

Wylie City Council Regular Meeting

May 28, 2024 – 6:00 PM

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



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS & RECOGNITIONS

PR1. Junior Mayor - Amelia Hill.

PR2. Eagle Scout Project - Christopher Troncoso.

PR3. Presentation of Taste of Wylie proceeds to 5 Loaves Food Pantry, Amazing Grace, Christian Care Center, and Hope for the Cities.

PR4. Wylie Way Students (K-12).

PR5. Mental Health Awareness Month.

PR6. Police Department recruiting Video.

PR7. Recognition of National Public Works Week

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 May 14, 2024 Regular City Council Meeting minutes.
- B. Consider, and act upon, the approval of the purchase of a new fire training tower, to be located at the training field at Fire Station 2, in the estimated amount of \$508,601.65 through a cooperative purchasing contract with Sourcewell and authorizing the City Manager to execute any and all necessary documents.
- C. Consider, and act upon, Resolution No. 2024-15(R), to ratify the emergency purchase of materials and labor for the temporary repairs, and the purchase of materials and labor for the installation of a new signal pole and appurtenances located at the intersection of FM 544 and State Highway 78 from Durable Specialties Inc., in the estimated amount of \$81,882.00, and authorizing the City Manager to execute any necessary documents.

- D. Consider, and act upon, the approval of the purchase of three (3) Advanced Transportation Controller Traffic Cabinets and Hardware from Consolidated Traffic in the estimated amount of \$94,353.00 through a cooperative purchasing contract with Houston-Galveston Area Council (HGAC) and authorizing the City Manager to execute any and all necessary documents.
- E. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2024.
- F. Consider, and place on file, the City of Wylie Monthly Investment Report for April 30, 2024.
- G. Consider, and act upon, Ordinance No. 2024-15 amending Ordinance No. 2023-39, which established the budget for fiscal year 2023-2024; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.
- H. Consider, and act upon, Ordinance No. 2024-16 amending Ordinance No. 2023-39, which established the budget for fiscal year 2023-2024; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.
- I. Consider, and act upon, a Preliminary Plat of Lot 1, Block A of Kreymer Elementary School, establishing one lot on 10.120 acres. Property located at 1200 East Brown.
- J. Consider, and act upon, a Final Plat of Wyndham Estates Phase 3, being a Replat of Lots 25 and 26R, Block A, creating Lot 26R-1, Block A of Wyndham Estates on 0.706 acres, located at 1014 Squire Drive.
- K. Consider, and act upon, Ordinance No. 2024-17 for a change in zoning from Agricultural District (AG/30) to Planned Development (PD-MF) for an age restricted condominium residential community on 47.374 acres. Property located on the west side of Country Club Road approximately 2000' south of Parker Road (ZC 2024-02).
- L. Consider, and act upon, Resolution No. 2024-16(R) authorizing the City Manager to execute a Project Specific Agreement RE: Striping type "B" and "E" Roadways made pursuant to Road & Bridge Master Interlocal Agreement Between Dallas County and the City of Wylie, Texas.
- M. Consider, and act upon, approval of the Hope Under the Stars fundraiser event at Olde City Park on October 5, 2024.

REGULAR AGENDA

- 1. Interview applicants for Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.
- 2. Consider, and act upon, nominations for a primary and an alternate member to serve on the North Central Texas Council of Governments (NCTCOG) Regional Transportation Council (RTC) of the Dallas/Fort Worth area for the cities of Allen, Rowlett, Sachse, Wylie, Murphy, Lucas, Parker, and Lavon.
- 3. Consider, and act upon, Ordinance No. 2024-18, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 46 (Fire Prevention and Protection), Article III (Fire Code), repealing Ordinance No. 2022-21 and adopting the 2021 Edition of the International Fire Code including Appendices B, C, D, K, L, and N, save and except the deletions and amendments set forth herein; prescribing regulations governing, among other things conditions hazardous to the life and property from fire, hazardous materials or explosions; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof.

WORK SESSION

[WS1.](#) Discuss the Five-Year Projections for the General Fund.

RECONVENE INTO REGULAR SESSION

EXECUTIVE SESSION

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

READING OF ORDINANCES

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

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on May 24, 2024 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

Stephanie Storm, City Secretary

Date Notice Removed

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

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

Texas Government Code Section:

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



Wylie City Council

AGENDA REPORT

Department: City Secretary
Prepared By: Stephanie Storm

Account Code: _____

Subject

Consider, and act upon, approval of May 14, 2024 Regular City Council Meeting minutes.

Recommendation

Motion to approve the Item as presented.

Discussion

The minutes are attached for your consideration.

Wylie City Council Regular Meeting Minutes

May 14, 2024 – 6:00 PM

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



CALL TO ORDER

Mayor Matthew Porter called the regular meeting to order at 6:02 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Sid Hoover, Councilman Scott Williams, and Councilman Gino Mulliqi (6:08 p.m.).

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Fire Chief Brandon Blythe; Marketing and Communications Director Craig Kelly; City Secretary Stephanie Storm; Finance Director Melissa Brown; Community Services Director Jasen Haskins; Assistant Parks and Recreation Director Brent Stowers; City Engineer Tim Porter; Public Works Director Tommy Weir; Police Chief Anthony Henderson; Library Director Ofilia Barrera; Wylie Economic Development Executive Director Jason Greiner; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Kurt Ulmer, Reverend at Faith Lutheran Church, led the invocation, and Councilman Hoover led the Pledge of Allegiance.

REGULAR AGENDA

1. **Consider, and act upon, Ordinance No. 2024-14 of the City Council of the City of Wylie, Texas, canvassing the election returns of the May 4, 2024 General Election; declaring the election results for City Council Place 2 and Place 4; and providing a savings/repealing clause, severability clause and an effective date.**

Staff Comments

City Secretary Storm addressed the Council stating the City did receive the final returns from all three counties, which was shared with the Council earlier in the day.

Councilman Mulliqi took his seat at the dais at 6:08 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 1 as amended. A vote was taken and the motion passed 7-0.

ISSUANCE OF CERTIFICATE OF ELECTIONS & ADMINISTRATION OF OATH OF OFFICE

Mayor Porter presented Certificates of Election and Municipal Court Judge Art Maldonado administered the Oath of Office to Councilmembers-elect Dave Strang, Place 2, and Scott Williams, Place 4.

Mayor Porter recessed the Council into a break at 6:13 p.m.

Mayor Porter reconvened the Council into Regular Session at 6:16 p.m.

PRESENTATIONS & RECOGNITIONS

PR1. National Police Week.

Mayor Porter presented a proclamation proclaiming May 12-18, 2024 as National Police Week in Wylie, Texas. Police Department staff were present to accept the Proclamation.

PR2. Texas Police Chiefs Association recognizing the Wylie Police Department for obtaining their Texas Police Chiefs Best Practices Accreditation.

Chief Mike Sullivan, Assistant Police Chief in Fairview and representing the Police Chiefs Association, presented the Wylie Police Department with a certificate of accreditation for obtaining their Texas Police Chiefs Best Practices. Police Department staff were present to accept the certificate.

PR3. Eagle Scout Award - Jared Vanderburg.

Mayor Porter presented a proclamation recognizing Jared Vanderburg for their achievement of the Eagle Scout Award. Vanderburg was present to accept the proclamation and gave a brief description of his Eagle Scout project.

PR4. Asian Americans and Pacific Islanders Month.

Mayor Porter recognized the month of May as Asian Americans and Pacific Islanders Month.

PR5. Economic Development Week.

Mayor Porter recognized the week of May 6-10, 2024 as Economic Development Week.

PR6. National Correctional Officers Week.

Mayor Porter presented a proclamation proclaiming the week of May 5-11, 2024 as National Correctional Officers Week. Wylie Police Detention Officers were present to accept the proclamation.

COMMENTS ON NON-AGENDA ITEMS

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Lon Ricker, representing In-Sync Exotics, addressed the Council inviting Council and the public to the “Whisker Wishes Making Miracles Happen” Gala on June 8, 2024, at Boyd Farm.

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 April 23, 2024 Regular City Council Meeting minutes.**
- B. Consider, and act upon, authorizing the Mayor to enter into a Cooperative Agreement for additional Law Enforcement Services, between the City of Wylie, Lavon Lake, Texas initiates Agreement No. W9126G24P0016 and the U.S. Army Corps of Engineers. This agreement is for the provisions of additional Law enforcement Services from May 17, 2024 through September 14, 2024 for a sum not to exceed \$56,732.05.**

- C. Consider, and act upon, a Preliminary Plat for Dominion of Pleasant Valley Phase 6, creating 168 single-family residential lots and three open space lots on 40.430 acres, generally located at the southwest intersection of Dominion Drive and Pleasant Valley Road.
- D. Consider, and act upon, a Preliminary Plat for Dominion of Pleasant Valley Phase 7, creating 11 single-family residential lots and two open space lots on 6.475 acres, generally located at the northeast corner of Dominion Drive and Pleasant Valley Road.
- E. Consider, and act upon, a Preliminary Plat of Lot 1, Block A of North Wylie Plaza, establishing one commercial lot on 0.912 acres. Property generally located at 2455 FM 1378.
- F. Consider, and act upon, the approval of the purchase of one (1) 2024 Ford Transit T350 Passenger Van in an estimated amount of \$55,150.00 from Randall Reed's Planet Ford 635 for the Parks and Recreation Department through a cooperative purchasing agreement with the Sheriffs' Association of Texas and authorizing the City Manager to execute any and all necessary documents.
- G. Consider, and act upon, the approval of the purchase of two (2) dark ash (silver) 2024 Chevy Tahoes for Police Administration in an estimated amount of \$104,623.62, and eleven (11) black 2024 Chevy Tahoes for Police Patrol in an estimated amount of \$574,371.91 for the Police Department from Reliable Chevrolet through a cooperative purchasing agreement with the Sheriffs' Association of Texas and authorizing the City Manager to execute any and all necessary documents.

Mayor Porter requested Item A be pulled from the Consent Agenda and considered individually.

Council Action

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

REGULAR AGENDA

- A. Consider, and act upon, approval of April 23, 2024 Regular City Council Meeting minutes.

Council Comments

Mayor Porter stated City Secretary Storm sent out updated minutes as the Junior Mayor's name was inadvertently left out of the roll call and has since been added.

Council Action

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

- 2. Consider, and act upon, the appointment of Mayor *pro tem* for a term beginning May 2024 and ending May 2025.

