.08 Assistant Secretaries and Assistant Treasurers

The Assistant Secretaries and Assistant Treasurers, if any, shall in general, perform such duties as may be assigned to them by the Secretary or the Treasurer, or by the President of the Board of Directors.

5.09 Director of Economic Development

The Corporation may employ a Director of Economic Development. The Director of Economic Development shall serve as the Chief Executive Officer of the Corporation and shall oversee all administrative functions of the Corporation. The Director shall develop policies and procedures for the Corporation including financial, accounting, and purchasing policies and procedures to be approved by the Board and City Council. The Director of Economic Development is hereby authorized to make purchases and/or expenditures not exceeding \$25,000.00 without obtaining any approval or consent.

5.10 Other Employees

The Corporation may employ such full or part-time employees as needed to carry out the programs of the Corporation.

5.11 Contracts for Services

The Corporation may contract with any qualified and appropriate person, association, corporation or governmental entity to perform and discharge designated tasks which will aid or assist the Board in the performance of its duties. However, no such contract shall ever be approved or entered into which seeks or attempts to divest the Board of Directors of its discretion and policy-making functions in discharging the duties herein above set forth in this section.

ARTICLE VI COMMITTEES

6.01 Qualifications for Committee Membership

Members of committees shall be appointed by the President, and approved by the Board. Committee members need not be members of the Wylie Economic Development Corporation unless required by these Bylaws or Board resolution.

6.02 Standing Committees

The President shall have authority to appoint the following standing committees of the Board and such other committees as the Board may deem appropriate in the future:

Budget, Finance and Audit Committee: This committee shall have the responsibility of working with the Director, or the contractual entity performing as Director as the case may be, in the formation and promotion of the annual budget of the Board. The Committee shall present such budget to the Board and, upon approval, shall present, in accordance with these Bylaws, said budget to the City Council. In addition to the preparation of the budget, the committee shall keep the Board advised in such matters. The Committee shall further have the responsibility to oversee and work with auditors of the City or outside auditors when audits of the Board are being performed.

Committee for Business Retention and Expansion: This committee shall work with the Director of Economic Development and shall keep the Board informed of all development and activities concerning business retention and expansion.

Committee for New Business Attraction and Recruitment: This committee shall work with the Director of Economic Development and shall keep the Board informed of all developments and activities concerning business attraction and recruitment.

6.03 Special Committees

The President may determine from time to time that other committees are necessary or appropriate to assist the Board of Directors, and shall designate, subject to Board approval, the members of the respective committees.

No such committee shall have independent authority to act for or instead of the Board of Directors with regard to the following matters: amending, altering, or repealing the Bylaws; electing, appointing, or removing any member of any such committee or any Director or Officer of the Corporation; amending the Articles of Incorporation; adopting a plan of merger or adopting a plan of consolidation with another corporation; authorizing the sale, lease, exchange, or mortgage of all or substantially all of the property and assets of the Corporation; authorizing the voluntary dissolution of the

Corporation or revoking the proceedings thereof; adopting a plan for the distribution of the assets of the Corporation; or amending, altering, or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered, or repealed by such committee.

The designation and appointment of any such committee and delegation to that committee of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed on it or on him/her by law or these Bylaws.

6.04 Term of Committee Members

Each member of a committee shall continue as such until the next appointment of the Board of Directors and until his/her successor on the committee is appointed, unless the committee shall be sooner terminated or unless such member has ceased to serve on the Board of Directors, or unless such member be removed from such committee.

Any committee member may be removed from committee membership by the President, with Board approval, whenever in their judgment the best interests of the Corporation would be served by such removal.

6.05 Vacancies on Committees

Vacancies in the membership of any committee may be filled in the same manner as provided with regard to the original appointments to that committee.

6.6 Ex-Officio Members

The City Manager or his/her designee and the Mayor or his/her designee may attend all meetings of the Board of Directors or Committees. These representatives shall not have the power to vote in the meetings they attend. Their attendance shall be for the purpose of ensuring that information about the meeting is accurately communicated to the City Council and to satisfy the City Council obligation to control the powers of the Corporation.

ARTICLE VII FINANCIAL ADMINISTRATION

The Corporation may contract with the City for financial and accounting services. The Corporation's financing and accounting records shall be maintained according to the following guidelines:

7.01 Fiscal Year

The fiscal year of Corporation shall begin on October 1 and end on September 30 of the following year.

7.02 Budget

A budget for the forthcoming fiscal year shall be submitted to, and approved by, the Board of Directors and the City Council of the City of Wylie. In submitting the budget to the City Council, the Board of Directors shall submit the budget on forms prescribed by the City Manager and in accordance with the annual budget preparation schedule as set forth by the City Manager. The budget shall be submitted to the City Manager for inclusion in the annual budget presentation to the City Council.

7.03 Contracts

As provided in Article V above, the President and Secretary shall execute any contracts or other instruments which the Board has approved and authorized to be executed, provided, however, that the Board may by appropriate resolution authorize any other officer or officers or any other agent or agents, including the Director of Economic Development, to enter into contracts or execute and deliver any instrument in the name and on behalf of the Corporation. Notwithstanding the foregoing, the Director of Economic Development has been authorized to make certain purchases and expenditures without additional approval or consent pursuant to Section 5.09 of these bylaws. Such authority may be confined to specific instances or defined in general terms. When appropriate, the Board may grant a specific or general power of attorney to carry out some action on behalf of the Board, provided, however that no such power of attorney may be granted unless an appropriate resolution of the Board authorizes the same to be done.

7.04 Checks and Drafts

All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed or bear the facsimile of the President or the Treasurer, or such other person as designated by the Board or otherwise authorized pursuant to these Bylaws.

7.05 Deposits

All funds of the Wylie Economic Development Corporation shall be deposited on a regular basis to the credit of the Corporation in a local bank which shall be federally insured.

7.06 Gifts

The Wylie Economic Development Corporation may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the Corporation.

7.07 Purchasing

All purchases made and contracts executed by the Corporation shall be made in accordance with the requirements of the Texas Constitution and statutes of the State of Texas, and any other laws, rules, or regulations applicable to the Corporation.

7.08 Investments

Temporary and idle funds which are not needed for immediate obligations of the Corporation may be invested in any legal manner in accordance with Chapter 2256 of the Texas Government Code (the Public Funds Investment Act).

7.09 Bonds

Any bonds issued by the Corporation shall be in accordance with the statute governing this corporation but in any event, no bonds shall be issued without approval of the City Council after review and comment by the city's bond counsel and financial advisor.

7.10 Uncommitted Funds

Any uncommitted funds of the Corporation at the end of the fiscal year shall be considered a part of the Fund Balance.

The Undesignated Fund Balance may be committed for any legal purpose provided the Corporation's Board of Directors and the City Council both approve such commitment. This may include the establishment of a Permanent Reserve Fund which shall be accumulated for the purpose of using the interest earnings of such fund to finance the operation of the Corporation.

ARTICLE VIII BOOKS AND RECORDS

8.01 Books and Records

The Corporation shall keep correct and complete books and records of all actions of the Corporation, including books and records of account and the minutes of meeting of the Board of Directors and of any committee having any authority of the Board and to the City Council. All books and records of the Corporation may be inspected by Directors of the Corporation or his/her agent or attorney at any reasonable time; and any information which may be designated as public information by law shall be open to public inspection at any reasonable time. Chapter 551 of the Texas Government Code (the "Open Meetings Act") and Chapter 552 of the Texas Government Code (the "Open Records Act") shall apply to disclosure of public information. The Board of Directors shall provide for an annual financial audit to be performed by a competent independent audit firm.

8.02 Monthly Reports

The Corporation shall provide the City Council monthly summaries of proposed dispersal of funds for anticipated projects, and funds that are dispersed over \$50,000.00.

ARTICLE IX SEAL

9.01 Seal

The Board of Directors may obtain a corporate seal which shall bear the words "Wylie Economic Development Corporation"; the Board may thereafter use the corporate seal and may later alter the seal as necessary without changing the corporate name; but these Bylaws shall not be construed to require the use of the corporate seal.

ARTICLE X PROGRAM

10.01 Authorization

The Corporation shall carry out its program subject to its Articles of Incorporation and these Bylaws, and such resolutions as the Board may from time to time authorize.

10.02 Program

The program of the Wylie Economic Development Corporation shall be to assist, stimulate, and enhance economic development in Wylie, Texas, subject to applicable State and Federal law, these Bylaws, and the Articles of Incorporation.

ARTICLE XI PARLIAMENTARY AUTHORITY

11.01 Amendments to Bylaws

These Bylaws may be amended or repealed and new Bylaws may be adopted by an affirmative vote of four (4) of the authorized Directors serving on the Board, at a special or regular meeting of the Directors held for such specific purpose, and the notice requirements stated herein above regarding special and regular meetings shall apply. The Directors of the Corporation present at a properly called meeting of the Board may, by a vote of four (4), in accord with the requirements of Article IV herein above, amend or repeal and institute new Bylaws, provided that at least ten (10) days prior to the meeting, written notice setting forth the proposed action shall have been given to the directors, and public notice regarding such action given according the requirements of the Open Meetings Act.

Notwithstanding the foregoing, no amendment shall become effective unless the City Council approves the amendment.

ARTICLE XII DISSOLUTION

12.01 Dissolution

On petition of ten (10) percent or more of the registered voters of the City of Wylie requesting an election on the dissolution of the Corporation, the City Council shall order an election on the issue. The election must be conducted according to the applicable provision of the Election Code. The ballot for the election shall be printed to provide for voting for or against the proposition:

“Dissolution of the Wylie Economic Development Corporation”

If a majority of voters voting on the issue approve the dissolution, the Corporation shall continue operations only as necessary to pay the principal of and interest on its bonds and to meet obligations incurred before the date of the election and, to the extent practicable, shall dispose of its assets and apply the proceeds to satisfy those obligations. When the last of the obligations is satisfied, any remaining assets of the Corporation shall be transferred to the City, and the Corporation is dissolved.

ARTICLE XIII INDEMNITY

13.01 Indemnity

The Board of Directors shall authorize the Corporation to pay or reimburse any current or former Director or Officer of the Corporation for any costs, expenses, fines, settlements, judgments, and other amounts, actually and reasonably incurred by such person in any action, suit, or proceeding to which he or she is made a party by reason of holding such position as Officer or Director; provided, however, that such Officer or Director shall not receive such indemnification if he/she be finally adjudicated in such

instance to be guilty of negligence or misconduct in office. The indemnification herein provided shall also extend to good faith expenditures incurred in anticipation of, or preparation for, threatened or proposed litigation. The Board of Directors may, in proper cases, extend the indemnification to cover the good faith settlement of any such action, suit, or proceedings, whether formally instituted or not.

ARTICLE XIV MISCELLANEOUS

14.01 Relation to Articles of Incorporation

These Bylaws are subject to, and governed by, the Articles of Incorporation and applicable State statutes under which the Corporation is organized.



Wylie City Council

AGENDA REPORT

Department: Planning

Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Agricultural (AG/30) to Light Industrial - Special Use Permit (LI-SUP) on 8.96 acres to allow for a battery storage use. Property located at 1011 E. Brown St. (ZC 2023-08).

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

OWNER: John Belzle

APPLICANT: Black Mountain Energy

The applicant is requesting to rezone 8.96 acres located at 1011 E. Brown Street. The current zoning is Agricultural (AG/30) and the requested rezoning is Light Industrial - Special Use Permit (LI-SUP) to allow for a battery energy storage use that connects directly to the neighboring Oncor substation.

The Special Use Permit conditions allow for the battery energy storage use classified under the Electric Substation or Gas Regulator Station uses as defined in the Wylie Zoning Ordinance.

According to the applicant, “battery energy storage systems (BESS) help to reduce congestion on the electric grid by instantaneously responding to fluctuations in power. No other technology can respond at full output as rapidly as a BESS. This “always on” operational capability can help to prevent conditions, which may lead to outages on the bulk power system. Over time, BESS operations also act to smooth out the price spikes paid by utilities in the wholesale power markets – costs that are ultimately borne by ratepayers. Beyond grid benefits, we will also become a significant tax contributor, adding an estimated \$30MM+ to the community throughout the life of the plant. This benefit is even further increased given there are very few \$180MM+ investment opportunities that would be able to utilize our specific parcel given its size and shape.”

The development provides two points of access from Eubanks Lane. Service areas as depicted on the Zoning Exhibit shall be provided to ensure maintenance vehicles do not block the proposed fire lane. All areas where service vehicles operate shall be required to have a concrete surface.

A 10’ wide landscape buffer shall be required along Eubanks Lane and East Brown Street. The development shall be screened with an 8’ board on board wooden fence.

Detention for the development shall be provided via an offsite detention basing on the adjacent Oncor parcel as shown in the Zoning Exhibit. Completion of the detention basin shall be in place prior to completion of construction.

A site plan and plat review shall be required prior to any construction.

The properties adjacent to the subject property to the north, east and west are zoned industrial and agricultural. The properties to the south are zoned residential. The subject property lies within the Regional Commercial sector of the Comprehensive Land Use Plan. Light industrial uses may be deemed to be appropriate depending on the compatibility with surrounding uses. The proposed zoning is compatible with the Plan.

Notices were sent to 18 property owners within 200 feet as required by state law. At the time of posting two responses were received in favor and none in opposition of the request.

P&Z Recommendation

After some comments by neighboring commercial property owners and discussion among the Commissioners regarding fire and natural disaster safety, the Commissioners voted 5-0 to recommend approval.

Locator Map



ZONING CASE: ZC 2023-08
Bufflehead Battery Storage

 SUBJECT property

0 0.1 0.2 0.3 Miles

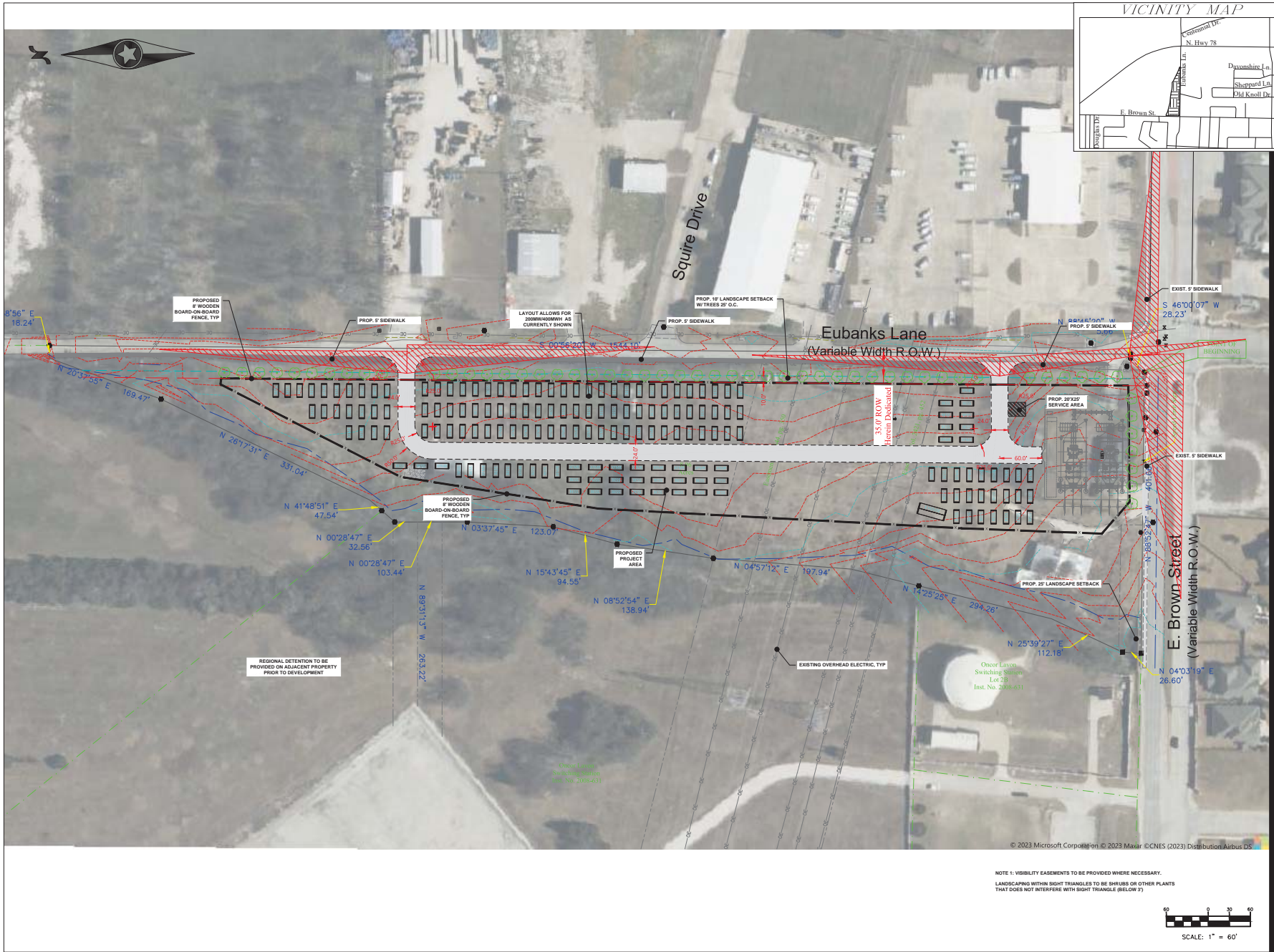


Date: 5/15/2023



EXHIBIT B
SPECIAL USE PERMIT ZONING PROVISIONS

- I. Purpose: This Special Use Permit is to allow for a Battery Energy Storage use that connects directly to the neighboring Oncor substation to provide reliability and resilience to the electric grid.
- II. General Regulations:
 - A. All regulations of the Wylie Zoning Ordinance (as of March 2023) shall apply, except as otherwise specified by this Ordinance.
- III. Specific Regulations:
 - A. The Electric Substation or Gas Regulator Station use as defined in the Wylie Zoning Ordinance (as of March 2023) shall be modified to allow for Battery Energy Storage.
 - B. Detention will be provided for the site via an offsite detention basin on the adjacent Oncor Parcel as shown in the Zoning Exhibit and shall be in place prior to completion of construction.
 - C. Required landscaping along Eubanks Lane and East Brown Street shall be a minimum ten feet non-irrigated greenspace buffer outside of perimeter 8' board on board wooden fence.
 - D. There shall not be any required parking as allowed by Section 5.G.1 of the Zoning Ordinance. Service areas as depicted on the Zoning Exhibit shall be provided to ensure maintenance vehicles do not block the fire lane.



