

# Wylie City Council Regular Meeting

December 12, 2023 – 6:00 PM

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



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## CALL TO ORDER

## INVOCATION & PLEDGE OF ALLEGIANCE

## 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 November 9, 2023 Special Called Meeting and the November 14, 2023 Regular City Council Meeting minutes.
- B. Consider, and place on file, the City of Wylie Monthly Investment Report for October 31, 2023.
- C. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for October 31, 2023.
- D. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of October 31, 2023.
- E. Consider, and act upon, a Final Plat of Lot 1, Block A of Validus Addition, creating one industrial lot on 0.620 acres, located at 1602 Martinez Lane.
- F. Consider, and act upon, Ordinance No. 2023-54 for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) on 0.4496 acres to allow for Automobile Repair Minor use. Property located at 403 S. State Highway 78 (ZC 2023-17).
- G. Consider, and act upon, Ordinance No. 2023-55 releasing a portion of the City of Wylie's Extraterritorial Jurisdiction, consisting of two tracts of land totaling 6.948 acres located on the east side of Troy Road at Elida Lane.
- H. Consider, and act upon, Ordinance No. 2023-56 approving a Buyback provision for qualified employees as permitted under the rules and regulations of the Texas Municipal System (TMRS).
- I. Consider, and act upon, Ordinance No. 2023-57 adopting non-retroactive repeating COLAs for retirees and their beneficiaries under Texas Municipal Retirement System (TMRS).
- J. Consider, and act upon, approval of the Wylie High School PTSA Pirate Dash 5K/Walk fundraiser event at Founders Park on April 13, 2024.

- K. Consider, and act upon, the approval of the purchase of school zone flasher assemblies from Paradigm Traffic Systems, in the estimated amount of \$89,250.00 through a cooperative purchasing contract with BuyBoard, and authorizing the City Manager to execute any and all necessary documents.
- L. Consider, and act upon, the approval of the purchase of an ambulance from Southern Emergency and Rescue Vehicle Sales (SERVS) in the estimated amount of \$467,344.00 through a cooperative purchasing contract with Houston-Galveston Area Council (HGAC) and authorizing the City Manager to execute any and all necessary documents.
- M. Consider, and act upon, the award of a professional services project order (PSPO) #W2024-24-I for the design of a traffic signal at the Intersection of Sachse Road and Creek Crossing Lane to Kimley-Horn & Associates, Inc. in the amount of \$65,800, and authorizing the City Manager to execute any necessary documents.
- N. Consider, and act upon, the approval of the purchase of two (2) chassis from Sam Pack's Five Star Ford for Wylie Fire Rescue in the estimated amount of \$148,243.37 through a cooperative purchasing contract with The Local Government Purchasing Cooperative (BuyBoard) and authorizing the City Manager to execute any and all necessary documents.
- O. Consider, and act upon, the approval of the renewal purchase of Annual Maintenance and Software Upgrade for Public Safety Radios and Network Recording Software from Motorola Solutions, Inc. in the estimated amount of \$134,981.38 through a cooperative purchasing contract with the Texas Department of Information Resources and authorizing the City Manager to execute any necessary documents.

## **REGULAR AGENDA**

- 1. Consider, and act upon, Resolution No. 2023-32(R) determining a public necessity to acquire certain properties for public use by eminent domain for right of way (in fee simple) and temporary construction easements and related improvements for the construction, expansion, access, repair, maintenance and replacement of a portion of approximately 1.25 miles of E. FM 544 (from north of Alfred Drive to County Line Road) roadway project, located on a portion of a 1.99-acre tract of land conveyed to Braddock Place Estates Homeowners Association, Inc. as recorded under instrument no. 20160329000367090 in the real property records of Collin County, Texas, generally located along the west side of E. FM 544 between Alanis Drive and Vinson Road, Wylie, Collin County, Texas; giving notice of an official determination to acquire certain properties for public use by eminent domain for such right of way (in fee simple), temporary construction easements and related improvements; authorizing the City Manager of the City of Wylie, Texas, to establish procedures for acquiring the right of way and easements, offering to acquire the property interests, voluntarily, from the landowner through the making of bona fide offers; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.
- 2. Consider, and act upon, the award of contract W2024-16-I, Pirates Cove Playground Equipment and Poured-In-Place Surfacing to WEBUILDFUN, in the estimated amount of \$678,482.00 through a cooperative purchasing contract with BuyBoard and authorizing the City Manager to execute any necessary documents.
- 3. Consider, and act upon, the acceptance of the resignation of Jacques Loraine III, and the appointment of a new board member to the City of Wylie Planning and Zoning Commission to fill term of December 12, 2023 to June 30, 2025.

## **WORK SESSION**

- WS1. Discuss the Renovation of the Animal Services Facility.

## **RECONVENE INTO REGULAR SESSION**



## EXECUTIVE SESSION

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

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

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

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

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

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

ES2. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2021-4b, 2022-1c, 2022-10c, 2023-1a, 2023-1c, 2023-2b, 2023-2d, 2023-3b, 2023-4c, 2023-5b, 2023-8a, 2023-9b, 2023-10a, 2023-11a, 2023-12a, and 2023-12b.

## 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 December 8, 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.

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*Stephanie Storm, City Secretary*

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*Date Notice Removed*

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

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date,

hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with an attorney for the City.

§ 551.072 – Discussing purchase, exchange, lease or value of real property.

§ 551.074 – Discussing personnel or to hear complaints against personnel.

§ 551.087 – Discussing certain economic development matters.

§ 551.073 – Discussing prospective gift or donation to the City.

§ 551.076 – Discussing deployment of security personnel or devices or security audit.



# Wylie City Council

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## AGENDA REPORT

Department: City Secretary  
Prepared By: Stephanie Storm

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

### Subject

Consider, and act upon, approval of the November 9, 2023 Special Called Meeting and the November 14, 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 Special Meeting Minutes

November 9, 2023 – 5:00 PM

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



## CALL TO ORDER

Mayor Matthew Porter called the special meeting to order at 5:01 p.m. The following City Council members were present: Councilman Dave Strang (5:54 p.m.), Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, Councilman Sid Hoover, and Councilman Gino Mulliqi. Councilman David R. Duke was absent.

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Economic Executive Director Jason Greiner; and Parks and Recreation Administrative Assistant Janet Pieper.

## INVOCATION & PLEDGE OF ALLEGIANCE

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

## COMMENTS ON NON-AGENDA ITEMS

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There were no persons present wishing to address the Council.

## EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 5:04 p.m.

### **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).

**ES1. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for property generally located at Hwy. 78 and Spring Creek.**

## RECONVENE INTO OPEN SESSION

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

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

**ADJOURNMENT**

A motion was made by Councilman Strang, seconded by Councilman Mulliqi, to adjourn the meeting at 6:43 p.m.  
A vote was taken and the motion passed 6-0 with Councilman Duke absent.

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**Matthew Porter, Mayor****ATTEST:**

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**Stephanie Storm, City Secretary**

# Wylie City Council Regular Meeting Minutes

November 14, 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 6:04 p.m. The following City Council members were present: Councilman David R. Duke (7:18 p.m.), 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; Fire Chief Brandon Blythe; Public Art Coordinator Carole Ehrlich; Community Services Director Jasen Haskins; Library Director Ofilia Barrera; Public Information Officer Craig Kelly; City Secretary Stephanie Storm; Public Works Director Tommy Weir; Purchasing Manager Chris Rodriguez; Finance Director Melissa Brown; City Engineer Tim Porter; and various support staff.

## INVOCATION & PLEDGE OF ALLEGIANCE

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

## PRESENTATIONS & RECOGNITIONS

### PR1. Wylie Way Student - Davis Intermediate.

Mayor Porter and Mayor *pro tem* Forrester presented a medallion to a Davis Intermediate student demonstrating “Shining the Wylie Way.” Every nine weeks one student from each WISD campus is chosen as the “Wylie Way Student.”

### PR2. Life-Saving Award to Officer Chris Williams.

Mayor Porter and Police Chief Henderson presented a life-saving award to Officer Chris Williams. Williams rescued two teenage girls from a vehicle, which caught on fire after an accident. The family of one of the girls was present to thank Officer Williams.

### PR3. National Hunger and Homelessness Awareness Week.

Mayor Porter presented a proclamation proclaiming November 11-18, 2023 as National Hunger and Homelessness Awareness Week in Wylie, Texas. Representatives from the Wylie Police Department, Wylie Christian Care Center, St. Vincent de Paul Society, Hope for the Cities, Agape Resource & Assistance Center, Inc., Collin County Homeless Coalition, Amazing Grace Food Pantry, 5 Loaves Food Pantry, Housing Forward, and City Missions were present to accept the proclamation.

### PR4. Small Business Saturday.

Mayor Porter recognized November 25, 2023 as Small Business Saturday in Wylie, Texas.



**PR5. Veteran's Day.**

Mayor Porter presented a proclamation proclaiming November 11, 2023 as Veterans Day in Wylie, Texas. Veterans from the Wylie City Council, staff members, and American Legion Post 315 were present to accept the proclamation.

**PR6. Native American Heritage Month.**

Mayor Porter presented a proclamation proclaiming November 2023, as Native American Heritage Month in Wylie, Texas. A member of Texas Native Health, an Urban Indian Organization, and a resident of Cherokee Indian Heritage were present to accept the proclamation.

**PR7. Lung Cancer Awareness Month.**

Mayor Porter recognized November 2023 as Lung Cancer Awareness Month in Wylie, Texas.

**PR8. National Entrepreneurs Day.**

Mayor Porter recognized November 2023 as National Entrepreneurs Day in Wylie, Texas.

**PR9. National Apprenticeship Week.**

Mayor Porter recognized November 2023 as National Apprenticeship Week in Wylie, Texas.

**COMMENTS ON NON-AGENDA ITEMS**

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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 October 24, 2023 Regular City Council Meeting minutes.**
- B. Consider, and act upon, a request regarding the demolition of a commercial structure in accordance with Ordinance No. 2022-34. Property located at 100 E. Oak St., within the Downtown Historic District.**
- C. Consider and act upon, a request regarding the demolition of a commercial structure in accordance with Ordinance No. 2022-34. Property located at 104 S. Ballard. within the Downtown Historic District.**
- D. Consider, and act upon, a Preliminary Plat of Hwy. 78 and Brown Addition, Lots 1-7, Block A, establishing six commercial lots and one open space lot on 11.622 acres, generally located on the southwest corner of State Highway 78 and Brown Street.**
- E. Consider, and act upon, a Final Plat of Hwy. 78 and Brown Addition, Lots 1-7, Block A, creating six commercial lots and one open space lot on 11.622 acres, generally located on the southwest corner of State Highway 78 and Brown Street.**

- F. Consider, and act upon, a Preliminary Plat of Texas Collision Addition Lot 1, Block A, establishing one commercial lot on 1.985 acres, located at 401 S. Westgate Way.
- G. Consider, and act upon, a Final Plat of 544 Gateway Addition, Lot 6R, Block A, being an Amended Plat of Lot 6, Block A of 544 Gateway Addition, establishing one commercial lot on 3.00 acres, located at 607 Commerce Drive.
- H. Consider, and act upon, a Preliminary Plat of Lots 1-5X, Block A of Wylie Lake Townhomes Phase II, establishing four single-family attached and one open space lot on 0.937 acres. Property generally located north of 1924 Spencer Lane.
- I. Consider, and act upon, Ordinance No. 2023-51 amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Appendix A (Comprehensive Fee Schedule), Article VIII (Public Library), Section A (Library Fees) amending DVD, per day/per item fee.
- J. Consider, and act upon, the award of Professional Services Project Order (PSPO) No. #W2023-114-E for E. FM 544 Geotech Services to Alliance Geotechnical, in the estimated amount of \$149,890.00, and authorizing the City Manager to execute any necessary documents.
- K. Consider, and act upon, the award of Professional Services Project Order (PSPO) No. #W2023-118-E for McMillen Geotech Services to Alliance Geotechnical, in the estimated amount of \$185,550.00, and authorizing the City Manager to execute any necessary documents.
- L. Consider, and act upon, the approval of a 48-month lease and maintenance agreement with Canon Solutions America, Inc. for copiers, the annual estimated amount of \$82,180.00, through a cooperative purchasing contract with Omnia Partners Cooperative (#FI-R-0251-18), and authorizing the City Manager to execute any necessary documents.
- M. Consider, and act upon, Resolution No. 2023-27(R) of the City Council of the City of Wylie, Texas, approving a purchase for the Police Department from Axon Enterprise, Inc., a sole source provider of Taser™ equipment in the amount of \$65,990.40; and authorizing the City Manager to execute any necessary documents.
- N. Consider, and act upon, Resolution No. 2023-31(R) finding that CoServ Gas, Ltd.'s Statement of Intent to increase rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this Resolution is passed is open to the public as required by law; and requiring notice of this Resolution to the company and the City's legal counsel.

#### **Council Action**

Councilman Williams requested Item C be pulled from the Consent Agenda and considered individually.

A motion was made by Councilman Mulliqi, seconded by Councilman Strang, to approve Consent Agenda Items A-B and D-N as presented. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

#### **REGULAR AGENDA**

- C. Consider and act upon, a request regarding the demolition of a commercial structure in accordance with Ordinance No. 2022-34. Property located at 104 S. Ballard. within the Downtown Historic District.

#### **Council Comments**

Councilman Williams stated regarding the mural on the side of the building, he would like to recommission the artist later, recreate portions of the art, or do something to retain the heritage of the mural. Greiner replied they have

discussed plans to memorialize, preserve, or document the mural, and added quite a few businesses downtown have interest in murals and will work with the Council moving forward. Mayor *pro tem* Forrester confirmed the new buildings would fit the Historic Review Commission requirements. Greiner replied the new buildings would comply. Mayor Porter asked if the Economic Development Corporation (EDC) would discuss and determine the process to preserve the artwork before demolishing the building. Greiner replied the EDC Board will discuss it at their next meeting. Porter added he would like to see the artwork saved or recommissioned at a later date.

### **Council Action**

A motion was made by Councilman Williams, seconded by Councilman Strang, to approve Item C as presented. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

1. **Consider, and act upon, the award of Contract No. #W2023-94-E for Medical Advisory Services for Wylie Fire-Rescue with Columbia Medical Center of Plano Subsidiary LP d/b/a Medical City Plano, in the amount of \$224,013.00, and authorizing the City Manager to execute any necessary documents.**

### **Staff Comments**

Fire Chief Blythe addressed the Council stating this item is for online medical control as a result of an RFP that received two submissions. Currently, this service is being provided through a third-party EMS provider. This proposed vendor is the same currently utilized vendor; however, there will be some changes. All of the paramedics work under an online medical control doctor and they come out and teach classes, write the protocols, approve the protocol changes, and provide quality assurance on the run reports. This is a three-year initial contract with two two-year options for a seven-year total at a cost of about \$74,671 annually.

### **Council Action**

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

2. **Consider, and act upon, Resolution No. 2023-28(R) regarding the acceptance of the 2023 State Homeland Security Grant Program funds for hazardous materials equipment, specifically hazardous materials dry decon materials.**

### **Staff Comments**

Fire Chief Blythe addressed the Council stating this Resolution will allow the City to accept a grant that the Fire Department applied for through the State Homeland Security Program. This was done in conjunction with the Regional Hazardous Materials Working Group at the North Central Texas Council of Governments (NCTCOG) of which some of our personnel have become a big part. This is an effort to do regional standardization for decon for hazardous materials response. It is a \$14,000 grant that the City will use for arsenal dry decon capabilities, which will allow us to be more efficient as there is no cleanup when this product is used on fire personnel or citizens when exposed to a hazardous material.

### **Council Action**

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 2 as presented. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

3. **Consider, and act upon, Ordinance No. 2023-52 amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 110 (Traffic and Vehicles), Article VI (Stopping, Standing, and Parking), Section 110-175 (No parking zones designated); creating Section 110-175 (14) Westbound side of Bennett Road. Prohibiting the stopping, standing, or parking of a vehicle along the westbound side of Bennett Road measuring 1,600 feet from the intersection of Wylie East Drive; establishing an offense; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance, and providing for the publication of the caption hereof.**

### **Staff Comments**

Police Chief Henderson addressed Council stating staff is requesting to amend the Code of Ordinances to add verbiage for no parking, standing, or stopping on the westbound side of Bennett Road, which is located on the south side of Wylie East, wraps around to the east side, and connects to Highway 78. The roadway is narrow and when school lets out, parents park along the roadway which is causing issues for the residents on the south side of the roadway as it is very difficult for them to get vehicles down the road. They are pulling into homeowner's driveways. The County has posted signs on the eastbound side of the road for no parking on the north side, but currently, nothing can be done about the vehicles that are parked on the south side of the road. Henderson stated if the City had signs on the south side of the road and police presence out there telling drivers they have to move, that would help resolve some of the issues. He added they are not looking to necessarily write citations, but having that ability, if needed, gives a little bit of that backing.

### **Council Comments**

Councilman Mulliqi stated that restricting parking along this road may move the parents to nearby neighborhoods, and asked what is the long-term plan for this. Henderson replied they work with the ISD to look at the school traffic pattern to determine the best way to get in and out, and added this gives police the ability to speak with the drivers about the issue.

### **Council Action**

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

- 4. Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) on 0.4496 acres to allow for Automobile Repair Minor use. Property located at 403 S. State Highway 78 (ZC 2023-17).**

### **Staff Comments**

Community Services Director Haskins addressed the Council stating the applicant is requesting a Special Use Permit (SUP) for an existing building on existing property, which is about 5,000 square feet. When it was built in 1970, it was an automotive repair use, and since then it's been an auto parts store, a cabinet shop, and now a smoke shop. The applicant is requesting to reduce the required parking from 18 spaces to 14 spaces. Staff did send 13 notifications and did receive one opposed that is not within 200 feet. The Planning and Zoning Commission (P&Z) did ask regarding the parking, if this was originally built in 1970 with 14 parking spaces why would it need 18 now and staff explained in 2013 the parking requirements were changed for different businesses, this being one of those uses. Haskins added that staff does feel that the 14 parking spaces are adequate in general, and P&Z did recommend approval with a vote of 6 to 0.

### **Council Comments**

Councilman Strang asked if the SUP is granted and the ownership or business changes does the allowed parking stay the same. Haskins replied as long as the use stays the same the number of required parking spaces would stay. Councilman Mulliqi asked if vehicles would stay outside overnight. Haskins replied the vehicles will not be staying outside overnight and that is addressed in the SUP Conditions and the Zoning Ordinance. Mayor Porter confirmed the pole signage will come down and will be replaced with a monument sign. Haskins confirmed that was correct, the new sign will be compliant with the Zoning Ordinance. Porter confirmed the City has received no renderings. Haskins replied staff has not seen the renderings yet as that is a separate permit; however, the applicant is only making changes to the signage and there will be no substantial exterior changes. Councilman Williams stated it appears there is room in the parking lot that would allow it to be re-stripped to get more spaces. Mulliqi asked if staff could define automotive repair minor, and asked if there would be any engine work. Haskins replied under automotive repair minor, engines can be replaced but cannot be rebuilt and gave additional examples.

### **Public Hearing**

Mayor Porter opened the public hearing on Item 4 at 7:03 p.m. asking anyone present wishing to address Council to come forward.

No persons were present wishing to address the Council.

Mayor Porter closed the public hearing at 7:03 p.m.

### **Council Action**

A motion was made by Councilman Strang, seconded by Councilman Hoover, to approve Item 4 as presented. A vote was taken and the motion passed 5-1 with Councilman Mulliqi voting against and Councilman Duke absent.

### **5. Consider, and act upon, Ordinance No. 2023-53 to abandon Right-of-Way being a 0.093 acre dead end alleyway within the Wooded Creek Estates Addition.**

### **Staff Comments**

Community Services Director Haskins addressed the Council stating the applicant at 2718 Spanish Oak Trail is requesting that the City Council abandon a dead-end alley that is a little over 4,000 square feet that is next to their property. The purpose of the request is they would like to use that property for expansion and/or parking. The alleyway was part of an access easement when the Wooded Creek subdivision was originally built as there was a property owner on the far east side and an access easement was added to allow them to access their property while the subdivision was built until the streets reached that area. This alley was never finished and the rest of the right away in the plat were abandoned. There is a drainage grill on the property and the applicant will either have to maintain that or when they plat it, an easement will be platted for the City to be able to maintain it. The City Engineer has reviewed the drainage and it is only the neighbor's properties to the east and west as the north side properties all drain to the north. The applicant is requesting to forego a formal appraisal and has offered \$5,000 for the 2,400 square feet of property. If the purchase is approved, the applicant will have to replat before any vertical development takes place.

### **Council Comments**

Mayor *pro tem* Forrester confirmed the way the easement is shaped, the City would be abandoning the entire easement and it would become part of 2718. Haskins confirmed that is correct. Forrester asked if they were prohibited from adding any new structures to that area. Haskins replied they would be prohibited until the property is replatted, and then they would still have to leave the drainage area open. Forrester confirmed if they build a new structure, they would have to follow current rules on new development. Haskins confirmed that is correct.

### **Council Action**

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to approve Item 5 as presented. A vote was taken and the motion passed 5-1 with Councilman Williams voting against and Councilman Duke absent.

### **6. Consider, and act upon, a contract between the City of Wylie and Yoshikawa Stone Sculpture, Inc. to commission two pieces of art for the Municipal Walking Trails, Phase 2 not to exceed \$80,000, and authorizing the City Manager to execute any necessary documents.**

### **Staff Comments**

Public Arts Coordinator Carole Ehrlich addressed the Council stating the Public Arts Advisory Board is recommending Yoshikawa Stone Sculpture, LLC to provide two pieces of art for Phase 2 of the walking trails. Artist Yoshi Wright has researched his proposals for the authenticity of the Caddo Tribes.