Council Comments

Councilmen Mulliqi and Williams nominated Councilman Forrester for Mayor *pro tem*.

Council Action

A motion was made by Councilman Mulliqi, seconded by Councilman Williams, to approve the appointment of Councilman Jeff Forrester as Mayor *pro tem* for a term beginning May 2024 and ending May 2025. A vote was taken and the motion passed 7-0.

- 3. Consider, and act upon, the appointment of a 2024 Board and Commissions City Council Interview Panel to conduct the May 2024 board applicant interviews.

Council Comments

Mayor Porter stated historically the Mayor *pro tem* has served as the Chair of the Interview Panel, and asked for any volunteers that would like to serve on the Panel. Councilmen Strang, Duke, and Williams volunteered to serve on the Panel. Councilman Williams stated he had served on the Panel in the past and would remove his name for consideration so that Councilman Duke could serve.

Council Action

A motion was made by Councilman Williams, seconded by Councilman Strang, to appoint Mayor *pro tem* Forrester, Councilman Duke, and Councilman Strang to serve on the 2024 Boards and Commissions City Council Interview Panel. A vote was taken and the motion passed 7-0.

4. **Consider, and act upon, the appointment of one-committee member to the City of Wylie City Council Subcommittee to represent the City of Wylie in meetings with the Wylie Independent School District City/Schools Partnerships Committee.**

Council Comments

Mayor Porter stated he currently serves on this Committee with Councilman Mulliqi and with Councilman William's term expiring with his re-election, his position must be appointed. Porter asked Councilman Williams if he was still interested in serving on this Committee. Williams stated he was interested.

Council Action

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

5. **Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Agricultural District (AG/30) to Planned Development (PD-MF) for an age-restricted condominium residential community on 47.374 acres. Property located on the west side of Country Club Road approximately 2000' south of Parker Road (ZC 2024-02).**

Applicant Comments

John Delin, representing Integrity Group and Ladera Living, gave a presentation including information about the Ladera company, Ladera Wylie, and proposed floor plans and elevations.

Council Comments

Mayor Porter asked if all of their other developments are condominium style. Delin replied they are. Councilman Mulliqi asked if the applicant could explain a condominium community versus an HOA. Delin replied a condo community is stricter and more regulated as a 50-year reserve study, a strategic plan, is completed on the community to ensure that a portion of the homeowner's dues goes to fund the condo reserve account. Porter confirmed the condo community is set up similarly to an HOA and is eventually turned over to the homeowners. Delin replied once 50 percent of sales is reached, a homeowner fills one seat on the board, and at 75 percent sales, the board is 100 percent homeowners, and an outside property management company is utilized to oversee and administer everything. Councilman Williams asked if the applicants had completed a project like this before. Delin replied they have four currently active, and four to five closed out, and added they built their first development in 2012. Williams asked the applicant about side yards and setbacks. Delin responded the homes are separated by a minimum of six feet, have a 20-foot setback from the back of the curb, and have approximately 10 feet of backyard. Mulliqi asked if the applicant had completed the feasibility study. Delin replied the preliminary flood study and traffic impact analysis have been completed and accepted by the City. Porter confirmed they have submitted their CLOMR to FEMA. Delin confirmed that was correct.

Public Hearing

Mayor Porter opened the public hearing on Item 5 at 7:27 p.m. asking anyone present wishing to address Council to come forward.

Kelly Hankey addressed the Council stating she resided near this property and had drainage concerns, and requested Council deny this Item as the Planning and Zoning Commission recommended.

Mayor Porter closed the public hearing at 7:30 p.m.

Council Comments

Porter asked what the drainage and flood study entail. Haskins replied they would have to complete a CLOMR and LOMR to develop within the floodplain, and have a stormwater plan to handle the rainwater runoff. Mayor *pro tem* Forrester confirmed they would have to prove that no water would move to adjoining properties. Haskins replied if the drainage is currently going to another property, it would remain that way as the post-development has to be the same as the predevelopment. Forrester confirmed the water cannot move at a higher volume or faster rate than it currently does across the property. Haskins confirmed that was correct. Mulliqi expressed concerns about balls from the nearby school going onto this property and asked if the applicant would put a masonry wall on the school side of the development for privacy purposes. Delin replied they would like to use a SimTek fence which looks like a stone retaining wall but is more durable. Mulliqi asked if the pond area would be maintained by the condominium association. Delin replied the association would maintain that area as it would be an amenity feature for the neighborhood. Haskins clarified in Section 10a calls out the fencing type, and asked for Council direction on whether staff should remove the wood fencing verbiage. The Council gave direction to remove wood fencing from the verbiage in Section 10a. Williams asked what the square footage minimum would be and why they are proposing 4-12 pitches on the back of the house instead of the City standard of 8-12. Haskins replied the livable minimum square footage is 1,322 square feet and the applicant requested from a building standpoint that 4-12 is livable and could apply safely. Williams confirmed they are proposing four units per acre, and asked if that takes into account the floodplain and lake to be given to the City. Haskins replied yes but the lake will not be given to the City, and the applicant has not gone before the Parks and Recreation Board to recommend that, but it would come back as a dedicated plat if that is the recommendation of that Board. Williams asked for the density without the pond and floodplain. Haskins replied roughly double. Councilman Strang asked what their other communities average for cars per resident. Delin replied with 1.46 cars and added they design their homes with lower pitches so that no one sees anything in the back and to keep costs down for the buyers. Strang asked what are the plans for the entrance. Delin stated he worked with the City Engineer, and they will do a turn lane with a median break as it meets minimum distance requirements, and received permission from the school district to have emergency access.

Council Action

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to approve Item 5 with the amendment for the fencing type allowed. A vote was taken and the motion passed 6-1 with Councilman Williams voting against it.

WORK SESSION

Mayor Porter convened the Council into a Work Session at 7:46 p.m.

Mayor Porter recessed the Council into a break at 7:46 p.m.

Mayor Porter reconvened the Council into Work Session at 7:54 p.m.

WS1. North Texas Municipal Water District Update.

Jenna Covington, North Texas Municipal Water District (NTMWD) Executive Director and General Manager; Billy George, Deputy Director-Water and Wastewater; and R.J. Muraski, Assistant Deputy-Capital Improvement Program and Planning addressed Council giving a presentation on NTMWD including who we are: member cities, history, vision, mission, goals, core values, statistics of water, wastewater and solid waste services, and accomplishments and recognition; overview of services: the water system, the wastewater treatment system, and the solid waste system; key projects and water supply planning: key regional projects, Muddy Creek expansion, exponential growth in the service area, service area booming, water is essential for economic growth, water conservation's impact on demand, and water stewardship; and strategic financial plans, wrap-up, and questions:

focus on stewardship, water rates, Muddy Creek WWTP rates, Muddy Creek Interceptor rates, and wastewater pretreatment program unit costs.

Mayor Porter thanked NTMWD for their update.

WS2. Discuss WEDC & The Retail Coach.

Mayor Porter stated this Work Session would be moved to a future meeting as the applicant was unable to attend due to a personal matter.

WS3. Discuss the possible development of the FM 544 frontage in Regency Business Park.

Wylie Economic Development Executive Director Greiner addressed Council stating the EDC has been working to identify solutions to resolve drainage issues at Regency Business Park. Engineering analysis has been performed by Cardinal Strategies and Kimley-Horn to identify potential designs that would provide maximal developable acreage within this region. As an example of the impact of these regional issues, Greiner noted that property near the intersection of Steel and Hooper has had numerous developers come in and put a contract on a property, go before the Planning and Zoning Commission, and then ultimately fail when it comes to getting the project through the civils. Greiner explained that none of the individual property owners could provide a regional detention solution for all of them, so the EDC began the process of reviewing the current stormwater drainage issues and seeking options to mitigate the issue across the region. Greiner showed a potential concept plan for the region and noted that the EDC acquired property a few years ago that could be utilized to house a regional detention pond, which would unlock 15 acres of commercial off of FM 544.

Lisa Henry Weaver, Brenda Byboth, and Red Byboth, property owners, were present to address the Council.

Greiner stated that the property owners are looking for guidance on the uses that the Council would like to see on the properties and to gather input on the proposed plan to solve the drainage issues.

Council members commented and raised questions about several points. They inquired about the cost of improvements and positively noted the proposed design on page 17 of the presentation. It was suggested that the EDC should collaborate with landowners and avoid an excess of drive-throughs on the property. Installing a traffic light at Hooper was considered sensible for connecting streets, and a regional detention pond appeared to solve the flooding problem. Members agreed that using funds for these improvements is beneficial for the City overall and inquired whether the proposed improvements would help prevent downstream flooding. Council stressed the importance of addressing the entire issue upfront and expressed a desire for something unique to be brought to Wylie. The design and the retention pond were well-received.

Brenda and Red Byboth commended staff and the City for all of their help.

WS4. Discuss the International Jet Ski Tournament at Collin Park Marina, located at 2200 St Paul Road, Wylie, Texas.

City Manager Parker addressed the Council giving an update on a previous work session stating that staff recommended the City not participate in sponsoring a large concert due to attendance and parking concerns, and requested Council direction on if the City would like to sponsor smaller concerts with Woody Woodruff.

Woody Woodruff addressed the Council stating the Jet Ski Tournament is occurring; however, they are looking to downsize the concert as the area cannot accommodate a large concert. There will be smaller local regional bands playing that weekend of the event. Woodruff added they would like to add a concert series with six to seven bands similar to what is held at the Harbor in Rockwall with a cost of about \$3,500/night.

Council comments and questions included what kind of sponsorship opportunities for the concert series would there be, are other sponsorship opportunities with other groups being explored, will there be food vendors at these events,

will there be a charge for people to enter the marina and attend the concert, would be happy to help with 30 percent in sponsorship funds for a few concerts, how much does the City have in hotel-motel fund, what would the concert series look like and what would it offer, worth exploring and trying out, and this would provide a resource for the City to go out and enjoy.

Council direction was to give \$17,500 from hotel-motel funds for sponsorship for the summer concert series.

WS5. Discuss FY 2024-25 Budget.

City Manager Parker addressed Council requesting feedback on the five-year plan that was provided to Council.

Council comments and questions included they trust staff to bring recommendations forward after gathering additional information, staff has done a great job on the five-year plan, this provides a roadmap of the future needs, and do not want to take something out of the plan that will cause issues in the future.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 9:12 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 9:12 p.m.

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.