IT IS THE RESPONSIBILITY OF THE CONTRACTORS TO REVIEW THE RESULTS OF THE SURVEYING AND ELEVATION DATA AND TO PROVIDE THE NECESSARY ELEVATION DATA TO THE ENGINEER AND TO PROVIDE THE NECESSARY ELEVATION DATA TO THE ENGINEER BEFORE CONSTRUCTION OF THE PROJECT. THE ENGINEER'S RESPONSIBILITY IS TO PROVIDE THE NECESSARY ELEVATION DATA TO THE ENGINEER BEFORE CONSTRUCTION OF THE PROJECT. THE ENGINEER'S RESPONSIBILITY IS TO PROVIDE THE NECESSARY ELEVATION DATA TO THE ENGINEER BEFORE CONSTRUCTION OF THE PROJECT.

CONSULTANT
Westwood
Phone (817) 883-0100 Fax (817) 883-0101
Toll Free (888) 927-5150 Website www.westwood.com
Westwood Professional Services, Inc.

CLIENT
BLACK MOUNTAIN ENERGY STORAGE
BLACK MOUNTAIN
www.bmenergystorage.com
Fort Worth, TX 76102

VISIBILITY TRIANGLE PER
THORNDORPE FIRE STANDARDS
TABLE 9 (SEE NOTE 1)
FIRE LANE

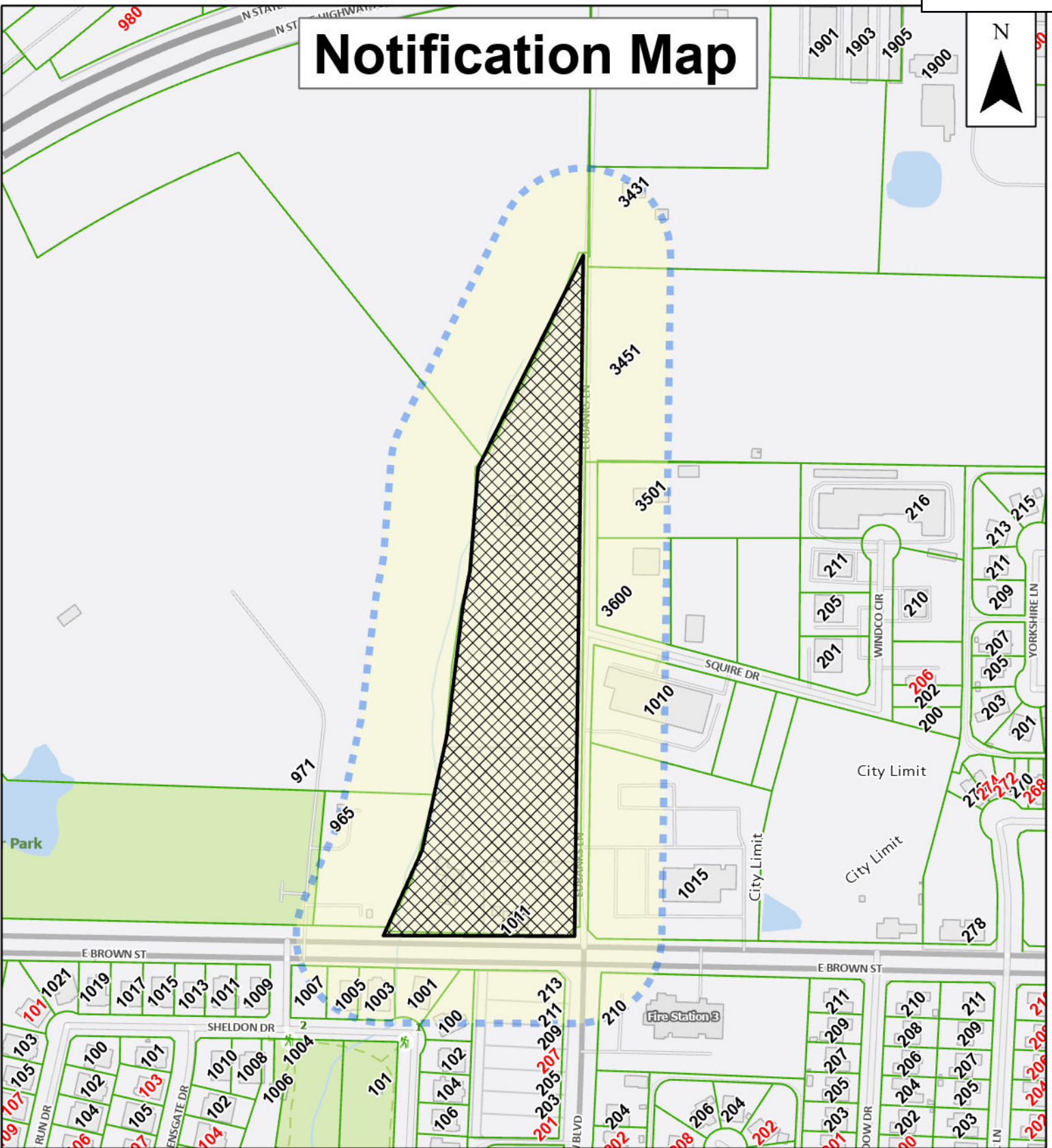
**GENERAL
SITE PLAN**
DATE: 06/26/2023

BUFFLEHEAD BESS
CITY OF WILE
COLLIN COUNTY, TX

ISSUE/REVISION

REV	DESCRIPTION	DB	AB	DATE

SHEET NUMBER REV:



ZONING CASE: ZC 2023-08
Bufflehead Battery Storage

 **SUBJECT property**  **200 foot Notification Buffer**

0 100 200 300 400 500 600 700 800 Feet



Date: 5/15/2023



PUBLIC COMMENT FORM (Please type or use black ink)

Department of Planning
300 Country Club Road
Building 100
Wylie, Texas 75098



I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2023-08.

I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2023-08.

Please feel free to contact the Planning Department at 972.516.6320 with questions or concerns

Date, Location & Time of
Planning & Zoning
Commission meeting:

Tuesday, June 06, 2023 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
City Council meeting:

Tuesday, June 27, 2023 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Denise & John Cifano
(please print)

Address:

1003 Sheldon Dr
Wylie 75098

Signature:

[Handwritten Signature]

Date:

27 May 23

COMMENTS:

PUBLIC COMMENT FORM*(Please type or use black ink)*

Department of Planning
 300 Country Club Road
 Building 100
 Wylie, Texas 75098



I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2023-08.

I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2023-08.

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Date, Location & Time of
 Planning & Zoning
 Commission meeting:

Tuesday, June 06, 2023 6:00 pm
 Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
 City Council meeting:

Tuesday, June 27, 2023 6:00 pm
 Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Donnette Cowgill
(please print)

Address:

3726 CR 2502

Padgett Mills, TX 75135

Signature:

Donnette Cowgill

Date:

6-6-23

COMMENTS:



BLACK MOUNTAIN

ENERGY STORAGE

Bufflehead BESS

June 2023



OVERVIEW

CORPORATE OVERVIEW

- Founded in 2007 by Rhett Bennett
- Headquartered in Fort Worth, TX
 - BMES headquartered in Austin, TX
- Family of entrepreneurial companies experienced in sourcing, developing, and operating assets
- Through their experience at the Black Mountain Entities, members of management have overseen investment of >\$1.35B in various assets and ventures
- Flat organizational structure with hands-on executive management
- Deep expertise within every vertical to create long-term value for customers and stakeholders

HISTORIC & CURRENT INVESTMENTS

Essential Commodities



OIL & GAS



NICKEL



LITHIUM



POTASH



WATER

Infrastructure & Logistics



TRANSPORTATION



DISPOSAL



SAND MINES

Produced Water Management
(Byproduct of O&G Production)

Economic Material Extracted
Throughout Process

Energy Transition Applications

BATTERY
STORAGE

Financial Vehicles

HEDGE
FUNDSROYALTY
VEHICLES

SPACS

BLACK MOUNTAIN BY THE NUMBERS



3,400+

Upstream
Transactions
Executed



19,605

Wells Planned
And Monitored



3,108

Wells Drilled
And Frac'd



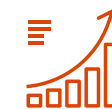
\$2B

USD transacted
since 2007



34M

Tons of Frac
Sand Mined



9

Businesses
Built Since 2007



300+

Years Of Combined
Experience



OVERVIEW

BATTERY ENERGY STORAGE SYSTEMS

Utility-scale BESS facilities are connected directly to the electric grid and consist of:

- Lithium-ion batteries & battery racks
- Non-walk-in battery enclosures
- Inverters to convert DC to AC electricity
- Medium-voltage transformers to step up to substation voltage
- Energy Management System (EMS) controls and monitors equipment
- Safety equipment and HVAC systems

Control Room

DC Disconnect Cabinet, AC Load Panel,
HVAC Controls, Fire Detection,
Hydrogen Detection, Comms and Controls

Cold HVAC

Air is ducted directly to the intake
fans of each stack



Wall-Mounted HVAC

One unit installed on each end
of the enclosure

Pre-integrated cable tray

Collects the DC cable,
AC cable and Comms
to each stack

Deflagration

Vents installed on every enclosure

OVERVIEW

BENEFITS TO WYLIE AND THE SURROUNDING AREA**RESOLVE
TRANSMISSION
CONGESTION &
SUPPORT GROWTH**

Unparalleled operational flexibility allows battery storage to resolve congestion brought on by growth in intermittent renewable resources and increasing industry

**INCREASE
ELECTRIC
RELIABILITY**

Battery energy storage is uniquely positioned to improve grid resilience via fast response to system needs, preventing conditions that can lead to outages and helping to smooth out wholesale price spikes for local utilities

**SIGNIFICANT
TAX CONTRIBUTOR**

With a capital cost of ~\$180MM and operational life of 20+ years, the proposed facility will become a meaningful contributor for decades to come.

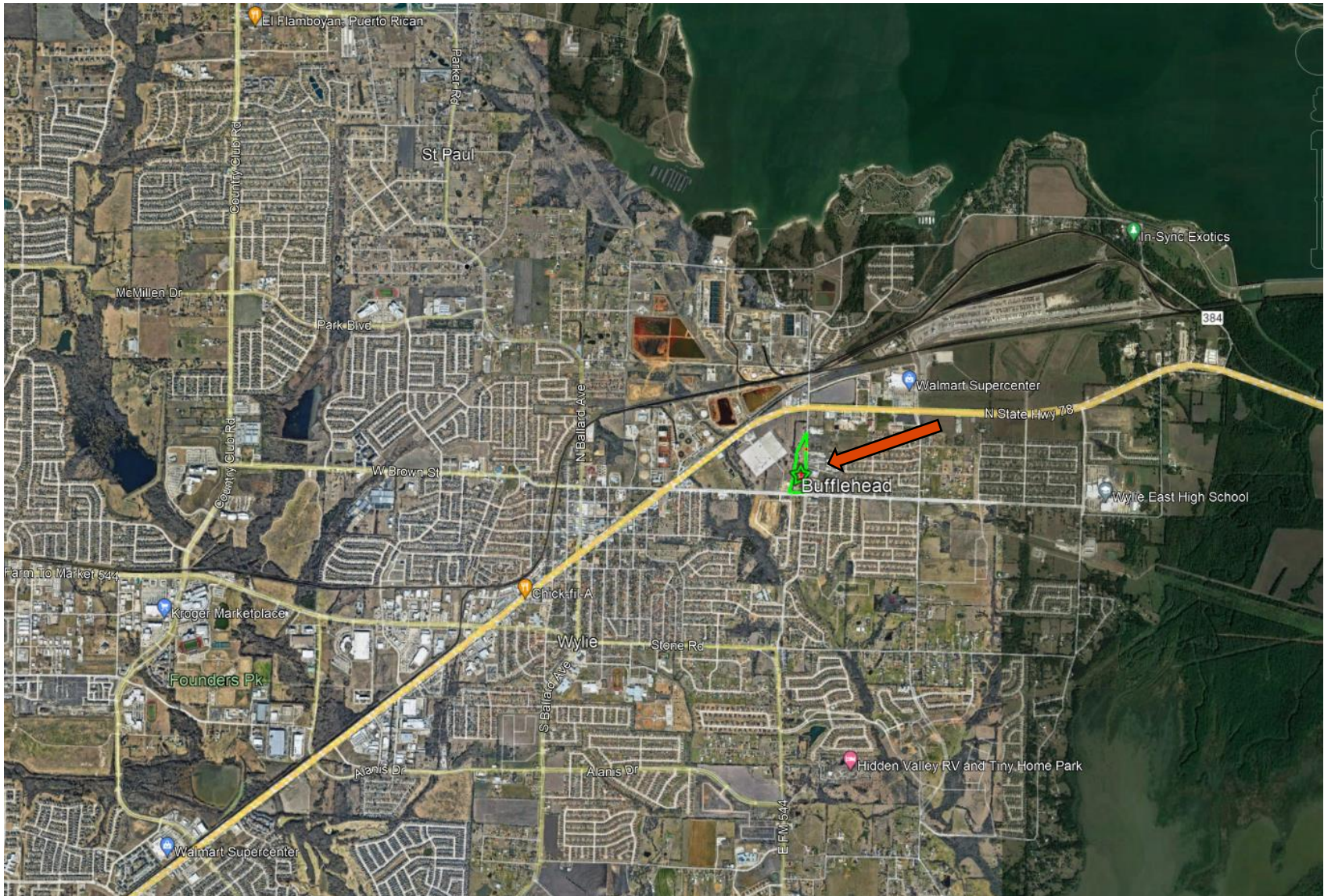
**GOOD
NEIGHBORS**

Black Mountain is all about putting down roots within our communities; our goal is to give back to the community by delivering economic opportunities and outreach support for local causes



PROJECT OVERVIEW

PROJECT LOCATION





PROJECT OVERVIEW

BUFFLEHEAD BESS - 24INR0274

LAND

- **Land Control:** 9.1 acres (purchase option)
- **Location:** Collin County, Texas

INTERCONNECT

- **Proposed Size:** 200MW x 2h
- **Proposed POI:** Oncor 138kV Lavon Switch Substation
- **Filing Date:** 2/17/2022
- **Estimated IA Execution:** 10/1/2023
- **Estimated COD:** Q3 2025

ENVIRONMENTAL / PERMITTING

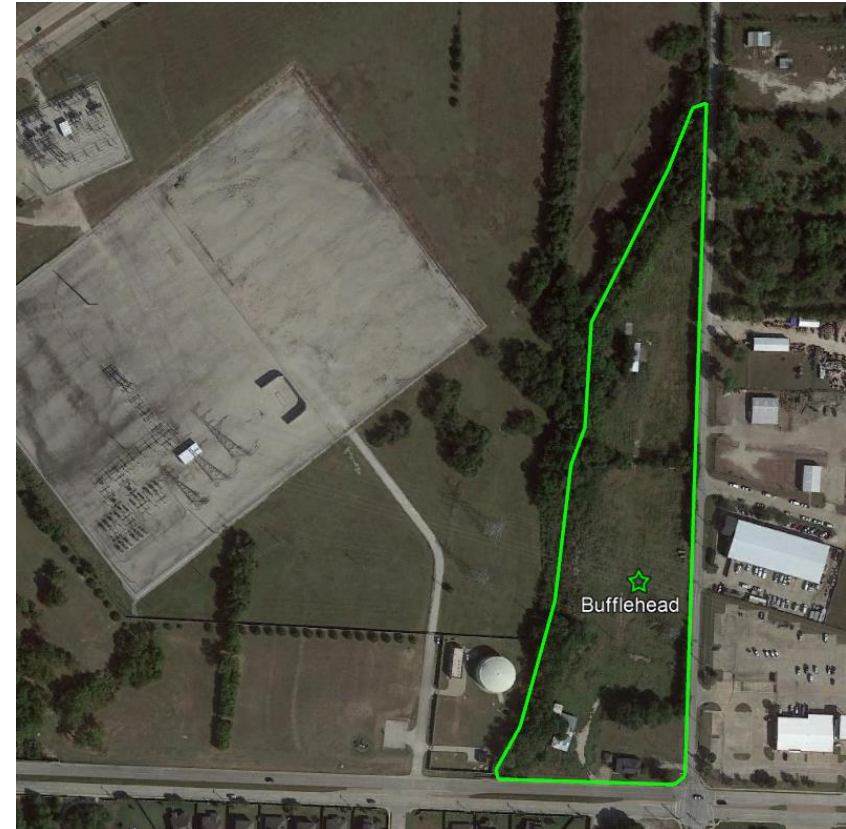
- **Critical Issues Analysis:** Complete – no concerns
- **Field Environmental Studies:** Complete – no concerns
- **Current Zoning:** Agriculture – SUP required (initiated)
- **Platting:** Required – City of Wylie (initiated)
- **Estimated Filing of Major Permits:** Q1 2024

ENGINEERING / CONSTRUCTION

- **Preliminary Layout:** Complete
- **Field Engineering Studies:** Ongoing
- **Estimated Construction Start:** Q3 2024

MARKET THESIS

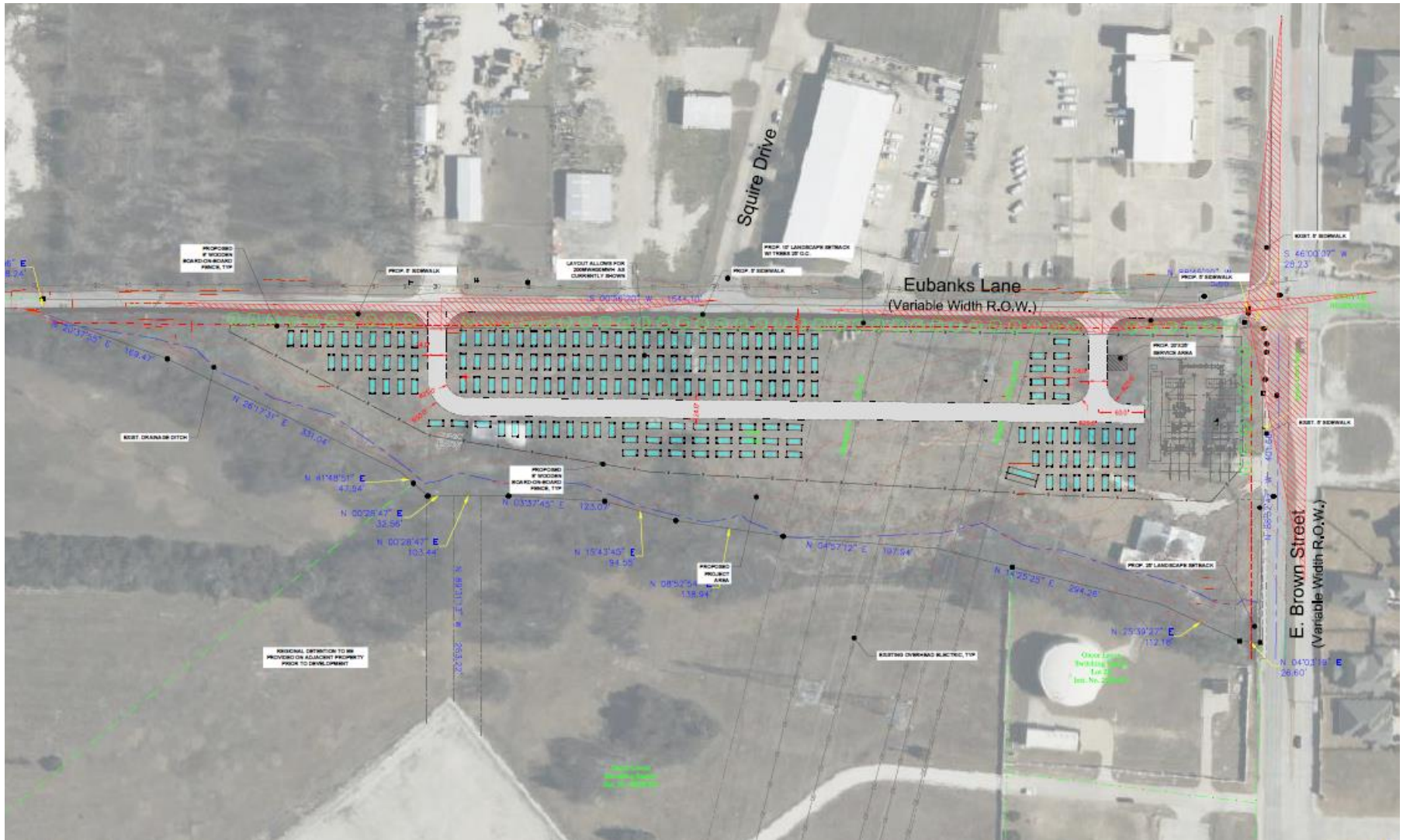
Lavon Switch is deep inside the Dallas load pocket and will experience high side congestion as solar attempts to flow toward load. This site is ideally positioned to capture high side binding from solar imports from various directions.