Councilman Duke took his seat at the dais around 7:18 p.m.

Mr. Yoshi Wright addressed the Council giving a presentation on the History of the Blackland Prairie including the Caddo Culture Grass House - Koo Hoot Kiwat, "Sacred Fire", Creation Story of the High Temple Mound, and "Ancestors Voice."

### **Council Comments**

Mayor Porter asked will the information presented this evening be available to the public near the art site. Wright replied a QR code would be at the structures and would route to a website that would contain the information. Ehrlich added a large plaque with information about the history and significance will also be at the art site. Councilman Duke asked what is the lifetime of the art pieces. Wright replied “Sacred Fire” will be constructed out of Texas limestone and “Ancestors Voice” will be constructed from California granite so they should be here forever, and the Texas Limestone will require regular maintenance. Porter asked staff to clarify where the funding comes from for the art pieces. Ehrlich stated two festivals are held each year, the Wylie Arts Festival and the Bluegrass on Ballard, where vendors are brought in to sell their products. The Arts Festival garners about \$27,000 to \$28,000 each year, and the Bluegrass on Ballard garners about \$17,000 to \$18,000 each year. Both of these pieces are funded by the festivals and not the General Fund.

Council thanked the artist, the Public Arts Advisory Board, and the subcommittee.

### **Council Action**

A motion was made by Councilman Mulliqi, seconded by Councilman Williams, to approve Item 6 as presented. A vote was taken and the motion passed 7-0.

- 7. Consider, and act upon, a contract approving three Collin County Community College artists designs for signal boxes located at Brown Street and Country Club Road, Collin Way and Country Club Road, and Ballard Street and SH 78, not to exceed \$600, and authorizing the City Manager to execute any necessary documents.**

### **Staff Comments**

Public Arts Coordinator Carole Ehrlich addressed the Council stating the Public Arts Advisory Board is recommending three designs to be fabricated on three signal light boxes located at Brown Street and Country Club, Collin Way and Country Club, and Ballard Street and Highway 78. In return for the fabrication of art on these boxes, each student creating the designs will receive a \$200 scholarship, which must be used for education.

Erika McIlnay, Art and Music Coordinator for Collin College, addressed the Council giving an overview of the project with the students.

### **Council Comments**

Mayor Porter stated he was impressed with the final designs and is excited about this project, and asked if this is a project that the City will continue to do in the future. Ehrlich replied the City currently has 29 City-owned boxes; therefore, the Public Art Board will focus on three a year.

The council commended the artists.

### **Council Action**

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

- 8. Consider, and act upon, Resolution No. 2023-29(R) casting a vote for a candidate(s) to the Board of Directors of the Collin Central Appraisal District for a one-year term beginning January 1, 2024.**

### **Council Comments**

Mayor Porter stated the City has 53 votes that can be cast for the nominated candidates, and asked Council if there were any comments or recommendations. Councilman Strang stated he would like to recommend David Gensler from Saint Paul. Councilman Duke stated he would agree with Councilman Strang’s recommendation.

### **Council Action**

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to cast all 53 votes for David Gensler. A vote was taken and the motion passed 7-0.



**9. Consider, and act upon, Resolution No. 2023-30(R) of the City of Wylie, Dallas County, Texas, casting its vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District.**

**Council Comments**

Mayor Porter stated the City has one vote as we have a small section of Wylie that is located in Dallas County. Porter stated in his opinion he would recommend Mr. Franks from Sachse given that Sachse is near to Wylie, we share WISD in some instances, and would probably have the most interaction with the City. Porter asked the Council for any additional recommendations. Councilman Strang stated he supported the Mayor's recommendation.

**Council Action**

A motion was made by Councilman Mulliqi, seconded by Councilman Williams, to cast the vote for Brett Franks, city of Sachse. A vote was taken and the motion passed 7-0.

Mayor Porter convened the Council into a break at 7:35 p.m.

Mayor Porter reconvened the Council into a Work Session at 7:49 p.m.

**WORK SESSION**

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

Community Services Director Haskins addressed Council stating a development proposal that met with some opposition recently and the applicant has asked for this work session to get guidance on what they could do to get this property developed. There are two questions that the applicant is looking to have answered which are: is commercial needed as the future land use plan, which is used as a guide, as it does show it along Country Club, however, some of the nearby residents in Presidential Estates spoke out in opposition of commercial, and also, the applicant is requesting feedback on the density of the development including townhomes and lot sizes.

Dr. Abdul Khan, the applicant and property owner, addressed the Council giving a brief presentation on the proposed development and answering questions from the Council.

Council comments and questions included what are the lot sizes in Presidential Estates, commercial is not a make or break, do not hate the idea of townhomes as it is closer to the College side of the property, if there were townhomes in the development would the lot size of single family homes be smaller, like the idea of a service type business, if the lots of the single family homes stay at 10-24 is good with having townhomes, okay with two commercial developments along Country Club as long as there is no traffic that flows through Presidential Estates, would like to keep the single family homes at 10,000 square feet lots, like the idea of townhomes, would like to see more open space and amenities in the neighborhood, preference would to maintain the townhomes and the lot sizes as proposed, prefer commercial, confirmed there is a complete separation between the Presidential Estates alley and the proposed development, agree with more commercial but still have enough access points to get in and out, look forward to the renderings, like the suggestion of moving townhome buildings B and D up even with the other buildings to allow for a larger back yard or an alley behind those properties, how many entrances are there to the neighborhood, will this be a gated neighborhood, and concern with people cutting through the access point of the alley and commercial area as proposed.

**RECONVENE INTO REGULAR SESSION**

Mayor Porter reconvened the Council into Regular Session at 8:17 p.m.

**EXECUTIVE SESSION**

Mayor Porter convened the Council into Executive Session at 8:17 p.m.

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

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

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

Councilman Mulliqi completed a Conflict of Interest form, which is on file with the City Secretary's Office, and recused himself from discussions on a specific project.

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

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

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

**ES2. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2013-9a, 2021-2d, 2021-5a, 2021-6c, 2021-9b, 2021-11b, 2022-1b, 2022-1c, 2022-7b, 2022-9a, 2022-10c, 2023-1a, 2023-1c, 2023-2b, 2023-2d, 2023-3b, 2023-5b, 2023-6b, 2023-6c, 2023-6d, 2023-8a, 2023-8b, 2023-8c, 2023-9a, 2023-9b, 2023-9c, 2023-9d, 2023-10a, and 2023-10b.**

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

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

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

**ES3. City Manager's annual evaluation.**

**RECONVENE INTO OPEN SESSION**

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

Mayor Porter reconvened the Council into Open Session at 11:03 p.m.

**Council Action**

A motion was made by Councilman Strang, seconded by Councilman Mulliqi, authorizing the Wylie EDC to enter into a Performance Agreement for Project 2021-6c in an amount not to exceed \$80,000. A vote was taken and the motion passed 7-0.

**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 of Ordinance Nos. 2023-51, 2023-52, and 2023-53 into the official record.

**ADJOURNMENT**

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to adjourn the meeting at 11:06 p.m. A vote was taken and the motion passed 7-0.

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**Matthew Porter, Mayor****ATTEST:**

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**Stephanie Storm, City Secretary**



# Wylie City Council

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## AGENDA REPORT

Department: Finance

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

Prepared By: Melissa Brown

### Subject

Consider, and place on file, the City of Wylie Monthly Investment Report for October 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

## 2023-2024 Investment Report October 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	\$16,302,076.35	MMA	5.3589%	Texpool	12/31/2006	NA
2	\$16,870,660.53	MMA	5.3231%	TexStar	3/15/2011	NA
	\$33,172,736.88					

Total

Weighted Average Coupon:  
Weighted Average Maturity (Days):

5.3407%
1.00

Money Markets:  
Certificates of Deposits:

\$33,172,736.88
\$0.00
\$33,172,736.88



*Melina Brown* 12-6-23  
Finance Director/Investment Officer



# Wylie City Council

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## AGENDA REPORT

Department: Finance  
Prepared By: Melissa Brown

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

### Subject

Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for October 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

10/31/2023

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2022-2023	CURRENT MONTH ACTUAL 2022-2023	YTD ACTUAL 2022-2023	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 8.33%
<b>GENERAL FUND REVENUE SUMMARY</b>					
TAXES	39,807,333	77,933	77,933	0.20%	A
FRANCHISE FEES	2,953,146	0	0	0.00%	B
LICENSES AND PERMITS	1,275,000	75,943	75,943	5.96%	
INTERGOVERNMENTAL REV.	2,590,293	1,478	1,478	0.06%	C
SERVICE FEES	4,343,203	14,280	14,280	0.33%	D
COURT FEES	340,000	30,444	30,444	8.95%	
INTEREST INCOME	1,526,221	96,046	96,046	6.29%	E
MISCELLANEOUS INCOME	260,807	948	948	0.36%	
OTHER FINANCING SOURCES	2,640,204	2,640,204	2,640,204	100.00%	F
<b>REVENUES</b>	<b>55,736,207</b>	<b>2,937,276</b>	<b>2,937,276</b>	<b>5.27%</b>	
USE OF FUND BALANCE	0	0	0	0.00%	
USE OF CARRY-FORWARD FUNDS	1,914,392	NA	NA	NA	G
<b>TOTAL REVENUES</b>	<b>57,650,599</b>	<b>2,937,276</b>	<b>2,937,276</b>	<b>5.09%</b>	
<b>GENERAL FUND EXPENDITURE SUMMARY</b>					
CITY COUNCIL	96,401	8,367	8,367	8.68%	
CITY MANAGER	1,294,357	56,093	56,093	4.33%	
CITY SECRETARY	417,515	14,918	14,918	3.57%	
CITY ATTORNEY	170,000	0	0	0.00%	
FINANCE	1,377,712	42,172	42,172	3.06%	
FACILITIES	1,061,869	46,927	46,927	4.42%	
MUNICIPAL COURT	601,699	29,525	29,525	4.91%	
HUMAN RESOURCES	851,043	34,734	34,734	4.08%	
PURCHASING	325,350	54,199	54,199	16.66%	
INFORMATION TECHNOLOGY	2,230,036	566,896	566,896	25.42%	H
POLICE	14,164,952	550,389	550,389	3.89%	
FIRE	16,559,938	493,846	493,846	2.98%	
EMERGENCY COMMUNICATIONS	2,635,257	82,508	82,508	3.13%	
ANIMAL CONTROL	776,455	26,996	26,996	3.48%	
PLANNING	374,191	15,359	15,359	4.10%	
BUILDING INSPECTION	648,365	21,628	21,628	3.34%	
CODE ENFORCEMENT	218,297	10,715	10,715	4.91%	
STREETS	4,187,262	154,046	154,046	3.68%	
PARKS	2,825,347	95,702	95,702	3.39%	
LIBRARY	2,297,296	132,699	132,699	5.78%	
COMBINED SERVICES	5,474,257	120,960	120,960	2.21%	
<b>TOTAL EXPENDITURES</b>	<b>58,587,599</b>	<b>2,558,679</b>	<b>2,558,679</b>	<b>4.37%</b>	
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>-937,000</b>	<b>378,597</b>	<b>378,598</b>	<b>0.73%</b>	
<p>A. Property Tax Collections for FY23-24 as of October 31, 2023 are .25%, in comparison to FY22-23 for the same time period of .68%. Sales tax is on a 2 month lag and has not been received.</p> <p>B. Franchise Fees: Most franchise fees are recognized quarterly with electric fees making up the majority.</p> <p>C. Intergovernmental Rev: The majority of intergovernmental revenues come from WISD reimbursements and Fire Services which are billed quarterly.</p> <p>D. Service Fees: Trash fees billed in October are applicable towards FY 2022-23 revenue with the remaining fees coming from other seasonal fees.</p> <p>E. Interest Rates have remained relatively flat over the last few months.</p> <p>F. Yearly transfer from Utility Fund.</p> <p>G. Largest Carry Forward items: \$150,000 for PW/Community Services Software, \$288,000 for police and streets vehicles, \$338,840 for ambulance, \$119,102 for APX Mobile Radios, \$600,000 for Woodbridge/Hensley Traffic Signal.</p> <p>H. Annual maintenance agreements</p>					

## CITY OF WYLIE

## MONTHLY FINANCIAL REPORT

October 31, 2023

Preliminary

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2022-2023	CURRENT MONTH ACTUAL 2022-2023	YTD ACTUAL 2022-2023	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 8.33%
<b>UTILITY FUND REVENUES SUMMARY</b>					
SERVICE FEES	29,434,997	58,881	58,881	0.20%	I
INTEREST INCOME	719,896	96,564	96,564	13.41%	J
MISCELLANEOUS INCOME	70,000	2,330	2,330	3.33%	
OTHER FINANCING SOURCES				0.00%	
<b>REVENUES</b>	<b>30,224,893</b>	<b>157,775</b>	<b>157,775</b>	<b>0.52%</b>	
USE OF FUND BALANCE	0	NA	0	0	
USE OF CARRY-FORWARD FUNDS	1,449,523	NA	NA	NA	K
<b>TOTAL REVENUES</b>	<b>31,674,416</b>	<b>NA</b>	<b>157,775</b>	<b>0.50%</b>	
<b>UTILITY FUND EXPENDITURE SUMMARY</b>					
UTILITY ADMINISTRATION	654,545	34,471	34,471	5.27%	
UTILITIES - WATER	3,907,389	62,244	62,244	1.59%	
CITY ENGINEER	1,345,215	35,485	35,485	2.64%	
UTILITIES - SEWER	1,503,680	40,136	40,136	2.67%	
UTILITY BILLING	1,493,339	59,513	59,513	3.99%	
COMBINED SERVICES	20,287,375	2,640,204	2,640,204	13.01%	L
<b>TOTAL EXPENDITURES</b>	<b>29,191,543</b>	<b>2,872,053</b>	<b>2,872,053</b>	<b>9.84%</b>	
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>2,482,872</b>	<b>-2,714,278</b>	<b>-2,714,279</b>	<b>-9.34%</b>	
I. Most Utility Fund Revenue billed in October was applicable to FY 2022-23. J. Interest Rates have remained relatively flat over the last few months. K. Largest Carry Forward items: PW/Community Services Software \$135,730, Lead and Copper Revision \$150,964, Water Pump Station Backup Generators \$736,937 and Dogwood Drive Waterline Replacement \$100,000. L. Annual transfer to the General Fund.					



# Wylie City Council

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## AGENDA REPORT

Department: WEDC  
Prepared By: Jason Greiner

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

### Subject

Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of October 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 November 15, 2023.

# October Rev/Exp Report

## Account Summary

For Fiscal: 2023-2024 Period Ending: 10/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 111 - WYLIE ECONOMIC DEVEL CORP</b>							
<b>Revenue</b>							
<a href="#">111-4000-40210</a>	SALES TAX	4,536,561.00	4,536,561.00	0.00	0.00	-4,536,561.00	100.00 %
<a href="#">111-4000-46110</a>	ALLOCATED INTEREST EARNINGS	112,000.00	112,000.00	0.00	0.00	-112,000.00	100.00 %
<a href="#">111-4000-48110</a>	RENTAL INCOME	48,600.00	48,600.00	0.00	0.00	-48,600.00	100.00 %
<a href="#">111-4000-48430</a>	GAIN/(LOSS) SALE OF CAP ASSETS	2,655,970.00	2,655,970.00	0.00	0.00	-2,655,970.00	100.00 %
	<b>Revenue Total:</b>	<b>7,353,131.00</b>	<b>7,353,131.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-7,353,131.00</b>	<b>100.00%</b>
<b>Expense</b>							
<a href="#">111-5611-51110</a>	SALARIES	440,500.00	440,500.00	14,594.80	14,594.80	425,905.20	96.69 %
<a href="#">111-5611-51140</a>	LONGEVITY PAY	1,200.00	1,200.00	0.00	0.00	1,200.00	100.00 %
<a href="#">111-5611-51310</a>	TMRS	68,500.00	68,500.00	2,056.20	2,056.20	66,443.80	97.00 %
<a href="#">111-5611-51410</a>	HOSPITAL & LIFE INSURANCE	81,000.00	81,000.00	4,944.74	4,944.74	76,055.26	93.90 %
<a href="#">111-5611-51420</a>	LONG-TERM DISABILITY	1,600.00	1,600.00	0.00	0.00	1,600.00	100.00 %
<a href="#">111-5611-51440</a>	FICA	27,000.00	27,000.00	815.18	815.18	26,184.82	96.98 %
<a href="#">111-5611-51450</a>	MEDICARE	6,400.00	6,400.00	190.64	190.64	6,209.36	97.02 %
<a href="#">111-5611-51470</a>	WORKERS COMP PREMIUM	2,100.00	2,100.00	0.00	0.00	2,100.00	100.00 %
<a href="#">111-5611-51480</a>	UNEMPLOYMENT COMP (TWC)	1,600.00	1,600.00	2.52	2.52	1,597.48	99.84 %
<a href="#">111-5611-52010</a>	OFFICE SUPPLIES	5,000.00	5,000.00	126.34	126.34	4,873.66	97.47 %
<a href="#">111-5611-52040</a>	POSTAGE & FREIGHT	300.00	300.00	0.00	0.00	300.00	100.00 %
<a href="#">111-5611-52810</a>	FOOD SUPPLIES	3,000.00	3,000.00	89.26	89.26	2,910.74	97.02 %
<a href="#">111-5611-54610</a>	FURNITURE & FIXTURES	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
<a href="#">111-5611-54810</a>	COMPUTER HARD/SOFTWARE	7,650.00	7,650.00	0.00	0.00	7,650.00	100.00 %
<a href="#">111-5611-56030</a>	INCENTIVES	1,929,250.00	1,929,250.00	0.00	0.00	1,929,250.00	100.00 %
<a href="#">111-5611-56040</a>	SPECIAL SERVICES	37,270.00	37,270.00	157.50	157.50	37,112.50	99.58 %
<a href="#">111-5611-56041</a>	SPECIAL SERVICES-REAL ESTATE	234,500.00	234,500.00	62,916.84	62,916.84	171,583.16	73.17 %
<a href="#">111-5611-56042</a>	SPECIAL SERVICES-INFRASTRUCTURE	10,324,000.00	10,324,000.00	6,101.36	6,101.36	10,317,898.64	99.94 %
<a href="#">111-5611-56080</a>	ADVERTISING	226,125.00	226,125.00	9,372.62	9,372.62	216,752.38	95.86 %
<a href="#">111-5611-56090</a>	COMMUNITY DEVELOPMENT	64,950.00	64,950.00	5,000.00	5,000.00	59,950.00	92.30 %
<a href="#">111-5611-56110</a>	COMMUNICATIONS	7,900.00	7,900.00	0.00	0.00	7,900.00	100.00 %
<a href="#">111-5611-56180</a>	RENTAL	27,000.00	27,000.00	2,250.00	2,250.00	24,750.00	91.67 %
<a href="#">111-5611-56210</a>	TRAVEL & TRAINING	73,000.00	73,000.00	63.87	63.87	72,936.13	99.91 %
<a href="#">111-5611-56250</a>	DUES & SUBSCRIPTIONS	60,733.00	60,733.00	17,338.88	17,338.88	43,394.12	71.45 %
<a href="#">111-5611-56310</a>	INSURANCE	6,800.00	6,800.00	0.00	0.00	6,800.00	100.00 %
<a href="#">111-5611-56510</a>	AUDIT & LEGAL SERVICES	23,000.00	23,000.00	0.00	0.00	23,000.00	100.00 %
<a href="#">111-5611-56570</a>	ENGINEERING/ARCHITECTURAL	530,175.00	530,175.00	37,420.00	37,420.00	492,755.00	92.94 %
<a href="#">111-5611-56610</a>	UTILITIES-ELECTRIC	2,400.00	2,400.00	0.00	0.00	2,400.00	100.00 %
<a href="#">111-5611-57410</a>	PRINCIPAL PAYMENT	600,096.00	600,096.00	49,072.66	49,072.66	551,023.34	91.82 %
<a href="#">111-5611-57415</a>	INTEREST EXPENSE	631,902.00	631,902.00	53,593.81	53,593.81	578,308.19	91.52 %
<a href="#">111-5611-58110</a>	LAND-PURCHASE PRICE	1,000,000.00	1,000,000.00	7,079.00	7,079.00	992,921.00	99.29 %
<a href="#">111-5611-58995</a>	CONTRA CAPITAL OUTLAY	0.00	0.00	-7,079.00	-7,079.00	7,079.00	0.00 %
	<b>Expense Total:</b>	<b>16,427,451.00</b>	<b>16,427,451.00</b>	<b>266,107.22</b>	<b>266,107.22</b>	<b>16,161,343.78</b>	<b>98.38%</b>
<b>Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):</b>		<b>-9,074,320.00</b>	<b>-9,074,320.00</b>	<b>-266,107.22</b>	<b>-266,107.22</b>	<b>8,808,212.78</b>	<b>97.07%</b>
<b>Report Surplus (Deficit):</b>		<b>-9,074,320.00</b>	<b>-9,074,320.00</b>	<b>-266,107.22</b>	<b>-266,107.22</b>	<b>8,808,212.78</b>	<b>97.07%</b>

Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

Group Summary

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance	Percent Remaining
					Favorable (Unfavorable)	
Fund: 111 - WYLIE ECONOMIC DEVEL CORP						
Revenue	7,353,131.00	7,353,131.00	0.00	0.00	-7,353,131.00	100.00%
Expense	16,427,451.00	16,427,451.00	266,107.22	266,107.22	16,161,343.78	98.38%
Fund: 111 - WYLIE ECONOMIC DEVEL CORP Surplus (Deficit):	-9,074,320.00	-9,074,320.00	-266,107.22	-266,107.22	8,808,212.78	97.07%
Report Surplus (Deficit):	-9,074,320.00	-9,074,320.00	-266,107.22	-266,107.22	8,808,212.78	97.07%

Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
111 - WYLIE ECONOMIC DEVEL CO	-9,074,320.00	-9,074,320.00	-266,107.22	-266,107.22	8,808,212.78
Report Surplus (Deficit):	-9,074,320.00	-9,074,320.00	-266,107.22	-266,107.22	8,808,212.78



Statement of Net Position  
As of October 31, 2023

**Assets**

Cash and cash equivalents	\$ 12,633,749.82	
Receivables	\$ 120,000.00	Note 1
Inventories	\$ 16,013,084.00	
Prepaid Items	\$ -	
<b>Total Assets</b>	<b>\$ 28,766,833.82</b>	

**Deferred Outflows of Resources**

Pensions	\$ 67,748.55
<b>Total deferred outflows of resources</b>	<b>\$ 67,748.55</b>

**Liabilities**

Accounts Payable and other current liabilities	\$ 18,866.66	
Unearned Revenue	\$ 1,200.00	Note 2
Non current liabilities:		
Due within one year	\$ 612,138.34	Note 3
Due in more than one year	\$ 15,020,931.54	
<b>Total Liabilities</b>	<b>\$ 15,653,136.54</b>	

**Deferred Inflows of Resources**

Miscellaneous	\$ (100,000.00)
Pensions	\$ (84,717.41)
<b>Total deferred inflows of resources</b>	<b>\$ (184,717.41)</b>

**Net Position**

Net investment in capital assets	\$ -
Unrestricted	\$ 12,996,728.42
<b>Total Net Position</b>	<b>\$ 12,996,728.42</b>

*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 10/31/2023

Account	Name	Balance
<b>Fund: 111 - WYLIE ECONOMIC DEVEL CORP</b>		
<b>Assets</b>		
<a href="#">111-1000-10110</a>	CLAIM ON CASH AND CASH EQUIV.	12,631,749.82
<a href="#">111-1000-10115</a>	CASH - WEDC - INWOOD	0.00
<a href="#">111-1000-10135</a>	ESCROW	0.00
<a href="#">111-1000-10180</a>	DEPOSITS	2,000.00
<a href="#">111-1000-10198</a>	OTHER - MISC CLEARING	0.00
<a href="#">111-1000-10341</a>	TEXPOOL	0.00
<a href="#">111-1000-10343</a>	LOGIC	0.00
<a href="#">111-1000-10481</a>	INTEREST RECEIVABLE	0.00
<a href="#">111-1000-11511</a>	ACCTS REC - MISC	0.00
<a href="#">111-1000-11517</a>	ACCTS REC - SALES TAX	0.00
<a href="#">111-1000-12810</a>	LEASE PAYMENTS RECEIVABLE	0.00
<a href="#">111-1000-12950</a>	LOAN PROCEEDS RECEIVABLE	0.00
<a href="#">111-1000-12996</a>	LOAN RECEIVABLE	0.00
<a href="#">111-1000-12997</a>	ACCTS REC - JTM TECH	0.00
<a href="#">111-1000-12998</a>	ACCTS REC - FORGIVEABLE LOANS	120,000.00
<a href="#">111-1000-14112</a>	INVENTORY - MATERIAL/ SUPPLY	0.00
<a href="#">111-1000-14116</a>	INVENTORY - LAND & BUILDINGS	16,013,084.00
<a href="#">111-1000-14118</a>	INVENTORY - BAYCO/ SANDEN BLVD	0.00
<a href="#">111-1000-14310</a>	PREPAID EXPENSES - MISC	0.00
<a href="#">111-1000-14410</a>	DEFERRED OUTFLOWS	2,088,500.00
<b>Total Assets:</b>		<b>30,855,333.82</b>
		<b>30,855,333.82</b>
<b>Liability</b>		
<a href="#">111-2000-20110</a>	FEDERAL INCOME TAX PAYABLE	0.00
<a href="#">111-2000-20111</a>	MEDICARE PAYABLE	0.00
<a href="#">111-2000-20112</a>	CHILD SUPPORT PAYABLE	0.00
<a href="#">111-2000-20113</a>	CREDIT UNION PAYABLE	0.00
<a href="#">111-2000-20114</a>	IRS LEVY PAYABLE	0.00
<a href="#">111-2000-20115</a>	NATIONWIDE DEFERRED COMP	0.00
<a href="#">111-2000-20116</a>	HEALTH INSUR PAY-EMPLOYEE	7,136.29
<a href="#">111-2000-20117</a>	TMRS PAYABLE	5,562.70
<a href="#">111-2000-20118</a>	ROTH IRA PAYABLE	0.00
<a href="#">111-2000-20119</a>	WORKERS COMP PAYABLE	0.00
<a href="#">111-2000-20120</a>	FICA PAYABLE	0.00
<a href="#">111-2000-20121</a>	TEC PAYABLE	0.00
<a href="#">111-2000-20122</a>	STUDENT LOAN LEVY PAYABLE	0.00
<a href="#">111-2000-20123</a>	ALIMONY PAYABLE	0.00
<a href="#">111-2000-20124</a>	BANKRUPTCY PAYABLE	0.00
<a href="#">111-2000-20125</a>	VALIC DEFERRED COMP	0.00
<a href="#">111-2000-20126</a>	ICMA PAYABLE	0.00
<a href="#">111-2000-20127</a>	EMP. LEGAL SERVICES PAYABLE	0.00
<a href="#">111-2000-20130</a>	FLEXIBLE SPENDING ACCOUNT	837.48
<a href="#">111-2000-20131</a>	EDWARD JONES DEFERRED COMP	0.00
<a href="#">111-2000-20132</a>	EMP CARE FLITE	12.00
<a href="#">111-2000-20133</a>	Unemployment Comp Payable	6.53
<a href="#">111-2000-20151</a>	ACCRUED WAGES PAYABLE	0.00
<a href="#">111-2000-20180</a>	ADDIT EMPLOYEE INSUR PAY	92.32
<a href="#">111-2000-20199</a>	MISC PAYROLL PAYABLE	0.00
<a href="#">111-2000-20201</a>	AP PENDING	5,219.34
<a href="#">111-2000-20210</a>	ACCOUNTS PAYABLE	0.00
<a href="#">111-2000-20530</a>	PROPERTY TAXES PAYABLE	0.00
<a href="#">111-2000-20540</a>	NOTES PAYABLE	2,088,500.00
<a href="#">111-2000-20810</a>	DUE TO GENERAL FUND	0.00

## Balance Sheet

As Of 10/31/2023

Account	Name	Balance
<a href="#">111-2000-22270</a>	DEFERRED INFLOW	100,000.00
<a href="#">111-2000-22275</a>	DEF INFLOW - LEASE PRINCIPAL	0.00
<a href="#">111-2000-22280</a>	DEFERRED INFLOW - LEASE INT	0.00
<a href="#">111-2000-22915</a>	RENTAL DEPOSITS	1,200.00
<b>Total Liability:</b>		<b>2,208,566.66</b>

## Equity

<a href="#">111-3000-34110</a>	FUND BALANCE - RESERVED	0.00
<a href="#">111-3000-34590</a>	FUND BALANCE-UNRESERV/UNDESIG	28,912,874.38
<b>Total Beginning Equity:</b>		<b>28,912,874.38</b>
Total Revenue		0.00
Total Expense		266,107.22
<b>Revenues Over/Under Expenses</b>		<b>-266,107.22</b>
<b>Total Equity and Current Surplus (Deficit):</b>		<b>28,646,767.16</b>
<b>Total Liabilities, Equity and Current Surplus (Deficit):</b>		<b>30,855,333.82</b>

## Balance Sheet

As Of 10/31/2023

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

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

## Wylie Economic Development Corporation

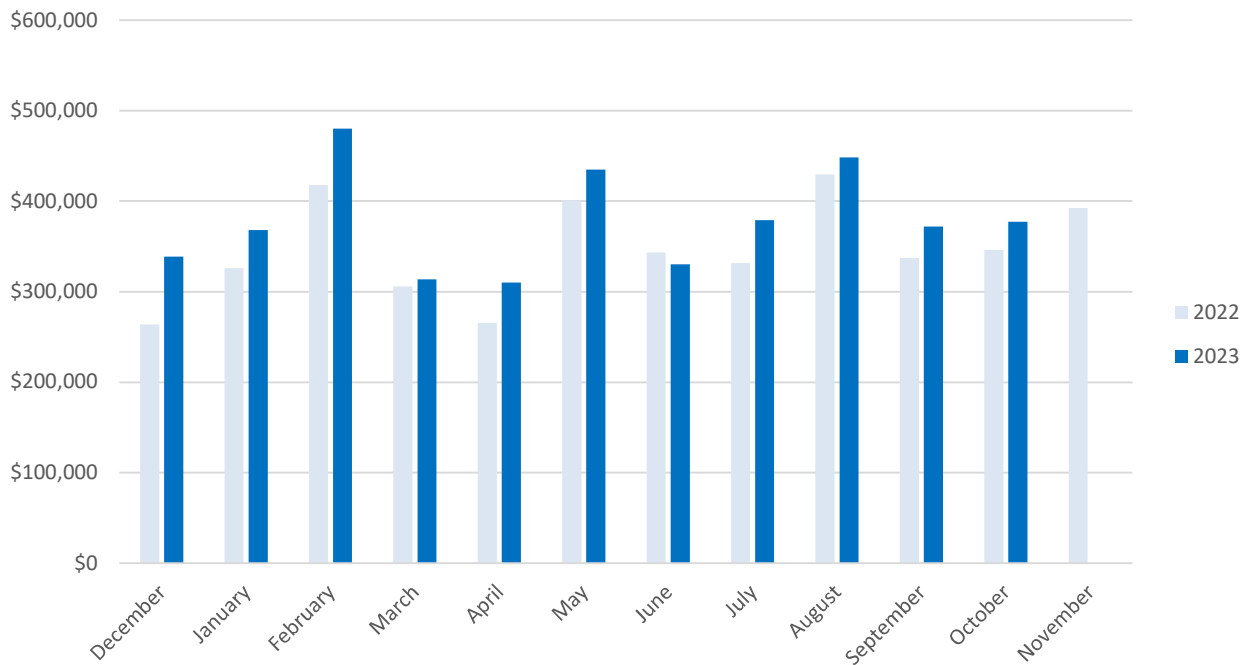
## SALES TAX REPORT

October 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	\$ 330,236.89	\$ (13,134.37)	-3.83%
JULY	\$ 296,954.00	\$ 314,559.10	\$ 331,432.86	\$ 379,162.00	\$ 47,729.14	14.40%
AUGUST	\$ 325,104.34	\$ 390,790.76	\$ 429,696.16	\$ 448,253.70	\$ 18,557.55	4.32%
SEPTEMBER	\$ 259,257.89	\$ 307,681.15	\$ 337,512.61	\$ 371,880.65	\$ 34,368.03	10.18%
OCTOBER	\$ 249,357.02	\$ 326,382.38	\$ 346,236.36	\$ 377,466.67	\$ 31,230.31	9.02%
NOVEMBER	\$ 384,953.89	\$ 411,813.32	\$ 392,790.84			
<b>Sub-Total</b>	<b>\$ 3,283,492.09</b>	<b>\$ 3,875,470.98</b>	<b>\$ 4,161,281.96</b>	<b>\$ 4,153,100.73</b>	<b>\$ 384,609.61</b>	10.74%
<b>Total</b>	<b>\$ 3,283,492.09</b>	<b>\$ 3,875,470.98</b>	<b>\$ 4,161,281.96</b>	<b>\$ 4,153,100.73</b>	<b>\$ 384,609.61</b>	10.74%

## 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: October SlsTx Revenue is actually August SlsTx and is therefore the 11th allocation in FY23.

# Wylie Economic Development Corporation

## PERFORMANCE AGREEMENT REPORT

October 30, 2023

PERFORMANCE AGREEMENTS	TOTAL INCENTIVE	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	REMAINING AFTER CURRENT FY	PREVIOUS FY PAYMENTS	TOTAL INCENTIVE	
LUV-ROS	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000.00	\$ 10,000.00	A
AMERICAN ENTITLEMENTS II	\$ 35,000.00	\$ 25,000.00	\$ 10,000.00	\$ -	\$ -	\$ -	\$ 10,000.00	\$ -	\$ 35,000.00	
NORTH DALLAS WYLIE LAND	\$ 120,000.00	\$ 20,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000.00	\$ 120,000.00	
AXL	\$ 65,000.00	\$ 9,250.00	\$ 9,250.00	\$ -	\$ -	\$ -	\$ 9,250.00	\$ 46,500.00	\$ 65,000.00	
GLEN ECHO BREWING	\$ 100,000.00	\$ 50,000.00	\$ 30,000.00	\$ 20,000.00	\$ -	\$ -	\$ 50,000.00	\$ -	\$ 100,000.00	B
MLKJ	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	C
CLF II LI WYLIE (LOVETT)	\$ 1,300,000.00	\$ 650,000.00	\$ 650,000.00	\$ -	\$ -	\$ -	\$ 650,000.00	\$ -	\$ 1,300,000.00	
DEANAN/DANK	\$ 30,000.00	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000.00	\$ 30,000.00	
FIREWATER	\$ 300,000.00	\$ 100,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000.00	\$ 300,000.00	
PHOENIX ASCENDING	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	D
SANDEN INTERNATIONAL	\$ 500,000.00	\$ 300,000.00	\$ 200,000.00	\$ -	\$ -	\$ -	\$ 200,000.00	\$ -	\$ 500,000.00	
	<b>\$ 2,460,000.00</b>	<b>\$ 1,169,250.00</b>	<b>\$ 899,250.00</b>	<b>\$ 20,000.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 919,250.00</b>	<b>\$ 371,500.00</b>	<b>\$ 2,460,000.00</b>	

Deferred Out Flow

\$ 2,088,500.00

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

B. Performance Agreement (\$100,000) and Forgiveable Land Grant (\$100,000 forgiven over 3 years). \$25,000 CO & \$25,000/year in 2024, 2025, & 2026.

C. Performance Agreement (TBD) and Forgiveable Land Grant (\$200,000 forgiven over 3 years). \$50,000 CO & \$50,000/year in 2024, 2025, & 2026.

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



# Wylie City Council

## AGENDA REPORT

Department: Planning  
 Prepared By: Jasen Haskins, AICP

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

### Subject

Consider, and act upon, a Final Plat of Lot 1, Block A of Validus Addition, creating one industrial lot on 0.620 acres, located at 1602 Martinez Lane.

### Recommendation

Motion to approve the Item as presented.

### Discussion

#### OWNER: Validus LLC

#### APPLICANT: Barton Chapa Surveying

The applicant has submitted a Final Plat to create Lot 1, Block A of Validus Addition. The property is located at 1602 Martinez Lane and is zoned Light Industrial (LI). The purpose of the Final Plat is to create the lot and access easements for a two-building office/warehouse development that was approved in July 2022.

This plat is dedicating a 24' access easement with access from Martinez Lane. A 10' utility easement is also shown along the street frontage of the subject property.

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

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

#### P&Z Recommendation

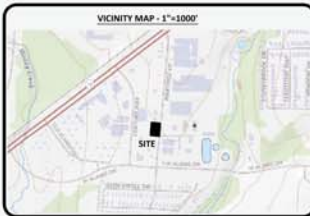
The Commission voted 6-0 to recommend approval.

## SURVEYOR'S NOTES:

- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.00015271.
- This property lies within Zone X of the Flood Insurance Rate Map for Collin County, Texas and Incorporated Areas, map no. 48085C0353, with an effective date of 6/2/2009, via scaled map location and graphic plotting.
- Monuments are found unless specifically designated as set.
- Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

## LEGEND OF ABBREVIATIONS

- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
- P.A.C.C.T. PLAT RECORDS, COLLIN COUNTY, TEXAS
- O.P.A.C.C.T. OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS
- DOC# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET



## LEGEND OF UNETYPES

- SUBJECT TRACT BOUNDARY
- ADJOINING TRACT BOUNDARY
- EASEMENT
- SANITARY SEWER LINE
- FENCE (WIRE/WOOD/METAL)
- WATER LINE
- CENTER LINE
- GAS LINE
- OVERHEAD UTILITY



STATE OF TEXAS §  
COUNTY OF COLLIN §

BEING a tract situated in the E. Davidson Survey, Abstract Number 267, City of Wylie, Collin County, Texas, being the same tract described in the deed to Validus, LLC, recorded in Document Number 20220221000284550, also originally described in the deed to Christina Plank, recorded in Volume 19993, Page 2628, both in the Official Public Records, Collin County, Texas, the subject tract being more particularly described as follows:

**BEGINNING** at a 1/2 inch rebar found at the northeast corner of the herein described tract, lying on the west right-of-way of Martinez Lane (called 50-foot right-of-way, by plat recorded in Volume L, Page 573, Plat Records, Collin County, Texas);

**THENCE** with the east line of said Validus tract, SOUTH 03 degrees 59 minutes 03 seconds WEST, a distance of 200.00 feet to a point from which a 1/2 inch rebar with cap stamped "OWENS" found bears SOUTH 88 degrees WEST, 1.07 feet;

**THENCE** with the south line of said Validus tract, NORTH 86 degrees 06 minutes 57 seconds WEST, a distance of 135.00 feet to a point from which a 1/2 inch rebar found bears SOUTH 87 degrees WEST, 0.35 feet, and from which a 4" wood post found bears NORTH 18 degrees EAST, 3.87 feet;

**THENCE** with the west line of said Validus tract, NORTH 03 degrees 53 minutes 03 seconds EAST, passing at a distance of 30.61 feet the southeast corner of Lot 38, Block C, Century Business Park, an addition to the City of Wylie, Collin County, Texas, recorded in Volume N, Page 216, Plat Records, Collin County, Texas, from which a 5/8 inch rebar found bears 1.80" east of line, continuing for a total distance of 200.00 feet to a 1/2 inch rebar with pink plastic cap stamped "BARTON CHAPA" set, from which a 4" wood post found bears NORTH 35 degrees EAST, 3.72 feet;

**THENCE** with the north line of said Validus tract, SOUTH 86 degrees 06 minutes 57 seconds EAST, a distance of 135.00 feet, returning to the **POINT OF BEGINNING**, and enclosing 0.620 acres (27,000 square feet) of land, more or less.

## NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That VALIDUS, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as **LOT 1, BLOCK A, VALIDUS ADDITION**, an addition in the City of Wylie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements-shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over, or across the easements as show, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Wylie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easements limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof.

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

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

VALIDUS, LLC

WITNESS, my hand, this \_\_\_\_ day of \_\_\_\_, 20\_\_

BY:

Authorized Signature of Owner

Printed Name and Title

STATE OF TEXAS §  
COUNTY OF §

Before me, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same as for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_, 20\_\_

Notary Public in and for  
the State of Texas

## SURVEYOR'S CERTIFICATE

That I, John H. Barton III, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this Plat is from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Wylie.

John H. Barton III, RPLS# 6737

STATE OF TEXAS §  
COUNTY OF §

Before me, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same as for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_, 20\_\_

Notary Public in and for

the State of Texas

**APPROVAL BLOCK**  
**RECOMMENDED FOR APPROVAL**

Chairman, Planning and Zoning Commission Date

**APPROVED FOR CONSTRUCTION**

Mayor, City of Wylie, Texas Date

**ACCEPTED**

Mayor, City of Wylie, Texas Date

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing plat of **VALIDUS ADDITION**, in the City of Wylie, was submitted to the City Council on the day of \_\_\_\_, 20\_\_, and the Council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places, and water and sewer lines as shown and set forth in and upon said plat, and said Council further authorized the Mayor to note the acceptance thereof by signing his name heretofore subscribed.

Witness my hand this \_\_\_\_ day of \_\_\_\_, 20\_\_

City Secretary, City of Wylie, Texas

## LEGEND OF SYMBOLS

- air conditioning unit
- irrigation control valve
- o cable tv
- electric meter
- honor or guardrail
- fire dept. connection
- fire hydrant
- holland
- area drain
- grate inlet
- gas valve
- gas meter
- gas well
- sign
- sanitary sewer manhole
- storm water manhole
- telephone manhole
- hank fill lid
- telephone pedestal
- traffic signal pole
- utility clean out
- comm. utility cabinet
- electric utility cabinet
- comm. utility vault
- elect. utility vault
- water utility vault
- utility/service pole
- utility sign
- water shutoff
- water valve
- well
- water meter
- cable tv riser
- air release valve
- utility markings
- tree
- shrub/decorative tree or tree with diameter < 4 in.
- contour lines

## FINAL PLAT

### VALIDUS ADDITION

Lot 1, Block A  
0.620 acres  
Situated in the  
Tract 13, E. Davidson Survey, Abstract #267  
"LI" Zoning per city of Wylie Zoning Map

SURVEYOR



**BARTON CHAPA SURVEYS**  
5200 State Highway 121  
Colleyville, TX 76034  
Phone: 817-864-1957  
info@bcsw.com  
TBPLS Firm #10194474

## OWNER/DEVELOPER

VALIDUS, LLC  
11107 LAWNHAVEN RD  
DALLAS, TX 75230  
CONTACT: MICHAEL PARKER  
214.228.3586  
PCHPARKER@GMAIL.COM

JOB NO.: 2022.900.205

DRAWN: BCS

CHECKED: JHB

## TABLE OF REVISIONS

DATE SUMMARY

## VALIDUS ADDITION

WYLIE,  
TEXAS

SHEET:

**VO1**

FINAL PLAT





# Wylie City Council

## AGENDA REPORT

Department: Planning  
 Prepared By: Jasen Haskins

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

### Subject

Consider, and act upon, Ordinance No. 2023-54 for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) on 0.4496 acres to allow for Automobile Repair Minor use. Property located at 403 S. State Highway 78 (ZC 2023-17).