ES1. Discuss the job performance of the City Manager.

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.

ES2. Discuss Park Boulevard property acquisitions.

ES3. Consider the sale or acquisition of properties located at Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, Jackson/Oak, Regency/Steel, and State Hwy 78/Brown.

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

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

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

ES4. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2022-1c, 2022-10c, 2023-1c, 2023-2d, 2023-5c, 2023-9b, 2023-11b, 2024-1c, 2024-2d, 2024-3a, 2024-3b, 2024-4c, 2024-4e, 2024-5a, 2024-5b, 2024-5c, and 2024-5d.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 10:23 p.m.

Council Action

A motion was made by Councilman Mulliqi, seconded by Councilman Strang, to approve the purchase of 7.281 acres from Union Pacific Railroad Company in the amount of one million two hundred twenty-five thousand three hundred forty-two dollars and eighty cents (\$1,225,342.80). 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 caption of Ordinance No. 2024-14 into the official record.

ADJOURNMENT

A motion was made by Councilman Williams, seconded by Mayor Porter, to adjourn the meeting at 10:24 p.m. A vote was taken and the motion passed 7-0.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department:	<u>Purchasing Department</u>	Account Code:	<u>461-5461-58910</u>
Prepared By:	<u>Christopher Rodriguez</u>		<u>132-5642-58910</u>

Subject

Consider, and act upon, the approval of the purchase of a new fire training tower to be located at the training field at Fire Station 2, in the estimated amount of \$508,601.65 through a cooperative purchasing contract with Sourcewell and authorizing the City Manager to execute any and all necessary documents.

Recommendation

Motion to approve the Item as presented.

Discussion

WFR recently completed an inspection in accordance with NFPA 1402 as required of the current training tower that was constructed in 2002. That inspection revealed approximately \$70,000 in repairs to the current tower. The replacement tower will be more useful and adequate for training in current target hazards within the City.

The new training tower was part of the fire department's five-year plan presented to the council during a work session on April 9, 2024. Once approved, the training tower will be purchased under the Sourcewell contract #011822-JHK through WHP Trainingtowers™. Material delivery is projected at 10-12 months from order, with construction completed within 4-6 weeks.

Staff recommends the purchase of the training tower in the estimated amount of \$508,601.65. 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. 2024-56-I/Sourcewell Contract No. 011822-JHK)



Wylie City Council

AGENDA REPORT

Department: Purchasing
Prepared By: Christopher Rodriguez

Account Code: 100-5411-54250

Subject

Consider, and act upon, Resolution No. 2024-15(R), to ratify the emergency purchase of materials and labor for the temporary repairs, and the purchase of materials and labor for the installation of a new signal pole and appurtenances located at the intersection of FM 544 and State Highway 78 from Durable Specialties Inc., in the estimated amount of \$81,882.00, and authorizing the City Manager to execute any necessary documents.

Recommendation

A motion to approve the Item as presented.

Discussion

On April 28, 2024, a vehicle traveling eastbound on FM 544 hit the signal pole located at the intersection of FM 544 and State Highway 78 causing the signal pole to be knocked down. Emergency repairs were made to make the signal operational, but there was damage to signal pole appurtenances and also to the signal foundation. Upon inspection, the foundation was cracked and the anchor bolts were bent.

The repairs that are needed are as follows: install a new concrete foundation, erect a new signal pole, install new wiring, replace damaged equipment that is located on the signal mast, remove the existing signal foundation, and perform concrete sidewalk repairs as needed. The Streets Department received a quote from Durable Specialties Inc. to perform this work within the emergency timeframe in the amount of \$81,882.00.

Based on project cost and successful completion of prior emergency projects, staff recommends the ratification of emergency signal pole repairs at the intersection of FM 544 and State Highway 78 by Durable Specialties Inc. Emergency repairs are exempt from competitive bidding when the procurement is necessary to preserve or protect the public health or safety of the municipality's residents (TX Government Code 252.022.a.2).

RESOLUTION NO. 2024-15(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, TO RATIFY EMERGENCY EXPENSES FOR THE TEMPORARY REPAIRS, AND THE PURCHASE OF MATERIALS AND LABOR FOR THE INSTALLATION OF A NEW SIGNAL POLE AND APPURTENANCES LOCATED AT THE INTERSECTION OF FM 544 AND STATE HIGHWAY 78 FROM DURABLE SPECIALTIES, IN THE ESTIMATED AMOUNT OF \$81,882.00

WHEREAS, due to the accident that occurred at the intersection of FM 544 and State Highway 78 on April 28, 2024, the signal pole and appurtenances needed emergency repairs; and

WHEREAS, the integrity of the signal base has been compromised and must undergo an emergency replacement; and

WHEREAS, Durable Specialties Inc. specializes in the repair and replacement of Signal poles and all associated appurtenances in the amount of \$81,882.00.

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

SECTION 1: The Mayor of the City of Wylie, Texas, is hereby authorized to ratify on behalf of the City Council of the City of Wylie, Texas, emergency repairs in the estimated amount of \$81,882.00 as described above; and

SECTION 2: This Resolution shall take effect immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 28th day of May, 2024.

Matthew Porter, Mayor

ATTEST TO:

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: Purchasing Department
Prepared By: Kevin Mack

Account Code: 100-5411-54250

Subject

Consider, and act upon, the approval of the purchase of three (3) Advanced Transportation Controller Traffic Cabinets and Hardware from Consolidated Traffic in the estimated amount of \$94,353.00 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

Public Works (Signals & Signs) is planning to purchase three Advanced Transportation Controller Traffic Cabinets. Within the last year there have been three major accidents on State Highway 78 causing the City to have emergency signal cabinet replacement.

The ATC Cabinet is built to meet the ATC 5301 VO2 Advanced Transportation Controller Cabinet Standard. Each ATC Cabinet is designed to provide safer, smarter, and greener intersections. The ATCC uses high-speed serial communications, providing modern features, advanced diagnostics, enhanced safety, simplified traffic control cabinet wiring, and reduced traffic control cabinet size.

Staff recommends the purchase of three Advanced Transportation Controller Traffic Cabinets and Hardware in the estimated amount of \$94,353.00 through a cooperative purchasing contract with Houston-Galveston Area Council (HGAC) through Consolidated Traffic. 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. 2024-51-I / HGAC Contract No. PE-05-21)



Wylie City Council

AGENDA REPORT

Department: Finance

Account Code: _____

Prepared By: Melissa Brown

Subject

Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2024.

Recommendation

Motion to approve the Item as presented.

Discussion

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

CITY OF WYLIE

MONTHLY FINANCIAL REPORT

April 30, 2024

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2023-2024	CURRENT MONTH ACTUAL 2023-2024	YTD ACTUAL 2023-2024	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 58.33%
GENERAL FUND REVENUE SUMMARY					
TAXES	39,807,333	837,370	34,193,125	85.90%	A
FRANCHISE FEES	2,953,146	4,609	1,902,508	64.42%	B
LICENSES AND PERMITS	1,275,000	75,267	564,175	44.25%	C
INTERGOVERNMENTAL REV.	2,615,790	221,856	1,799,081	68.78%	
SERVICE FEES	4,343,203	404,679	2,565,134	59.06%	D
COURT FEES	340,000	31,329	191,251	56.25%	
INTEREST INCOME	1,526,221	144,325	849,681	55.67%	E
MISCELLANEOUS INCOME	278,974	11,168	109,688	39.32%	
OTHER FINANCING SOURCES	2,646,411	0	2,637,236	99.65%	F
REVENUES	55,786,078	1,730,603	44,811,878	80.33%	
USE OF FUND BALANCE	0	0	0	0.00%	
USE OF CARRY-FORWARD FUNDS	1,914,392	NA	NA	NA	G
TOTAL REVENUES	57,700,470	1,730,603	44,811,878	77.66%	
GENERAL FUND EXPENDITURE SUMMARY					
CITY COUNCIL	96,263	3,212	32,831	34.11%	
CITY MANAGER	1,406,865	79,474	702,748	49.95%	
CITY SECRETARY	472,576	32,361	259,492	54.91%	
CITY ATTORNEY	170,000	1,636	86,873	51.10%	
FINANCE	1,461,966	129,941	926,602	63.38%	
FACILITIES	1,086,915	87,032	568,647	52.32%	
MUNICIPAL COURT	668,277	49,923	329,531	49.31%	
HUMAN RESOURCES	956,765	63,375	544,372	56.90%	
PURCHASING	364,756	40,401	206,105	56.50%	
INFORMATION TECHNOLOGY	2,286,028	65,089	1,378,072	60.28%	
POLICE	14,569,446	1,088,273	7,184,195	49.31%	
FIRE	16,943,368	1,174,515	8,220,236	48.52%	
EMERGENCY COMMUNICATIONS	2,657,616	125,515	1,285,861	48.38%	
ANIMAL CONTROL	1,608,848	49,136	341,809	21.25%	H
PLANNING	396,749	27,334	187,593	47.28%	
BUILDING INSPECTION	581,030	38,786	295,831	50.91%	
CODE ENFORCEMENT	233,061	14,250	103,218	44.29%	
STREETS	4,278,544	389,855	1,772,595	41.43%	
PARKS	2,854,219	225,029	1,286,961	45.09%	
LIBRARY	2,425,153	173,835	1,229,062	50.68%	
COMBINED SERVICES	5,218,826	397,748	2,615,059	50.11%	
TOTAL EXPENDITURES	60,737,272	4,256,719	29,557,693	48.66%	
REVENUES OVER/(UNDER) EXPENDITURES	-3,036,801	-2,526,116	15,254,186	29.00%	
<p>A. Property Tax Collections for FY23-24 as of April 30, 2024 are 98.6%, in comparison to FY22-23 for the same time period of 98.1%. Sales tax is on a 2 month lag and only five months have been received. Sales Tax is up 7.84% compared to same time period in previous year.</p> <p>B. Franchise Fees: Most franchise fees are recognized quarterly with electric fees making up the majority.</p> <p>C. Building Permits are down 22% from FY 2023-24. Permits fluctuate monthly and are anticipated to meet budget for FY 2023-24.</p> <p>D. Service Fees: Trash fees are on a one month lag and only six months have been received. The remaining fees are from other seasonal fees.</p> <p>E. Interest Rates have remained relatively flat over the last few months. Fund Balance has decreased due to large transfers to capital funds.</p> <p>F. Yearly transfer from Utility Fund and insurance recoveries.</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. \$800,000 remodel has not been started</p>					