County: Collin

RTO Region: ERCOT

PRELIMINARY SITE DESIGN (200MW / 400MWh)*



**Preliminary design, final facility design subject to change*

FIRE SAFETY STANDARDS

NATIONAL SAFETY STANDARDS

The project will meet or exceed all applicable national safety standards including:

Standard	Description (Project Context)	Scope
UL 9540	Safety standard for energy storage systems and equipment. Aggregation of 1973, 1741, and fire safety at a system level, not just stand-alone equipment	Cell, Module, Rack
UL 9540A	Standard for Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems, prescribes procedure to perform cells – large scale fire testing	DC Block
UL 1973	Safety standard for batteries used in stationary applications. Includes mechanical, electrical, and fire tests at cell level	Cells, modules
UL 1741	Complement to IEEE 1547 – Interconnection of DR, functional, performance, and safety requirements for inverters	Inverter
NFPA 855	Standard for the installation of energy storage systems and references UL9540A test method	System / Facility



UL9540 - Cell Level



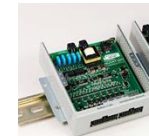
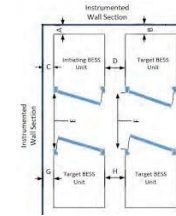
UL9540 - Module Level



FIRE SAFETY STANDARDS

SAFETY FEATURES ARE DESIGNED TOGETHER ON A PROJECT SPECIFIC LEVEL

- **Layout Separation Distance** – UL 9540a requires minimum separation distance between enclosures to prevent fire propagation
- **Module and Enclosure** – batteries are encased in metal shells and enclosures to reduce propagation. Each module includes voltage and current sensors to notify the operator of instantaneously of any abnormal operation within the enclosure
- **Battery Management System** – continuously monitors health and safety of battery and provides controlled shutdown in abnormal conditions to provide early-fault detection
- **Smoke and heat detectors** – may be designed either internally or externally to enclosure, provides detection and annunciation
- **Gas Ventilation / Deflagration Panels** – prohibits the buildup of gases reaching unsafe conditions or allows controlled release of gases
- **Fire suppression** – different fire suppressants may be utilized to control fire propagation
- **Electrical safety design** – devices such as fuses, circuit breakers, surge protection device, insulation monitoring device and others protect the electrical system from a fault condition
- **Redundant Design** – multiple sets of redundancy build into the design to ensure safety





SITE EXAMPLE

BATTERY ENERGY STORAGE FACILITY – PFLUGERVILLE, TX





SITE EXAMPLE

BATTERY ENERGY STORAGE FACILITY – PFLUGERVILLE, TX





SITE EXAMPLE

BATTERY ENERGY STORAGE FACILITY – PFLUGERVILLE, TX





Wylie City Council

AGENDA REPORT

Department: Parks and Recreation

Prepared By: Brent Stowers

Account Code: _____

Subject

Consider, and act upon, approval of the Non-Profit Park Event Application from Hope's Gate representative Patricia Bauman, to hold the "Hope Under Stars" fundraiser event at Olde City Park on Saturday, October 21, 2023.

Recommendation

Motion to approve the Item as presented and authorizing to City Manager to provide written permission allowing the possession and consumption of an alcoholic beverage, subject to conditions or regulations imposed by the City and TABC.

Discussion

This is the Hope's Gate organization's first time requesting this event take place at a City of Wylie facility. Representative Patricia Bauman is also requesting permission to provide alcohol to ticketholders during their event, which must go through the following process:

- 1) Submit a Non-Profit Park Event Application, which is included in this Agenda Packet.
- 2) Receive Wylie Parks and Recreation Board approval for recommendation to Council.
- 3) Receive Wylie City Council's final approval.
- 4) Receive written permission from the City Manager or his designee, for the allowance of possession and consumption of alcoholic beverages during the requested event. See Ordinance No. 2021-25, Chapter 10, Article II, Section 10-21.

Conditions or regulations that can be imposed by the City:

- the event organizer must obtain the proper permits from TABC and maintain compliance with all permit and other TABC requirements for the duration of use of the City park;
- specifically state the period of time in which alcohol possession and consumption can occur;
- the event organizer must agree to defend and indemnify the City from any claims or damages and procure and maintain insurance coverage to protect the City (specifying limits and other requirements)

Hope's Gate Purpose of the Event:

To raise both funding and awareness of the mission of Hope's Gate, which is to bring hope to orphans, victims of human trafficking, and the world's most vulnerable. The secondary purpose is to highlight and connect many of the Wylie businesses.

Hope's Gate Event Details:

This event will be a seated dinner event for ticketholders only and will be held in full compliance with TABC regulations and licensing. The event will consist of a five-course dinner with a wine pairing for four of the five courses. Each course will be prepared by a different chef from local Wylie restaurants. Guests will be offered a complimentary two-ounce tasting with each course, resulting in no more than eight ounces of wine served to each guest throughout the event. No other alcohol will be sold or served during the event. All proceeds go to benefit the Hopes Gate non-profit organization.

Hope's Gate Target Audience:

Local residents who are interested in the mission of Hope's Gate, as well as those who are interested in a nice dinner in the park.

The Parks and Recreation Board approved this application at the June 12, 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 (no car shows permitted 30 days prior to or 14 days after the City-sponsored Bluegrass on Ballard event);
 - c. Present an unreasonable danger to health or safety;
 - d. Cause loss or damage to City property;
 - e. Interfere with or place a burden on Public Safety services;
 - f. Interrupt the safe and orderly movement of pedestrians and vehicles.
- For events including food items, applicant provides documentation from the Collin County Environmental Services indicating whether or not a Food Service/Health permit is required for the event. This includes all food items: sold, free, food trucks, catering, homemade, prepackaged, etc.;
 - a. Please contact the Environmental Services Specialist at 972-548-5528 or 972-548-5585. The Collin County website is www.collincountytx.gov 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 *

Hope's Gate

Website

www.hopesgate.org

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

IRS Non profit letter .pdf

870.95KB

Contact Information**Primary Contact Name ***

Patricia Bauman

Event Information**Event Name/Title ***

Hope Under Stars

Event Type *

Fundraiser

Purpose of event *

Raise both funding and awareness to the mission of Hope's Gate, which is to bring hope to orphans, victims of human trafficking, and the world's most vulnerable. The secondary purpose is to highlight and connect many of the Wylie businesses.

Event Location *

Olde City Park

112 S Ballard Avenue

Proposed Event Date *

10/21/2023

Alternative Event Date *

10/21/2023

Start Time *

10:00:00 AM

Include Setup

End Time *

10:00:00 PM

Include Cleanup

Do you plan to sell items of any kind?

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

☐ Yes ☒ No**Anticipated number of Participating Vendors ***

5

Anticipated Event Attendance *

120

Event Target Audience *

Local residents who are interested in the mission of Hope's Gate, as well as those who are interested in a nice dinner in the park

Event Details *

This event will be a seated dinner event for ticketholders only and will be held in full compliance with TABC regulations and licensing. The event will consist of a 5 course dinner with a wine pairing for 4 of the 5 courses. Each course will be prepared by a different chef from local Wylie restaurants. Guests will be offered a complimentary 2 ounce tasting with each course, resulting in no more than 8 oz of wine served to each guest throughout the event. No other alcohol will be sold or served during the event. All proceeds go to benefit the Hopes Gate non-profit organization.

Event Announcement and/or Flyers

Signature

Kendra Medina

Date*
06/06/2023




HOPE'S
— GATE —
Presents
Hope Under the Stars

Hope's Gate

- We began in 2011
 - Partnered with shelters & safe houses in India to help women/children at risk of exploitation
 - Provides income to at-risk people
 - Started the Hope's Gate Education Fund in 2017
 - Helps young adults avoid being re-exploited through scholarships for higher education
 - Expanded to reach more nations over the years
- Our first downtown storefront opened in 2020
 - Selling items made by those from at-risk situations
 - Empowering Wylie to help others around the world
- Hope's Gate Benefit Dinner at the Farm began in 2020
 - Inviting guests to be part of the change
 - Partnering with YWAM Wylie (Youth With A Mission) to provide volunteers for this event

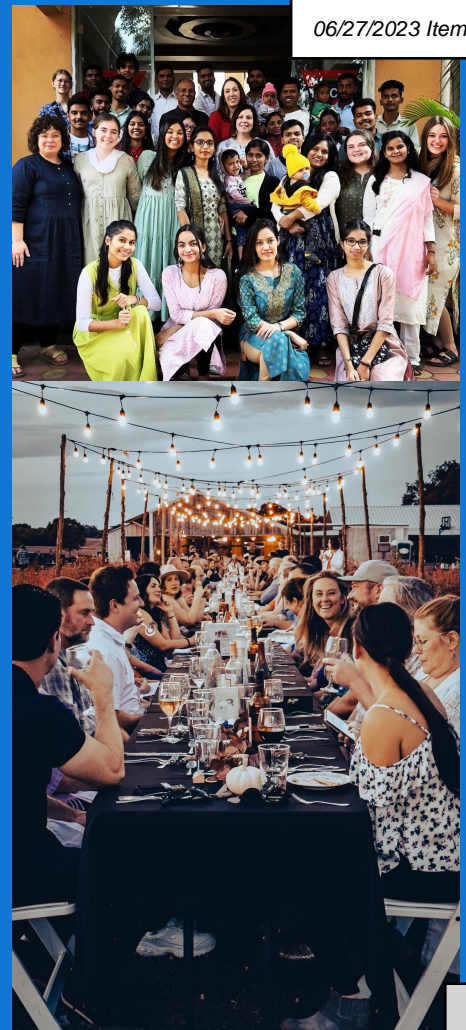


06/27/2023 Item 3.



Purpose Of Event

- Raise educational funds
 - A scholarship for a local Wylie student
 - Education funds for students worldwide
- Partner with local businesses & community members
 - Local restaurants showcased, business drawn to Wylie from surrounding areas
 - Support our city's economic development
- Bring our community together to
 - Support at-risk students from our community and those around the world
 - Highlight Wylie high school students (culinary arts students, orchestra or band)



Order of Events

- Hors d'oeuvre hour
 - Raffle items, mingling, appetizers, and mocktails
 - Our team will share about the impact of Hope's Gate
- Five Course Dinner
 - Complimentary 2 oz tasting of wine with each of the 4 courses (8 oz in total) followed by coffee and dessert
 - Each Chef (restaurant owner) will share about their course to help familiarize guests with their restaurant or business
 - The Winery will share about each wine served
 - Local student musicians will be entertaining the guest as they enjoy the dinner



Safety Measures - Serving Alcohol

- Staff stationed at the entrance
 - Checking guests in
 - Any guest under 21 will be flagged to ensure they are not served any alcohol during the limited tasting
- Pre-dinner reception will only have mocktails served
- During the Dinner
 - 2 oz pour tastings will be served by TABC permitted staff to not exceed one 8 oz glass by the end of dinner



ORDINANCE NO. 2021-25

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 10 (ALCOHOLIC BEVERAGES), ARTICLE II (POSSESSION AND CONSUMPTION IN PUBLIC PLACES); MODIFYING REGULATIONS ON THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES; PROVIDING A REPEALING CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") finds that it is in the best interest of the citizens of City of Wylie, Texas ("City") to amend Chapter 10 (Alcoholic Beverages), Article II (Possession and Consumption in Public Places) of the City's Code of Ordinances, Ordinance No. 2021-17, as amended ("Code of Ordinances"), as set forth below.

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

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

SECTION 2: Amendment to Chapter 10 (Alcoholic Beverages), Article II (Possession and Consumption in Public Places) of the Code of Ordinances. Chapter 10 (Alcoholic Beverages), Article II (Possession and Consumption in Public Places) of the Code of Ordinances is hereby amended to read as follows¹:

"CHAPTER 10 - ALCOHOLIC BEVERAGES

ARTICLE II – POSSESSION AND CONSUMPTION IN PUBLIC PLACES

...

Sec. 10-21. Declared Unlawful Possession and Consumption in Certain Public Places Prohibited

~~It shall be unlawful for any person to possess or consume any open alcoholic beverage, as defined in Texas Alcoholic Beverage Code § 1.04, in any public place within the corporate limits of the City.~~

- (a) A person commits an offense if he possesses or consumes an alcoholic beverage on the premises of a park, recreational area or other public open space or facility or structure owned, leased or operated by the City. A

¹ Deletions are evidenced by ~~strikethrough~~; additions are underlined.

violation of this section is punishable by a fine not to exceed five hundred dollars (\$500.00) and shall be considered trespassing as defined by state law.

(b) It is a defense to prosecution or enforcement of a violation of Subsection (a) that:

(1) The container of alcoholic beverage possessed by the person had an unbroken seal or other evidence of having never been opened, or

(2) The person was on the premises of a park, recreational area or other public open space or facility or structure for which:

a. A valid license or permit to sell or serve alcoholic beverages was issued by the Texas Alcoholic Beverage Commission and the person was within the area authorized by the Texas Alcoholic Beverage Commission for alcohol sales, service or consumption; or

b. A lease or rental agreement or other written permission had been granted by the City or the City Manager or his designee, allowing the possession and consumption of an alcoholic beverage, subject to conditions or regulations imposed by the City or the City Manager or his designee.

(c) For the purpose of this Section, the term "alcoholic beverage" means and refers to an alcoholic beverage as defined by the Texas Alcoholic Beverage Code.

(d) Nothing in this Section is intended to prohibit or otherwise control the manufacture, sale, distribution, transportation, consumption or possession of alcoholic beverages, except to the extent allowed by state law.

Sec. 10-22. Exceptions Reserved

~~This article shall not apply to persons in their private residences as guests of other persons in such other persons' private residences or to persons within privately owned premises."~~

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

ordinances shall remain in full force and effect.

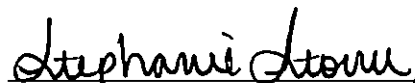
SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

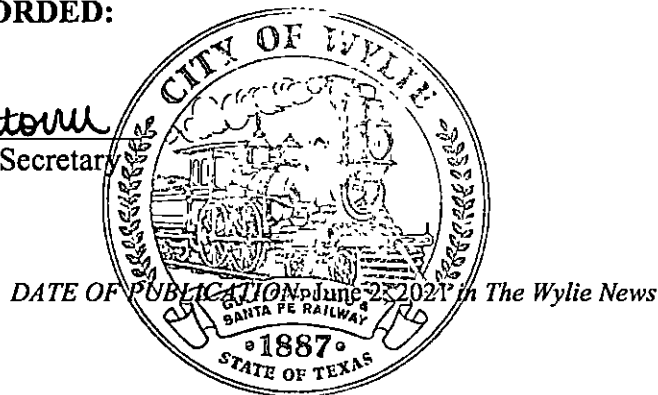
SECTION 5: Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 25th day of May 2021.


Matthew Porter, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**


Stephanie Storm, City Secretary





The Farmersville Times • Murphy Monitor • The Princeton Herald • The Sachse News • THE WYLIE NEWS

STATE OF TEXAS
COUNTY OF COLLIN

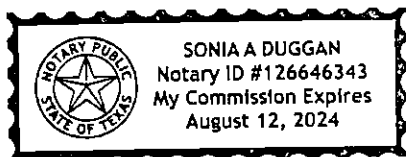
Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C & S Media, dba *The Wylie News*, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government 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 – Ordinances No. 2021-25, 2021-29 and 2021-30
was published in said newspaper on the following date(s), to-wit:
June 2, 2021

Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 3rd day of June, 2021, to certify which witness my hand and seal of office.

Notary Public in and for
The State of Texas



My commission expires 08/12/2024.

CITY OF WYLIE

**Ordinance
No. 2021-25**

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 10 (Alcoholic Beverages), Article II (Possession And Consumption In Public Places); Modifying Regulations On The Possession And Consumption Of Alcoholic Beverages In Public Places; Providing A Repealing Clause, A Severability Clause, A Penalty Clause And An Effective Date.

**Ordinance
No. 2021-29**

An Ordinance Of The City Of Wylie, Texas, Amending The Comprehensive Zoning Ordinance Of The City Of Wylie, As Heretofore Amended, So As To Change The Zoning On The Hereinafter Described Property, Zoning Case Number 2021-12, From Planned Development 2017-03, (Pd 2017-03) To Commercial Corridor (Cc), To Allow For Commercial Development; Providing For A Penalty For The Violation Of This Ordinance; Providing For The Repeal Of All Ordinances In Conflict; Providing A Severability Clause; And Providing For An Effective Date.

**Ordinance
No. 2021-30**

An Ordinance Of The City Of Wylie, Texas, Amending The Comprehensive Zoning Ordinance Of The City Of Wylie, As Heretofore Amended, So As To Change The Zoning On The Hereinafter Described Property, Zoning Case Number 2021-08, From Single Family 10/24 (Sf 10/24) To Commercial Corridor (Cc), To Allow For Commercial Development; Providing For A Penalty For The Violation Of This Ordinance; Providing For The Repeal Of All Ordinances In Conflict; Providing A Severability Clause; And Providing For An Effective Date.

5-11-98li



Wylie City Council

AGENDA REPORT

Department: Finance

Prepared By: Melissa Brown

Account Code: _____

Subject

Discussion and consideration of all matters incident and related to the issuance and sale of “City of Wylie, Texas, General Obligation Bonds, Series 2023,” including the adoption of Ordinance No. 2023-27 authorizing the issuance of such bonds and related agreements.