### Recommendation

Motion to approve the Item as presented.

### Discussion

On November 14, 2023 City Council approved the writing of an ordinance for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) on 0.4496 acres to allow for Automobile Repair Minor use. Property located at 403 S. State Highway 78 (ZC 2023-17).

Final approval of Zoning Case 2023-17 requires the adoption of the Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

The subject ordinance allows for the rezoning. Exhibit A (Legal Description), Exhibit B (Zoning Exhibit), and Exhibit C (SUP Conditions) are included and made a part of this Ordinance.

The above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

## ORDINANCE NO. 2023-54

**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 2023-17, FROM COMMERCIAL CORRIDOR (CC) TO COMMERCIAL CORRIDOR - SPECIAL USE PERMIT (CC-SUP) ON 0.4496 ACRES TO ALLOW FOR AUTOMOBILE REPAIR MINOR USE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Wylie, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

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

**SECTION 1:** That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Wylie, to give the hereinafter described property a new zoning classification of Commercial Corridor - Special Use Permit (CC-SUP), said property being described in Exhibit A (Legal Description), hereto and made a part hereof for all purposes.

**SECTION 2:** That a Zoning Exhibit and SUP Conditions are an integral component of the development of the property and are attached as Exhibit B and Exhibit C.

**SECTION 3:** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4:** That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

**SECTION 5:** Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

**SECTION 6:** Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 7:** 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 8:** The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

**DULY PASSED AND APPROVED** by the **City Council of the City of Wylie, Texas**, this 12th day December, 2023.

---

Matthew Porter, Mayor

ATTEST:

---

Stephanie Storm, City Secretary

*DATE OF PUBLICATION:* December 20, 2023, *in the* The Wylie News

## **Exhibit A**

### **Legal Description**

Property being 0.45 acres, all of Tract 20 of the Samuel B Shelby Survey, located at 403 South State Highway 78, Wylie, Texas.

1<sup>st</sup> Choice Auto & Tire

## EXHIBIT "B"

## Conditions For Special Use Permit

## I. PURPOSE:

The purpose of this Special Use Permit is to allow for an automobile repair use classified as Automobile Repair, Minor.

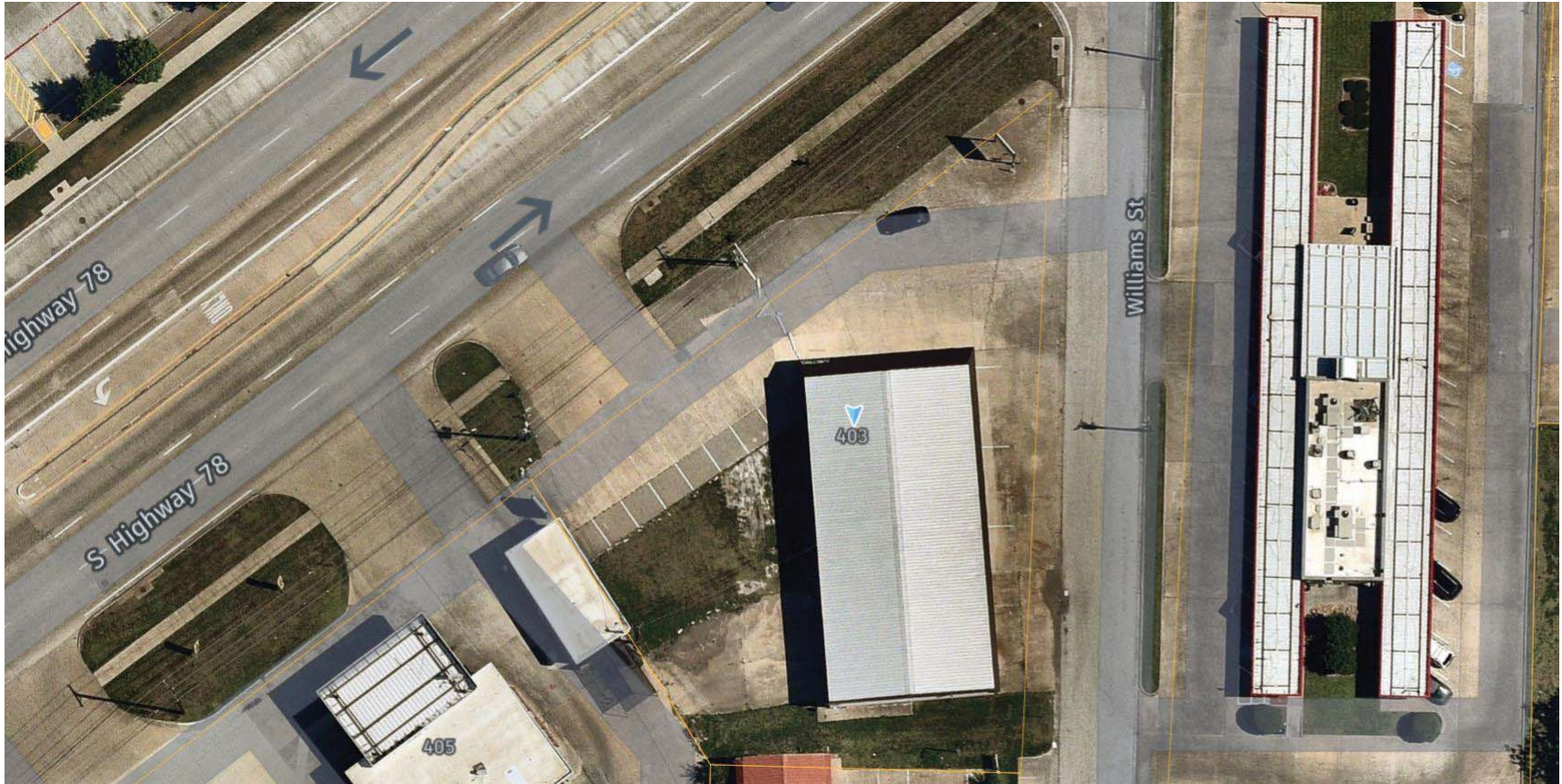
## II. GENERAL CONDITIONS:

1. This Special Use Permit shall not affect any regulations within the Zoning Ordinance (adopted as of June 2023), except as specifically provided herein.
2. The design and development of the automobile repair use shall take place in general accordance with the Zoning Exhibit (Exhibit C).

## III. SPECIAL CONDITIONS:

1. The development within this Special Use Permit shall be permitted to provide 14 parking spaces in lieu of the required 18 parking spaces of the Zoning Ordinance (adopted as of June 2023).











# Wylie City Council

## AGENDA REPORT

**Department:** Planning

**Prepared By:** Jasen Haskins, AICP

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

### Subject

Consider, and act upon, Ordinance No. 2023-55 releasing a portion of the City of Wylie's Extraterritorial Jurisdiction, consisting of two tracts of land totaling 6.948 acres located on the east side of Troy Road at Elida Lane.

### Recommendation

Motion to approve the Item as presented.

### Discussion

In the 88th regular session of the Texas Legislature in 2023, Senate Bill 2038 created the ability for property owners to petition a municipality to be released from that municipality's extraterritorial jurisdiction (ETJ). The law requires the petitioner supply certain information and the City Secretary to verify that info. Once the petition has been verified, the governing body (City Council) must act on the petition, and as long as all requirements are met as set forth in Sec 42.104 of the Texas Local Government Code, approve the release as required by Sec 42.105.

The City Secretary received a petition for the release of two unplatted lots, Tracts 14 and 26 of the LB Outlaw Survey, on 6.948 acres in Collin County. The property is located on the east side of Troy Road at Elida Lane. After reviewing and verifying the petition, City staff has prepared an Ordinance (attached) to release the property from the ETJ as requested by the applicant.

Staff recommends approval of the Ordinance.



## ORDINANCE NO. 2023-55

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, RELEASING A PORTION OF THE CITY OF WYLIE'S EXTRATERRITORIAL JURISDICTION, CONSISTING OF TRACT 14 AND TRACT 26 IN THE L.B. OUTLAW SURVEY TOTALING 6.948 ACRES, COLLIN COUNTY, TEXAS, GENERALLY LOCATED AT TROY ROAD AND ELIDA ROAD, COLLIN COUNTY, TEXAS, AND CONTRACTING THE BOUNDARY LIMITS OF THE CITY OF WYLIE'S EXTRATERRITORIAL JURISDICTION ACCORDINGLY; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, Robert W. Heath ("Landowner") is the sole owner of real property within that certain area of land consisting of 6.948± acres, being Tract 14 and Tract 26 located in the L. B. Outlaw Survey, Collin County, Texas; and

**WHEREAS**, the Landowner submitted a Petition to the City of Wylie, Texas ("Wylie"), requesting a release of the Property from Wylie's extraterritorial jurisdiction, a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, the Landowner's Petition satisfies the requirements set forth in Texas Local Government Code Section 42.103; and

**WHEREAS**, the City Council has investigated and determined that it would be advantageous and beneficial to Wylie and its citizens and the Landowner to release the Property from Wylie's extraterritorial jurisdiction under the authority of Chapter 42 of the Texas Local Government Code, including Section 42.023 and Section 42.103 of the Texas Local Government Code, and the Wylie City Charter; and

**WHEREAS**, the City Council finds that Wylie has complied with all requirements for the consideration and adoption of this Ordinance pursuant to Chapter 42 of the Texas Local Government Code and the Wylie City Charter; and

**WHEREAS**, the City Council finds that all legal notices, hearings, procedures and other requirements for releasing the Property from Wylie's extraterritorial jurisdiction have been performed and completed in the manner and form required by law.

**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: Property Released from Extraterritorial Jurisdiction.** The Property is hereby released from Wylie's extraterritorial jurisdiction, and the boundary limits of Wylie's extraterritorial jurisdiction are contracted accordingly. The City Manager and/or his designee shall take all necessary steps to amend the official map of Wylie to show that the Property is released and removed from Wylie's extraterritorial jurisdiction. No other release of or reduction in Wylie's extraterritorial jurisdiction is intended except as expressly set forth in this Ordinance. A certified copy of this Ordinance shall be filed in the County Clerk's Office of Collin County, Texas.

**SECTION 3: Savings/Repealing.** 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 and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof regardless of the fact that any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

**SECTION 5: Effective Date.** This Ordinance shall become effective from and after its adoption.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS** on this 12th day of December, 2023.

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

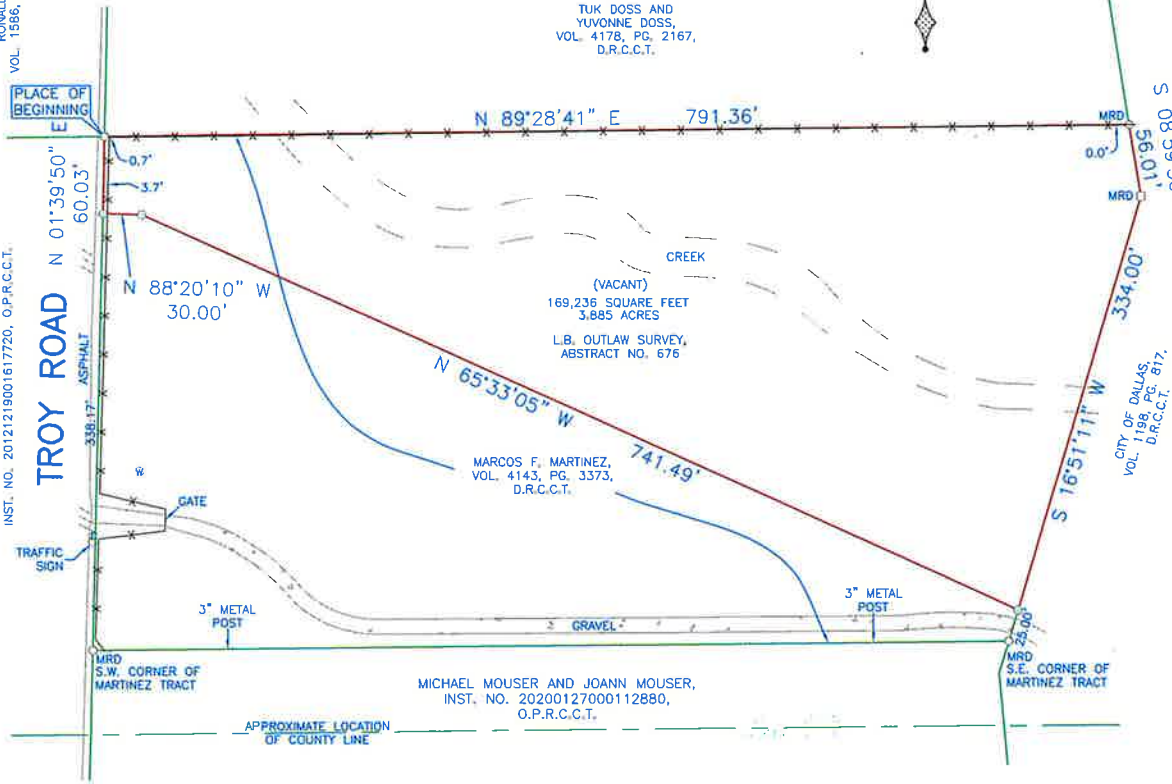
**ATTESTED TO AND  
CORRECTLY RECORDED BY:**

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

EXHIBIT A

12/12/2023 Item G.

RONALD F. MARTINEZ,  
VOL. 1586, PG. 874, D.R.C.C.T.,  
INST. NO. 20121219001617720, O.P.R.C.C.T.,  
TROY ROAD N 01°39'50" E 60.03'



7509 PENNRIDGE CIRCLE  
ROWLETT, TX 75088  
FIRM REGISTRATION NO. 10194366

SURVEY PLAT



BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090  
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. TROY ROAD, in the city of WYLIE, Texa

Being all that certain lot, tract or parcel of land located in the L.B. OUTLAW SURVEY, Abstract No. 676, City of Wylie (ETJ), Collin County, Texas, and being part of the same tract of land described in deed to Marcos F. Martinez, recorded in Volume 4143, Page 3373, Official Public Records, Collin County, Texas, and being more particularly described as follows:

Beginning at a 1/2 inch iron rod found in Troy Road, at the Southwest corner of a tract of land described in deed to Tuk Doss and Yuvonne Doss, recorded in Volume 4178, Page 2167, Deed Records, Collin County, Texas, same being the Northwest corner of said Marcos F. Martinez tract;

Thence North 89 deg. 28 min. 41 sec. East, a distance of 791.36 feet to a 1/2 inch iron rod found in the Westerly line of tract of land described in deed to City of Dallas, recorded in Volume 1198, Page 817, Deed Records, Collin County, Texas, at the Southeast corner of said Doss tract, same being the Northeast corner of said Martinez tract;

Thence South 08 deg. 59 min. 50 sec. East, along said Westerly line, a distance of 56.01 feet to a 4 inch brass disc found for corner;

Thence South 16 deg. 51 min. 11 sec. West, along said Westerly line, a distance of 334.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 3691" set for corner;

Thence North 65 deg. 33 min. 05 sec. West, a distance of 741.49 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 3691" set for corner;

Thence North 88 deg. 20 min. 10 sec. West, a distance of 30.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 3691" set for corner in said Troy Road;

Thence North 01 deg. 39 min. 50 sec. East, along said road, a distance of 60.03 feet to the PLACE OF BEGINNING and containing 169,236 square feet or 3.885 acres of land.

ACCEPTED BY: \_\_\_\_\_



PROPERTY SUBJECT TO  
EASEMENTS & RESTRICTIONS  
VOL. 2541, PG. 807;  
VOL. 2541, PG. 825;  
VOL. 5374, PG. 6115;

MRD'S SHOWN HEREON ARE BASIS  
FOR DIRECTIONAL CONTROL



The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements. TITLE AND ABSTRACTING WORK FURNISHED BY LAWYERS TITLE  
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.  
Scale: 1" = 100'  
Date: 01/27/2022  
G. F. No.: 17-19135-1901352100542  
Job no.: 201909376-04  
Drawn by: TD  
USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.  
THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR LAWYERS TITLE

LEGEND	
WOOD FENCE	--- FENCE
CHAIN LINK	--- FENCE
IRON FENCE	--- FENCE
WIRE FENCE	--- FENCE
RESIDENCE	--- FENCE
1/2" IRON ROD FOUND	--- FENCE
1/2" YELLOW-CAPPED IRON ROD SET	--- FENCE
1" BRASS DISC FOUND	--- FENCE
1/4" IRON ROD FOUND	--- FENCE
1/4" NAIL FOUND	--- FENCE
C - CABLE	C - ELECTRIC
PE - CLEAN OUT	PE - POOL EQUIP
G - GAS METER	G - POWER POLE
F - FIRE HYDRANT	F - TELEPHONE
L - LIGHT POLE	L - WATER METER
W - WAREHOUSE	W - WATER VALVE
(UNLESS OTHERWISE NOTED)	



Being all that certain lot, tract or parcel of land located in the L.B.Outlaw Survey, Abstract No. 676, City of Wylie (ETJ), Collin County, Texas, and being part of the same tract of land described in deed to Marcos F. Martinez, recorded in Volume 4143 page 3373, Official Public Records, Collin County, Texas, and being more particularly described as follows:

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Thence N 89 deg. 28 min. 41 sec. East, a distance of 791.36 feet to a ½ inch iron rod found in the Westerly line of tract of land described in deed to the City of Dallas, recorded in Volume 1198, page 817, Deed of Records, Collin County, Texas, at the Southwest corner of said Doss tract, same being the Northwest corner of said Martinez tract;

Thence South 08 deg. 59 min. 50 sec. East, along said Westerly line, a distance of 56.01 feet to a 4 inch brass disc found for corner;

Thence South 16 deg. 51 min. 11 sec. West, along said Westerly line, a distance of 334.00 feet to a ½ inch iron rod with a yellow plastic cap stamped "RPLS 3691" set for a corner;

Thence North 65 deg. 33 min. 05 sec. West, a distance of 741.49 feet to a ½ inch iron rod with a plastic cap stamped "RPLS 3691" set for a corner;

Thence North 88 deg. 20 min. 10 sec. West a distance of 30 feet to a ½ inch iron rod with a yellow plastic cap stamped "RPLS 3691" set in the corner in said Troy Rd

Thence North 01 deg. 39 min. 50 sec. East, along said road, a distance of 60.03 feet to the PLACE OF BEGINNING and containing 169,236 square feet or 3.885 acres

7509 PENNRIDGE CIRCLE  
ROWLETT, TX 75088

FIRM REGISTRATION NO. 10194366

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. TROY ROAD, in the city of WYLIE Texas

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Beginning at a 1/2 inch iron rod found in Troy Road at the Northwest corner of a tract of land described in deed to Michael Mouser and Joann Mouser, recorded in Instrument No. 20200127000112880, Official Public Records, Collin County, Texas, same being the Southwest corner of said Martinez tract;

Thence North 01 deg. 39 min. 50 sec. East, along said road, a distance of 338.17 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 3691" set for corner;


Thence South 88 deg. 20 min. 10 sec. East, a distance of 30.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLs 3691" set for corner;

Thence South 65 deg. 33 min. 05 sec. East, a distance of 741.49 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 3691" set in the Westerly line of a tract of land described in deed to City of Dallas, recorded in Volume 1198, Page 817, Deed Records, Collin County, Texas;

Thence South 16 deg. 51 min. 11 sec. West, a distance of 25.00 feet to a 1/2 inch iron rod found at the Northeast corner of said Mouser tract, same being the Southeast corner of said Martinez tract;

Thence South 89 deg. 29 min. 11 sec. West, a distance of 707.59 feet to the PLACE OF BEGINNING and containing 133,414 square feet or 3.063 acres of land.

ACCEPTED BY: \_\_\_\_\_

 **Lawyers Title**

RONALD F. MARTINEZ,  
VOL. 1586, PG. 874, D.R.C.C.T.

RONALD F. MARTINEZ,  
INST. NO. 20121219001617720, O.P.R.C.C.T.

TROY ROAD

TUK DOSS AND  
YUVONNE DOSS,  
VOL. 4178, PG. 2167.  
D.R.C.C.T.

MARCOS F. MARTINEZ,  
VOL. 4143, PG. 3373,  
D.R.C.C.T.

(VACANT)  
133,414 SQUARE FEET  
3.063 ACRES  
L.B. OUTLAW SURVEY,  
ABSTRACT NO. 676

MICHAEL MOUSER AND JOANN MOUSER,  
INST. NO. 20200127000112880,  
O.P.R.C.C.T.

APPROXIMATE LOCATION  
OF COUNTY LINE

S.E. CORNER OF  
MOUSER TRACT

PROPERTY SUBJECT TO  
EASEMENTS & RESTRICTIONS  
VOL 2541, PG. 807;  
VOL 2541, PG. 825;  
VOL 5374, PG. 6115;

MRD'S SHOWN HEREON ARE BASIS  
FOR DIRECTIONAL CONTROL

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements.