CITY OF WYLIE

MONTHLY FINANCIAL REPORT

April 30, 2024

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2023-2024	CURRENT MONTH ACTUAL 2023-2024	YTD ACTUAL 2023-2024	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 58.33%
UTILITY FUND REVENUES SUMMARY					
SERVICE FEES	29,434,997	2,149,591	13,558,785	46.06%	I
INTEREST INCOME	719,896	104,651	725,306	100.75%	J
MISCELLANEOUS INCOME	70,000	1,760	124,513	177.88%	
OTHER FINANCING SOURCES				0.00%	
REVENUES	30,224,893	2,256,002	14,408,604	47.67%	
USE OF FUND BALANCE	0	NA	0	0	
USE OF CARRY-FORWARD FUNDS	1,449,523	NA	NA	NA	K
TOTAL REVENUES	31,674,416	NA	14,408,604	45.49%	
UTILITY FUND EXPENDITURE SUMMARY					
UTILITY ADMINISTRATION	674,435	48,992	255,807	37.93%	
UTILITIES - WATER	4,100,675	665,451	1,730,842	42.21%	
CITY ENGINEER	1,413,585	143,271	652,597	46.17%	
UTILITIES - SEWER	1,652,186	132,909	758,094	45.88%	
UTILITY BILLING	1,558,604	86,581	655,110	42.03%	
COMBINED SERVICES	20,218,615	2,569,881	12,488,794	61.77%	L
TOTAL EXPENDITURES	29,618,100	3,647,085	16,541,245	55.85%	
REVENUES OVER/(UNDER) EXPENDITURES	2,056,315	-1,391,083	-2,132,642	-10.36%	
I. Most Utility Fund Revenue is on a one month lag and only six months have been received.					
J. Interest Rates have remained relatively flat over the last few months. Fund Balance has increased.					
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 and debt payments made in February.					



Wylie City Council

AGENDA REPORT

Department: Finance

Account Code: _____

Prepared By: Melissa Brown

Subject

Consider, and place on file, the City of Wylie Monthly Investment Report for April 30, 2024.

Recommendation

Motion to approve the Item as presented.

Discussion

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

City Of Wylie

2023-2024 Investment Report

April 30, 2024

Money Market Accounts:

Certificates of Deposit:

Treasury Bills:

Treasury Notes:

Government Agency Notes:

MMA
CCD
T-Bills
T-Notes
AN

Invest. Number	Principal Amount	Type Of Security	Interest Rate	Issuer	Purchase Date	Maturity Date
1	\$16,741,041.12	MMA	5.3142%	Texpool	12/31/2006	NA
2	\$17,322,823.62	MMA	5.3057%	TexStar	3/15/2011	NA
	\$34,063,864.74					

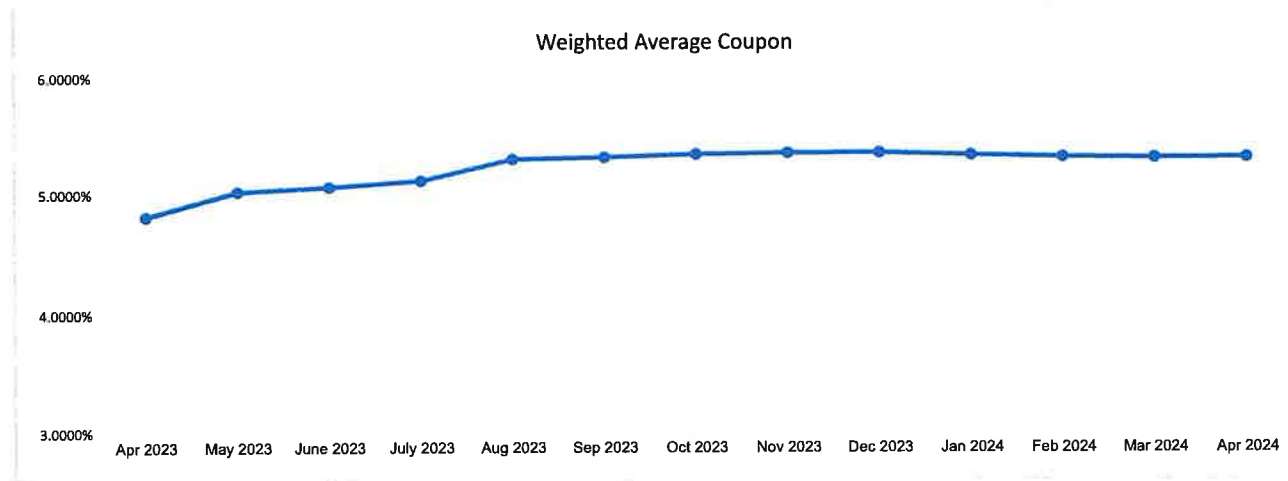
Total

Weighted Average Coupon:
Weighted Average Maturity (Days):

5.3099%
1.00

Money Markets:
Certificates of Deposits:

\$34,063,864.74
\$0.00
\$34,063,864.74



Melinda Burrows 5-22-24
Finance Director/Investment Officer



Wylie City Council

AGENDA REPORT

Department: Finance

Prepared By: Melissa Brown

Account Code: See Exhibit A

Subject

Consider, and act upon, Ordinance No. 2024-15 amending Ordinance No. 2023-39, which established the budget for fiscal year 2023-2024; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

Recommendation

Motion to approve the Item as presented.

Discussion

The amendment is to use General Fund Fund Balance to purchase Right of Way from the railroad in the amount of \$1,225,342.80.

ORDINANCE NO. 2024-15**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2023-39, WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2023-2024; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council heretofore adopted Ordinance No. 2023-39 setting forth the Budget for Fiscal Year 2023-2024 beginning October 1, 2023, and ending September 30, 2024; and,

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

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

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

WHEREAS, the City Council has determined that the proposed amendments to the FY 2023-2024 Budget; see Exhibit A, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

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

SECTION I: The proposed amendments to the FY 2023-2024 Budget of the City of Wylie; Exhibit A, as heretofore adopted by Ordinance No. 2024-15, are completely adopted and approved as amendments to the said FY 2023-2024 Budget.

SECTION II: All portions of the existing FY 2023-2024 Budget and Ordinance No. 2023-39, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

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

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

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

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

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

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 28th day of May, 2024.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Budget Amendment
General Fund - ROW Purchase

Exhibit A

<u>Fund</u>	<u>Department</u>	<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
100	5181	58110	Land Purchase Price	1,225,342.80	
			General Fund	<u>1,225,342.80</u>	<u>0.00</u>



Wylie City Council

AGENDA REPORT

Department: Finance
 Prepared By: Melissa Brown

Account Code: See Exhibit A

Subject

Consider, and act upon, Ordinance No. 2024-16 amending Ordinance No. 2023-39, which established the budget for fiscal year 2023-2024; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

Recommendation

Motion to approve the Item as presented.

Discussion

The State Seizure Funds are required to be utilized towards equipment that will enhance Law Enforcement functions and investigations. The requested transfer of funds will be utilized to purchase a Talino Digital Forensic Workstation (\$18,361.97), Stalker Traffic Data Collectors (\$13,496) and Flock Cameras (\$32,800). The assigned fund balance for law enforcement will decrease \$64,657.97; however, the unassigned fund balance for the General Fund will not be affected.

ORDINANCE NO. 2024-16**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2023-39, WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2023-2024; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council heretofore adopted Ordinance No. 2023-39 setting forth the Budget for Fiscal Year 2023-2024 beginning October 1, 2023, and ending September 30, 2024; and,

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

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

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

WHEREAS, the City Council has determined that the proposed amendments to the FY 2023-2024 Budget; see Exhibit A, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

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

SECTION I: The proposed amendments to the FY 2023-2024 Budget of the City of Wylie; Exhibit A, as heretofore adopted by Ordinance No. 2024-16, are completely adopted and approved as amendments to the said FY 2023-2024 Budget.

SECTION II: All portions of the existing FY 2023-2024 Budget and Ordinance No. 2023-39, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

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

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

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

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

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

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 28th day of May, 2024.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Budget Amendment

General Fund - Use of State Seized Funds for Law Enforcement Equipment

Exhibit A

Fund	Department	Account Number	Account Description	Debit	Credit
100	5211	58850	Major Tools and Equipment	51,161.97	
100	5211	52130	Tools & Equipment	13,496.00	
General Fund				64,657.97	0.00



Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins

Account Code: _____

Subject

Consider, and act upon, a Preliminary Plat of Lot 1, Block A of Kreymer Elementary School establishing one lot on 10.120 acres. Property located at 1200 East Brown.

Recommendation

Motion to approve the Item as presented.

Discussion

OWNER: Wylie Independent School District

APPLICANT: Surdukan Surveying

The applicant has submitted a Preliminary Plat to create Lot 1, Block A of Kreymer Elementary School on 10.120 acres. The property is located at 1200 E. Brown. The purpose of the Preliminary Plat is to create one lot for the development of an elementary school for the Wylie Independent School District. The property is zoned Agricultural (AG/30) and allows for the use by right.

The Preliminary Plat document contains fire lane access and utility easements with driveway entrances from East Brown Street and Springdale Way. The fire lane width when adjacent to the main structure has been increased to 26' due to the proposed height of the school being 33' 3".

The drive aisle is configured in a manner that allows for vehicle stacking for school services and activities. The development shall be required to provide two deceleration lanes on East Brown Street located at the driveway entrance and at the turn into Springdale Way.