Recommendation

Motion to approve Ordinance No. 2023-27 and all matters incident and related to the issuance of “City of Wylie, Texas General Obligation Bonds, Series 2023” and related agreements.

Discussion

In November 2021, voters approved \$50.1 million of general obligation bonds which supports three propositions. Bonds are issued as needed and only when projects are ready to move forward to minimize the impact on the I&S portion of the tax rate.

This issue is for:

1. \$5 million for Park Blvd.: construction of a four-lane divided roadway (room for future expansion to six lanes) from Country Club Road to Parker Road
2. \$10 million for McMillen Road: construction of a four-lane divided roadway (room for future expansion to six lanes) from Country Club Road to McCreary Road, including a 6-lane bridge over Muddy Creek
3. \$2 million for general street repairs

Bids will be received for the sale of these bonds on the morning of June 27, 2023 and presented to Council at the regular meeting that evening by our financial advisors, Hilltop Securities. After bids are completed in the morning, our bond attorneys will complete the blank spaces within the body of the attached Ordinance. The completed Ordinance will be available for review by council before the meeting.

ORDINANCE NO. 2023-27

AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF WYLIE, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2023,” SPECIFYING THE TERMS AND FEATURES OF SAID BONDS; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wylie, Texas (the “City”) hereby finds and determines that general obligation bonds in the principal amount of \$_____ approved and authorized to be issued at an election held in the City on November 2, 2021 should be issued and sold at this time; a summary of the bonds approved by the voters at said election, the principal amounts authorized and respective purposes therefor, amounts heretofore issued and being issued pursuant to this ordinance and the amounts remaining to be issued subsequent hereto being as follows:

Election Date	Purpose	Amount <u>Authorized</u> (\$)	Amount Previously <u>Issued (\$)</u>	Principal Amount Being <u>Issued (\$)</u>	Premium <u>Applied (\$)*</u>	Unissued <u>Balance (\$)</u>
11-2-2021	McMillen Dr, Park Blvd & Ballard/Sachse Road Improvements (Prop. A)	35,100,000	2,500,000			
11-2-2021	General street improvements (Prop. B)	10,000,000	2,000,000			
11-2-2021	Downtown historic district street improvements (Prop C)	5,000,000	1,000,000			4,000,000
	Totals:	50,100,000	5,500,000			

*Original issue premium in the amount of \$_____ allocated to the specific street improvements voted authorization in Prop. A is applied against the specific street improvements voted authorization in Prop. A referenced in the above table and results in a total amount of \$_____being allocated to and applied against the specific street improvements voted authorization in Prop. A; original issue premium in the amount of \$_____allocated to the general street improvement voted authorization in Prop. B is applied against the general street improvement voted authorization in Prop. B referenced in the above table and results in a total amount of \$_____being allocated to and applied against the general street improvement voted authorization in Prop. B.

AND WHEREAS, the City Council hereby reserves and retains the right to issue the balance of unissued bonds approved at said election in one or more installments when, in the judgment of the City Council, funds are needed to accomplish the purposes for which such bonds were voted;

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

SECTION 1: Authorization - Designation - Principal Amount - Purpose. General obligation bonds of the City shall be and are hereby authorized to be issued in the aggregate principal amount of \$_____to be designated and bear the title “CITY OF WYLIE, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2023” (hereinafter referred to as the “Bonds”), for the purposes of providing funds for (i) permanent public improvements and public purposes, to wit: (a) developing, engineering, constructing, reconstructing, improving, repairing, extending, expanding and enhancing McMillen Drive, Park Boulevard and Ballard/Sachse Road, including sidewalks and necessary and related storm drainage facilities and improvements, utility relocations and the acquisition of any needed land and rights-of-way therefor; and (b) developing, engineering, constructing, reconstructing, improving, repairing, extending, expanding and

enhancing streets, thoroughfares, alleys and sidewalks, including necessary and related storm drainage facilities and improvements, utility relocations and the acquisition of any needed land and rights-of-way therefor; and (ii) to pay costs of issuance, in accordance with the Constitution and laws of the State of Texas including Chapter 1331, as amended, of the Texas Government Code.

SECTION 2: Fully Registered Obligations - Bond Date - Authorized Denominations - Stated Maturities - Interest Rates. The Bonds shall be issued as fully registered obligations only, shall be dated July 15, 2023 (the “Bond Date”), shall be in denominations of \$5,000 or any integral multiple (within a Stated Maturity) thereof, and shall become due and payable on February 15 in each of the years and in principal amounts (the “Stated Maturities”) and bear interest at the rates per annum in accordance with the following schedule:

<u>Year of Stated Maturity</u>	<u>Principal Amount (\$)</u>	<u>Interest Rates (%)</u>
2024		
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		
2037		
2038		
2039		
2040		
2041		
2042		
2043		

The Bonds shall bear interest on the unpaid principal amounts from the date of the initial delivery of the Bonds (anticipated to be July 27, 2023) at the rates per annum shown above in this Section (calculated on the basis of a 360-day year of twelve 30-day months). Interest on the Bonds shall be payable on February 15 and August 15 in each year until maturity or prior redemption, commencing February 15, 2024.

SECTION 3: Terms of Payment - Paying Agent/Registrar. The principal of, premium, if any, and the interest on the Bonds, due and payable by reason of maturity, redemption or otherwise, shall be payable only to the registered owners or holders of the Bonds (hereinafter called the “Holders”) appearing on the Security Register (as defined herein) maintained by the Paying Agent/Registrar and the payment thereof shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, and shall be without exchange or collection charges to the Holders.

The selection and appointment of The Bank of New York Mellon Trust Company, N.A., Dallas,

Texas, to serve as Paying Agent/Registrar for the Bonds is hereby approved and confirmed. Books and records relating to the registration, payment, exchange and transfer of the Bonds (the "Security Register") shall at all times be kept and maintained on behalf of the City by the Paying Agent/Registrar, all as provided herein, in accordance with the terms and provisions of a "Paying Agent/Registrar Agreement," substantially in the form attached hereto as **Exhibit A** and such reasonable rules and regulations as the Paying Agent/Registrar and the City may prescribe. The Mayor or Mayor Pro Tem and City Secretary of the City are hereby authorized to execute and deliver such Paying Agent/Registrar Agreement in connection with the delivery of the Bonds. The City covenants to maintain and provide a Paying Agent/Registrar at all times until the Bonds are paid and discharged, and any successor Paying Agent/Registrar shall be a commercial bank, trust company, financial institution or other entity qualified and authorized to serve in such capacity and perform the duties and services of Paying Agent/Registrar. Upon any change in the Paying Agent/Registrar for the Bonds, the City agrees to promptly cause a written notice thereof to be sent to each Holder by United States mail, first-class, postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Principal of and premium, if any, on the Bonds shall be payable at the Stated Maturities or upon the earlier redemption thereof, only upon presentation and surrender of the Bonds to the Paying Agent/Registrar at its designated office initially in East Syracuse, New York; or, with respect to a successor Paying Agent/Registrar, at the designated offices of such successor (the "Designated Payment/Transfer Office"). Interest on the Bonds shall be paid to the Holders whose names appear in the Security Register at the close of business on the Record Date (the last business day of the month next preceding each interest payment date) and shall be paid by the Paying Agent/Registrar (i) by check sent United States mail, first-class, postage prepaid, to the address of the Holder recorded in the Security Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Holder. If the date for the payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, a legal holiday, or a day when banking institutions in the city where the Designated Payment/Transfer Office of the Paying Agent/Registrar is located are authorized by law or executive order to be closed, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day when such banking institutions are authorized to be closed; and payment on such date shall have the same force and effect as if made on the original date payment was due.

In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class, postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

SECTION 4: Redemption.

(a) Optional Redemption. The Bonds having Stated Maturities on and after February 15, 20 , shall be subject to redemption prior to maturity, at the option of the City, in whole or in part in principal amounts of \$5,000 or any integral multiple thereof (and if within a Stated Maturity by lot by the Paying Agent/Registrar), on February 15, 20 , or on any date thereafter, at the redemption price of par plus accrued interest to the date of redemption.

At least forty-five (45) days prior to a redemption date for the Bonds (unless a shorter notification period shall be satisfactory to the Paying Agent/Registrar), the City shall notify the Paying Agent/Registrar of the decision to redeem Bonds, the principal amount of each Stated Maturity to be redeemed, and the date of redemption therefor. The decision of the City to exercise the right to redeem Bonds shall be entered in the minutes of the governing body of the City.

(b) [Mandatory Redemption. The Bonds having Stated Maturities of February 15 in the years 20__ and 20__ (collectively, the “Term Bonds”) shall be subject to mandatory redemption in part prior to maturity at the redemption price of par and accrued interest to the date of redemption on the respective dates and in principal amounts as follows:

<u>Term Bonds due February 15, 20__</u>		<u>Term Bonds due February 15, 20__</u>	
Principal		Principal	
<u>Redemption Date</u>	<u>Amount (\$)</u>	<u>Redemption Date</u>	<u>Amount (\$)</u>
February 15, 20__		February 15, 20__	
February 15, 20__ (maturity)		February 15, 20__ (maturity)	
<u>Term Bonds due February 15, 20__</u>		<u>Term Bonds due February 15, 20__</u>	
Principal		Principal	
<u>Redemption Date</u>	<u>Amount (\$)</u>	<u>Redemption Date</u>	<u>Amount (\$)</u>
February 15, 20__		February 15, 20__	
February 15, 20__ (maturity)		February 15, 20__ (maturity)	
<u>Term Bonds due February 15, 20__</u>			
Principal			
<u>Redemption Date</u>	<u>Amount (\$)</u>		
February 15, 20__			
February 15, 20__ (maturity)			

At least forty-five (45) days prior to the mandatory redemption date for the Term Bonds, the Paying Agent/Registrar shall select by lot the numbers of the Term Bonds to be redeemed on the next following February 15 from moneys set aside for that purpose in the Interest and Sinking Fund (as hereinafter defined). Any Term Bond not selected for prior redemption shall be paid on the date of its Stated Maturity.

The principal amount of the Term Bonds required to be redeemed on a mandatory redemption date may be reduced, at the option of the City, by the principal amount of Term Bonds which, at least fifty (50) days prior to the mandatory redemption date, (1) shall have been acquired by the City at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation or (2) shall have been redeemed pursuant to the optional redemption provisions set forth in paragraph (a) of this Section and not theretofore credited against a mandatory redemption requirement.]

(c) Selection of Bonds for Redemption. If less than all Outstanding Bonds of the same Stated Maturity are to be redeemed on a redemption date, the Paying Agent/Registrar shall treat such Bonds as representing the number of Bonds Outstanding which is obtained by dividing the principal amount of such Bonds by \$5,000 and shall select the Bonds, or principal amount thereof, to be redeemed within such Stated Maturity by lot.

(d) Notice of Redemption. Not less than thirty (30) days prior to a redemption date for the Bonds, a notice of redemption shall be sent by United States mail, first-class, postage prepaid, in the name of the City and at the City's expense, to each Holder of a Bond to be redeemed in whole or in part at the address of the Holder appearing on the Security Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder.

All notices of redemption shall (i) specify the date of redemption for the Bonds, (ii) identify the Bonds to be redeemed and, in the case of a portion of the principal amount to be redeemed, the principal amount thereof to be redeemed, (iii) state the redemption price, (iv) state that the Bonds, or the portion of the principal amount thereof to be redeemed, shall become due and payable on the redemption date specified, and the interest thereon, or on the portion of the principal amount thereof to be redeemed, shall cease to accrue from and after the redemption date, and (v) specify that payment of the redemption price for the Bonds, or the principal amount thereof to be redeemed, shall be made at the Designated Payment/Transfer Office of the Paying Agent/Registrar only upon presentation and surrender thereof by the Holder. If a Bond is subject by its terms to prior redemption and has been called for redemption and notice of redemption thereof has been duly given as hereinabove provided, such Bond (or the principal amount thereof to be redeemed) shall become due and payable and interest thereon shall cease to accrue from and after the redemption date therefor; provided moneys sufficient for the payment of such Bond (or of the principal amount thereof to be redeemed) at the then applicable redemption price are held for the purpose of such payment by the Paying Agent/Registrar.

(e) Conditional Notice of Redemption. With respect to any optional redemption of the Bonds, unless moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption is conditional upon the receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon the satisfaction of any prerequisites set forth in such notice of redemption. If a conditional notice is given and if sufficient moneys are not received, or such prerequisites are not satisfied, such notice shall be of no force and effect, the City shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

SECTION 5: Registration - Transfer - Exchange of Bonds - Predecessor Bonds. The Paying Agent/Registrar shall obtain, record, and maintain in the Security Register the name and address of each and every owner of the Bonds issued under and pursuant to the provisions of this Ordinance, or if appropriate, the nominee thereof. Any Bond may be transferred or exchanged for Bonds of other authorized denominations by the Holder, in person or by his duly authorized agent, upon surrender of such Bond to the Paying Agent/Registrar at the Designated Payment/Transfer Office for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Paying Agent/Registrar.

Upon surrender of any Bond (other than the Initial Bond(s) referenced in Section 8 hereof) for transfer at the Designated Payment/Transfer Office of the Paying Agent/Registrar, one or more new Bonds shall be registered and issued to the assignee or transferee of the previous Holder; such Bonds to be in authorized denominations, of like Stated Maturity and of a like aggregate principal amount as the Bond or Bonds surrendered for transfer.

At the option of the Holder, Bonds (other than the Initial Bond(s) referenced in Section 8 hereof) may be exchanged for other Bonds of authorized denominations and having the same Stated Maturity, bearing the same rate of interest and of like aggregate principal amount as the Bonds surrendered for exchange, upon surrender of the Bonds to be exchanged at the Designated Payment/Transfer Office of the Paying Agent/Registrar. Whenever any Bonds are surrendered for exchange, the Paying Agent/Registrar shall register and deliver new Bonds to the Holder requesting the exchange.

All Bonds issued in any transfer or exchange of Bonds shall be delivered to the Holders at the Designated Payment/Transfer Office of the Paying Agent/Registrar or sent by United States mail, first-class, postage prepaid to the Holders, and, upon the registration and delivery thereof, the same shall be the valid obligations of the City, evidencing the same obligation to pay, and entitled to the same benefits under this Ordinance, as the Bonds surrendered in such transfer or exchange.

All transfers or exchanges of Bonds pursuant to this Section shall be made without expense or service charge to the Holder, except as otherwise herein provided, and except that the Paying Agent/Registrar shall require payment by the Holder requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange.

Bonds canceled by reason of an exchange or transfer pursuant to the provisions hereof are hereby defined to be "Predecessor Bonds," evidencing all or a portion, as the case may be, of the same obligation to pay evidenced by the new Bond or Bonds registered and delivered in the exchange or transfer therefor. Additionally, the term "Predecessor Bonds" shall include any mutilated, lost, destroyed, or stolen Bond for which a replacement Bond has been issued, registered and delivered in lieu thereof pursuant to the provisions of Section 11 hereof and such new replacement Bond shall be deemed to evidence the same obligation as the mutilated, lost, destroyed, or stolen Bond.

Neither the City nor the Paying Agent/Registrar shall be required to issue or transfer to an assignee of a Holder any Bond called for redemption, in whole or in part, within forty-five (45) days of the date fixed for the redemption of such Bond; provided, however, such limitation on transferability shall not be applicable to an exchange by the Holder of the unredeemed balance of a Bond called for redemption in part.

SECTION 6: Book-Entry-Only Transfers and Transactions. Notwithstanding the provisions contained herein relating to the payment of, and transfer/exchange of, the Bonds, the City hereby approves and authorizes the use of "Book-Entry-Only" securities clearance, settlement and transfer system provided by The Depository Trust Company ("DTC"), a limited purposed trust company organized under the laws of the State of New York, in accordance with the operational arrangements referenced in the Blanket Issuer

Letter of Representations, by and between the City and DTC (the “Depository Agreement”).

Pursuant to the Depository Agreement and the rules of DTC, the Bonds shall be deposited with DTC who shall hold said Bonds for its participants (the “DTC Participants”). While the Bonds are held by DTC under the Depository Agreement, the Holder of the Bonds on the Security Register for all purposes, including payment and notices, shall be Cede & Co., as nominee of DTC, notwithstanding the ownership of each actual purchaser or owner of each Bond (the “Beneficial Owners”) being recorded in the records of DTC and DTC Participants.

In the event DTC determines to discontinue serving as securities depository for the Bonds or otherwise ceases to provide book-entry clearance and settlement of securities transactions in general, or the City decides to discontinue use of the system of book-entry transfers through DTC, the City covenants and agrees with the Holders of the Bonds to cause Bonds to be printed in definitive form and provide for the Bond certificates to be issued and delivered to DTC Participants and Beneficial Owners, as the case may be. Thereafter, the Bonds in definitive form shall be assigned, transferred and exchanged on the Security Register maintained by the Paying Agent/Registrar and payment of such Bonds shall be made in accordance with the provisions of Sections 3, 4 and 5 hereof.

SECTION 7: Execution - Registration. The Bonds shall be executed on behalf of the City by the Mayor or Mayor Pro Tem under its seal reproduced or impressed thereon and countersigned by the City Secretary. The signature of said officers on the Bonds may be manual or facsimile. Bonds bearing the manual or facsimile signatures of individuals who are or were the proper officers of the City on the date of adoption of this Ordinance shall be deemed to be duly executed on behalf of the City, notwithstanding that one or more of such individuals shall cease to hold such offices at the time of delivery of the Bonds to the initial purchaser(s) and with respect to Bonds delivered in subsequent exchanges and transfers, all as authorized and provided in Texas Government Code, Chapter 1201, as amended.

No Bond shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Bond either a certificate of registration substantially in the form provided in Section 9(c), manually executed by the Comptroller of Public Accounts of the State of Texas, or his duly authorized agent, or a certificate of registration substantially in the form provided in Section 9(d), manually executed by an authorized officer, employee or representative of the Paying Agent/Registrar, and either such certificate duly signed upon any Bond shall be conclusive evidence, and the only evidence, that such Bond has been duly certified, registered and delivered.

SECTION 8: Initial Bond(s). The Bonds herein authorized shall be initially issued either (i) as a single fully registered bond in the total principal amount shown in Section 1 hereof with principal installments to become due and payable as provided in Section 2 hereof and numbered T-1, or (ii) as multiple fully registered bonds, being one bond for each year of maturity in the applicable principal amount and denomination and to be numbered consecutively from T-1 and upward (hereinafter called the “Initial Bond(s)”) and, in either case, the Initial Bond(s) shall be registered in the name of the initial purchaser(s) or the designee thereof. The Initial Bond(s) shall be the Bonds submitted to the Office of the Attorney General of the State of Texas for approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the initial purchaser(s). Any time after the delivery of the Initial Bond(s), the Paying Agent/Registrar, pursuant to written instructions from the initial purchaser(s), or the designee thereof, shall cancel the Initial Bond(s) delivered hereunder and exchange therefor definitive Bonds of authorized denominations, Stated Maturities, principal amounts and bearing applicable interest rates for transfer and delivery to the Holders named at the addresses identified therefor; all pursuant to and in accordance with such written instructions from the initial purchaser(s), or the designee thereof, and such other information and documentation as the Paying Agent/Registrar may reasonably require.