TITLE AND ABSTRACTING WORK FURNISHED BY LAWYERS TITLE

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 100' USE OF THIS SURVEY FOR ANY OTHER PURPOSE  
OR OTHER PARTIES SHALL BE AT THEIR RISK AND  
Date: 01/27/2022 UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR  
ANY LOSS RESULTING THEREFROM.

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR  
LAWYERS TITLE

Drawn by: TD

**LEGEND**

WOOD FENCE	—/—	TEXT
CHAIN LINK	—/—	IMPROVEMENTS
IRON FENCE	—/—	<b>SOLARWAY LINE</b>
WIRE FENCE	—/—	STREET
	—/—	RESIDENCE

MRD — MONUMENTS OF RECORD DIGNITY

1/2" IRON ROD FOUND

1/2" YELLOW-CAPPED IRON ROD SET

SET 'X'

1/2" BRASS DISC FOUND

1/2" IRON ROD FOUND

PK NAIL FOUND

— CABLE

— CLEAN OUT

— GAS METER

— FIRE HYDRANT

— LIGHT POLE

— MANHOLE

— ELECTRIC

PE — POOL EQUIP.

— POWER POLE

— TELEPHONE

— WATER METER

— WATER VALVE

(UNLESS OTHERWISE NOTED)



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Thence South 89 deg. 29 min. 11 sec. West, a distance of 707.59 feet to the PLACE OF BEGINNING  
133,414 square feet or 3.063 acres of land.



# Wylie City Council

## AGENDA REPORT

Department: Human Resources  
 Prepared By: Jennifer Beck

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

### Subject

Consider, and act upon, Ordinance No. 2023-56 approving a Buyback provision for qualified employees as permitted under the rules and regulations of the Texas Municipal System (TMRS).

### Recommendation

Motion to approve the Item as presented.

### Discussion

The Texas Municipal Retirement System (TMRS) Buyback Provision allows a current City employee who has previously refunded and forfeited TMRS service to purchase and reestablish that service credit. The City last adopted a Buyback in 2000 in which 24 employees were eligible. Of those, eight have participated to date. Currently, 15 employees are eligible per TMRS, but much fewer will actually participate. Participating employees have to pay a 5% penalty for each year their account remains withdrawn. The penalty is allocated to the City's TMRS account which helps offset any cost to the City.

Assuming the immediate purchase of all this credit, the increase in liability and contribution rate would be \$1,115,478.00 and 0.28%, during the next actuarial valuation cycle. However, the City's contribution rate will not change until an individual actually buys back the previously forfeited credit. Increasing the rate by 0.28% would cost the City around \$80,000 based on current salaries.

**ORDINANCE NO. 2023-56****AN ORDINANCE REGARDING THE CITY OF WYLIE'S TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS ALLOWING CITY EMPLOYEES WHO HAVE CANCELED PREVIOUS MEMBERSHIPS IN THE SYSTEM TO BUY BACK SUCH PREVIOUSLY CANCELED SERVICE.**

**WHEREAS**, the City of Wylie, Texas ("City") elected to participate in the Texas Municipal Retirement System (the "System" or "TMRS") pursuant to Subtitle G of Title 8, Texas Government Code, as amended (which subtitle is referred to as the "TMRS act"); and

**WHEREAS**, each person who is or becomes an employee of the City on or after the effective date of the City's participation in the System in a position that normally requires services of 1,000 hours or more per year ("Employee") shall be a member of the System ("Member") as a condition of the employment; and

**WHEREAS**, the actuary of the System has determined that all obligations charged against the City's account in the benefit accumulation fund of the System (the "City's BAF"), including the obligations arising from this Ordinance, can be funded by the City within its maximum contribution rate, if applicable, and within its amortization period; and

**WHEREAS**, the City Council has determined that adoption of this Ordinance is in the public interest of the City.

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

**SECTION 1.** As authorized by TMRS Act §853.003, the City authorizes any Member of the System who is an Employee on the day that this Ordinance is passed and approved, and who has withdrawn deposits from the System, to buy back credited service that was canceled by the withdrawal. To do so, the Member must have at least 24 consecutive months of credited service as an Employee with the City since resuming membership and must deposit with the System in a lump sum the amount withdrawn, plus a withdrawal charge of five percent (5%) of such amount for each year from the date of such withdrawal to the date of redeposit (which deposit is referred to as the "Buyback"). Upon such Buyback, such Member shall be allowed credit for all service to which the Member had been entitled at the date of the cancellation of the previous membership as if all such service had been rendered as an Employee of the City.

The City agrees to underwrite and assume the obligations arising out of the granting of all service credit resulting from the Buyback and that all such obligations and reserves required to provide such service credit shall be charged to the City's BAF.

**SECTION 2.** This Ordinance shall take effect on the day that it is passed and approved.



**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, this 12<sup>th</sup> day of December, 2023.

---

Matthew Porter, Mayor

**ATTESTED AND CORRECTLY  
RECORDED:**

---

Stephanie Storm, City Secretary



October 13, 2023

Jennifer Beck  
HR Director  
City of Wylie  
300 Country Club Dr  
Wylie, TX 75098-3000

Dear Ms. Beck:

As per your request, we are pleased to enclose a model ordinance for your city to adopt:

### **Buyback**

This provision allows city employees the opportunity to purchase previously forfeited service with TMRS.

As of the December 31, 2022 valuation date, there are 15 employees with previously forfeited credit that will be eligible if a new buyback ordinance is adopted. Assuming the immediate purchase of all this service credit, the increase in liability and contribution rate would be \$1,115,478.00 and **0.28%**, during the next actuarial valuation cycle. However, the city's contribution rate will not change until an individual actually buys back previously forfeited credit; and then the following purchase will be included in that year's valuation impacting the following year's contribution rate.

Once the completed ordinance has been received, we will prepare and transmit Buyback Applications for all employees who have forfeited service. Upon receipt of the individual applications and all payments, each member's account will be updated to reflect the Buyback purchase. Each employee is encouraged to buy this service back as soon as possible in order to eliminate any further charges.

When the ordinance is adopted, please send a copy to City Services at [cityservices@tmrs.com](mailto:cityservices@tmrs.com).

If you should need additional information or assistance, please feel free to contact me at 512-225-3742.

Sincerely,

Colin Davidson  
Education Manager

## 2024 Rates • Wylie (01410)

Report Date - October 11, 2023

Plan Provisions	Current
Deposit Rate	7.00%
Matching Ratio	2 to 1
Updated Service Credit	100% (Repeating)
Transfer USC *	Yes
COLA	70% (Repeating)
Retroactive COLA	Yes
20 Year/Any Age Retirement	Yes
Vesting	5 years
Supplemental Death Benefit	A & R
Contribution Rates	2024
Normal Cost Rate	11.08%
Prior Service Rate	<u>4.22%</u>
Retirement Rate	<b>15.30%</b>
Supplemental Death Rate	<u>0.19%</u>
Total Contribution Rate	<b>15.49%</b>
Unfunded Actuarial Liability	\$16,032,442
Amortization Period	20 years
Funded Ratio	85.3%

\* As of the December 31, 2022 valuation date, there were 76 employees with service in other TMRS cities eligible for transfer USC.

As of the December 31, 2022 valuation date, there is 1 employee with previously forfeited service credit eligible for buyback under a previously adopted ordinance. Assuming this employee immediately buys back this service credit, the increase in the unfunded liability would be \$65,514, and the contribution rate would increase by 0.02%. There are an additional 15 employees with previously forfeited credit that will be eligible if a new buyback ordinance is adopted. Again, assuming the immediate purchase of all this service credit, the increase in unfunded liability and contribution rate would be \$1,115,478 and 0.28%.



# Wylie City Council

## AGENDA REPORT

**Department:** Human Resources

**Prepared By:** Jennifer Beck

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

### Subject

Consider, and act upon, Ordinance No. 2023-57 adopting non-retroactive repeating COLAs for retirees and their beneficiaries under Texas Municipal Retirement System (TMRS).

### Recommendation

Motion to approve the Item as presented.

### Discussion

On May 27, 2023, the Texas Legislature amended the TMRS Act to provide participating cities with a new repeating COLA option.

Currently, a COLA must be calculated retroactively by looking back at the cumulative change in the CPI since each retiree's retirement date. The new non-retroactive repeating COLA option eliminates the retroactive calculation by only looking back to the change in the CPI for the one-year period that ends 12 months before the COLA's effective date.

This new COLA Option will be less expensive for a city than a repeating COLA calculated retroactively and no retiree's current monthly benefit will be reduced. TMRS estimates the City's unfunded liability to be reduced by \$1,057,583 by adoption of this option.

## ORDINANCE NO. 2023-57

**AN ORDINANCE REGARDING THE CITY OF WYLIE'S TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS: (1) ADOPTING NON-RETROACTIVE REPEATING COLAS, FOR RETIREES AND THEIR BENEFICIARIES UNDER TMRS ACT §853.404(f) and (f-1), AND (2) AUTHORIZING ANNUALLY ACCRUING UPDATED SERVICE CREDITS AND TRANSFER UPDATED SERVICE CREDITS.**

**WHEREAS**, the City of Wylie, Texas (the "City"), elected to participate in the Texas Municipal Retirement System (the "System" or "TMRS") pursuant to Subtitle G of Title 8, Texas Government Code, as amended (which subtitle is referred to as the "TMRS Act"); and

**WHEREAS**, House Bill 2464, 88th Texas Legislature, R.S., 2023 ("HB 2464"), added Subsections 853.404(f) and (f-1) to the TMRS Act and authorized cities participating in the System to provide certain retirees and their beneficiaries with an annually accruing ("repeating") annuity increase (also known as a cost of living adjustment, or "COLA") based on the change in the Consumer Price Index for All Urban Consumers for the one-year period that ends 12 months before the January 1 effective date of the applicable COLA (a "non-retroactive repeating COLA"); and

**WHEREAS**, new TMRS Act §853.404(f) and (f-1) allow participating cities to elect to provide non-retroactive repeating COLAs under certain circumstances, as further described by this Ordinance, by adopting an ordinance to be effective January 1 of 2024, 2025 or 2026, in accordance with TMRS Act §854.203 and §853.404; and

**WHEREAS**, TMRS Act §853.404(f-1) provides the non-retroactive repeating COLA option applies only to a participating city that, as of January 1, 2023, either (1) has not passed an annually repeating COLA ordinance under TMRS Act §853.404(c) or had previously passed a repeating COLA ordinance and then, before January 1, 2023, passed an ordinance rescinding such repeating COLA, or (2) does provide an annually repeating COLA under §853.404(c) and elects to provide a non-retroactive repeating COLA under §853.404(f) for purposes of maintaining or increasing the percentage amount of the COLA; and

**WHEREAS**, the City Council acknowledges that the City meets the above-described criteria under §853.404(f-1) and is eligible to elect a non-retroactive repeating COLA under §853.404(f) and that such election must occur before January 1, 2026, and after that date future benefit changes approved by the City may require reversion to a retroactive repeating COLA; and

**WHEREAS**, the City Council finds that it is in the public interest to: (1) adopt annually accruing non-retroactive COLAs for retirees and their beneficiaries under TMRS Act §853.404(f) and (f-1); and (2) in accordance with TMRS Act §853.404 and §854.203(h), reauthorize annually accruing Updated Service Credits and transfer Updated Service Credits, now:

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

**SECTION 1. Adoption of Non-Retroactive Repeating COLAs.**

- (a) On the terms and conditions set out in TMRS Act §854.203 and §853.404, the City authorizes and provides for payment of the increases described by this Section to the annuities paid to retired City employees and beneficiaries of deceased City retirees (such increases also called

COLAs). An annuity increased under this Section replaces any annuity or increased annuity previously granted to the same person.

- (b) The amount of the annuity increase under this Section is computed in accordance with TMRS Act §853.404(f) as the sum of the prior service and current service annuities, as increased in subsequent years under TMRS Act §854.203 or TMRS Act §853.404(c), of the person on whose service the annuities are based on the effective date of the annuity increase, multiplied by 70% of the percentage change in the Consumer Price Index for All Urban Consumers during the 12-month period ending in December of the year that is 13 months before the effective date of the increase under this Section.
- (c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.
- (d) If a computation under this Section does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed under this Section.
- (e) In accordance with TMRS Act §853.404(f-1)(2), an increase under this Section only applies with respect to an annuity payable to a TMRS member, or their beneficiary(ies), which annuity is based on the service of a TMRS member who retired, or who is deemed to have retired under TMRS Act §854.003, not later than the last day of December of the year that is 13 months before the effective date of the increase under this Section.
- (f) The amount of an increase under this Section is an obligation of this City and of its account in the benefit accumulation fund of the System.
- (g) The initial increase in annuities authorized by this Section shall be effective on January 1 immediately following the year in which this Ordinance is approved, subject to receipt by the System prior to such January 1 and approval by the Board of Trustees of the System ("Board"). Pursuant to TMRS Act §853.404, an increase in retirement annuities shall be made on January 1 of each subsequent year, provided that, as to such subsequent year, the actuary for the System has made the determination set forth in TMRS Act §853.404(d), until this Ordinance ceases to be in effect as provided in TMRS Act §853.404(e).

**SECTION 2. Authorization of Annually Accruing Updated Service Credits and Transfer Updated Service Credits.**

- (a) As authorized by TMRS Act §854.203(h) and §853.404, and on the terms and conditions set out in TMRS Act §§853.401 through 853.404, the City authorizes each member of the System who on the first day of January of the calendar year immediately preceding the January 1 on which the Updated Service Credits will take effect (i) has current service credit or prior service credit in the System by reason of service to the City, (ii) has at least 36 months of credited service with the System, and (iii) is a TMRS-contributing employee of the City, to receive "Updated Service Credit," as that term is defined and calculated in accordance with TMRS Act §853.402.
- (b) The City authorizes and provides that each employee of the City who (i) is eligible for Updated Service Credits under Subsection (a) above, and (ii) who has unforfeited prior service credit and/or current service credit with another System-participating municipality or municipalities by reason of previous employment, shall be credited with Updated Service Credits pursuant to, calculated in accordance with, and subject to adjustment as set forth in TMRS Act §853.601

(also known as “Transfer USC”), both as to the initial grant and all future grants under this Ordinance.

- (c) The Updated Service Credit authorized and provided under this Ordinance shall be 100% of the "base Updated Service Credit" of the TMRS member calculated as provided in TMRS Act §853.402.
- (d) Each Updated Service Credit authorized and provided by this Ordinance shall replace any Updated Service Credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service.
- (e) The initial Updated Service Credit authorized by this Section shall be effective on January 1 immediately following the year in which this Ordinance is approved, subject to receipt by the System prior to such January 1 and approval by the System’s Board. Pursuant to TMRS Act §853.404, the authorization and grant of Updated Service Credits in this Section shall be effective on January 1 of each subsequent year, using the same percentage of the “base Updated Service Credit” stated in Subsection (c) in computing Updated Service Credits for each future year, provided that, as to such subsequent year, the actuary for the System has made the determination set forth in TMRS Act §853.404(d), until this Ordinance ceases to be in effect as provided in TMRS Act §853.404(e).

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS** on this 12th day of December, 2023.

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

**ATTESTED TO AND  
CORRECTLY RECORDED BY:**

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

## 2024 Rates • Wylie (01410)

Report Date - June 27, 2023

Plan Provisions	Current	Option 1
Deposit Rate	7.00%	7.00%
Matching Ratio	2 to 1	2 to 1
Updated Service Credit	100% (Repeating)	100% (Repeating)
Transfer USC *	Yes	Yes
COLA	70% (Repeating)	70% (Repeating)
Retroactive COLA	Yes	No
20 Year/Any Age Retirement	Yes	Yes
Vesting	5 years	5 years
Supplemental Death Benefit	A & R	A & R
Contribution Rates	2024	2024
Normal Cost Rate	11.08%	10.91%
Prior Service Rate	<u>4.22%</u>	<u>3.94%</u>
Retirement Rate	<b>15.30%</b>	<b>14.85%</b>
Supplemental Death Rate	<u>0.19%</u>	<u>0.19%</u>
Total Contribution Rate	<b>15.49%</b>	<b>15.04%</b>
Unfunded Actuarial Liability	\$16,032,442	\$14,974,859
Amortization Period	20 years	20 years
Funded Ratio	85.3%	86.1%

\* As of the December 31, 2022 valuation date, there were 76 employees with service in other TMRS cities eligible for transfer USC.





November 7, 2023

Jennifer Beck  
HR Director  
City of Wylie  
300 Country Club Dr  
Wylie, TX 75098-3000

Dear Ms. Beck:

We are pleased to enclose a model ordinance for your city to adopt:

**100% Updated Service Credit with Transfers  
&  
70% Non-retroactive Cost of Living Adjustment Increase to Annuitants  
Both Annually Repeating  
Both Effective January 1, 2024**

By adopting this ordinance, the city will not have to adopt an ordinance each year to re-authorize the calculation of Updated Service Credit and Cost of Living Adjustment. These benefits will remain in effect for future years until such time as it is discontinued by an ordinance adopted by the City Council.

With the adoption of these additional benefits, your city's contribution rate for 2024 will be **15.04%**.

Please make sure the ordinance is adopted and signed before the effective date. When the ordinance is adopted, please send a copy to City Services at [cityservices@tmrs.com](mailto:cityservices@tmrs.com).

If you have any questions about the model ordinance or anything else, please call me at 512-225-3742.

Sincerely,

Colin Davidson  
Director of City Services



# Wylie City Council

## AGENDA REPORT

Department: Parks and Recreation  
Prepared By: Janet Pieper

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

### Subject

Consider, and act upon, approval of the Wylie High School PTSA Pirate Dash 5K/Walk fundraiser event at Founders Park on April 13, 2024.

### Recommendation

Motion to approve the Item as presented.

### Discussion

The Wylie High School PTSA, a non-profit group, submitted a Non-Profit Park Event Application requesting to host their third annual Pirate Dash 5K/Walk fundraiser and community event in Founders Park on April 13, 2024 from 5:00 a.m. to 12:00 p.m. The event target audience is the entire Wylie Community for a fun and active family event. They intend to have a one-mile fun run and a certified 5K race with prizes. Vendors and food truck are invited to participate. Food items will be sold, and the applicant has already reached out to the Collin County Environmental Services for approval of the food items and food trucks.



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

## Non-Profit Park Event Application

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

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

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

- Priority use is given to City Events and private rentals;
- All fees have been paid;
- The event does not:
  - a. Conflict or compete with another approved non-City event, in consideration of event size, location, expected attendance, etc., as determined by staff;
  - b. Conflict or compete with City events and programs, as determined by staff (no car shows permitted 30 days prior to or 14 days after the City-sponsored Bluegrass on Ballard event);
  - c. Present an unreasonable danger to health or safety;
  - d. Cause loss or damage to City property;
  - e. Interfere with or place a burden on Public Safety services;
  - f. Interrupt the safe and orderly movement of pedestrians and vehicles.
- For events including food items, applicant provides documentation from the Collin County Environmental Services indicating whether or not a Food Service/Health permit is required for the event. This includes all food items: sold, free, food trucks, catering, homemade, prepackaged, etc.;
  - a. Please contact the Environmental Services Specialist at 972-548-5528 or 972-548-5585. The Collin County website is [www.collincountytx.gov](http://www.collincountytx.gov) for further information.
  - b. If permit is required by Environmental Services, provide staff with a list of all planned food vendors and a copy of their current Collin County Food Service/Health permit, or intent to receive a Temporary/Short-Term Event Food Service/Health Permit.
- There will be adequate sanitation available in or adjacent to the event, in addition to the City facilities as deemed necessary, such as port-a-lets, wash stations, and other required health facilities.
- The event is not being conducted for unlawful or discriminatory purposes. The event is in adherence to all Parks and Recreation rules and City Ordinances.

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

### Applicant Information

**Name of Organization \***

Wylie High School PTSA

**Website**<https://piratedash5k.whsptsa.org/>**Are you a non profit? \***☒ Yes ☐ No**Please upload 501c3 Documents**

Letter of Good Standing.pdf 103.78KB

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

Cristiana Nunn

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

Pirate Dash

**Event Type \***

5k/Walk

**Purpose of event \***

Fundraiser and Community Event

**Event Location \***

Founders Park

851 Hensley Lane

**Proposed Event Date \***

04/13/2024

**Alternative Event Date \***

04/13/2024

**Start Time \***

05:00:00 AM

☐ Include Setup**End Time \***

12:00:00 PM

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

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

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

vendors selling arts, crafts, etc

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

Licensed and certified food trucks

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

**Anticipated number of Participating Vendors \***

30

**Anticipated Event Attendance \***

250

**Event Target Audience \***

Wylie Families and high school students

**Event Details \***

3rd Annual Pirate Dash targeting the whole Wylie Community for a fun and active family event. We will have a one mile fun run as well as a certified 5K race with prizes. Vendors and food trucks will be invited to participate.

**Event Announcement and/or Flyers****Signature**A rectangular box containing a handwritten signature in cursive script that reads "Cristiana Nunn".**Date \***

10/16/2023



# Wylie City Council

## AGENDA REPORT

**Department:** Public Works  
**Prepared By:** Purchasing

**Account Code:** 100-5411-54250

### Subject

Consider, and act upon, the approval of the purchase of school zone flasher assemblies from Paradigm Traffic Systems, in the estimated amount of \$89,250.00 through a cooperative purchasing contract with BuyBoard, and authorizing the City Manager to execute any and all necessary documents.

### Recommendation

Motion to approve the Item as presented.