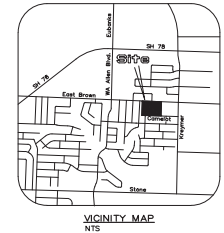
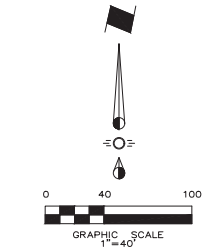
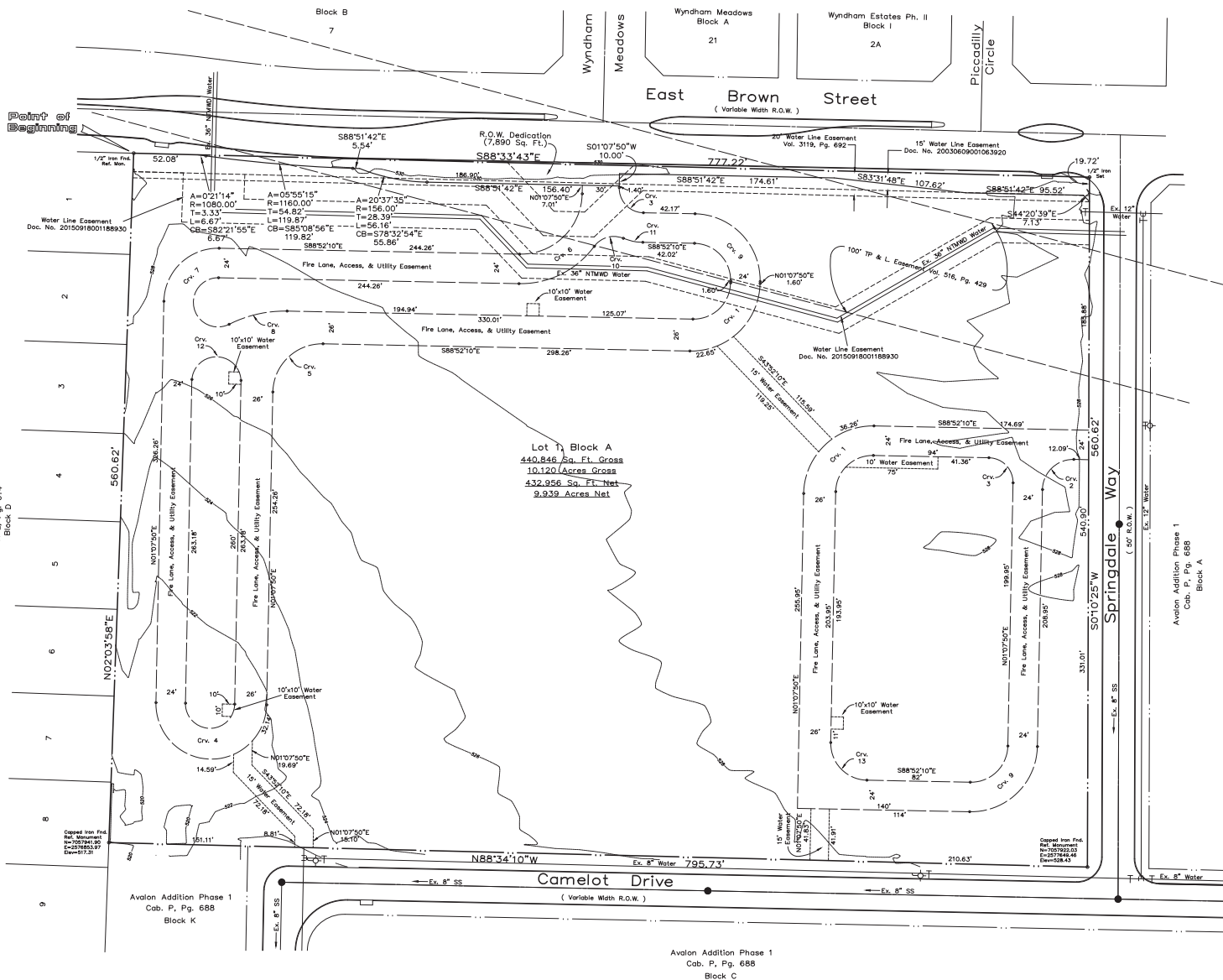
The Site Plan for the development was approved by the Planning and Zoning Commission in May 2024.

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.



Inner	Outer	Inner	Outer
1 A=90°00'00" R=20.00' T=30.00' L=47.12'	8 A=90°00'00" R=20.00' T=30.00' L=47.12'	9 A=90°00'00" R=20.00' T=30.00' L=47.12'	10 A=90°00'00" R=20.00' T=30.00' L=47.12'
2 A=90°00'00" R=20.00' T=30.00' L=47.12'	9 A=90°00'00" R=20.00' T=30.00' L=47.12'	10 A=90°00'00" R=20.00' T=30.00' L=47.12'	11 A=90°00'00" R=20.00' T=30.00' L=47.12'
3 A=90°00'00" R=20.00' T=30.00' L=47.12'	10 A=90°00'00" R=20.00' T=30.00' L=47.12'	11 A=90°00'00" R=20.00' T=30.00' L=47.12'	12 A=90°00'00" R=20.00' T=30.00' L=47.12'
4 A=90°00'00" R=20.00' T=30.00' L=47.12'	11 A=90°00'00" R=20.00' T=30.00' L=47.12'	12 A=90°00'00" R=20.00' T=30.00' L=47.12'	13 A=90°00'00" R=20.00' T=30.00' L=47.12'
5 A=90°00'00" R=20.00' T=30.00' L=47.12'	12 A=90°00'00" R=20.00' T=30.00' L=47.12'	13 A=90°00'00" R=20.00' T=30.00' L=47.12'	14 A=90°00'00" R=20.00' T=30.00' L=47.12'
6 A=90°00'00" R=20.00' T=30.00' L=47.12'	13 A=90°00'00" R=20.00' T=30.00' L=47.12'	14 A=90°00'00" R=20.00' T=30.00' L=47.12'	15 A=90°00'00" R=20.00' T=30.00' L=47.12'
7 A=90°00'00" R=20.00' T=30.00' L=47.12'	14 A=90°00'00" R=20.00' T=30.00' L=47.12'	15 A=90°00'00" R=20.00' T=30.00' L=47.12'	16 A=90°00'00" R=20.00' T=30.00' L=47.12'

"PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY"

SHEET 1 OF 2
PRELIMINARY PLAT

KREYMER
ELEMENTARY SCHOOL
LOT 1, BLOCK A
10.120 Acres Situated In The
FRANCISCO DE LA PINA SURVEY ~ ABST. 688
WYLIE, COLLIN COUNTY, TEXAS

Owner

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

Engineer

RLK Engineering, Inc.
Texas Registration No. 579
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

Surveyor

Surdukan Surveying, Inc.
P.O. Box 126
Anna, Texas 75409
Telephone 972 924-8200
Job No. 2023-137
April 18, 2024

Avalon Addition Phase 1
Cab. P, Pg. 688
Block C

Avalon Addition Phase 1
Cab. P, Pg. 688
Block A

Oak Meadow
Cab. L, Pg. 614
Block D

Avalon Addition Phase 1
Cab. P, Pg. 688
Block K

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, the Wylie Independent School District is the owner of a tract of land situated in the Francisco de la Pina Survey, Abstract No. 688, City of Wylie, Collin County, Texas, and being all of a called 10,000 acre tract conveyed to the Wylie I.S.D. as recorded in Volume 2447, Page 673, Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner at the northwest corner of said 10,000 acre tract, said iron rod being S00°37'41"W, a distance of 0.61 feet from the northeast corner of Lot 1, Block D, Oak Meadow, an addition to the City of Wylie, Texas, according to the plat thereof recorded in Cabinet L, Page 614 of the Plat Records of Collin County, Texas, said iron rod being in the south Right of Way line of East Brown Street;

THENCE S88°33'43"E, following the south line of East Brown Street, a distance of 777.22 feet to a 1/2 inch iron rod set for corner at the intersection with west line of Springdale Way (a 50' R.O.W.);

THENCE S00°10'25"W, with the west line of Springdale Way, a distance of 560.62 feet to a 1/2" iron rod set for corner at the intersection of the north line of Camelot Drive (a variable width R.O.W.);

THENCE N88°34'10"W, with the north line of Camelot Way, a distance of 795.73 feet to a capped 1/2" iron rod found for corner in the east line of said Oak Meadow Addition;

THENCE N02°03'58"E, following the east line of said Oak Meadow Addition, a distance of 560.62 feet to the POINT OF BEGINNING and CONTAINING 440,846 square feet, or 10.120 acres of land.

BASIS OF BEARINGS:

Bearings, are derived from ALLTERRA CENTRAL RTK Network, Texas State CENTRAL RTK Network, Texas State Plane Coordinates Epoch 2002.0.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the Wylie Independent School District, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as Kreymer Elementary School, Lot 1, Block A, an addition to the City of Wylie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights of way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Wylie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof. The City of Wylie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wylie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

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

WITNESS my hand, this the ____ day of _____, 2024.

Wylie Independent School District
Name:
Title:

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this the ____ day of _____, 2024.

Notary Public in and for
the State of Texas

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:

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

David J. Surdukan
Registration No. 4613

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared David J. Surdukan, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office, this the ____ day of _____, 2024.

Notary Public in and for
the State of Texas

APPROVAL BLOCK

"RECOMMENDED FOR APPROVAL"

Chairman, Planning & Zoning Commission
City of Wylie, Texas

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 Final Plat of Kreymer Elementary School, an addition to the City of Wylie was submitted to the City Council on the ____ day of _____, 2024, and the Council, by formal action then and there accepted the dedication of right-of-ways, streets, easements and alleys, as shown and set forth in and upon said Plat, and said Council further authorized the mayor to note the acceptance thereof by signing his name as hereinabove subscribed."

Witness my hand this ____ day of _____, A.D., 2024.

City Secretary
City of Wylie

"PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY"

SHEET 2 OF 2
PRELIMINARY PLAT

KREYMER
ELEMENTARY SCHOOL
LOT 1, BLOCK A
10.120 Acres Situated In The
FRANCISCO DE LA PINA SURVEY ~ ABST. 688
WYLIE, COLLIN COUNTY, TEXAS

Owner

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

Engineer

RLK Engineering, Inc.
951 South Ballard Avenue
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

Surveyor

Surdukan Surveying, Inc.
PO Box 126
Anna, Texas 75409
Telephone 972 924-8200
Job No. 2023-137
April 18, 2024

NOTES:

Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

All easements are recorded in Cabinet 2010, Page 247 unless noted otherwise.

According to Flood Insurance Rate Map No. 48085C0420J, dated June 2, 2009, prepared by the Federal Emergency Management Agency (FEMA) for Collin County, Texas, this property is within Zone X.

The NTMWD easement restricts construction of permanent structures such as foundations, walls, pools, and permanent storage buildings. Items such as driveways, fences/posts no deeper than two feet below original ground, sprinklers and normal landscaping plans (no trees) that encroach on the NTMWD easements are allowed. However, the NTMWD assumes no responsibility for damages resulting from the need to repair or maintain the NTMWD pipelines. Further, any cost for repair for damage to the pipelines resulting from construction by the developer, contractor, or owner will be the responsibility of the developer, contractor, or owner.



Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins

Account Code: _____

Subject

Consider, and act upon, a Final Plat of Wyndham Estates Phase 3, being a Replat of Lots 25 and 26R, Block A, creating Lot 26R-1, Block A of Wyndham Estates on 0.706 acres, located at 1014 Squire Drive.

Recommendation

Motion to approve the Item as presented.

Discussion

OWNER: Kevin Freudiger

APPLICANT: Roome Surveying

The applicant has submitted a Replat to create Lot 26R-1, Block A of Wyndham Estates Phase 3 by combining Lots 25 and 26R, Block A of Wyndham Estates Phase 3. The property is located at 1014 Squire Drive and is zoned Light Industrial (LI). The original plat for the subdivision of Wyndham Estates was recorded in 1989.

The purpose of the Replat is to combine one lot out of two and allow for the expansion of an electrical business that is located to the west of this site by developing a 5,850 sq. ft. office/warehouse building.

This plat is dedicating a 24' mutual access easement with access from Squire Drive that connects to the existing business to the west. Visibility triangle easements are also provided for the entrance from Squire Drive.

The rear of the property contains an existing Texas Power and Light easement that measures 85'.

The Site Plan for the expansion was approved by the Planning and Zoning Commission in May 2024.

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.



Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2024-17 for a change in zoning from Agricultural District (AG/30) to Planned Development (PD-MF) for an age restricted single-family style condominium residential community on 47.374 acres. Property located on the west side of Country Club Road approximately 2000' south of Parker Road (ZC 2024-02).

Recommendation

Motion to approve the Item as presented.

Discussion

On May 14, 2024 City Council approved the writing of an ordinance for a change in zoning from Agricultural District (AG/30) to Planned Development (PD-MF) for an age restricted single-family style condominium residential community on 47.374 acres. Property located on the west side of Country Club Road approximately 2000' south of Parker Road (ZC 2024-02).

As part of the approval, Council stipulated that wooden fencing not be allowed as a screening device along the north and south perimeter of the property. That stipulation has been met and is described in the amended Planned Development Condition (Section X.A.).

Final approval of Zoning Case 2024-02 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 (PD 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. 2024-17

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 2024-02, FROM AGRICULTURAL DISTRICT (AG/30) TO PLANNED DEVELOPMENT (PD-MF) FOR AN AGE RESTRICTED SINGLE-FAMILY STYLE CONDOMINIUM RESIDENTIAL COMMUNITY ON 47.374 ACRES; 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 Planned Development – Multi-Family (PD-MF), 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 PD 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 28th day of May, 2024.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

DATE OF PUBLICATION: June 5, 2024, in The Wylie News

EXHIBIT "A"
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the W. Patterson Survey, Abstract No. 716, City of Wylie, Collin County, Texas, being part of that certain called 9.61 acre tract described as Tract 1, a called 26.46 acre tract described as Tract 2 and a called 43 acre tract described as Tract 3 in a deed to Alfred Fall Monroe recorded in Volume 1569, Page 328 of the Deed Records of Collin County, Texas (DRCCT), and being more completely described as follows, to-wit:

BEGINNING at a TXDOT monument found for the Southeast corner of a called 0.9 acre tract described in a deed to Patna Properties LLC recorded in Instrument No. 20190724000874050 (DRCCT), being in the North line of said 9.61 acre tract, and being in the West right-of-way line of Country Club Road (variable width right-of-way) recorded in Instrument No. 20090707000845190 and Inst. No. 20081217001420690 (DRCCT);

THENCE South 01 deg. 16 min. 37 sec. East departing said North line and continue along the said West right-of-way line, a distance of 486.39 feet to a 1/2" capped iron rod set stamped "GMCIVIL", hereinafter referred to as 1/2" capped iron rod set;

THENCE South 00 deg. 59 min. 12 sec. East along said West right-of-way line, a distance of 211.73 feet to a 1/2" capped iron rod set in North line of Lot 1, Block A of Rita Smith Elementary School recorded in Volume 2007, Page 459 of the Plat Records of Collin County, Texas (PRCCT), from which a 1/2" iron rod found bears North 15 deg. 32 min, 40 sec. West – 12.00 feet;

THENCE South 86 deg. 26 min. 44 sec. West departing said West right-of-way line and continue along said North line, a distance of 2,129.99 feet to a 1/2" capped iron rod set for the Northwest corner of said Lot 1, Block A, being in the West line of said 43 acre tract and being in the East line of Lot 20, Block 8 of Creekside Estates, Phase VII recorded in Volume 2015, Page 45 (PRCCT);

THENCE North 02 deg. 37 min. 05 sec. East along said East and West lines, at 104.94 feet pass a 5/8" iron rod found 1.60 feet left of the property line, continue a total distance of 257.41 feet to a 5/8" iron rod found for an ell corner of said 43 acre tract and being the Northeast corner of said Lot 20, Block 8;

THENCE South 89 deg. 06 min. 19 sec. West along the South line of said 43 acre tract, the North line of said Lot 20, Block 8 and the North line of Kingsbridge, Phase I recorded in Volume 2015, Page 461 (PRCCT), a distance of 522.23 feet to a 1/2" iron rod found for the most westerly Southwest corner of said 43 acre tract, and an ell corner of said Kingsbridge, Phase I;

THENCE North 01 deg. 04 min. 37 sec. West along an East line of said Kingsbridge, Phase I, the East line of Lot 5, Block C of Kingsbridge recorded in Volume 2015, Page 126 (PRCCT), and the West line of said 43 acre tract, a distance of 306.65 feet to a 3/4" iron rod found in a barbed wire fence, from which another 3/4" iron rod found bears North 84 deg. 02 min. 14 sec. West – 0.78 feet;

THENCE North 01 deg. 22 min. 41 sec. West along the East line of said Lot 5, Block C, the West line of said 43 acre tract, and the West line of said 9.61 acre tract, a distance of 412.02 feet to a 3/8" iron rod found for the Northwest corner of said 9.61 acre tract and the Southwest corner of a called 1.485 acre tract described in a deed to Michael C. Rains & Kathleen M. Rains recorded in Volume 4013, Page 731 (DRCCT);

THENCE North 89 deg. 43 min. 47 sec. East departing said East line and continue along the North line of said 9.61 acre tract and the South line of said 1.485 acre tract, at 204.92 feet pass a 3/8" iron rod found for the Southeast corner of said 1.485 acre tract and the Southwest corner of a called 1.389 acre tract described in a deed to Katherine Yvonne Pogue & Douglas Farral Pogue recorded in Instrument No. 20120403000387990 (DRCCT), continue along said North line and the South line of said 1.389 acre tract, continue along said North line, at 714.92 feet pass a 5/8" iron rod found for the Southeast corner of a called 1.160 acre tract described in a deed to Keith Spurgin & Susan Spurgin recorded in Instrument No. 20121008001274120 (DRCCT) and the Southwest corner of a called 1.121 acre tract described in a deed to Clinton A. Monroe & Christine A. Monroe recorded in Instrument No. 20180906001124690 (DRCCT), continue along said North line and the South line of said 1.121 acre tract, at 869.92 feet pass a 1/2" iron rod found for the Southeast corner of said 1.121 acre tract and the Southwest corner of a called 1.27 acre tract described in a deed to Michael P. Lundeen recorded in Instrument No. 19930315000186050 (DRCCT), continue along said North line and the South line of said 1.27 acre tract a total distance of 1,214.53 feet to a 1/2" capped iron rod set for the most northerly Northeast corner of said 9.61 acre tract, the Southeast corner of a called 1.220 acre tract described in a deed to John E. Minick & Janet Minick recorded in Volume 1693, Page 320 (DRCCT) and being in the West line of a called 3.3782 acre tract described in a deed to Brandon A. Thomas & Christina M. Thomas

recorded in Instrument No. 20190724000878010 (DRCCT), from which a 1/2" iron rod found (leaning) bears North 31 deg. 53 min. 30 sec. West – 1.74 feet and from which a 1/2" iron rod found for the Northwest corner of said 3.3782 acre tract bears North 01 deg. 16 min. 55 sec. West – 81.16 feet;

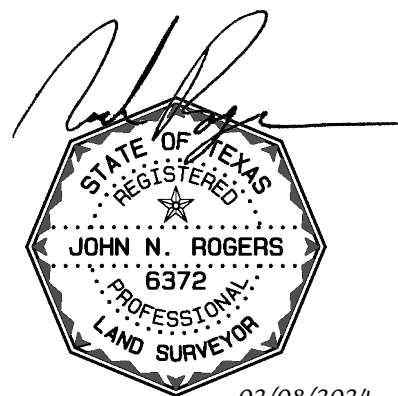
THENCE South 01 deg. 16 min. 55 sec. East along the East line of said 9.61 acre tract and said West line, a distance of 182.40 feet to a point for corner for an ell corner of said 9.61 acre tract and the Southwest corner of said 3.3782 acre tract;

THENCE North 87 deg. 45 min. 50 sec. East along the North line of said 9.61 acre tract and the South line of said 3.3782 acre tract, at 49.50 feet pass a 1/2" iron rod found for reference to the previously mentioned point for corner, continue a total distance of 530.16 feet to a 1/2" iron rod found for the most southerly Southeast corner of said 3.3782 acre tract and the Southwest corner of a called 2.23 acre tract described in a deed to John Michael Pototschnik & Marcia J. Pototschnik recorded in Volume 869, Page 353 (DRCCT);