SECTION 9: Forms.

(a) Forms Generally. The Bonds, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Registration Certificate of Paying Agent/Registrar, and the form of Assignment to be printed on each of the Bonds, shall be substantially in the forms set forth in this Section with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including insurance legends in the event the Bonds, or any maturities thereof, are purchased with insurance and any reproduction of an opinion of counsel) thereon as may, consistently herewith, be established by the City or determined by the officers executing such Bonds as evidenced by their execution. Any portion of the text of any Bonds may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Bond.

The definitive Bonds and the Initial Bond(s) shall be printed, lithographed, engraved, typewritten, photocopied or otherwise reproduced in any other similar manner, all as determined by the officers executing such Bonds as evidenced by their execution thereof.

(b) Form of Definitive Bond.

REGISTERED
NO. _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF WYLIE, TEXAS
GENERAL OBLIGATION BOND
SERIES 2023

Bond Date:
July 15, 2023

Interest Rate:

Stated Maturity:
February 15, 20

CUSIP NO:

Registered Owner:

Principal Amount:

The City of Wylie (hereinafter referred to as the “City”), a body corporate and municipal corporation in the Counties of Collin, Dallas and Rockwall, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the registered owner named above, or the registered assigns thereof, on the Stated Maturity date specified above the Principal Amount hereinabove stated (or so much thereof as shall not have been redeemed prior to maturity) and to pay interest on the unpaid principal amount hereof from the interest payment date next preceding the “Registration Date” of this Bond appearing below (unless this Bond bears a “Registration Date” as of an interest payment date, in which case it shall bear interest from such date, or unless the “Registration Date” of this Bond is prior to the initial interest payment date in which case it shall bear interest from the date of the initial delivery of the Bonds) at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 in each year until maturity or prior redemption, commencing February 15, 2024. Principal of this Bond is payable at its Stated Maturity or upon its prior redemption to the registered owner hereof, upon presentation and surrender, at the Designated Payment/Transfer Office of the Paying Agent/Registrar executing the registration certificate

appearing hereon, or its successor; provided, however, while this Bond is registered to Cede & Co., the payment of principal upon a partial redemption of the principal amount hereof may be accomplished without presentation and surrender of this Bond. Interest is payable to the registered owner of this Bond (or one or more Predecessor Bonds, as defined in the Ordinance hereinafter referenced) whose name appears on the "Security Register" maintained by the Paying Agent/Registrar at the close of business on the "Record Date," which is the last business day of the month next preceding each interest payment date, and interest shall be paid by the Paying Agent/Registrar by check sent United States mail, first-class, postage prepaid, to the address of the registered owner recorded in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. If the date for the payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, a legal holiday, or a day when banking institutions in the city where the Designated Payment/Transfer Office of the Paying Agent/Registrar is located are authorized by law or executive order to be closed, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day when such banking institutions are authorized to be closed; and payment on such date shall have the same force and effect as if made on the original date payment was due. All payments of principal of, premium, if any, and interest on this Bond shall be without exchange or collection charges to the registered owner hereof and in any coin or currency of the United States of America, which at the time of payment is legal tender for the payment of public and private debts.

This Bond is one of the series specified in its title issued in the aggregate principal amount of \$ _____ (herein referred to as the "Bonds") for the purposes of providing funds for (i) permanent public improvements and public purposes, to wit: (a) developing, engineering, constructing, reconstructing, improving, repairing, extending, expanding and enhancing McMillen Drive, Park Boulevard and Ballard/Sachse Road, including sidewalks and necessary and related storm drainage facilities and improvements, utility relocations and the acquisition of any needed land and rights-of-way therefor; and (b) developing, engineering, constructing, reconstructing, improving, repairing, extending, expanding and enhancing streets, thoroughfares, alleys and sidewalks, including necessary and related storm drainage facilities and improvements, utility relocations and the acquisition of any needed land and rights-of-way therefor; and (ii) to pay costs of issuance, under and in strict conformity with the Constitution and laws of the State of Texas, including Texas Government Code, Chapter 1331, as amended, and pursuant to an Ordinance adopted by the City Council of the City (herein referred to as the "Ordinance").

[The Bonds maturing on the dates hereinafter identified (collectively, the "Term Bonds") are subject to mandatory redemption prior to maturity with funds on deposit in the Interest and Sinking Fund established and maintained for the payment thereof in the Ordinance, and shall be redeemed in part prior to maturity at the price of par and accrued interest thereon to the mandatory redemption date on the respective dates and in principal amounts as follows:

Term Bonds due February 15, 20
Principal

Redemption Date Amount (\$)
February 15, 20_

February 15, 20__ (maturity)

Term Bonds due February 15, 20
Principal

Redemption Date Amount (\$)
February 15, 20_

February 15, 20__ (maturity)

Term Bonds due February 15, 20
Principal

Redemption Date February Amount (\$)
15, 20_
February 15, 20 (maturity)

Term Bonds due February 15, 20
Principal

Redemption Date Amount (\$)
February 15, 20

February 15, 20 (maturity)

Term Bonds due February 15, 20
Principal

Redemption Date Amount (\$)
February 15, 20

February 15, 20 (maturity)

The particular Term Bonds of a stated maturity to be redeemed on each redemption date shall be chosen by lot by the Paying Agent/Registrar; provided, however, that the principal amount of Term Bonds for a stated maturity required to be redeemed on a mandatory redemption date may be reduced, at the option of the City, by the principal amount of Term Bonds of like stated maturity which, at least fifty (50) days prior to the mandatory redemption date, (1) shall have been acquired by the City at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation or (2) shall have been redeemed pursuant to the optional redemption provisions appearing below and not theretofore credited against a mandatory redemption requirement.]

The Bonds maturing on and after February 15, 20__, may be redeemed prior to their Stated Maturities, at the option of the City, in whole or in part in principal amounts of \$5,000 or any integral multiple thereof (and if within a Stated Maturity by lot by the Paying Agent/Registrar), on February 15, 20__, or on any date thereafter, at the redemption price of par, together with accrued interest to the date of redemption.

At least thirty (30) days prior to a redemption date, the City shall cause a written notice of such redemption to be sent by United States mail, first-class, postage prepaid, to the registered owners of each Bond to be redeemed at the address shown on the Security Register and subject to the terms and provisions relating thereto contained in the Ordinance. If this Bond (or any portion of its principal sum) shall have been duly called for redemption and notice of such redemption duly given, then upon the redemption date this Bond (or the portion of its principal sum to be redeemed) shall become due and payable, and interest hereon shall cease to accrue from and after the redemption date therefor, provided moneys for the payment of the redemption price and the interest on the principal amount to be redeemed to the date of redemption are held for the purpose of such payment by the Paying Agent/Registrar.

In the event a portion of the principal amount of this Bond is to be redeemed and the registered owner is someone other than Cede & Co., payment of the redemption price of such principal amount shall be made to the registered owner only upon presentation and surrender of this Bond to the Designated Payment/Transfer Office of the Paying Agent/Registrar, and a new Bond or Bonds of like maturity and interest rate in any authorized denominations provided by the Ordinance for the then unredeemed balance of the principal sum thereof will be issued to the registered owner, without charge. If this Bond is selected for redemption, in whole or in part, the City and the Paying Agent/Registrar shall not be required to transfer this Bond to an assignee of the registered owner within forty-five (45) days of the redemption date therefor; provided, however, such limitation on transferability shall not be applicable to an exchange by the registered owner of the unredeemed balance hereof in the event of its redemption in part.

With respect to any optional redemption of the Bonds, unless moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption is conditional upon the receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon the satisfaction of any prerequisites set forth in such notice of redemption. If a conditional notice is given and if sufficient moneys are not received, or such prerequisites are not satisfied, such notice shall be of no force and effect, the City shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

The Bonds are payable from the proceeds of an ad valorem tax levied, within the limitations prescribed by law, upon all taxable property in the City. Reference is hereby made to the Ordinance, a copy of which is on file in the Designated Payment/Transfer Office of the Paying Agent/Registrar, and to all of the provisions of which the registered owner of this Bond by the acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied for the payment of the Bonds; the terms and conditions relating to the transfer or exchange of this Bond; the conditions upon which

the Ordinance may be amended or supplemented with or without the consent of the registered owners; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Bond may be discharged at or prior to its maturity or redemption, and deemed to be no longer Outstanding thereunder; and for other terms and provisions contained therein. Capitalized terms used herein and not otherwise defined herein have the meanings assigned in the Ordinance.

This Bond, subject to certain limitations contained in the Ordinance, may be transferred on the Security Register only upon its presentation and surrender at the Designated Payment/Transfer Office of the Paying Agent/Registrar, with the Assignment hereon duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by, the registered owner hereof, or his duly authorized agent. When a transfer on the Security Register occurs, one or more new fully registered Bonds of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued by the Paying Agent/Registrar to the designated transferee or transferees.

The City and the Paying Agent/Registrar, and any agent of either, shall treat the registered owner whose name appears on the Security Register (i) on the Record Date as the owner entitled to payment of interest hereon, (ii) on the date of surrender of this Bond as the owner entitled to payment of principal hereof at its Stated Maturity or upon its prior redemption, in whole or in part, and (iii) on any other date as the owner for all other purposes, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary. In the event of nonpayment of interest on a scheduled payment date and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class, postage prepaid, to the address of each registered owner appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

It is hereby certified, recited, represented and declared that the City is a body corporate and political subdivision duly organized and legally existing under and by virtue of the Constitution and laws of the State of Texas; that the issuance of the Bonds is duly authorized by law; that all acts, conditions and things required to exist and be done precedent to and in the issuance of the Bonds to render the same lawful and valid obligations of the City have been properly done, have happened and have been performed in regular and due time, form and manner as required by the Constitution and laws of the State of Texas, and the Ordinance; that the Bonds do not exceed any Constitutional or statutory limitation; and that due provision has been made for the payment of the principal of and interest on the Bonds by the levy of a tax as aforesated. In case any provision in this Bond shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. The terms and provisions of this Bond and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, the City Council of the City has caused this Bond to be duly executed under the official seal of the City.

CITY OF WYLIE, TEXAS

[Mayor] [Mayor Pro Tem]

COUNTERSIGNED:

City Secretary

(SEAL)

- (c) Form of Registration Certificate of Comptroller of Public Accounts to appear on Initial Bond(s) only.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE
COMPTROLLER

)

OF PUBLIC ACCOUNTS

)

) REGISTER NO. _____

)

THE STATE OF TEXAS

)

I HEREBY CERTIFY that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS my signature and seal of office this _____.

Comptroller of Public Accounts of
the State of Texas

(SEAL)

(d) Form of Certificate of Paying Agent/Registrar to appear on Definitive Bonds only.

REGISTRATION CERTIFICATE OF PAYING AGENT/REGISTRAR

This Bond has been duly issued and registered under the provisions of the within-mentioned Ordinance; the bond or bonds of the above entitled and designated series originally delivered having been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts, as shown by the records of the Paying Agent/Registrar.

The designated office of the Paying Agent/Registrar in East Syracuse, New York, is the Designated Payment/Transfer Office for this Bond.

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A., Dallas, Texas,
as Paying Agent/Registrar

Registration date:

By _____
Authorized Signature

(e) Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto (Print or typewrite name, address and zip code of transferee): _____

(Social Security or other identifying number _____) the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

DATED:

Signature guaranteed:

NOTICE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular.

(f) The Initial Bond(s) shall be in the form set forth in paragraph (b) of this Section, except that the form of the single fully registered Initial Bond shall be modified as follows:

Heading and paragraph one shall be amended to read as follows:

REGISTERED
NO. T-1

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF WYLIE, TEXAS
GENERAL OBLIGATION BOND
SERIES 2023

Bond Date: July 15, 2023

Registered Owner: _____

Principal Amount: _____ DOLLARS

The City of Wylie (hereinafter referred to as the "City"), a body corporate and municipal corporation in the Counties of Collin, Dallas and Rockwall, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay the registered owner named above, or the registered assigns thereof, the Principal Amount hereinabove stated on February 15 in each of the years and in principal installments in accordance with the following schedule:

Year of Stated Maturity	Principal Amount (\$)	Interest Rate (%)
_____	_____	_____

(Information to be inserted from schedule in Section 2 hereof).

(or so much principal thereof as shall not have been redeemed prior to maturity) and to pay interest on the unpaid principal installments hereof from the interest payment date next preceding the "Registration Date" of this Bond appearing below (unless this Bond bears a "Registration Date" as of an interest payment date, in which case it shall bear interest from such date, or unless the "Registration Date" of this Bond is prior to the initial interest payment date in which case it shall bear interest from the date of the initial delivery of the Bonds) at the per annum rates of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 in each year until maturity or prior redemption, commencing February 15, 2024. Principal installments of this Bond are payable at its Stated

Maturity or on a redemption date to the registered owner hereof by The Bank of New York Mellon Trust Company, N.A., Dallas, Texas (the "Paying Agent/Registrar"), upon presentation and surrender, at its designated offices, initially in East Syracuse, New York; or, with respect to a successor paying agent/registrar, at the designated offices of such successor (the "Designated Payment/Transfer Office"). Interest is payable to the registered owner of this Bond whose name appears on the "Security Register" maintained by the Paying Agent/Registrar at the close of business on the "Record Date", which is the last business day of the month next preceding each interest payment date, and interest shall be paid by the Paying Agent/Registrar by check sent United States mail, first-class, postage prepaid, to the address of the registered owner recorded in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. If the date for the payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, a legal holiday, or a day when banking institutions in the city where the Designated Payment/Transfer Office of the Paying Agent/Registrar is located are authorized by law or executive order to be closed, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day when such banking institutions are authorized to be closed; and payment on such date shall have the same force and effect as if made on the original date payment was due. All payments of principal of, premium, if any, and interest on this Bond shall be without exchange or collection charges to the registered owner hereof and in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

SECTION 10: Levy of Taxes. To provide for the payment of the "Debt Service Requirements" of the Bonds, being (i) the interest on the Bonds and (ii) a sinking fund for their redemption at maturity or prior redemption or a sinking fund of 2% (whichever amount is the greater), there is hereby levied, and there shall be annually assessed and collected in due time, form, and manner, a tax on all taxable property in the City, within the limitations prescribed by law, and such tax hereby levied on each one hundred dollars' valuation of taxable property in the City for the Debt Service Requirements of the Bonds shall be at a rate from year to year as will be ample and sufficient to provide funds each year to pay the Debt Service Requirements on said Bonds while Outstanding; full allowance being made for delinquencies and costs of collection; separate books and records relating to the receipt and disbursement of taxes levied, assessed and collected for and on account of the Bonds shall be kept and maintained by the City at all times while the Bonds are Outstanding, and the taxes collected for the payment of the Debt Service Requirements on the Bonds shall be deposited to the credit of a "Special 2023 Bond Account" (the "Interest and Sinking Fund") maintained on the records of the City and deposited in a special fund maintained at an official depository of the City's funds; and such tax hereby levied, and to be assessed and collected annually, is hereby pledged to the payment of the Bonds.

The Mayor, Mayor Pro Tem, City Secretary, City Manager, City Manager, Assistant City Manager and Finance Director, individually or jointly, are hereby authorized and directed to cause to be transferred to the Paying Agent/Registrar for the Bonds, from funds on deposit in the Interest and Sinking Fund, amounts sufficient to fully pay and discharge promptly each installment of interest and principal of the Bonds as the same accrues or matures or comes due by reason of redemption prior to maturity; such transfers of funds to be made in such manner as will cause collected funds to be deposited with the Paying Agent/Registrar on or before each principal and interest payment date for the Bonds.

SECTION 11: Mutilated, Destroyed, Lost and Stolen Bonds. In case any Bond shall be mutilated, destroyed, lost or stolen, the Paying Agent/Registrar may execute and deliver a replacement Bond of like form and tenor, and in the same denomination and bearing a number not contemporaneously outstanding, in exchange and substitution for such mutilated Bond, or in lieu of and in substitution for such destroyed, lost or stolen Bond, only upon the approval of the City and after (i) the filing by the Holder thereof with the Paying Agent/Registrar of evidence satisfactory to the Paying Agent/Registrar of the destruction, loss or theft of such Bond, and of the authenticity of the ownership thereof and (ii) the furnishing to the Paying

Agent/Registrar of indemnification in an amount satisfactory to hold the City and the Paying Agent/Registrar harmless. All expenses and charges associated with such indemnity and with the preparation, execution and delivery of a replacement Bond shall be borne by the Holder of the Bond mutilated, destroyed, lost or stolen.

Every replacement Bond issued pursuant to this Section shall be a valid and binding obligation, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Bonds; notwithstanding the enforceability of payment by anyone of the destroyed, lost, or stolen Bonds.

The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost or stolen Bonds.

SECTION 12: Satisfaction of Obligation of City. If the City shall pay or cause to be paid, or there shall otherwise be paid to the Holders, the principal of, premium, if any, and interest on the Bonds, at the times and in the manner stipulated in this Ordinance, then the pledge of taxes levied under this Ordinance and all covenants, agreements, and other obligations of the City to the Holders shall thereupon cease, terminate, and be discharged and satisfied.

Bonds or any principal amount(s) thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section when (i) money sufficient to pay in full such Bonds or the principal amount(s) thereof at maturity or to the redemption date therefor, together with all interest due thereon, shall have been irrevocably deposited with and held in trust by the Paying Agent/Registrar, or an authorized escrow agent, or (ii) Government Securities shall have been irrevocably deposited in trust with the Paying Agent/Registrar, or an authorized escrow agent, which Government Securities have been certified by an independent accounting or consulting firm to mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money, together with any moneys deposited therewith, if any, to pay when due the principal of and interest on such Bonds, or the principal amount(s) thereof, on and prior to the Stated Maturity thereof or (if notice of redemption has been duly given or waived or if irrevocable arrangements therefor acceptable to the Paying Agent/Registrar have been made) the redemption date thereof. The City covenants that no deposit of moneys or Government Securities will be made under this Section and no use made of any such deposit which would cause the Bonds to be treated as "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, or regulations adopted pursuant thereto.

The City reserves the right, subject to satisfying the requirements in (i) or (ii) above, to substitute other Government Securities for the Government Securities originally deposited, to reinvest the uninvested money on deposit for such defeasance, and to withdraw for the benefit of the City moneys in excess of the amount required for such defeasance.