### Discussion

The purpose of this request is to update 15 school zone flashing assemblies due to outdated, unreliable equipment. In addition, the vendor has started outsourcing the maintenance of computer programming to a third party. This has made it difficult to have issues corrected in a timely manner. This is a phased-in approach to eventually replace all 90-school zone flashing light assemblies.

Staff recommends the purchase of school zone flasher assemblies from Paradigm Traffic Systems, in the estimated amount of \$89,250.00. The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 791 of the Texas Government Code and Section 271 Subchapter F of the Local Government Code; and by doing so satisfies any State Law requiring local governments to seek competitive bids for items.

Wylie Agreement #2024-22-I / BuyBoard Contract 695-23



# Wylie City Council

## AGENDA REPORT

**Department:** Purchasing Department  
**Prepared By:** Kirby Krol

**Account Code:** 100-5231-58510

### Subject

Consider, and act upon, the approval of the purchase of an ambulance from Southern Emergency and Rescue Vehicle Sales (SERVS) in the estimated amount of \$467,344.00 through a cooperative purchasing contract with Houston-Galveston Area Council (HGAC) and authorizing the City Manager to execute any and all necessary documents.

### Recommendation

Motion to approve the Item as presented.

### Discussion

Wylie Fire Rescue (“WFR”) is planning to purchase a Ford F450 4x2 Horton Emergence Vehicle, Type I, Ambulance Model 623. Funding for this acquisition was approved as a capital line item within the General Fund used to cover large, one-time purchases such as vehicles within the FY2023-FY2024 budget adopted on August 22, 2023.

In addition to providing ambulance service to the citizens of Wylie through the WFR, the City also contracts with Paramedics Logistics for backup ambulance support using two (2) fire department staffed ambulances. The contract between Paramedics Logistics and Southeast Collin County E.M.S. Coalition funds two (2) full-time ambulances in the contract. The City is preparing an EMS service this year to replace the Paramedic Logistic contract in FY2025. This transition includes the staffing a third ambulance in FY2024.

Staff recommends the purchase of an ambulance from Southern Emergency and Rescue Vehicle Sales (SERVS), in the estimated amount of \$467,344.00 through a cooperative purchasing contract with Houston-Galveston Area Council (HGAC). The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 791 of the Texas Government Code and Section 271 Subchapter F of the Local Government Code; and by doing so satisfies any State Law requiring local governments to seek competitive bids for items.

(Wylie Agreement No. 2024-23-I / HGAC Contract No. AM-10-20).



# Wylie City Council

## AGENDA REPORT

**Department:** Purchasing

**Prepared By:** Kirby Krol

**Account Code:** 100-5411-58570

### Subject

Consider, and act upon, the award of a professional services project order (PSPO) #W2024-24-I for the design of a traffic signal at the Intersection of Sachse Road and Creek Crossing Lane to Kimley-Horn & Associates, Inc. in the amount of \$65,800, and authorizing the City Manager to execute any necessary documents.

### Recommendation

Motion to approve the Item as presented.

### Discussion

In response to increasing traffic volumes resulting from community growth, a warrant analysis was performed at the intersection of Sachse Road and Creek Crossing Lane. Subsequently, the warrant was met for Four-Hour Volumes and indicated that placement of a traffic signal would assist in existing and future traffic congestion.

Included in the scope is survey, signal design, signal timing development, bidding services, and construction phase services as required to construct the signal.

The design of this intersection was included in the approved FY2023-FY2024 budget. The proposed contract value falls within the approved budget allocated for this purpose.

Staff recommends the award of this PSPO to Kimley-Horn & Associates, Inc. as the most qualified firm to provide professional and consulting services for the design of a traffic signal at the intersection of Sachse Road and Creek Crossing Lane.

This PSPO is issued under Master Agreement for Professional and Engineering Services (MAPES) #W2021-8-E. Staff has determined Kimley-Horn & Associates, Inc. to be the most qualified firm for this project in Category J Traffic Engineering, Traffic Planning and Street Lighting, in accordance with Government Code 2254.





# Wylie City Council

## AGENDA REPORT

**Department:** Purchasing Department  
**Prepared By:** Kirby Krol

**Account Code:** 100-5231-58510

### Subject

Consider, and act upon, the approval of the purchase of two (2) chassis from Sam Pack's Five Star Ford for Wylie Fire Rescue in the estimated amount of \$148,243.37 through a cooperative purchasing contract with The Local Government Purchasing Cooperative (BuyBoard) and authorizing the City Manager to execute any and all necessary documents.

### Recommendation

Motion to approve the Item as presented.

### Discussion

Wylie Fire Rescue ("WFR") is planning to purchase (2) Ford ambulance chassis to facilitate the building of new ambulances as older models get replaced. Due to industry lead times for products within the supply chain, WFR is purchasing these chassis in advance before the actual ambulance purchase. It is anticipated that this acquisition will drastically reduce the extensive lead times that all fire departments are experiencing with their emergency vehicle acquisitions.

Staff recommends the purchase of two (2) chassis from Sam Pack's Five Star Ford for Wylie Fire Rescue in the estimated amount of \$148,243.37 through a cooperative purchasing contract with The Local Government Purchasing Cooperative (BuyBoard). The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 791 of the Texas Government Code and Section 271 Subchapter F of the Local Government Code; and by doing so satisfies any State Law requiring local governments to seek competitive bids for items.

(Wylie Agreement No. 2024-26-I /BuyBoard Contract No. 724-23)



# Wylie City Council

## AGENDA REPORT

<b>Department:</b>	<u>Purchasing</u>	<b>Account Code:</b>	<u>100-5241-54650</u>
<b>Prepared By:</b>	<u>Kirby Krol</u>		<u>100-5241-54810</u>

### Subject

Consider, and act upon, the approval of the renewal purchase of Annual Maintenance and Software Upgrade for Public Safety Radios and Network Recording Software from Motorola Solutions, Inc. in the estimated amount of \$134,981.38 through a cooperative purchasing contract with the Texas Department of Information Resources and authorizing the City Manager to execute any necessary documents.

### Recommendation

Motion to approve the Item as presented.

### Discussion

Motorola provides the physical P25 compliant radios for the Fire, Police, and Public Works departments. This includes portable and in-car radios and necessary supporting infrastructure. The revised agreement includes annual maintenance, support, warranty coverage, and upgrades to the Motorola radios and equipment. The agreement also includes maintenance and support of our NICE recording software. The NICE recording software retains all radio transmissions and phone recordings of the public safety communications systems. To maintain the level of service with the necessary communication infrastructure, the agreement is increasing for FY 23-24 to \$134,981.38 from FY 22-23, which was \$80,990.45.

The service agreement expenses have increased due to the number of in-service radios required by Fire, Police, and Public Works. Additionally, previously deferred warranty costs are now being included in our annual coverage (titled "Astro Essential Service Renewal") and finally, the largest increase is due to the NICE software upgrades. The NICE system requires a complete system software upgrade in FY 24-25. Motorola has proposed to split between two (2) fiscal years, beginning with FY 23-24. The update is necessary to ensure all NICE users have the most current version of the system necessary to maintain the integrity of the entire recording system.

Staff recommends the renewal purchase of Annual Maintenance and Software Upgrade for Public Safety Radios and Network Recording Software from Motorola Solutions, Inc. in the estimated amount of \$134,981.38 through a cooperative purchasing contract with the Texas Department of Information Resources. The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 791 of the Texas Government Code and Section 271 Subchapter F of the Local Government Code; and by doing so satisfies any State Law requiring local governments to seek competitive bids for items.

(W2022-2-I / DIR-TSO-4101)



# Wylie City Council

## AGENDA REPORT

Department: Engineering

Account Code: 447-5447-58110

Prepared By: Tim Porter

### Subject

Consider, and act upon, Resolution No. 2023-32(R) determining a public necessity to acquire certain properties for public use by eminent domain for right of way (in fee simple) and temporary construction easements and related improvements for the construction, expansion, access, repair, maintenance and replacement of a portion of approximately 1.25 miles of E. FM 544 (from north of Alfred Drive to County Line Road) roadway project, located on a portion of a 1.99-acre tract of land conveyed to Braddock Place Estates Homeowners Association, Inc. as recorded under instrument no. 20160329000367090 in the real property records of Collin County, Texas, generally located along the west side of E. FM 544 between Alanis Drive and Vinson Road, Wylie, Collin County, Texas; giving notice of an official determination to acquire certain properties for public use by eminent domain for such right of way (in fee simple), temporary construction easements and related improvements; authorizing the City Manager of the City of Wylie, Texas, to establish procedures for acquiring the right of way and easements, offering to acquire the property interests, voluntarily, from the landowner through the making of bona fide offers; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.

### Recommendation

If the City Council desires to approve this item, the form of the motion is required by statute to be made as follows: "I move that the City Council of the City of Wylie, Texas authorize the use of the power of eminent domain to acquire property, in fee simple, located in the area described and depicted in Exhibit A to the Resolution under consideration by the City Council, for the purpose of the right of way and temporary construction easements and related improvements for the construction, expansion, access, repair, maintenance and replacement of a portion of approximately 1.25 miles of E. FM 544 (from north of Alfred Drive to County Line Road) roadway project and all appurtenances related thereto."

### Discussion

The E. FM 544 Roadway Project spans from north of Alfred Drive to County Line Road. The project includes roadway, traffic, utility, drainage, and pedestrian mobility improvements, as well as incorporates a new traffic signal at the intersection of E. FM 544 and Alanis Drive and a roundabout at the intersection of E. FM 544 and County Line Road. City Council awarded construction of this roadway project to Tiseo Paving Company on September 12, 2023.

Right-of-way (ROW) acquisition is currently being finalized. To facilitate construction, ROW and easements are needed from the Braddock Place Estates Homeowners Association (HOA). The HOA Bylaws do not address the selling or transfer of property by only board members and the Board does not believe it is possible to reach timely a quorum with their stakeholders, so therefore, following discussions with the HOA Board and the City Attorney, it was determined by staff and the HOA Board that proceeding with eminent domain would be the best path forward on this matter.

Staff recommends approval of the attached Resolution to acquire certain properties for public use by eminent domain for such right of way, temporary construction easements, and related improvements.

**RESOLUTION NO. 2023-32(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTIES FOR PUBLIC USE BY EMINENT DOMAIN FOR RIGHT OF WAY (IN FEE SIMPLE) AND TEMPORARY CONSTRUCTION EASEMENTS AND RELATED IMPROVEMENTS FOR THE CONSTRUCTION, EXPANSION, ACCESS, REPAIR, MAINTENANCE AND REPLACEMENT OF A PORTION OF APPROXIMATELY 1.25 MILES OF E. FM 544 (FROM NORTH OF ALFRED DRIVE TO COUNTY LINE ROAD) ROADWAY PROJECT, LOCATED ON A PORTION OF A 1.99-ACRE TRACT OF LAND CONVEYED TO BRADDOCK PLACE ESTATES HOMEOWNERS ASSOCIATION, INC. AS RECORDED UNDER INSTRUMENT NO. 20160329000367090 IN THE REAL PROPERTY RECORDS OF COLLIN COUNTY, TEXAS, GENERALLY LOCATED ALONG THE WEST SIDE OF E. FM 544 BETWEEN ALANIS DRIVE AND VINSON ROAD, WYLIE, COLLIN COUNTY, TEXAS; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE CERTAIN PROPERTIES FOR PUBLIC USE BY EMINENT DOMAIN FOR SUCH RIGHT OF WAY (IN FEE SIMPLE), TEMPORARY CONSTRUCTION EASEMENTS AND RELATED IMPROVEMENTS; AUTHORIZING THE CITY MANAGER OF THE CITY OF WYLIE, TEXAS, TO ESTABLISH PROCEDURES FOR ACQUIRING THE RIGHT OF WAY AND EASEMENTS, OFFERING TO ACQUIRE THE PROPERTY INTERESTS, VOLUNTARILY, FROM THE LANDOWNER THROUGH THE MAKING OF BONA FIDE OFFERS; APPROPRIATING FUNDS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Wylie, Texas (“City Council”) finds that there is a public necessity for the acquisition, by eminent domain, of right of way (in fee simple), temporary construction easements, and related improvements (collectively, “Right of Way and Easements”), on that certain property described and depicted in Exhibit A, attached hereto and incorporated herein for all purposes, identifying the general area to be covered by the Project (hereinafter defined) and/or the general route that will be used by Wylie for the Project (“Property”); and

**WHEREAS**, it is the intent of the City of Wylie, Texas (“Wylie”) to acquire the necessary Right of Way and Easements on the Property for the purpose of, among other things, the construction, access, repair, maintenance and replacement of roadway facilities, utilizing temporary construction easements, and related improvements, which are necessary for the E. FM 544 Project (from north of Alfred Drive to County Line Road) (“Project”); and

**WHEREAS**, the City Council finds that the description of the Property, attached hereto as Exhibit A, to be acquired by eminent domain for the Project complies with Chapter 2206 of the Texas Government Code, as amended (“Chapter 2206”), in that the same provides property owner(s) in and around the area or along the route reasonable notice that the owners’ properties may be subject to condemnation proceedings during the planning or construction of the Project; and

**WHEREAS**, the City Council further finds that the Project is necessary for public use; and

**WHEREAS**, it is necessary to establish procedures for determining the establishment and approval of just compensation for the Right of Way and Easements to be acquired by eminent domain for the Project; and

**WHEREAS**, there may be improvements located on some of the Property acquired for this Project and such improvements may be required to be moved prior to the beginning of this Project; and

**WHEREAS**, the City Manager, or his designee (“City Manager”), is required to make a bona fide offer, as defined by and in compliance with Section 21.0113 of the Texas Property Code (“Bona Fide Offer”), to acquire the Right of Way and Easements on the Property for public use, voluntarily, from the subject landowner(s) prior to moving forward with acquisition by eminent domain; and

**WHEREAS**, the City Council has investigated and determined that the passage of this Resolution complies with Chapter 2206 and other applicable laws.

**NOW THEREFORE, BE IT RESOLVED 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 Resolution as if fully set forth herein.

**SECTION 2: Acquisition of Property.** The City Council hereby determines that there is a public necessity for and the public welfare and convenience will be served by the acquisition, by eminent domain, of the Right of Way and Easements on the Property, and it is Wylie’s intent to acquire the Right of Way and Easements for public use as described and depicted in Exhibit A, attached hereto, specifically for the purpose of, among other things, the construction, access, repair, maintenance and replacement of roadway facilities, and related improvements, necessary for the Project.

**SECTION 3: Authority of City Manager/Bona Fide Offer.** The City Manager is hereby authorized to contract, on behalf of the City Council, with professional appraisers for appraisal services and with attorneys for preparation of title opinion(s) needed by Wylie from time to time in connection with the acquisition of the Right of Way and Easements on the Property for the purpose of, among other things, the construction, access, repair, maintenance and replacement of roadway facilities, and related improvements, necessary for the Project. The City Council hereby ratifies any contracts entered into, prior to the effective date of this Resolution, by the City Manager with professional appraisers for appraisal services and with attorneys for preparation of title opinion(s) needed for the acquisition of the Right of Way and Easements on the Property. To this end, the City Manager shall first make a Bona Fide Offer to acquire the Right of Way and Easements on the Property from the subject landowner(s), voluntarily. Should the landowner fail to provide the Easement, voluntarily, through said Bona Fide Offer, the City Manager is authorized to move forward with acquiring the Right of Way and Easements on the Property by eminent domain.

**SECTION 4: Determination of Just Compensation.** The City Manager is hereby authorized and directed to examine and rely on the independent appraisal reports, and other information, to make a determination as to the establishment and approval of a fair market value offer and the just compensation for the Right of Way and Easements on the Property for the purpose of making the Bona Fide Offer. After such consideration, the City Manager shall establish and approve the amount determined to be just compensation for acquisition of said Right of Way and Easements and shall have the authority to execute any and all documents necessary to complete the acquisition of same.

**SECTION 5: Authority to Make an Offer.** Upon establishment and approval by the City Manager of the amount of just compensation for the acquisition of the Right of Way and Easements on the Property, the City Manager is authorized to send a written Bona Fide Offer to the landowner(s) of said Property for the acquisition of said Right of Way and Easements at the full amount determined and established to be just compensation therefore, and to negotiate with said landowner on behalf of Wylie to acquire the Right of Way and Easements voluntarily.

**SECTION 6: Authority to Execute Documents.** The City Manager is hereby authorized to execute all documents necessary to acquire the Right of Way and Easements on the Property needed for the Project, on behalf of Wylie, whether by purchase or eminent domain. The City Council hereby ratifies any documents executed, prior to the effective date of this Resolution, by the City Manager which were necessary for the acquisition of the Right of Way and Easements on the Property for the Project.

**SECTION 7: Disposal of Improvements.** The City Manager is hereby authorized to sell such surplus improvements, if any, located on the Right of Way and Easements acquired in connection with this Project, should they interfere with the intended use and enjoyment of said Right of Way and Easements.

**SECTION 8: Eminent Domain Authorized.** Should the City Manager be unable to acquire the Right of Way and Easements, voluntarily, from the landowner(s), through the making of the Bona Fide Offer, the City Manager is authorized to instruct the law firm of Abernathy, Roeder, Boyd & Hullett, P.C., to commence eminent domain proceedings for the acquisition of the Right of Way and Easements on the Property for the Project.

**SECTION 9: Source of Funds.** The amount to be paid, if any, for acquiring the Right of Way and Easements on the Property for the Project will be appropriated from any lawful source.

**SECTION 10: Savings/Repealing.** All provisions of any resolution in conflict with this Resolution are hereby repealed to the extent they are in conflict. Any remaining portion of conflicting resolutions shall remain in full force and effect.

**SECTION 11: Severability.** Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City Council hereby declares that it would have passed this Resolution, 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 12: Effective Date.** This Resolution shall take effect immediately from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS,** on this 12<sup>th</sup> day of December, 2023.

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

**ATTEST:**

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

## Exhibit A

**Parcel 9ROW  
Right-of-Way Acquisition  
Allen Atterbury Survey, Abstract No. 23  
City of Wylie, Collin County, Texas**

**BEING** a 401 square foot (0.0092 acres) tract of land situated in the Allen Atterbury Survey, Abstract No. 23, in Collin County, Texas, and being part of Lot 13, Block B, Alanis Crossing Phase I, as recorded in Vol. 2014, Page 459, Plat Records of Collin County, Texas (P.R.C.C.T.) and a part of a tract of land described in deed to Braddock Place Estates Homeowners Association, Inc., as recorded in Instrument Number 20160216000173520, Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

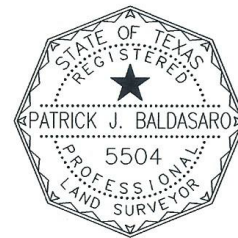
**BEGINNING** at the northernmost southeast corner of said Lot 13, being in the existing west right-of-way line of F.M. 544 (variable width right-of-way) and the northeast corner of a tract to Tommy Pulliam and wife, Toni Pulliam, as recorded in Vol. 4590, Page 1895, Deed Records of Collin County, Texas (D.R.C.C.T.);

1. **THENCE** North 89 degrees 33 minutes 00 seconds West, with the south line of said Lot 13 and the north line of said Pulliam tract, a distance of 20.06 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;
2. **THENCE** North 04 degrees 06 minutes 03 seconds West, departing the south line of said Lot 13 and the north line of said Pulliam tract and across said Lot 13, a distance of 20.06 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the north line of said Lot 13, being the existing south right-of-way line of Alanis Drive (100 foot right-of-way), from which a 1/2-inch iron rod with cap stamped TXHS found (controlling monument) bears North 89 degrees 33 minutes 17 seconds West, a distance of 626.44 feet;
3. **THENCE** South 89 degrees 33 minutes 17 seconds East, with the north line of said Lot 13 and the existing right-of-way line of said Alanis Drive, a distance of 20.06 feet to the northwest corner of said Lot 13 being in the existing west right-of-way line of said F.M. 544;
4. **THENCE** South 04 degrees 06 minutes 03 seconds East, with the east line of said Lot 13 and the existing right-of-way line of said F.M. 544, a distance of 20.06 feet to the **POINT OF BEGINNING** and containing 401 square feet (0.0092 acres) of land.