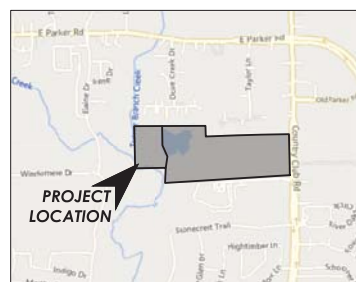
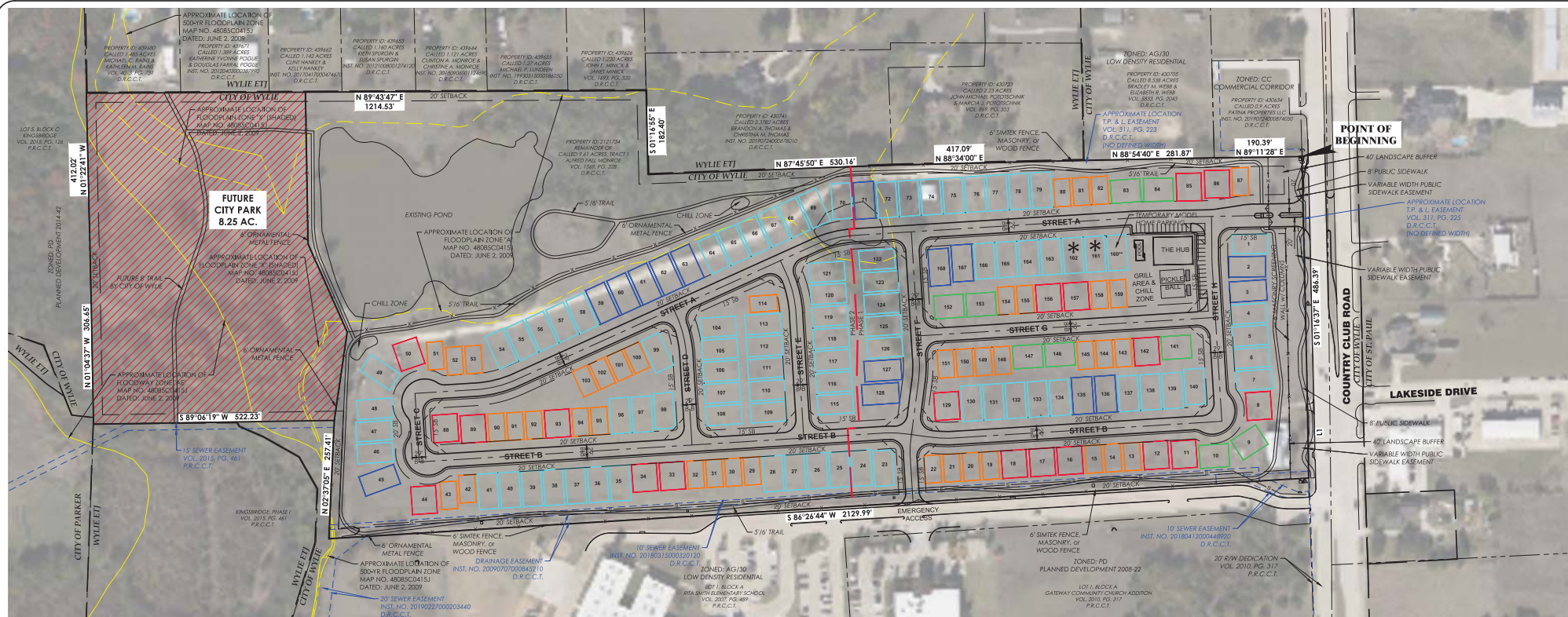
THENCE North 88 deg. 34 min. 00 sec. East along said North line and the South line of said 2.23 acre tract, a distance of 417.09 feet to a 60D nail found for the Southeast corner of said 2.23 acre tract and the Southwest corner of a called 8.538 acre tract described in a deed to Bradley M. Webb & Elizabeth R. Webb recorded in Volume 5833, Page 2043 (DRCCT);

THENCE North 88 deg. 54 min. 40 sec. East along said North line and the South line of said 8.538 acre tract, a distance of 281.87 feet to a 1" iron pipe found for the Southeast corner of said 8.538 acre tract;

THENCE North 89 deg. 11 min. 28 sec. East along said North line, a distance of 190.39 feet to the **POINT OF BEGINNING**, containing 2,063,613 square feet or 47.374 acres of land, more or less.



02/08/2024



NOTE: TEMPORARY MODEL HOME PARKING TO BE FLEX BASE OR EQUAL.

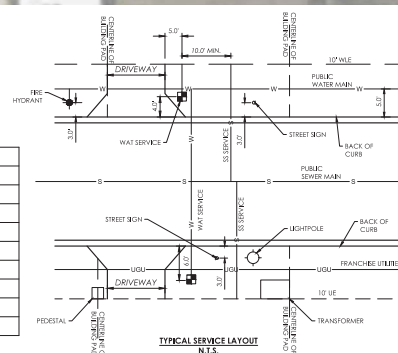
LAND USE SUMMARY	
Total Land Area	47.37 ac
Open Space Area	21.42 ac
Residential Density	3.55 du/ac
Total Number of Units	168



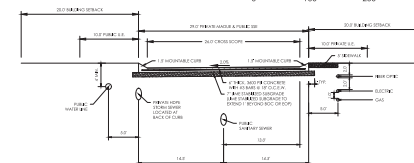
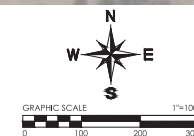
Residential Summary				
Unit Type	Unit Dimensions	Max Height	Units	% of Units
1	44.5'X80'	2 Stories/25'	14	8%
2	42'X177'	2 Stories/25'	85	51%
4	54'X60'	2 Stories/25'	19	11%
5	64'X50'	2 Stories/25'	9	5%
6	35'X60'	2 Stories/25'	41	24%
Total			168	100%

Unit Count and placement is subject to change.

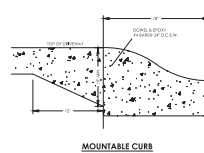
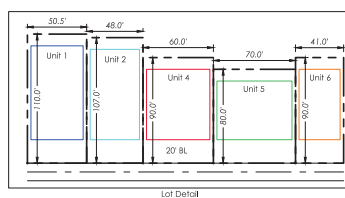
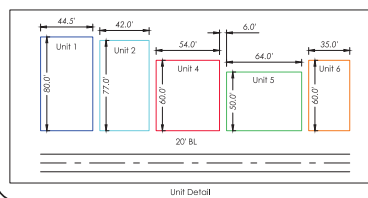
* Model Home Designation



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S00°59'12"E	211.75



TYPICAL 29' 8-8
STREET SECTION
N.T.S.
EXHIBIT "B"
**DEVELOPMENT PLAN
FOR
LADERA-WYLIE
SITUATED IN THE
CITY OF WYLIE, COLLIN COUNTY,
TEXAS**
Date: February 2024



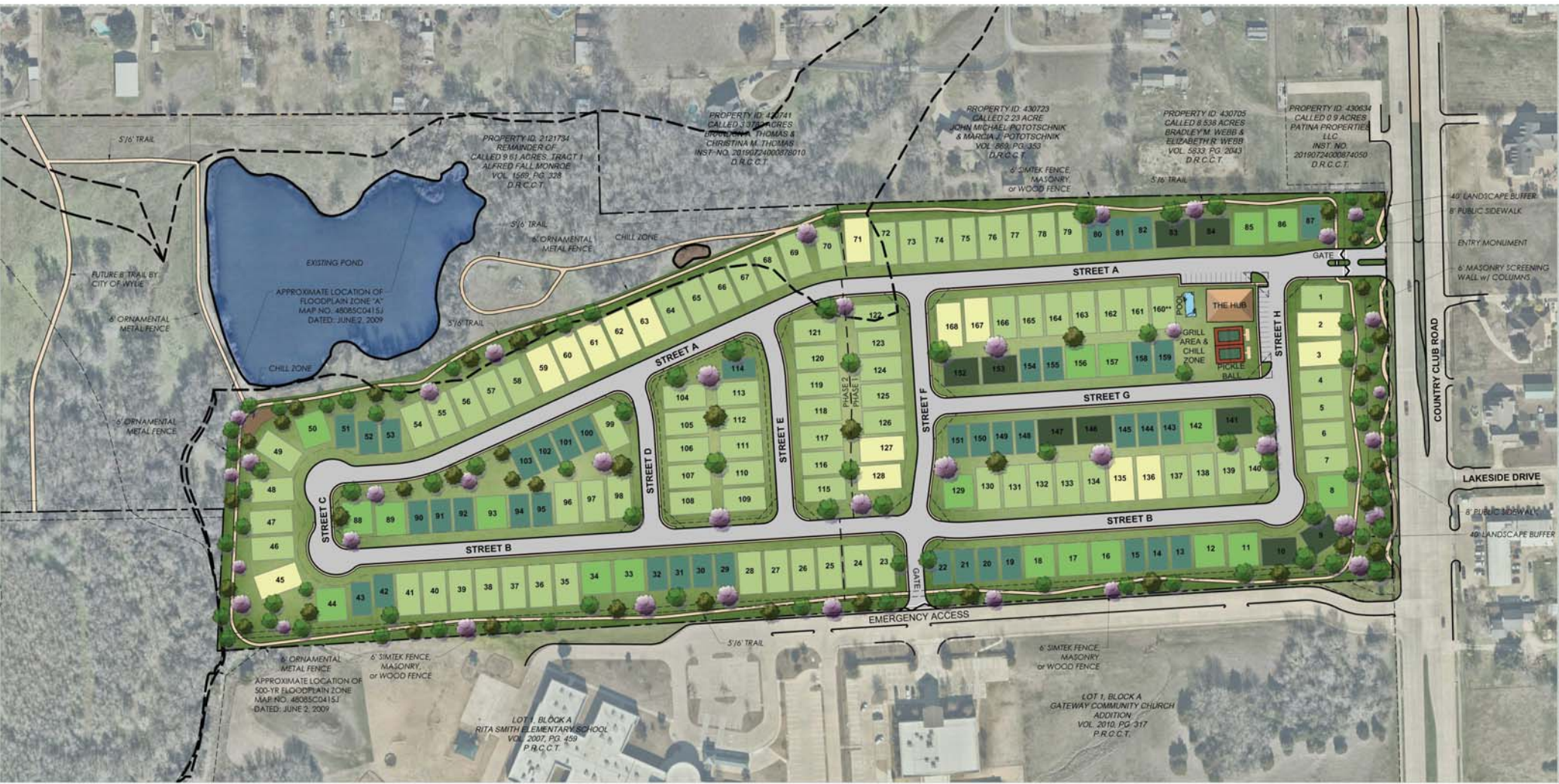
DEVELOPED BY:

Ladera
active adult

PREPARED BY:



GMcivil
Engineering & Surveying
2559 SW Grapevine Pkwy, Grapevine, Texas 76051
817-525-4373
Toll-Free Firm # 1-877-444-1745 / Fax Firm # 10021700



LAND USE SUMMARY

Total Land Area	47.37 ac
Open Space Area	21.42 ac
Residential Density	3.55 du/ac
Total Number of Units	168

Residential Summary

Unit Type	Unit Dimensions	Max Height	Units	% of Units
1	44'5"X80'	2 Stories/25'	14	8%
2	42'X77'	2 Stories/25'	85	51%
4	54'X60'	2 Stories/25'	19	11%
5	64'X50'	2 Stories/25'	9	5%
6	35'X60'	2 Stories/25'	41	24%
Total			168	100%

* Unit Count and placement is subject to change.