Any moneys so deposited with the Paying Agent/Registrar, or an authorized escrow agent, and all income from Government Securities held in trust by the Paying Agent/Registrar, or an authorized escrow agent, pursuant to this Section which is not required for the payment of the Bonds, or any principal amount(s) thereof, or interest thereon with respect to which such moneys have been so deposited shall be remitted to the City or deposited as directed by the City. Furthermore, any money held by the Paying Agent/Registrar for the payment of the principal of and interest on the Bonds and remaining unclaimed for a period of three (3) years after the Stated Maturity, or applicable redemption date, of the Bonds such moneys were deposited and are held in trust to pay shall upon the request of the City be remitted to the City against a written receipt therefor. Notwithstanding the above and foregoing, any remittance of funds from the Paying Agent/Registrar to the City shall be subject to any applicable unclaimed property laws of the State of Texas.

The term “Government Securities”, as used herein, means (i) direct noncallable obligations of the United States of America, including obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States, including obligations unconditionally guaranteed or insured by the agency or instrumentality and, on the date of their acquisition or purchase by the City, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date of their acquisition or purchase by the City, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iv) any other then authorized securities or obligations under applicable law that may be used to defease obligations such as the Bonds.

Upon such deposit as described above, such Bonds shall no longer be regarded to be outstanding or unpaid; provided, however, the City has reserved the option, to be exercised at the time of the defeasance of the Bonds, to call for redemption at an earlier date, which have been defeased to their maturity date, if the City: (i) in the proceedings providing for the firm banking and financial arrangements, expressly reserves the right to call the Bonds for redemption; (ii) gives notice of the reservation of that right to the owners of the Bonds immediately following the making of the firm banking and financial arrangements; and (iii) directs that notice of the reservation be included in any redemption notices that it authorizes.

SECTION 13: Ordinance a Contract - Amendments - Outstanding Bonds. This Ordinance shall constitute a contract with the Holders from time to time, be binding on the City, and shall not be amended or repealed by the City so long as any Bond remains Outstanding except as permitted in this Section and in Section 28. The City may, without the consent of or notice to any Holders, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Holders, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the consent of Holders holding a majority in aggregate principal amount of the Bonds then Outstanding affected thereby, amend, add to, or rescind any of the provisions of this Ordinance; provided that, without the consent of all Holders of Outstanding Bonds, no such amendment, addition, or rescission shall (1) extend the time or times of payment of the principal of, premium, if any, and interest on the Bonds, reduce the principal amount thereof, the redemption price therefor, or the rate of interest thereon, or in any other way modify the terms of payment of the principal of, premium, if any, or interest on the Bonds, (2) give any preference to any Bond over any other Bond, or (3) reduce the aggregate principal amount of Bonds required to be held by Holders for consent to any such amendment, addition, or rescission.

The term “Outstanding”, when used in this Ordinance with respect to Bonds, means as of the date of determination, all Bonds theretofore issued and delivered under this Ordinance, except:

- (1) those Bonds canceled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;
- (2) those Bonds deemed to be duly paid by the City in accordance with the provisions of Section 12 hereof; and
- (3) those mutilated, destroyed, lost, or stolen Bonds which have been replaced with Bonds registered and delivered in lieu thereof as provided in Section 11 hereof.

SECTION 14: Covenants to Maintain Tax-Exempt Status.

- (a) Definitions. When used in this Section 14, the following terms shall have the following

meanings:

“Closing Date” means the date on which the Bonds are first authenticated and delivered to the initial purchasers against payment therefor.

“Code” means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.

“Computation Date” has the meaning set forth in Section 1.148-1(b) of the Regulations.

“Gross Proceeds” means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Bonds.

“Investment” has the meaning set forth in Section 1.148-1(b) of the Regulations.

“Nonpurpose Investment” means any investment property, as defined in Section 148(b) of the Code, in which Gross Proceeds of the Bonds are invested and which is not acquired to carry out the governmental purposes of the Bonds.

“Rebate Amount” has the meaning set forth in Section 1.148-1(b) of the Regulations.

“Regulations” means any proposed, temporary, or final Income Tax Regulations issued pursuant to Sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Bonds. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend or replace the specific Regulation referenced.

“Yield” of (1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations; and (2) the Bonds has the meaning set forth in Section 1.148-4 of the Regulations.

(b) Not to Cause Interest to Become Taxable. The City shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Bond to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Bond, the City shall comply with each of the specific covenants in this Section.

(c) No Private Use or Private Payments. Except as permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall at all times prior to the last Stated Maturity of Bonds:

- (1) exclusively own, operate and possess all property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Bonds, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed or improved with such Gross

Proceeds in any activity carried on by any person or entity (including the United States or any agency, department and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

- (2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Bonds or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the City or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

(d) No Private Loan. Except to the extent permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall not use Gross Proceeds of the Bonds to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be “loaned” to a person or entity if: (1) property acquired, constructed or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

(e) Not to Invest at Higher Yield. Except to the extent permitted by Section 148 of the Code and the Regulations and rulings thereunder, the City shall not at any time prior to the final Stated Maturity of the Bonds directly or indirectly invest Gross Proceeds in any Investment (or use Gross Proceeds to replace money so invested), if as a result of such investment the Yield from the Closing Date of all Investments acquired with Gross Proceeds (or with money replaced thereby), whether then held or previously disposed of, exceeds the Yield of the Bonds.

(f) Not Federally Guaranteed. Except to the extent permitted by Section 149(b) of the Code and the Regulations and rulings thereunder, the City shall not take or omit to take any action which would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Code and the Regulations and rulings thereunder.

(g) Information Report. The City shall timely file the information required by Section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.

(h) Rebate of Arbitrage Profits. Except to the extent otherwise provided in Section 148(f) of the Code and the Regulations and rulings thereunder:

- (1) The City shall account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of accounting for at least six years after the day on which the last outstanding Bond is discharged. However, to the extent permitted by law, the City may commingle Gross Proceeds of the Bonds with other money of the City, provided that the City separately accounts for each receipt and expenditure of Gross Proceeds and the

obligations acquired therewith.

- (2) Not less frequently than each Computation Date, the City shall calculate the Rebate Amount in accordance with rules set forth in Section 148(f) of the Code and the Regulations and rulings thereunder. The City shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Bonds until six years after the final Computation Date.
- (3) As additional consideration for the purchase of the Bonds by the Underwriters and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the City shall pay to the United States from the construction fund, other appropriate fund or, if permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the Interest and Sinking Fund, the amount that when added to the future value of previous rebate payments made for the Bonds equals (i) in the case of a Final Computation Date as defined in Section 1.148- 3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder.
- (4) The City shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.

(i) Not to Divert Arbitrage Profits. Except to the extent permitted by Section 148 of the Code and the Regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Bonds, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection (h) of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Bonds not been relevant to either party.

(j) Elections. The City hereby directs and authorizes the Mayor, Mayor Pro Tem, City Secretary, City Manager, Assistant City Manager and Finance Director, either individually or jointly, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Bonds, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document.

SECTION 15: Sale of Bonds - Official Statement Approval. Pursuant to a public sale for the Bonds,

the bid submitted by _____ (herein referred to as the "Underwriters") is declared to be the best bid received producing the lowest true interest cost rate to the City, and the sale of the Bonds to said Underwriters at the price of par plus a [net] cash premium of \$_____, is hereby determined to be in the best interests of the City and is approved and confirmed. Delivery of the Bonds to the Underwriters shall occur as soon as possible upon payment being made therefor in accordance with the terms of sale. The Initial Bond shall be registered in the name as provided in the winning bid.

Furthermore, the use of the Preliminary Official Statement by the Underwriters in connection with the public offering and sale of the Bonds is hereby ratified, confirmed and approved in all respects and is hereby deemed "final" as of its date, within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission. The final Official Statement, which reflects the terms of sale (together with such changes approved by the Mayor, Mayor Pro Tem, City Secretary, City Manager, City Manager, Assistant City Manager and Finance Director, any one or more of said officials), shall be and is hereby in all respects approved and the Underwriters are hereby authorized to use and distribute said final Official Statement, dated [July 27], 2023, in the reoffering, sale and delivery of the Bonds to the public. The Mayor or Mayor Pro Tem and City Secretary are further authorized to execute and deliver for and on behalf of the City copies of said Official Statement in final form as may be required by the Underwriters, and such final Official Statement in the form and content executed by said officials shall be deemed to be approved by the City Council and constitute the Official Statement authorized for distribution and use by the Underwriters.

SECTION 16: Control and Custody of Bonds. The Mayor or Mayor Pro Tem of the City shall be and is hereby authorized to take and have charge of all necessary orders and records pending investigation by the Attorney General of the State of Texas, including the printing and supply of definitive Bonds, and shall take and have charge and control of the Initial Bond(s) pending the approval thereof by the Attorney General, the registration thereof by the Comptroller of Public Accounts and the delivery thereof to the Underwriters.

Furthermore, the Mayor, Mayor Pro Tem, the City Manager, the Assistant City Manager, the Finance Director and the City Secretary, any one or more of said officials, are hereby authorized and directed to furnish and execute such documents relating to the City and its financial affairs as may be necessary for the issuance of the Bonds, the approval of the Attorney General, and their registration by the Comptroller of Public Accounts and, together with the City's financial advisor, bond counsel, and the Paying Agent/Registrar, make the necessary arrangements for the delivery of the Initial Bond(s) to the Underwriters and the initial exchange thereof for definitive Bonds.

SECTION 17: Proceeds of Sale. Immediately following the delivery of the Bonds, the proceeds of sale shall be deposited with an official depository of the City to finance the permanent public improvements referenced in Section 1 hereof and to pay the costs of issuance. Pending expenditure for authorized projects and purposes, such proceeds of sale may be invested in authorized investments in accordance with the provisions of Texas Government Code, Chapter 2256, as amended, including guaranteed investment contracts permitted by Texas Government Code, Section 2256.015 et seq., and the City's investment policies and guidelines and any investment earnings realized shall be expended for such authorized projects and purposes or deposited in the Interest and Sinking Fund. \$_____ of the premium received from the Underwriters will be deposited to the construction fund to finance the permanent public improvements referenced in Section 1 hereof, \$_____ will be used for underwriters' discount and the remaining premium will be used to pay costs of issuance as permitted by Section 1201.042, Texas Government Code, as amended. Any surplus proceeds of sale of the Bonds, including investment earnings, remaining after completion of all authorized projects or purposes shall be deposited to the credit of the Interest and Sinking Fund.

SECTION 18: Notices to Holders - Waiver. Wherever this Ordinance provides for notice to Holders of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and sent by United States mail, first-class, postage prepaid, to the address of each Holder appearing

in the Security Register at the close of business on the business day next preceding the mailing of such notice.

In any case where notice to Holders is given by mail, neither the failure to mail such notice to any particular Holders, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Bonds. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Holder entitled to receive such notice, either before or after the event with respect to which such notice is given, and such waiver shall be the equivalent of such notice. Waivers of notice by Holders shall be filed with the Paying Agent/Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 19: Cancellation. All Bonds surrendered for payment, redemption, transfer, exchange, or replacement, if surrendered to the Paying Agent/Registrar, shall be promptly canceled by it and, if surrendered to the City, shall be delivered to the Paying Agent/Registrar and, if not already canceled, shall be promptly canceled by the Paying Agent/Registrar. The City may at any time deliver to the Paying Agent/Registrar for cancellation any Bonds previously certified or registered and delivered which the City may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly canceled by the Paying Agent/Registrar. All canceled Bonds held by the Paying Agent/Registrar shall be returned to the City.

SECTION 20: Legal Opinion. The Underwriters' obligation to accept delivery of the Bonds is subject to being furnished a final opinion of Norton Rose Fulbright US LLP approving the Bonds as to their validity, said opinion to be dated and delivered as of the date of delivery and payment for the Bonds. A true and correct reproduction of said opinion or an executed counterpart thereof shall accompany the global Bonds deposited with The Depository Trust Company or a reproduction thereof shall be printed on the definitive Bonds in the event the book-entry-only system shall be discontinued. The City Council confirms the continuation of the engagement of Norton Rose Fulbright US LLP as the City's bond counsel.

SECTION 21: CUSIP Numbers. CUSIP numbers may be printed or typed on the Bonds deposited with The Depository Trust Company or on printed definitive Bonds. It is expressly provided, however, that the presence or absence of CUSIP numbers on the definitive Bonds shall be of no significance or effect as regards the legality thereof and neither the City nor attorneys approving the Bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed or typed on the definitive Bonds.

SECTION 22: Benefits of Ordinance. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon any person other than the City, the Paying Agent/Registrar and the Holders, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions being intended to be and being for the sole and exclusive benefit of the City, the Paying Agent/Registrar and the Holders.

SECTION 23: Inconsistent Provisions. All ordinances, orders or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters contained herein.

SECTION 24: Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 25: Effect of Headings. The Section headings herein are for convenience of reference only and shall not affect the construction hereof.

SECTION 26: Construction of Terms. If appropriate in the context of this Ordinance, words of the

singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

SECTION 27: Severability. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 28: Continuing Disclosure Undertaking.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

“Financial Obligation” means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that “financial obligation” shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

“MSRB” means the Municipal Securities Rulemaking Board.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

(b) Annual Reports. The City shall provide annually to the MSRB (1) within six months after the end of each fiscal year, ending in or after 2023, financial information and operating data with respect to the City of the general type included under Tables numbered 1 through 6 and 8 through 15 in the final Official Statement, and (2) within twelve months after the end of each fiscal year, ending in or after 2023, audited financial statements of the City. If audited financial statements are not available within 12 months after the end of any fiscal year, the City will provide unaudited financial statements by the required time, and audited financial statements when and if such audited financial statements become available. Any financial statements so provided shall be prepared in accordance with the accounting principles described in Appendix B of the Official Statement, or such other accounting principles as the City may be required to employ from time to time pursuant to state law or regulation, and audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided.

If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document available to the public on the MSRB’s Internet Web site or filed with the SEC.

(c) Notice of Certain Events. The City shall provide notice of any of the following events with respect to the Bonds to the MSRB in a timely manner and not more than ten (10) business days after occurrence of the event:

1. Principal and interest payment delinquencies;

2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701- TEB), or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. Modifications to rights of holders of the Bonds, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Bonds, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership, or similar event of the City, which shall occur as described below;
13. The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of its assets, other than in the ordinary course of business, the entry into of a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. Appointment of a successor or additional trustee or the change of name of a trustee, if material;
15. Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the City, any of which affect security holders, if material; and
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the City, any of which reflect financial difficulties.

For these purposes, (a) any event described in the immediately preceding paragraph (12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the City in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City and (b) the City intends the words used in the immediately preceding paragraphs (15) and (16) in this Section to have the meanings ascribed to them in SEC Release No. 34-83885, dated August 20, 2018.

The City shall notify the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such

Section.

(d) Filings with the MSRB. All financial information, operating data, financial statements, notices and other documents provided to the MSRB in accordance with this Section shall be provided in an electronic format prescribed by the MSRB and shall be accompanied by identifying information as prescribed by the MSRB.

(e) Limitations, Disclaimers and Amendments. The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an “obligated person” with respect to the Bonds within the meaning of the Rule, except that the City in any event will give the notice required by subsection (c) of this Section of any Bond calls and defeasance that cause the City to be no longer such an “obligated person.”

The provisions of this Section are for the sole benefit of the Holders and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR *MANDAMUS* OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Section shall constitute a breach of or default under this Ordinance for purposes of any other provision of this Ordinance.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

Notwithstanding anything herein to the contrary, the provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the Holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the Outstanding Bonds consent to such amendment or (b) a Person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the Holders and beneficial owners of the Bonds. The provisions of this Section may also be amended from time to time or repealed by the City if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction determines that such provisions are invalid, but only if and to the extent that reservation of the City’s right to do so would not prevent underwriters of the initial public offering

of the Bonds from lawfully purchasing or selling Bonds in such offering. If the City so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

SECTION 29: Further Procedures. Any one or more of the Mayor, Mayor Pro Tem, City Manager, Assistant City Manager, Finance Director and City Secretary are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the City all agreements, instruments, certificates or other documents, whether mentioned herein or not, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance and the issuance, sale and delivery of the Bonds. In addition, prior to the initial delivery of the Bonds, the Mayor, Mayor Pro Tem, City Manager, Assistant City Manager, Finance Director, City Secretary or Bond Counsel to the City are each hereby authorized and directed to approve any changes or corrections to this Ordinance or to any of the documents authorized and approved by this Ordinance: (i) in order to cure any ambiguity, formal defect, or omission in the Ordinance or such other document; or (ii) as requested by the Attorney General of the State of Texas or his representative to obtain the approval of the Bonds by the Attorney General. In the event that any officer of the City whose signature shall appear on any document shall cease to be such officer before the delivery of such document, such signature nevertheless shall be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 30: Incorporation of Findings and Determinations. The findings and determinations of the City Council contained in the preamble hereof are hereby incorporated by reference and made a part of this Ordinance for all purposes as if the same were restated in full in this Section.

SECTION 31: Public Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 32: Effective Date. This Ordinance shall take effect and be in full force immediately from and after its adoption on the date hereof in accordance with the provisions of Texas Government Code, Section 1201.028, as amended.

[Remainder of page intentionally left blank]

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 27th day of June, 2023.

Matthew O. Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

(City Seal)

EXHIBIT A
PAYING AGENT/REGISTRAR AGREEMENT

PAYING AGENT/REGISTRAR AGREEMENT

THIS AGREEMENT is entered into as of June 27, 2023 (this “Agreement”), by and between The Bank of New York Mellon Trust Company, N.A., a banking association duly organized and existing under the laws of the United States of America (the “Bank”) and the City of Wylie, Texas (the “Issuer”),

RECITALS

WHEREAS, the Issuer has duly authorized and provided for the issuance of its “City of Wylie, Texas General Obligation Bonds, Series 2023” (the “Securities”), dated July 15, 2023, such Securities scheduled to be delivered to the initial purchasers thereof on or about July 27, 2023; and

WHEREAS, the Issuer has selected the Bank to serve as Paying Agent/Registrar in connection with the payment of the principal of, premium, if any, and interest on said Securities and with respect to the registration, transfer and exchange thereof by the registered owners thereof; and

WHEREAS, the Bank has agreed to serve in such capacities for and on behalf of the Issuer and has full power and authority to perform and serve as Paying Agent/Registrar for the Securities;

NOW, THEREFORE, it is mutually agreed as follows:

ARTICLE ONE APPOINTMENT OF BANK AS PAYING AGENT AND REGISTRAR

Section 1.01 Appointment. The Issuer hereby appoints the Bank to serve as Paying Agent with respect to the Securities, and, as Paying Agent for the Securities, the Bank shall be responsible for paying on behalf of the Issuer the principal, premium (if any), and interest on the Securities as the same become due and payable to the registered owners thereof; all in accordance with this Agreement and the “Authorizing Document” (hereinafter defined). The Issuer hereby appoints the Bank as Registrar with respect to the Securities and, as Registrar for the Securities, the Bank shall keep and maintain for and on behalf of the Issuer books and records as to the ownership of said Securities and with respect to the transfer and exchange thereof as provided herein and in the Authorizing Document.