**Parcel 9ROW  
Right-of-Way Acquisition  
Allen Atterbury Survey, Abstract No. 23  
City of Wylie, Collin County, Texas**

A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



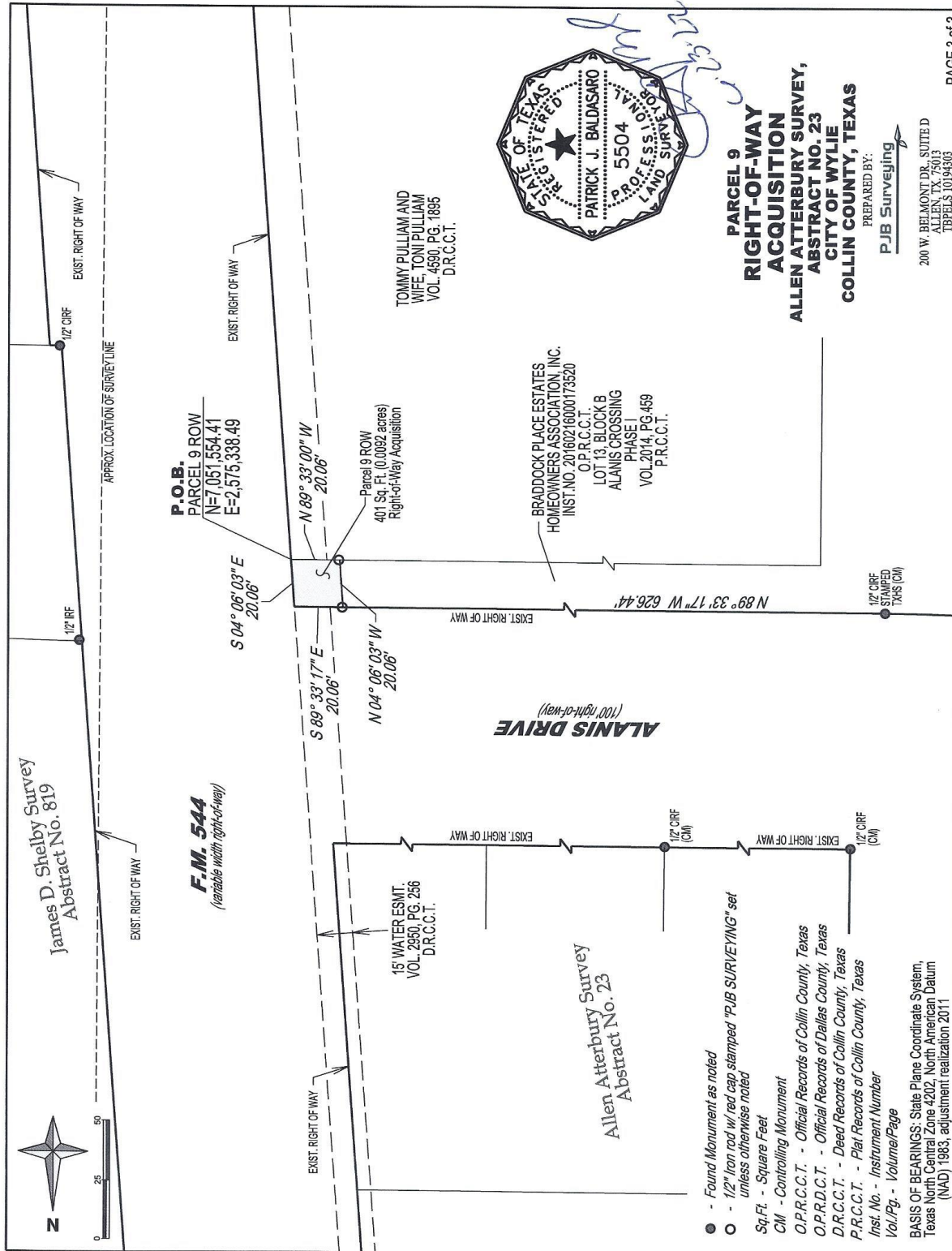
By: \_\_\_\_\_

Patrick J. Baldasaro  
Registered Professional Land Surveyor  
Texas No. 5504  
PJB Surveying, LLC  
TBPELS Firm No. 10194303

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

4.23.22





**Parcel 11A TCE  
Temporary Construction Easement  
D.K. Williams Survey, Abstract No. 980  
City of Wylie, Collin County, Texas**

**BEING** a 1,605 square foot (0.0368 acres) tract of land situated in the D.K. Williams Survey, Abstract No. 980, in Collin County, Texas, and being part of Lot 8, Block A, Braddock Place Phase III, as recorded in Vol. 2014, Page 396, Plat Records of Collin County, Texas (P.R.C.C.T.) and being part of a tract of land described in deed to Braddock Place Estates Homeowners Association, Inc., as recorded in Instrument Number 20160329000367090, of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

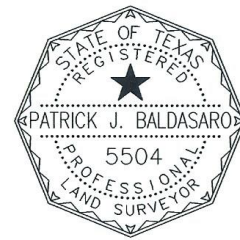
**BEGINNING** at the southeast corner of said Lot 8, being an intersection of the existing west right-of-way line of F.M. 544 (variable width right-of-way) and the existing north right-of-way line of Sun Meadow Drive (50 foot right-of-way);

1. **THENCE** North 89 degrees 32 minutes 48 seconds West, with the south line of said Lot 8 and the existing north right-of-way line of said Sun Meadow Drive, a distance of 10.03 feet, from which a 1/2-inch iron rod with cap stamped "Corwin Engineering" found (controlling monument) bears North 89 degrees 32 minutes 48 seconds West, a distance of 24.98 feet;
2. **THENCE** North 04 degrees 06 minutes 03 seconds East, departing the south line of said Lot 8 and the existing north right-of-way line of said Sun Meadow Drive, a distance of 160.51 feet to the north line of said Lot 8 and the south line of a tract of land described to Tommy Pulliam and wife, Toni Pulliam, as recorded in Volume 4590, Page 1895, Deed Records of Collin County, Texas (D.R.C.C.T.);
3. **THENCE** South 89 degrees 32 minutes 48 seconds East, with the north line of said Lot 8 and the south line of said Pulliam tract, a distance of 10.03 feet to the northeast corner of said Lot 8, the southeast corner of said Pulliam tract and being in the existing west right-of-way line of said F.M. 544;
4. **THENCE** South 04 degrees 06 minutes 03 seconds West, along the east line of said Lot 8 and the existing west right-of-line of said F.M. 544, a distance of 160.51 feet to the **POINT OF BEGINNING** and containing 1,605 square feet (0.0368 acres) of land.

**Parcel 11A TCE  
Temporary Construction Easement  
D.K. Williams Survey, Abstract No. 980  
City of Wylie, Collin County, Texas**

A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.

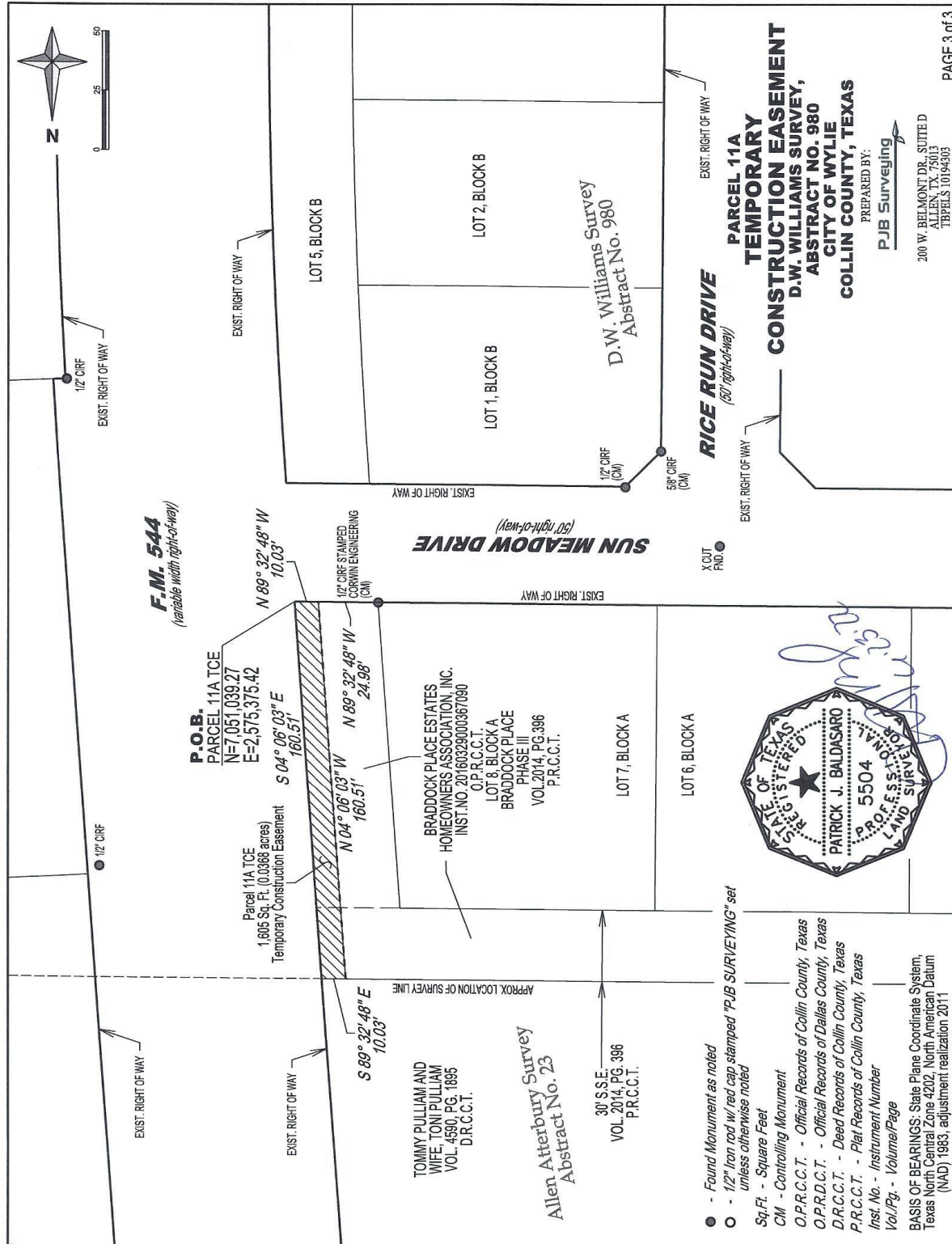


By: \_\_\_\_\_

Patrick J. Baldasaro  
Registered Professional Land Surveyor  
Texas No. 5504  
PJB Surveying, LLC  
TBPELS Firm No. 10194303

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

4.23.22





**Parcel 11B TCE  
Temporary Construction Easement  
D.K. Williams Survey, Abstract No. 980  
City of Wylie, Collin County, Texas**

**BEING** a 4,418 square foot (0.1014 acres) tract of land situated in the D.K. Williams Survey, Abstract No. 980, in Collin County, Texas, and being part of Lot 5, Block B, Braddock Place Phase III, as recorded in Vol. 2014, Page 396, Plat Records of Collin County, Texas (P.R.C.C.T.) and being part of a tract of land described in deed to Braddock Place Estates Homeowners Association, Inc., as recorded in Instrument Number 20160329000367090, of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

**BEGINNING** at a 1/2-inch iron rod with cap (controlling monument) at the southeast corner of said Lot 5, being in the existing west right-of-way line of F.M. 544 (variable width right-of-way) and the northeast corner of Wally W. Watkins Elementary School, as recorded in Volume 2010, Page 247, P.R.C.C.T.;

1. **THENCE** North 89 degrees 04 minutes 07 seconds West, with the south line of said Lot 5 and the north line of said Wally W. Watkins Elementary School, a distance of 10.00 feet;
2. **THENCE** North 00 degrees 53 minutes 57 seconds East, departing the south line of said Lot 5 and the north line of said Wally W. Watkins Elementary School and across said Lot 5, a distance of 194.24 feet to the point of curvature of a curve to the left, having a radius of 2,809.78 feet and a central angle of 05 degrees 02 minutes 51 seconds;
3. **THENCE** with said curve to the left, an arc distance of 247.53 feet (Chord Bearing North 01 degrees 37 minutes 29 seconds West – 247.45 feet), to the north line of said Lot 5 and in the existing south right-of-way line of Sun Meadow Drive (50 foot right-of-way), from which a 1/2-inch iron rod with cap found (controlling monument) bears North 89 degrees 32 minutes 48 seconds West, a distance of 132.68 feet;
4. **THENCE** South 89 degrees 32 minutes 48 seconds East, with the north line of said Lot 5 and the existing south right-of-way line of said Sun Meadow Drive, a distance of 10.03 feet to the north corner of said Lot 5, being in the existing west right-of-way line of said F.M. 544, being on a curve to the right, having a radius of 2,819.78 feet and a central angle of 05 degrees 01 minutes 52 seconds;
5. **THENCE** with the east line of said Lot 5, the existing west right-of-line of said F.M. 544 and said curve to the right, an arc distance of 247.60 feet (Chord Bearing South 01 degrees 36 minutes 59 seconds East – 247.52 feet) to the point of tangency;

**Parcel 11B TCE**  
**Temporary Construction Easement**  
**D.K. Williams Survey, Abstract No. 980**  
**City of Wylie, Collin County, Texas**

6. **THENCE** South 00 degrees 53 minutes 57 seconds West, continuing with the east line of said Lot 5 and the existing west right-of-line of said F.M. 544, a distance of 194.25 feet to the **POINT OF BEGINNING** and containing 4,418 square feet (0.1014 acres) of land.

A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.

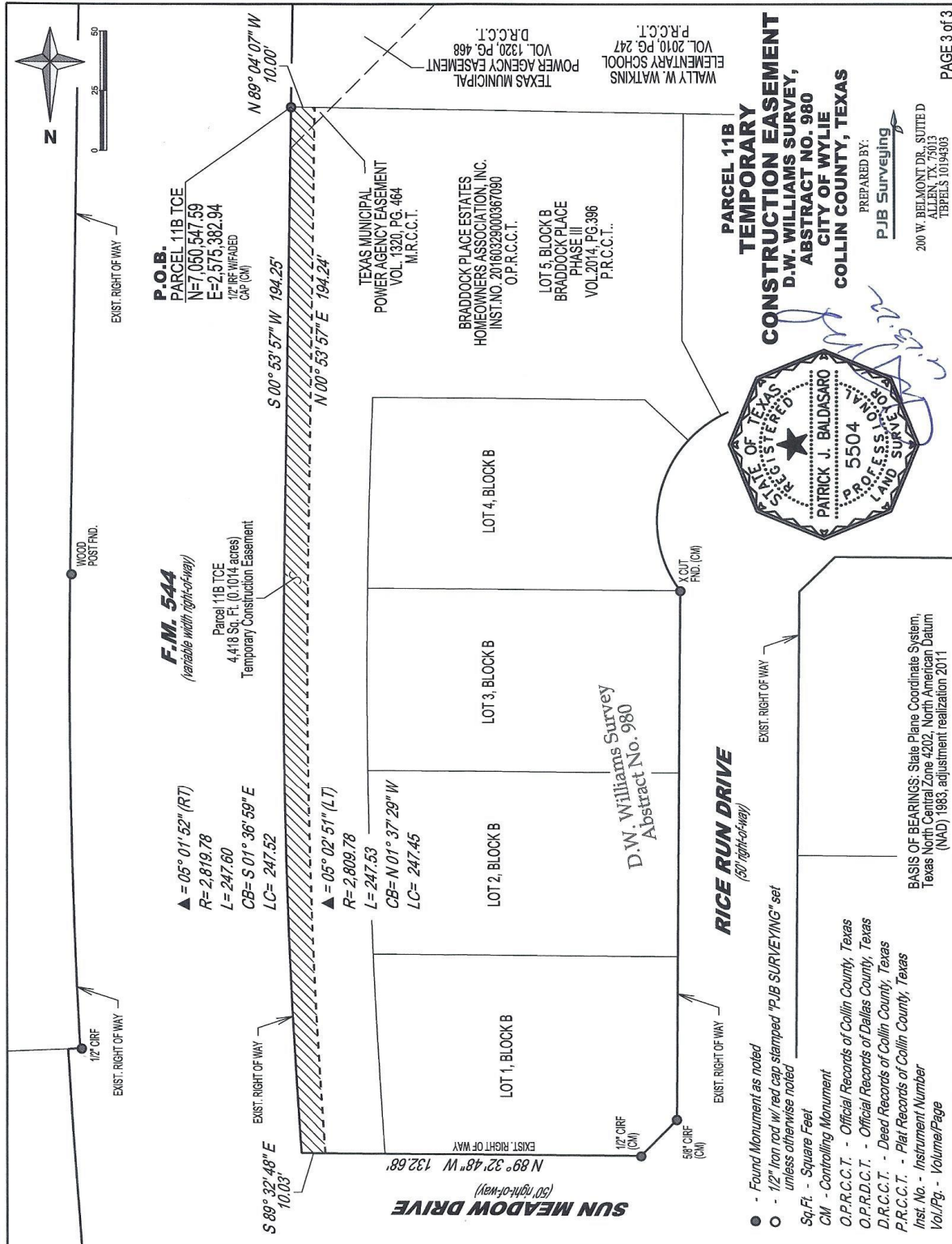


By: \_\_\_\_\_

*Patrick J. Baldasaro*  
 Patrick J. Baldasaro  
 Registered Professional Land Surveyor  
 Texas No. 5504  
 PJB Surveying, LLC  
 TBPELS Firm No. 10194303

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

*4.23.22*



PAGE 3 of 3

**Parcel 16ROW**  
**Right-of-Way Acquisition**  
**Elisha M. Price Survey, Abstract No. 725**  
**and Elisha M. Price Survey, Abstract No. 1114**  
**City of Wylie, Collin County, Texas**

**BEING** a 904 square foot (0.0208 acres) tract of land situated in the Elisha M. Price Survey, Abstract No. 725, in Collin County, Texas and the Elisha M. Price Survey, Abstract No. 1114, in Dallas County, Texas and being part of Lot 16, Block 1, Braddock Place, Phase V, as recorded Volume 2017, Page 618, Map Records of Collin County, Texas (M.R.C.C.T.) and described in deed to Braddock Place Homeowners Association, Inc. as recorded in Instrument Number 20170831001174830, of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

**BEGINNING** at a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the new west right-of-way line of F.M. 544, being in the southeasterly line of said Lot 16 and in the existing northerly right-of-way line of Vinson Road (variable width right-of-way), from which a found 1/2-inch iron rod with cap stamped "Vortex RPLS 4813" bears North 48 degrees 49 minutes 04 seconds East, a distance of 22.75 feet;

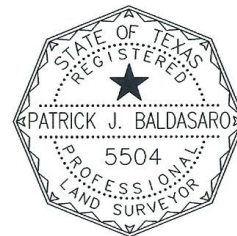
1. **THENCE** North 25 degrees 57 minutes 21 seconds East, with the new west right-of-way line of F.M. 544, a distance of 89.08 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the east line of said Lot 16 and the west right-of-way of F.M. 544 (variable width right-of-way);
2. **THENCE** South 00 degrees 25 minutes 54 seconds East, departing the new west right-of-way of F.M. 544 and with the east line of said Lot 16 and the west right-of-way line of said F.M. 544, a distance of 45.68 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said Lot 16, being in the northerly right-of-way line of said Vinson Road, from which a found 1/2-inch iron rod with cap stamped "Vortex RPLS 4813" bears North 52 degrees 10 minutes 09 seconds East, a distance of 88.47 feet;
3. **THENCE** South 48 degrees 49 minutes 04 seconds West, with the south line of said Lot 16 and the north right-of-way line of said Vinson Road, a distance of 52.26 feet to the **POINT OF BEGINNING** and containing 904 square feet (0.0208 acres) of land.



**Parcel 16ROW**  
**Right-of-Way Acquisition**  
**Elisha M. Price Survey, Abstract No. 725**  
**and Elisha M. Price Survey, Abstract No. 1114**  
**City of Wylie, Collin County, Texas**

A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



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

Patrick J. Baldasaro  
Registered Professional Land Surveyor  
Texas No. 5504  
PJB Surveying, LLC  
TBPELS Firm No. 10194303

Date: 6-23-22





# Wylie City Council

## AGENDA REPORT

**Department:** Purchasing  
**Prepared By:** Christopher Rodriguez

**Account Code:** 112-5614-58150

### Subject

Consider, and act upon, the award of contract W2024-16-I, Pirates Cove Playground Equipment and Poured-In-Place Surfacing to WEBUILDFUN, in the estimated amount of \$678,482.00 through a cooperative purchasing contract with BuyBoard and authorizing the City Manager to execute any necessary documents.

### Recommendation

Motion to approve the Item as presented.

### Discussion

The Parks and Recreation Department is seeking approval from the City Council to award a contract to WEBUILDFUN to replace playground equipment and add poured-in-place surfacing to Pirates Cove Playground in Founders Park.

This project will include several different play areas, including a pirate ship-themed elevated play structure for ages 5-12 years old, a smaller pirate ship-themed elevated play structure for ages 2-5 years old, ground-level ocean adventure play structures, a sensory tunnel, roller slide, inclusive swing seat, an inclusive whirl, and poured-in-place surfacing.

Staff recommends the award of contract #W2024-16-I, Pirates Cove Playground Equipment and Poured-In-Place Surfacing for \$678,482.00 as providing the best value to the City. The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 791 of the Texas Government Code and Section 271 Subchapter F of the Local Government Code and, by doing so, satisfies any State Law requiring local governments to seek competitive bids for items.