The Bank hereby accepts its appointment, and agrees to serve as the Paying Agent and Registrar for the Securities.

Section 1.02 Compensation. As compensation for the Bank’s services as Paying Agent/Registrar, the Issuer hereby agrees to pay the Bank the fees and amounts set forth in **Annex A** attached hereto; provided however, notwithstanding anything herein or in Annex A to the contrary, the aggregate value of this agreement shall be less than the dollar limitation set forth in Section 2271.002(a)(2) or Section 2274.002(a)(2) of the Texas Government Code, as amended.

In addition, the Issuer agrees to reimburse the Bank upon its request for all reasonable expenses, disbursements and advances incurred or made by the Bank in accordance with any of

ANNEX A



Wylie City Council

AGENDA REPORT

Department: City Engineer
Prepared By: Tim Porter

Account Code: _____

Subject

Discuss Breezy Beach RV Resort Sanitary Sewer.

Recommendation

Discussion

Please see attached presentation.

Breezy Beach RV Resort – Project Overview

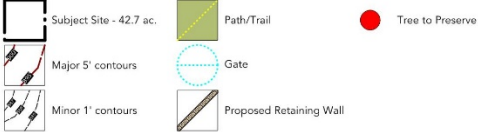
- Proposed Luxury RV Resort
- Approximately 43 Acres
- Located off Troy Road South of County Line Road
- Rowlett ETJ



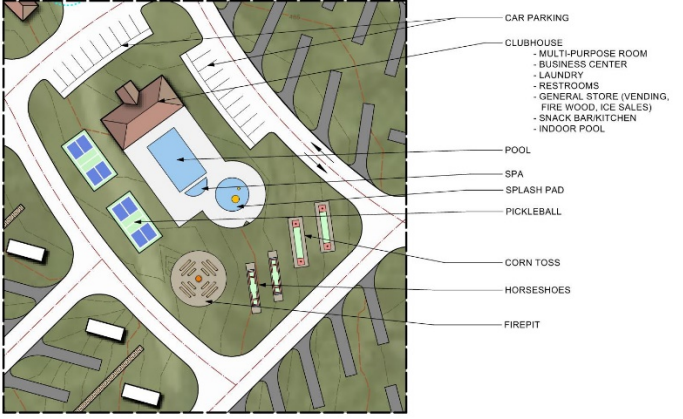
1 SITE PLAN
Scale: 1" = 100'-0"



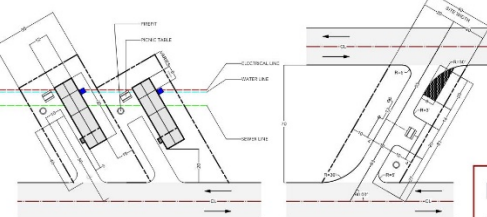
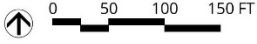
SITE DATA:	
RV SITES	
PULL-THRU SITES	28
BACK-IN SITES	281
PARK MODELS	
	30
TOTAL	
	339



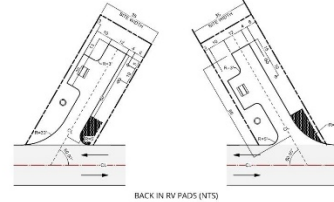
Notes:
1. Information provided by the client unless otherwise stated.
2. Aerial from google maps.



2 AMENITY PLAN
Scale: 1" = 50'-0"



3 TYPICAL PARK MODEL SITE DETAILS
Scale: NTS



4 TYPICAL RV SITE DETAILS
Scale: NTS

Horsehill Lake Land Planning BASE MASTERPLAN

Address:

Prepared by:

Prepared for: Horsehill Lake, LLC

Drawn By: ES/NS Reviewed By: JB

Information furnished regarding this property is from sources deemed reliable. Nadi Group has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.
Drawings intended to be viewed on page size 24"x36".

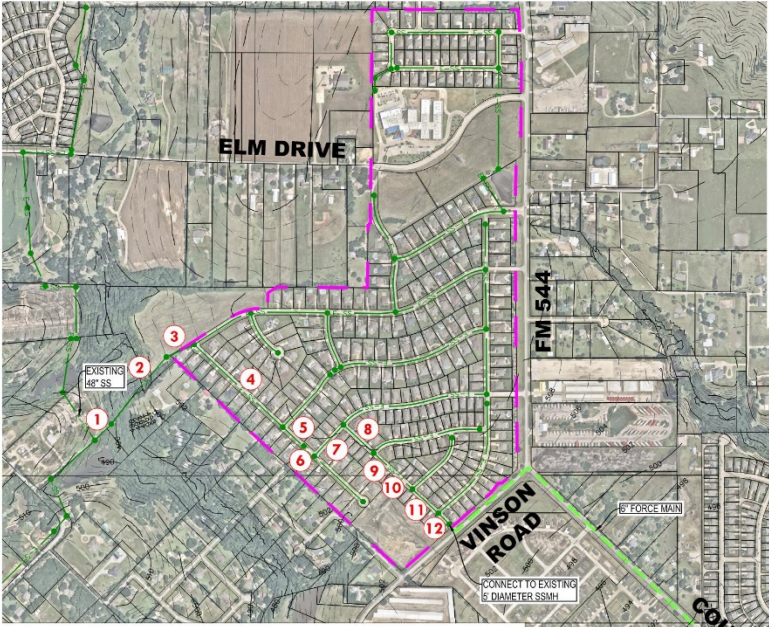
Mar 28, 2023





Proposed Sanitary Sewer Solution

- Install Lift Station on Breezy Beach Site
 - Serve Breezy Beach and Adjacent Area
- Force main to Existing City of Wylie Sewer in Braddock Place
- Upsize a portion of the Existing Line downstream
 - Upsize section located outside of Braddock Place



Gravity Sewer Analysis - Horsehill RV Park																			
Segment Number	Project	Project Phase	Alignment	Start Station	End Station	Pipe Run	Pipe Slope	Pipe Size	Pipe Capacity	Cumulative Residential Units	Cumulative School Units	Design Flow 1	Proposed Additional Design Flow 2	Total Design Flow	Total Service Area	Cumulative Service Area	Peaking Factor 3	Peak Daily Flow	Inflow & Infiltration 4
				(STA)	(STA)	(LF)	(%)	(IN)	(MGD)			(MGD)	(MGD)	(MGD)	(AC)	(AC)		(MGD)	(MGD)
12	Braddock Place	5	C	7+34.70	8+47.30	112.60	0.33	8	0.487	2	0	0.001	0.079	0.080	43.308	43.308	5.00	0.398	0.0217
11	Braddock Place	5	C	4+38.17	7+34.70	296.53	0.33	8	0.487	31	0	0.008	0.079	0.087	9.341	52.649	5.00	0.436	0.0263
10	Braddock Place	5	C	1+50.00	4+38.17	288.17	0.33	8	0.487	48	0	0.013	0.079	0.092	4.846	57.495	5.00	0.455	0.0287
9	Braddock Place	4	C	0+00.00	1+50.00	150.00	0.36	10	0.784	90	0	0.013	0.079	0.092	5.710	63.205	5.00	0.461	0.0318
8	Braddock Place	4	B	0+00.00	3+44.83	344.83	0.26	10	0.784	77	0	0.020	0.079	0.099	13.688	76.893	4.50	0.487	0.0385
7	Braddock Place	4	A	1+24.83	4+29.83	305.00	0.26	10	0.784	117	0	0.031	0.079	0.106	22.04	98.927	4.80	0.522	0.0420
6	Braddock Place	4	A	0+00.00	1+24.83	124.83	0.26	10	0.784	129	0	0.034	0.079	0.113	0.551	84.548	4.80	0.542	0.0423
5	Braddock Place	2	S-1	10+35.46	12+65.00	229.54	0.26	10	0.784	131	0	0.034	0.079	0.113	6.697	91.245	4.72	0.536	0.0456
4	Braddock Place	1	S-1	0+00.00	10+35.46	1035.46	0.26	10	0.784	160	0	0.042	0.079	0.121	9.795	101.040	4.66	0.564	0.0505
3	Braddock Place	1	S-1	18+00.00	21+09.36	309.36	0.35	8	0.502	313	900	0.096	0.079	0.175	100.985	202.025	4.20	0.734	0.1010
2	Braddock Place	1	S-1	14+75.00	18+00.00	325.00	0.35	8	0.502	313	900	0.096	0.079	0.175	0.328	202.353	4.20	0.734	0.1012
1	Braddock Place	1	S-1	9+70.31	14+75.00	504.69	0.35	8	0.502	313	900	0.096	0.079	0.175	1.171	203.524	4.20	0.734	0.1018

1 Assumes 3.5 people per dwelling unit, 75 gpd for residential units and 25 gpd for schools (per TCRD Section 217.32)(b)(3)
2 Recommended peaking factor from City of Wylie Engineering Design Manual
3 Recommended infiltration of 500 gpd/acre/day from City of Wylie Engineering Design Manual
4 Calculations on separate sheet
5 Segment Numbers correspond with attached exhibit titled Horsehill RV Park Force Main Routing

HORSEHILL RV PARK - SEWER BASINS															
SEWER SUBBASIN A															
BASIN ID	LAND USE	PROPERTY	AREA	UNITS PER ACRE	TOTAL UNITS	POPULATION PER UNIT	POPULATION	AVERAGE DAILY DEMAND PER CAPITA	AVERAGE DAILY DEMAND PER UNIT	AVERAGE SERVICE FLOW	PEAK FACTOR	PEAK FLOW RATE	INFILTRATION RATE	INFILTRATION TOTAL	TOTAL FLOW RATE
A	RV PARK	COLINVESTMENT	ACRES					gpd	gpd	MGD				gall/acre/day	MGD
			39.94	8.20	172	2.50	423.3	30.00	59.9	0.0086	5	0.043		500	0.051
													TOTAL SUB-BASIN A	0.053	
SEWER SUBBASIN B															
B	RV PARK	COLINVESTMENT	21.75	8.20	178	2.50	446.1	30.00	59.9	0.0089	5	0.045	1000	0.011	0.055
B	TOWNHOMES	CLAY & JAMES MARTINEZ	27.63	7.80	216	3.00	646.5	71.25	213.8	0.0041	5	0.230	500	0.014	0.244
B	TOWNHOMES	BATH	2.05	7.80	16	3.00	48.9	95.00	283.9	0.0046	5	0.023	500	0.001	0.024
B	TOWNHOMES	MOORE	4.94	7.80	39	3.00	113.6	95.00	283.0	0.0110	5	0.055	500	0.002	0.057
													TOTAL SUB-BASIN B	0.281	
													TOTAL ALL SUBBASINS	0.334	





Wylie City Council

AGENDA REPORT

Department: Finance

Account Code: _____

Prepared By: Melissa Brown

Subject

Discuss General Fund, Utility Fund, and 4B Fund.

Recommendation

Discussion.

Discussion

Presentation to discuss General Fund, Utility Fund, and 4B Fund budgets.

Budget Work Session Fiscal Year 2023-2024

June 27, 2023

Proposed Revenue/Expenditure Assumptions

Certified Total Estimated Value as of April 30: \$6,920,554,955

Certified Estimated Value of New Construction as of April 30: \$213,430,800 (equates to \$1,244,579 in revenue)

Proposed Sales Tax is a 10% increase over FY 2023 Budgeted/Projected (6 month actuals at 54%)

Assumes an **estimated** No New Revenue Tax Rate of **.533130** and voter approval rate of **.640763**

Assumes an additional two cents for new debt requirement (approved by voters) **.553130**

Assumes another 1/2 cent to partially fund the new Ambulance Service Program **.558130**

Assumes sales tax increase and interest earnings will fund the remaining cost of the Ambulance Service Program

Base Budget increased overall by 1.7% which must account for any inflation

Includes a \$700,000 reduction in the Streets Department base budget for maintenance

Items Included in Proposed Base Budget

	<u>Amount</u>
15% increase in health insurance	\$486,129
3% average merit increase for the General Employees (effective January 2024)	\$267,709
Pay plan adjustments for Police and Fire (effective October 2023)	<u>\$785,000</u>
Total	\$1,538,838 *

* Supported by No New Revenue Rate

General Fund Summary

Estimated Beginning Fund Balance - 10/01/23	\$ 21,422,311
Proposed Revenues '24 (@ .558130)	55,549,839
Proposed Expenditures Base Budget '24	(52,210,273)
New EMS Program (Recurring Expense)	(2,476,032)
Recommended Requests (Recurring Expense)	(863,534)
Use of Fund Balance	<u>(1,668,710)</u>
Estimated Ending Fund Balance 09/30/24	\$ 19,753,601 a)

a) Fund balance is 35.6% of expenditures.

New Recurring Recommendations - General Fund

Dept	Description	Amount
Personnel		
City Secretary	Upgrade Record Analyst to Records and information Analyst II	\$ 3,448
IT	IT System Specialist	\$ 80,639
Police	Two Sworn Officers (4)	\$ 476,727
Police	School Resource Officer	\$ 119,186 (a)
Police	Records Clerk	\$ 57,192
Streets	Signal Technician	<u>\$ 58,342</u>
		\$ 795,534
Non-Personnel		
Police	Axon Tasers	\$ 68,000
	Total Recommend Recurring Requests	\$ 863,534

a) WISD \$51,000 reimbursement
included in General Fund Revenue.

Use of Fund Balance - General Fund

Dept	Description	Amount
City Secretary	Public Information Request Software	\$ 14,010
Police	Patrol Replacement Tahoes (3)	\$ 120,000
Police	New Patrol Tahoes for Requested Positions (4)	\$ 160,000
Fire	Replace Fire Marshall Vehicle	\$ 74,200
Fire	EMS One Time Expense	\$ 837,000
Animal Control	Needs Assessment Study	\$ 35,000
Streets	Aerial Bucket Truck	\$ 220,000
Streets	Fleet Services Equipment and Updates	\$ 18,500
Streets	School Zone Flasher Assembly	\$ 90,000
Streets	Sachse Road/Creek Crossing Traffic Signal Design	<u>\$ 100,000</u>
Total		\$ 1,668,710

Utility Fund Summary

Estimated Beginning Fund Balance - 10/01/23	\$ 25,610,271
Proposed Revenues '24	30,193,114 a)
Proposed Expenditures '24	(26,585,246)
Recommended Requests (Recurring Expense)	(72,895)
Recommended Requests (One Time Uses and Equipment)	<u>(944,095)</u>
Estimated Ending Fund Balance 09/30/24	\$ 28,201,149 b)

a) Assumes 5.0% water rate increase and 5.5% sewer rate increase per the 2023 rate study.

b) Policy requirement is 90 days of operating expenditures. This ending fund balance is 387 days.

Utility Fund Recommended Requests

Dept	Description	Amount
Water	Water Quality Specialist	\$ 72,895
	Total Personnel	\$ 72,895
Water	6 YD. Dumptruck	\$ 137,000
Water	Hydro-Vac Truck	\$ 513,000
Water	Infrared Gate Openers	\$ 15,000
Water	Portable Radios	\$ 22,700
Engineering	Stormwater Utility Fee Study	\$ 150,000
Wastewater	Multi-Smart Controllers	\$ 36,530
Wastewater	Portable Camera Inspection Equipment System	\$ 69,865
	Total Equipment and One Time Uses	\$ 944,095
	Total Recommended Requests	\$ 1,016,990

4B Sales Tax Fund Summary

Estimated Beginning Fund Balance - 10/01/23	\$ 3,926,368
Proposed Revenues '24	5,696,500
Proposed Expenditures '24	(4,089,026)
Recommended Requests (Recurring Expense)	<u>(96,881)</u>
Recommended Requests (One Time Uses and Equipment)	<u>(1,422,000)</u>
Estimated Ending Fund Balance 09/30/24	\$ 4,014,961 a)

a) Policy requirement is 25% of budgeted sales tax revenue ($\$4,536,561 \times 25\% = \$1,134,140$).