Wylie Agreement #W2024-16-I / BuyBoard Contract #679-22



# PIRATES COVE

Wylie, TX





# Pirates Cove Wylie, TX R0061\_45210437469

Age Group :5 - 12

Elevated Play Activities : 19

Elevated Play Transfer Access:  
19 Req'D 10

Elevated Play Ramp Access :  
0 Req'D 0

Ground Level Activity Types :  
3 Req'D 3

Ground LevelWW Quantity :  
14 Req'D 6

Age Group :2 - 5

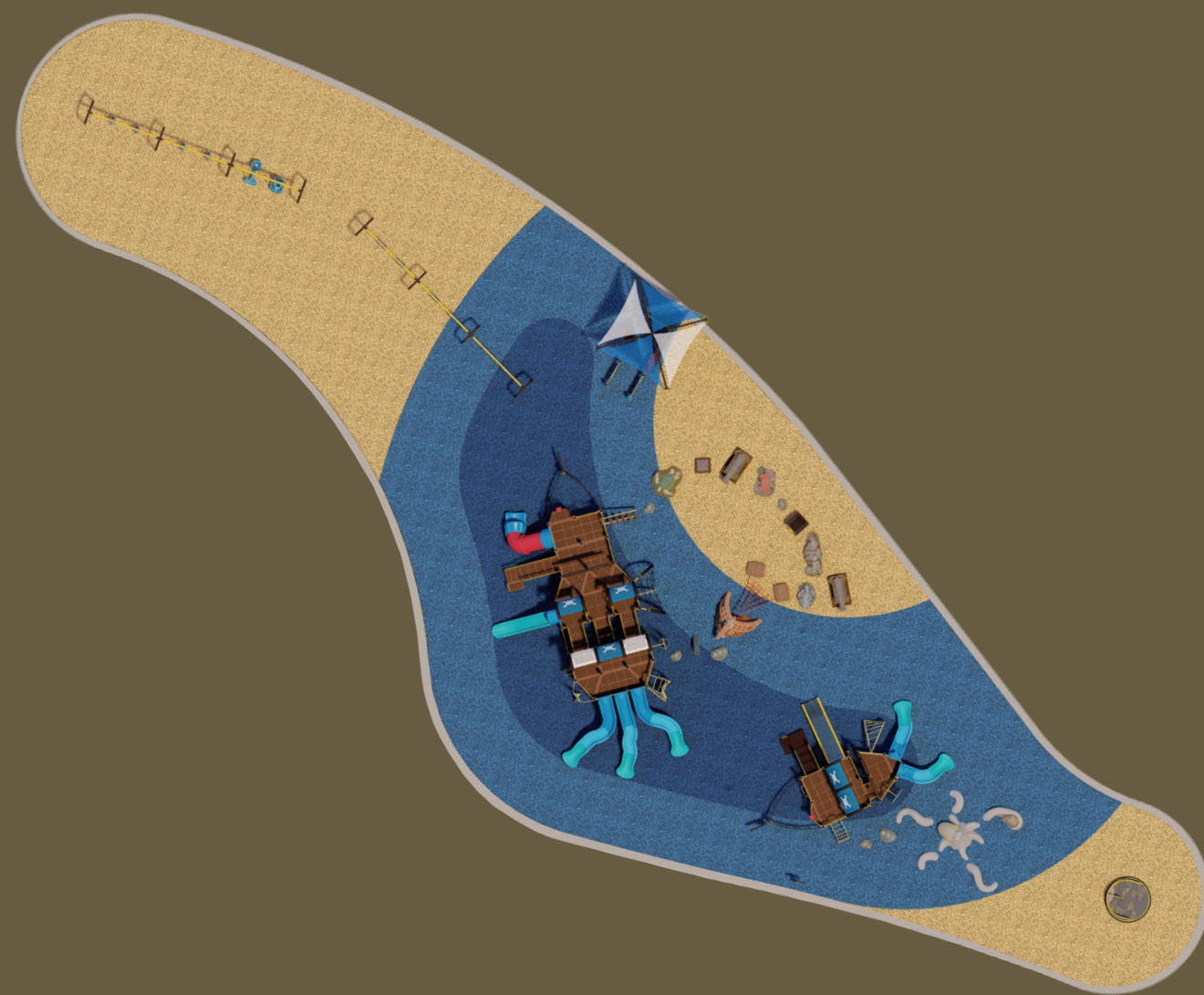
Elevated Play Activities : 14

Elevated Play Transfer Access:  
10 Req'D 7

Elevated Play Ramp Access :  
0 Req'D 0

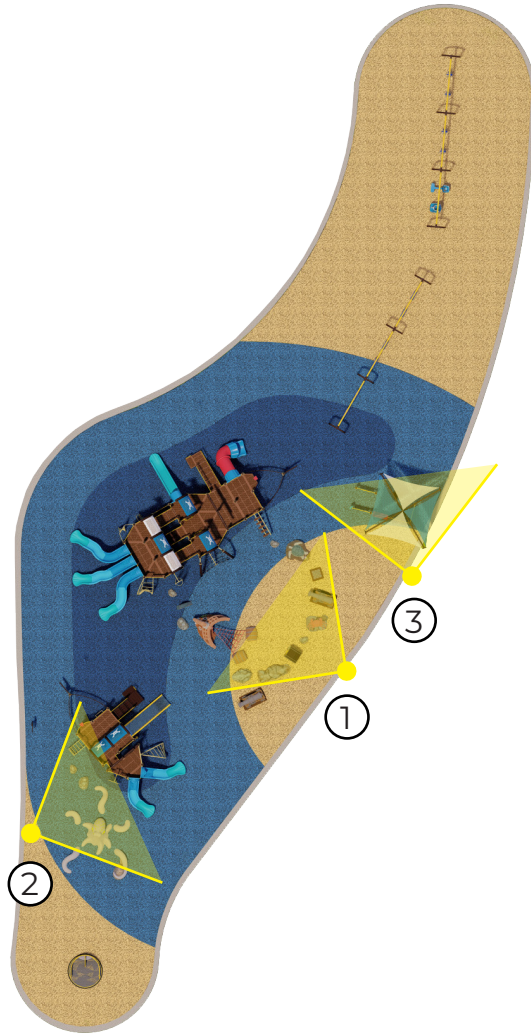
Ground Level Activity Types :  
4 Req'D 3

Ground Level Quantity :  
6 Req'D 5





**Pirates Cove**  
 Wylie, TX  
 R0061\_45210437469



1

*AHOY MATEY!! Set sail with a large exciting pirate ship linked to themed sea creatures! This 5-12 pirate ship features a vast deck area for roaming multi-levels, with five slides, loads of climbers, and places to explore! The sea creatures and treasures are created from solid precast concrete to inspire imaginative play and withstand climbing, jumping and adventures.*



2

*ARRR! The smaller boat is fleeing from the dangerous Kraken! This ship specially designed for 2-5 year-olds has appropriate play elements to help younger kids explore safely. The design of the solid rubber play surface mimics land and sea and is completely wheelchair accessible.*



3

*SHIVER ME TIMBERS! So many inclusive features! This sensory tunnel allows for a cozy place to escape for quiet play. The ground level access also allows for full wheelchair access. The play panels provide sensory feedback while covered under a large shade. For landlubbers, the other inclusive features include a fully accessible whirl, the inclusive swing seat, and a parent and child swing.*





## Pirates Cove Wylie, TX R0061\_45210437469

Decks



Brown

Metals



Sand



Sand



Tropical  
Yellow

Plastic



Cyan



Teal



Sky



Red

Actual colors may vary. We work hard to ensure are our renderings are as life like as possible.







Pirates Cove  
Wylie, TX  
R0061\_45210437469





Pirates Cove  
Wylie, TX  
R0061\_45210437469





Pirates Cove  
Wylie, TX  
R0061\_45210437469





Pirates Cove  
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Wylie, TX  
R0061\_45210437469





Pirates Cove  
Wylie, TX  
R0061\_45210437469





**Pirates Cove**  
 Wylie, TX  
 R0061\_45210437469

*Sea Turtle  
 Two Cannons and Stack of  
 Cannon Balls  
 Treasure Chest  
 Turtle Rock  
 Crab Rock  
 Shark Fin  
 Shipwreck & Barrel with  
 Climbing Rope  
 Octopus with Five Legs  
 Many Rocks for Roaming*



Actual colors may vary. We work hard to ensure are our renderings are as life like as possible.







## Our Top Inclusive Products for Pirates Cove Inclusive Whirl

*Children of all abilities can enjoy the thrills of spinning together. The entry is level with the ground, making it easy to board with space for up to two wheelchairs at once. There is an additional seat with extra physical support, or kids can stand and hold onto handrails.*

## Sensory Tunnel

*The sensory tunnel provides many different benefits. The "tunnel" has several play panels along the way, each one is something different. These provide all types of sensory feedback: tactile, visual, and auditory, as well as cognitive development. The space also provides a comforting and shady place if anyone needs a break from noise and stimulation.*

## Poured-In-Place Surfacing

*A unitary surface allows greater accessibility for any type of mobility difference or challenge. The transitions are smooth and level into the play area, as well as on and off the play components. It provides a protective and shock absorbing surface for play. It also gives a wide, clear route for movement throughout the entire play area.*

## Roller Slide

*The roller slide offers a tactile component combined with movement, activating the vestibular sense. It also gives sensation to muscles and joints, providing proprioceptive input. A fan favorite for kids who love sensory feedback.*

## Inclusive Swing Seat

*This is a snug, supportive seat that helps to coordinate head and eye movements, stay upright, develop balance and equilibrium, and coordinate actions on the left and right.*

## Ocean Adventure Play Structures

*From the octopus to the sunken ship with a climbing rope, to the cannons and treasure chest, the themed play structures allow children of all abilities to play side by side doing the same activities. This area is easily accessed by wheelchairs or other mobility devices.*



# Wylie City Council

## AGENDA REPORT

Department: City Secretary  
 Prepared By: Stephanie Storm

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

### Subject

Consider, and act upon, the acceptance of the resignation of Jacques Loraine III, and the appointment of a new board member to the City of Wylie Planning and Zoning Commission to fill term of December 12, 2023 to June 30, 2025.

### Recommendation

Motion to accept the resignation of Jacques Loraine III and to appoint Zeb Black to the City of Wylie Planning and Zoning Commission to fill the term of December 12, 2023 to June 30, 2025.

### Discussion

When the 2023 Board and Commission interviews were held, Council approved a designated replacement for the Planning and Zoning Board should a vacancy occur during the year. Staff reached out the replacement to see if they would still be interested in serving on the board. Replacement applicant, Mr. Zeb Black replied back and is interested and willing to serve.



**First Name \***

Zeb

**Last Name \***

Black

**Occupation**

Technology Manager

**Work experience that may be beneficial to the board you are applying for.**

I have been a software engineer for over twenty years. I have worked in formal leadership in a business and technical capacity for over 5 years leading small and large teams. I have a business administration degree. I have also worked in the service industry and construction fields.

**Address in ETJ? \***
☐ Yes ☒ No
**Wylie Resident \***
☒ Yes ☐ No
**Length of Wylie residency****Years \***

5

**Months \***

3

**Registered Voter \***
☒ Yes ☐ No
**Currently Serving \***
☐ Yes ☒ No

## Boards and Commission Preferences

**Board Preference 1: \***

Animal Shelter Advisory Board

**Board 1 Qualification \***

Resident of the City of Wylie

**Board Preference 2:**

Wylie Economic Development Corporation

**Board 2 Qualification \***

serve, or have served, in a professional capacity

**Board Preference 3:**

Planning &amp; Zoning Commission

**Why you would like to serve as a Boards and Commission member: \***

I would like to serve on these boards in order to support the great community I have lived in for over 5 years. I believe my professional experience would be put to great use as a member of these boards.

**Staff notes:****Panel Notes:**


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# Wylie City Council

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## AGENDA REPORT

Department: Animal Services

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

Prepared By: Shelia Patton

### Subject

Discuss the Renovation of the Animal Services Facility.

### Recommendation

Presentation and Discussion.

### Discussion

Lt. Cotton will provide the City Council with information on the current facility needs and related costs of completing renovations to address those needs.

# ANIMAL SERVICES RENOVATIONS



2023 / 2024

# ANIMAL SERVICES FOOTPRINT

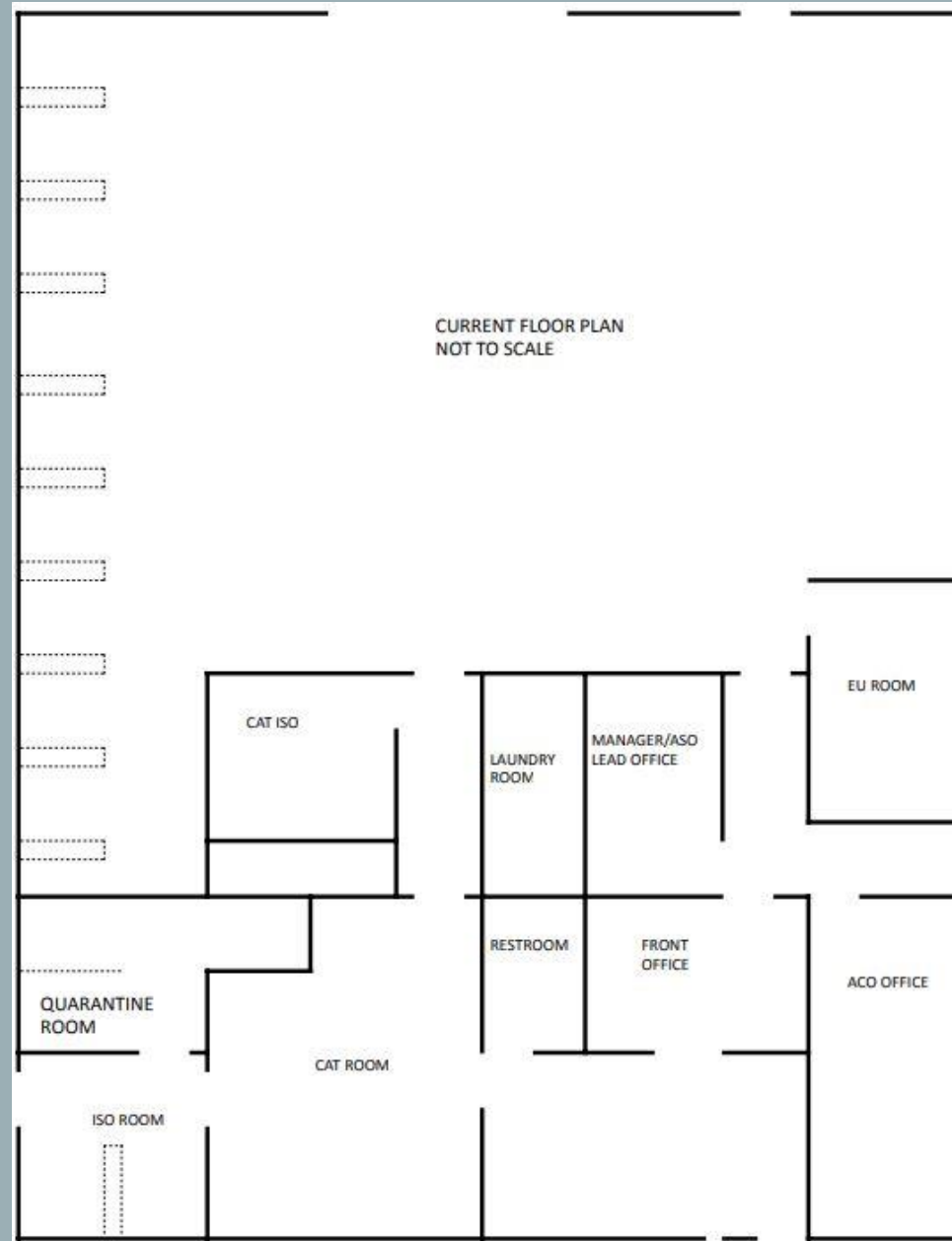


# ANIMAL SERVICES BUILDING HISTORY

- 1996 Animal Services remained at the old Kirby Location.
- 2000 Animal Services was moved to the Hensley location into an existing 3600 square foot metal building. 2400 square foot was for Animal Services.
- In 2013-2015 Public Works and Parks moved out and the current structure was remodeled into its current layout.
- As the City has grown the need for added space to provide quality services to the Citizens of Wylie and their animals is imperative.

# CURRENT FLOOR PLAN

12/12/2023 Item WS1.





# CURRENT FLOOR PLAN PHOTOS



# CURRENT FLOOR PLAN PHOTOS





# CURRENT CHALLENGES ANIMALS

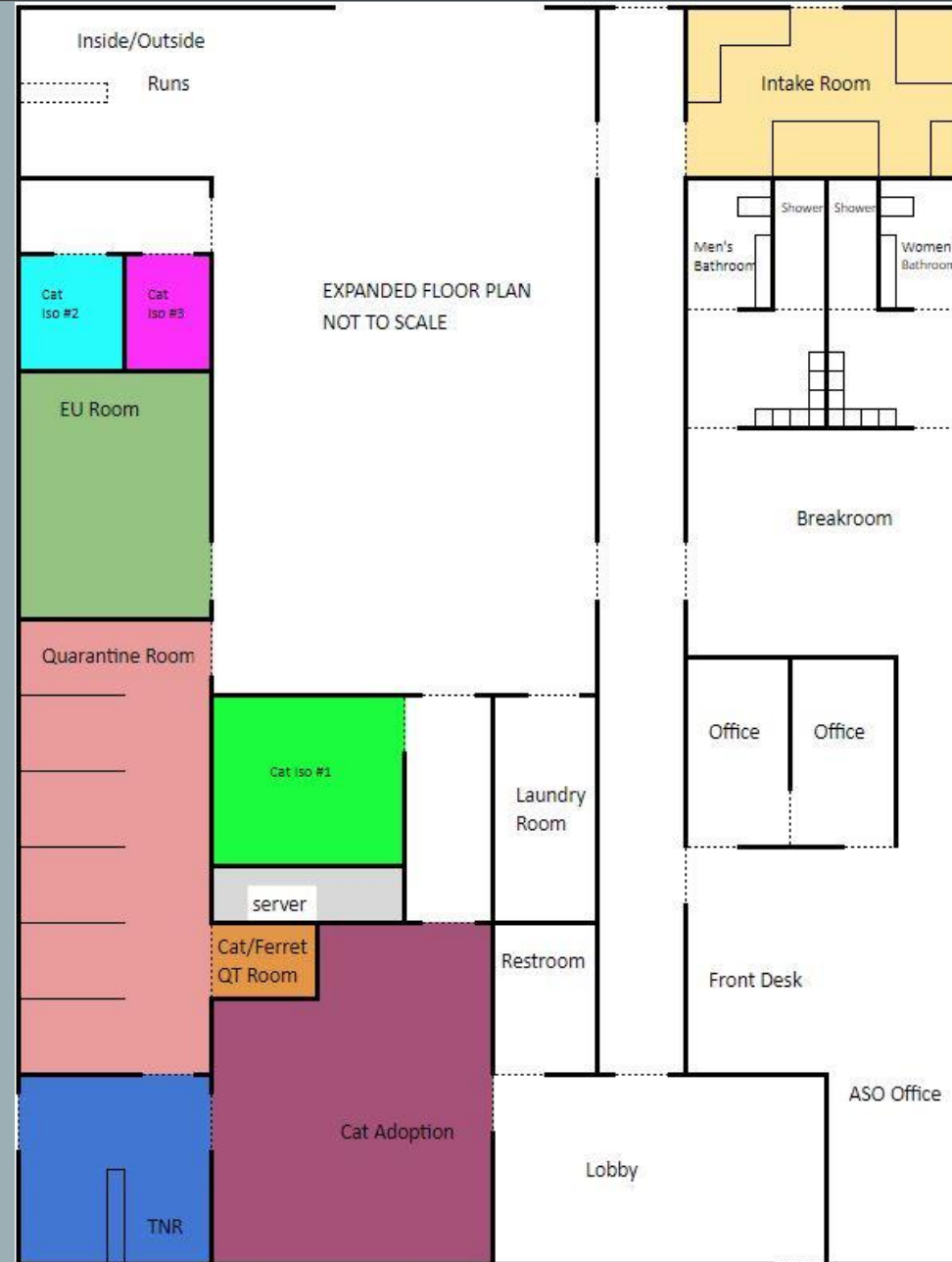
- Limitations for state quarantine. We have 3 and need a minimum of 6.
- Limitations for the number of animals that can be cared for.
- Dogs full capacity is 28.
- Cat full capacity is 10 towers. This is limited by rooms.
- No feline quarantine or TNR area.
- Zero natural lighting in the feline rooms.
- The current building configuration forces dogs to go past the cat rooms causing anxiety issues for the felines.
- Felines have no assigned area for sick care. The sick animals have to be placed in the same room as other felines.

# CURRENT CHALLENGES EMPLOYEES

- There is only one bathroom . This bathroom is shared between employees and guests.
- There are no locker rooms for employees.
- There are no showers for employees. As you can imagine dealing with animals can be a very dirty job.
- There is no true privacy for the Animal Services Manager due to a shared work space. Difficult when handling discipline matters.
- No true work space for AS Officers.
- There is no breakroom for staff to eat meals or decompress.

# PROPOSED NEW FLOOR PLAN

12/12/2023 Item WS1.





## ANIMAL SERVICES RENOVATION COST

We have received a rough cost estimate from SDB Contracting Services for \$799,500.

This is not a detailed document so a deep dive will need to be done with regard to the specifics on a quote.

This company is on buy board so there is not a need to send this out to bid.

This quote does not include any temporary housing for staff and or felines.

We will also need an architectural rendering to meet State requirements of a quarantine facility.

The proposed renovations would be paid from the General Fund Balance.

# TEMPORARY BUILDING AND STRUCTURES NEEDED FOR RE-MODEL

- Temp Building – for staff and cats  
Power, Sewer access, Temp Sidewalk
- Six of the current dog Kennels would be modified to meet State Quarantine Standards during the renovation period.
- Temporary storage – 40' x 8' conex container (already in stock)
- Parking adjustments will be needed to allow for the city AS vehicles to continue to park in the secure area.
- Additional parking may be needed on the south side of the structure so we may need to install a gravel parking area.
- Cold Storage for deceased animals.

# TEMPORARY STRUCTURE





# PROPOSED TEMPORARY BUILDING PLACEMENT



# WORK SCHEDULE ADJUSTMENTS

Dog adoptions by appointment only during construction.

Hours of service may need to be adjusted.

# FUTURE PLANNING

We have started the process of a needs assessment study with Shelter Planners of America.

This is a budgeted item.

They are a consulting firm who will come out and look at our existing structure and operations and make recommendations on what is needed in anticipation of buildout.

This will be an overall inclusive study assisting us when we do move forward on a future bond project.



# QUESTIONS AND DIRECTION?