4B Recommended Requests

Dept	Description	Amount
WRC	Upgrade PT GSS Programs to FT	\$ 33,970
4B Parks	Equipment Operator - Athletics	<u>\$ 62,911</u>
	Total Personnel	\$ 96,881
SRC	12 Passenger Van	\$ 70,000
4B Parks	Community Park Playground Phase 2 Installation	\$ 65,000
4B Parks	Community Park Playground Poured in Place Surfacing	\$ 375,000
4B Parks	Zero Turn Mower Replacement	\$ 15,000
4B Parks	5900 Large Mower Replacement	\$ 147,000
4B Parks	Pavilion at the Library	\$ 50,000
4B Parks	Pirate Cove Playground Replacement	\$ 700,000
	Total Equipment and One Time Uses	\$ 1,422,000
	Total Recommend Requests	\$ 1,518,881



July 26, 2022

CITY OF WYLIE, TEXAS

WATER AND WASTEWATER RATES REVIEW

RATE SUFFICIENCY AND RECOMMENDATIONS



AGENDA

Introduction

Current Study Considerations

2020 Rate Plan Sufficiency

Discussion

NEWGEN STRATEGIES AND SOLUTIONS, LLC

OUR FIRM

*Be a consulting company that makes a difference
for our clients, our employees and in our
communities.*

2012 management and economic consulting
established firm created by consultants who are
dedicated to our client's mission and
recognized as experts in our respective
fields of service



12

Locations
nationwide



52

employees



OUR CLIENTS

Over **3,000** in
complete or active projects states



OUR PEOPLE

Industry Authors and Presenters



Current Study Considerations

KEY CONSIDERATIONS

- Wholesale Costs
- Customer Growth Forecast
- Cash Capital Funding

NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD)

FY 2023 RATES

- Member City Water Rate for FY 2023 is expected to be \$3.39 per 1,000 gallons
 - This represents a **13.4% increase** compared to the FY 2022 rate of \$2.99
- Expected **20.8%** increase in Wastewater costs from FY 2022 to FY 2023
 - Primary Increases at Muddy Creek WWTP
 - Will fund \$61M in FY 2023 for improvements for Peak Flow, UV and Filter Upgrades
 - Expansions to 12.5 MGD planned for 2024

WATER AND SEWER WHOLESALE COSTS

Projections Per NTMWD
Strategic Financial Plan
Forecasts

Water	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Regional Water Cost	\$ 6,246,171	\$ 7,042,234	\$ 7,520,383	\$ 8,058,706	\$ 8,740,584
% Change per Year	11.6%	12.4%	6.8%	7.2%	8.5%

Sewer	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Sewer Cost	\$ 7,820,639	\$ 9,361,054	\$ 11,020,159	\$ 12,698,253	\$ 12,727,494
% Change per Year	20.8%	19.7%	17.7%	17.3%	0.3%

Total	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Total NTMWD	\$ 14,084,810	\$ 16,403,288	\$ 18,540,542	\$ 20,990,806	\$ 21,711,393
% Change per Year	16.5%	16.5%	13.0%	13.2%	3.4%

WYLIE CUSTOMER GROWTH FORECAST

- Historical Trends and Estimated Annual Customer Growth
 - 100 Annual Residential Water Accounts
 - 300 Annual Residential Wastewater Accounts
- Forecasted Growth

Residential Growth	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Water Annual Growth	100	100	75	50	25
Sewer Annual Growth	400	400	350	300	250

WYLIE ANNUAL CASH CAPITAL NEEDS

PROJECT HIGHLIGHTS

Water

Fiscal Year	Project Description	Cost
2023		
2024	8" Water Line on Dogwood From Stone to Butler	\$ 1,300,000
2025		
2026	Repaint Decker Court Elevated Storage Tank	\$ 1,200,000
2027		

Not Shown but Included is \$500,000 for Annual Water Line Repair/Rehabilitation

Wastewater

Fiscal Year	Project Description	Cost
2023		
2024		
2025		
2026	Treatment Plant Demolition (split FY)	\$ 1,000,000
2027	Treatment Plant Demolition (split FY)	\$ 2,000,000

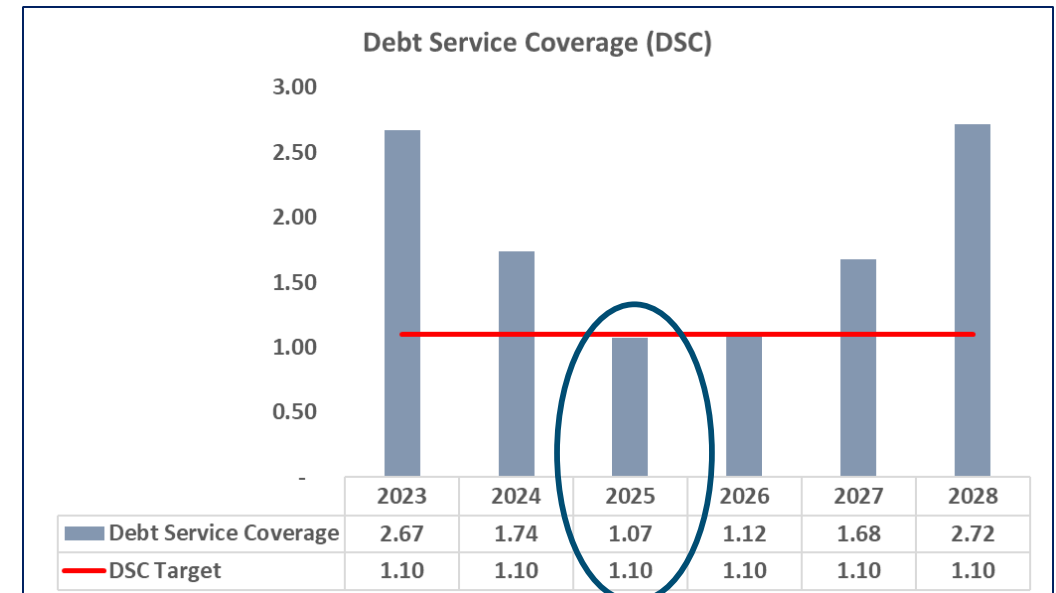
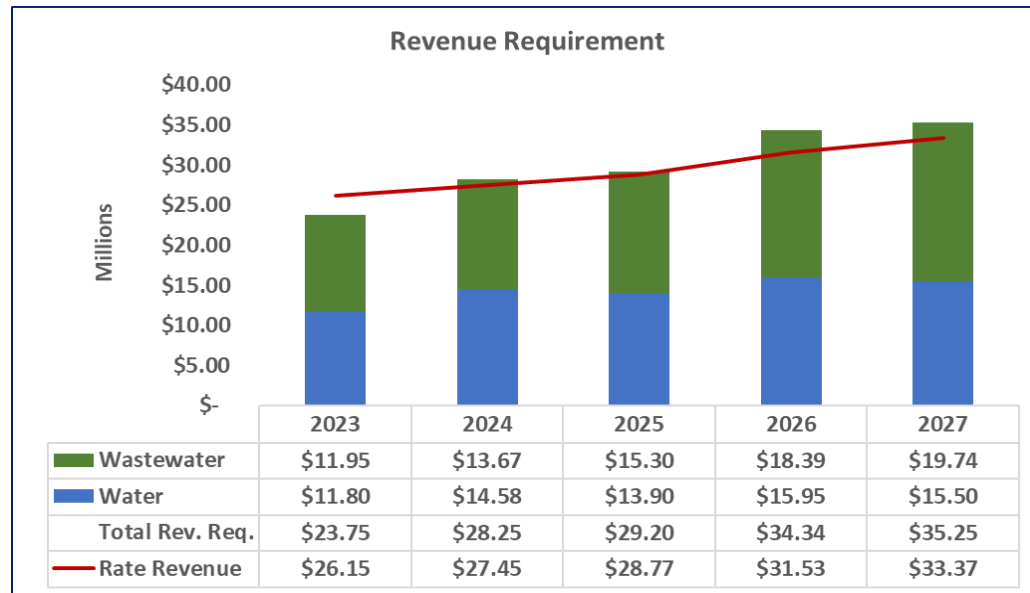
2020 Rate Plan Sufficiency

FY 2023 RATES WORK AS PLANNED

FUTURE YEARS SHOULD BE REVIEWED AND POSSIBLY REVISED

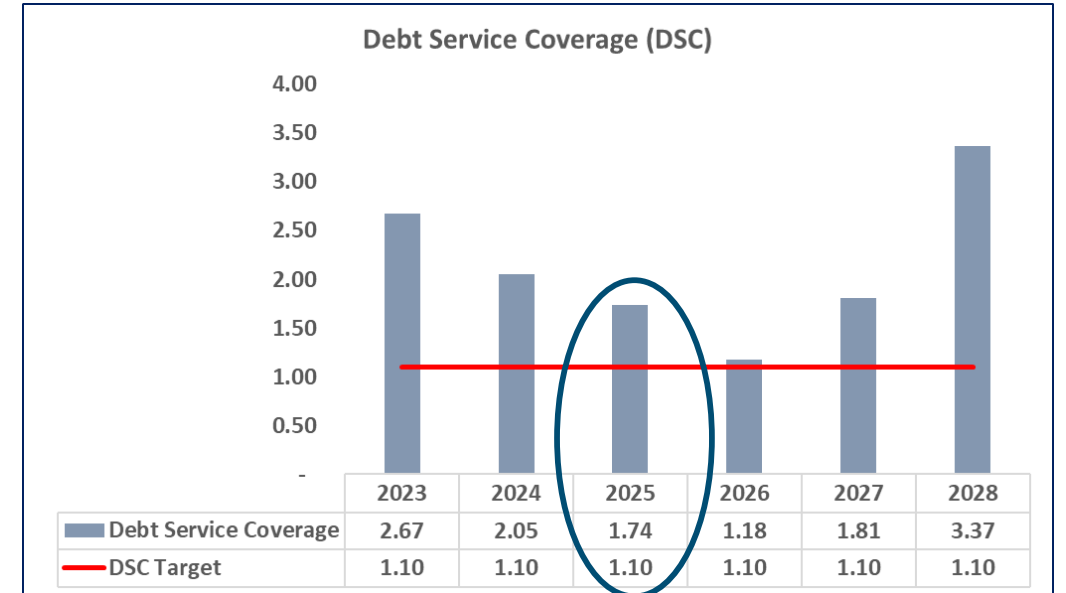
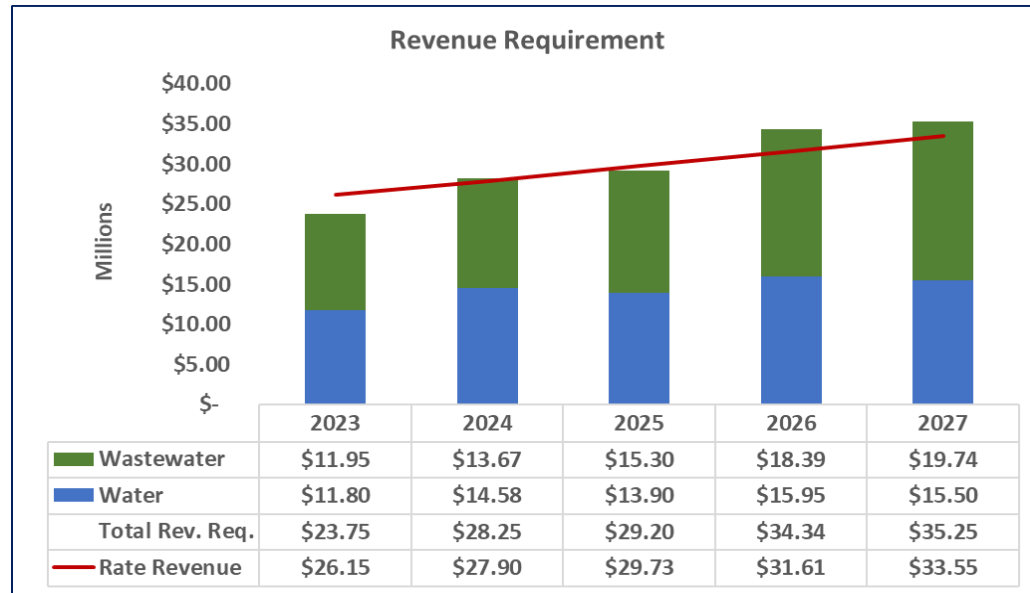
COMBINED UTILITY PERFORMANCE UNDER RATE PLAN FY 2023-2025 AND PROJECTED FY 2026-2027

Fiscal Year	2023*	2024*	2025*	2026**	2027**
Water Rate Increase (%)	7.00%	6.00%	5.85%	5.50%	5.00%
Wastewater Rate Increase (%)	2.75%	1.50%	1.50%	11.25	5.00%
	* 2020 Rate Plan			** Projected Future Rate Changes Needed	



COMBINED UTILITY PERFORMANCE UNDER RATE PLAN FY 2023 AND REVISED PROJECTIONS FY 2024-2027

Fiscal Year	2023*	2024**	2025**	2026**	2027**
Water Rate Increase (%)	7.00%	5.00%	5.00%	5.00%	5.00%
Wastewater Rate Increase (%)	2.75%	5.50%	5.50%	5.50%	5.50%
	* 2020 Rate Plan	** Alternative, Smoothed Rate Changes Recommended			

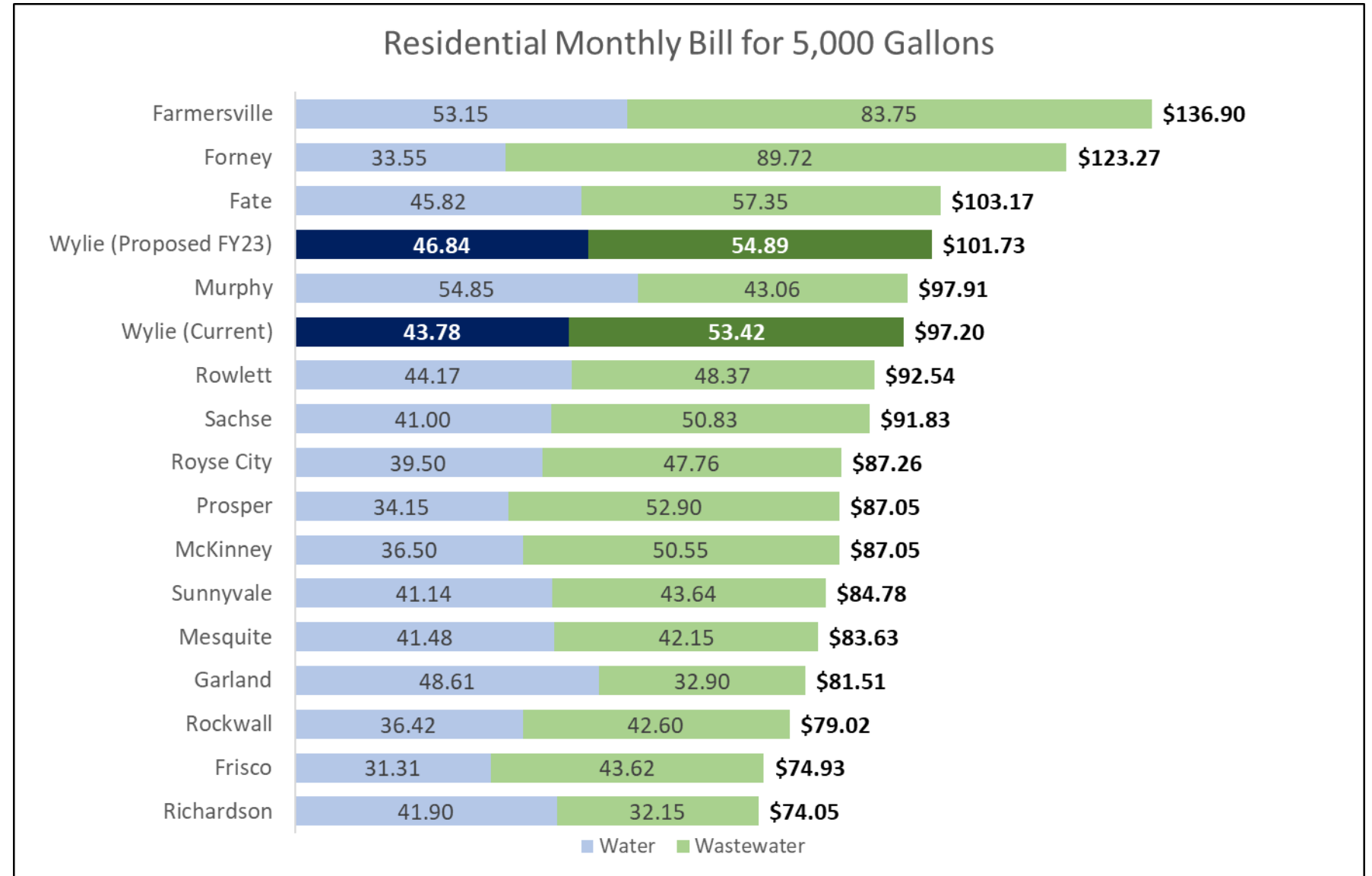


COMMUNITY RATE COMPARISONS

- Comparisons between communities are very common, but may not tell the whole story
- Each system is unique in geography, age of infrastructure, capital maintenance efforts, and typical usage patterns

RESIDENTIAL COMPARISONS

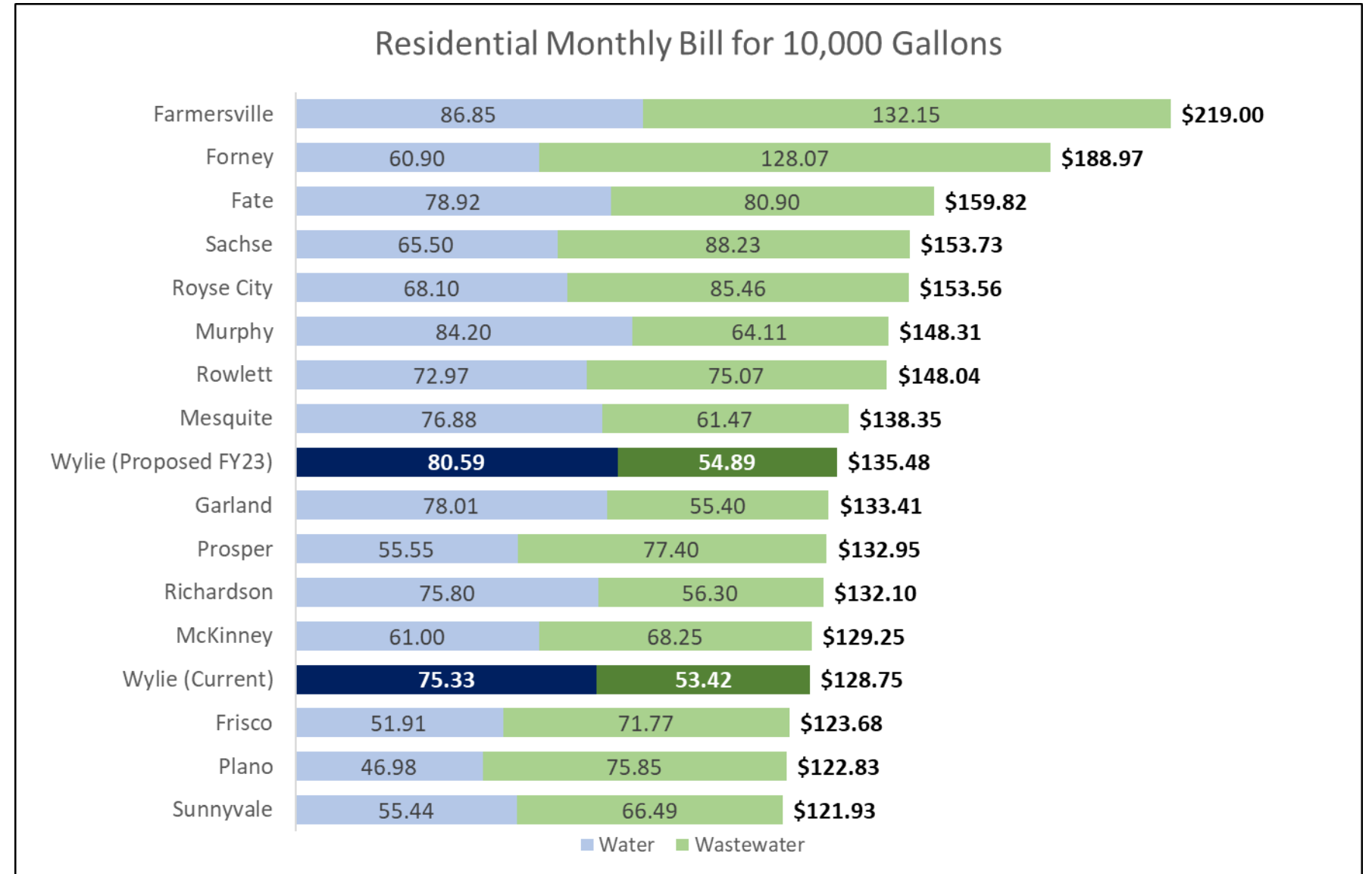
5,000 Gallons



* Assumes ¾" Meter and Sewer is billed for 5,000 Gallons

RESIDENTIAL COMPARISONS

10,000 Gallons



* Assumes ¾" Meter and Sewer is billed for 10,000 Gallons



Thank you!

NEWGEN STRATEGIES AND SOLUTIONS
275 W. CAMPBELL ROAD, SUITE 440
RICHARDSON, TEXAS 75080

MATTHEW GARRETT
MANAGING PARTNER, WATER PRACTICE

972-675-7699
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