** Model Home Designation

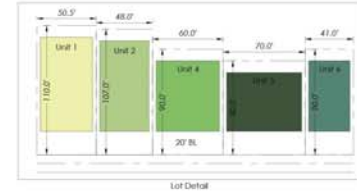
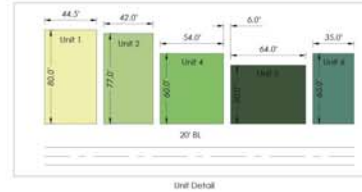


EXHIBIT "B"

LADERA-WYLIE / RENDERED DEVELOPMENT PLAN

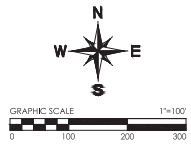
City of Wylie, Collin County, Texas

Ladera
active adult life.

NORTH
SCALE: 1" = 80' 0"

JOHNSON VOLK CONSULTING
TSP&S Engineering Firm No. 11962 / Land Surveying Firm No. 10194033
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.261.3100

SUBMITTAL DATE: 03.06.2024



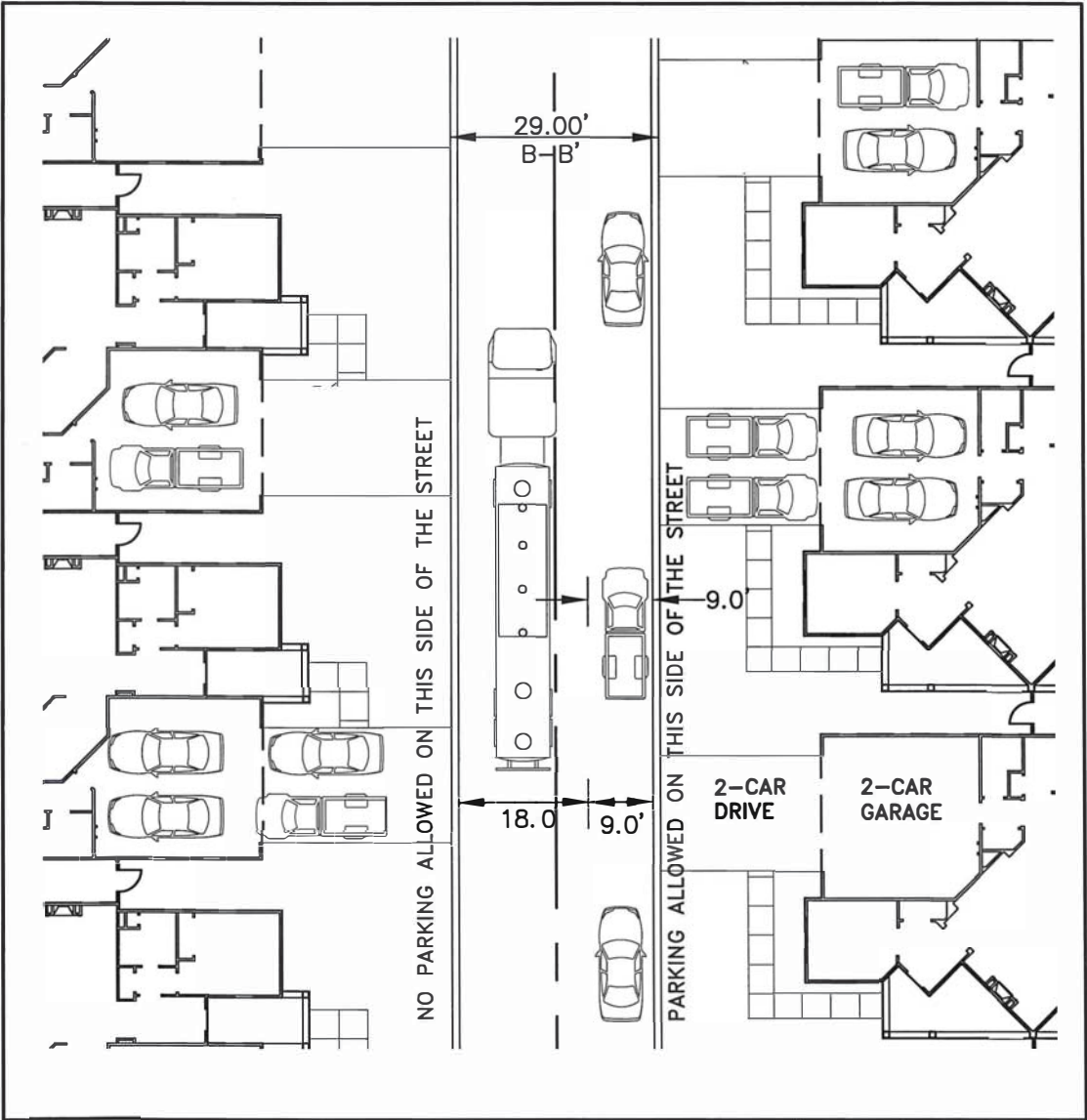
NOTE: FIRE LANE STRIPING & "NO PARKING" WILL ONLY BE ON THE CURB OPPOSITE OF THE SIDEWALK.

UTILITY LEGEND	
— W —	PROPOSED FIRE HYDRANT

DEVELOPED BY:
Ladera
active adult life.

PREPARED BY:
GMcivil
Engineering & Surveying
2539 SW Grapevine Pkwy., Grapevine, Texas 76051
817-224-6075
TelEng Firm # F-2944 | Tdsun Firm # 10021700

EXHIBIT B-1
FIRE LANE LAYOUT
FOR
LADERA-WYLIE
SITUATED IN THE
CITY OF WYLIE, COLLIN COUNTY,
TEXAS
Date: March 2024



INTEGRITY GROUP

361 W. Byron Nelson Blvd.
Ste. 104
Roanoke, TX. 76262
(817) 430-3318

SEAL

		PARKING EXHIBIT 29' ROAD	
DRAWN	SDS	CHECKED	TLH
DATE	04-03-20	SCALE	1" = 20'
		REVIEWED	TLH
		PROJECT NO.	

LADERA - WYLIE
DEVELOPMENT REGULATIONS
Planned Development – 47.374 Acres

I. PURPOSE

Ladera - Wylie is a proposed aged-restricted, low-maintenance gated, single family home, residential community integrated with quality amenities such as walking trails, activity center "The HUB" with pool, pickle ball courts, chill zones (passive open space amenities), amenity pond, parks, and open space areas that provide for an enhanced quality of life for active adults seeking a lock and leave, low-maintenance lifestyle within the City of Wylie. The legal description for the property is provided as Exhibit "A".

II. DEVELOPMENT PLAN

The property shall be developed in accordance with the City of Wylie regulations unless stated otherwise herein or shown otherwise on the Development Plan (Exhibit "B"), Perimeter Fencing Plan (Exhibit "C"), Building Elevations (Exhibit "D"), and Fire Separation (Exhibit "E").

III. USES

A. Permitted Uses - The following uses shall be permitted by right:

- 1) Single Family Detached Dwelling-Shall be age restricted to residents 55 years of age and older.
- 2) Activity Center (HUB)
- 3) Community Pool

B. Accessory Uses - The following uses shall be permitted as accessory uses:

- 1) Gazebos
- 2) Pavilions
- 3) Tennis/Pickle Ball and Sport Courts
- 4) Accessory Buildings
- 5) Pond

IV. CONDOMINIUM ASSOCIATION

A Condominium Owners Association (COA) shall be required and shall be responsible for the maintenance of the common areas, streets, storm drain, entry features, accessory structures, and perimeter walls/fencing and landscaping.

V. LANDSCAPE SETBACK REQUIREMENTS

There shall be a landscape setback with a minimum width of twenty (20) feet from the perimeter property line to a residential structure. Trails shall be permitted within the landscape setback.

VI. AREA REQUIREMENTS

Ladera - Wylie is a condominium community and individual dwelling units will not be platted into individual residential lots. The site will remain as one lot with approximately one hundred sixty-eight (168) dwelling units. Therefore, the reference to setbacks shall be used as building separation from other buildings and from the private street.

Side Yard Setback (Between Buildings)	Front Yard Setback (Front of Building to Back of Curb)	Rear Yard Setback (Between Buildings)
6' Minimum*	20' Minimum	15' Minimum

*Fire Separation per the attached exhibits (Exhibit "E"), the fire wall ratings are per the 2021 IRC, and allow for units within 6'.

VII. DEVELOPMENT AND PERFORMANCE STANDARDS

Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Maximum Height	Maximum Lot Coverage (percent of lot area)	Minimum Dwelling Size (square feet)
N/A	N/A	N/A	35' or 2 ½ Stories	65%*	1,322**

* Lot Coverage based on total building coverage (excluding accessory uses) for the entire 47.374-acre site.

** Air-conditioned space, not inclusive of garage, patio or porch.

VIII. RESIDENTIAL DENSITY

The gross residential density for Ladera - Wylie shall not exceed four (4) units per gross acre (du/ac). Residential density shall be calculated using the gross land area of (47.374) acres.

IX. BUILDING DESIGN

- A. The dwelling units and activity center shall be generally constructed in accordance with the building elevations shown in Exhibit "D".
- B. Residential buildings and the activity center shall be eighty (80) percent masonry including one hundred (100) percent brick or stone on the main floor. An exception to that requirement is if the Activity Center use The Craftsman/Farmhouse style in which they may have up to one hundred (100) percent cementitious fiberboard lap-siding.
- C. Minimum roof pitch of residential structures shall be 4:12 for rear elevations and 8:12 minimum for front elevations, with exceptions to dormers and shed roofs.
- D. Mailboxes shall be cluster boxes of 14 or greater boxes. Sufficient structural support to keep the mailbox upright is required. Mailboxes may be made from metal.

- E. Elevation repetition. Each unique house elevation shall not be repeated on the lot most directly across the street, nor shall it be repeated on two lots in either direction on the same side of the street. A wide variety of elevations is provided as it augments the character of the subdivision and reduces monotony of design.
- F. Attached Pergolas and Patio Covers shall be permitted and shall extend no more than five (5) feet into the rear yard.
- G. Each home will have a garage door with a factory simulated wood grain texture, with accompanying hardware.

X. TRAILS, SCREENING AND LANDSCAPING

Screening and landscaping shall be generally installed in accordance with the standards below and as shown on the Perimeter Fencing Plan (Exhibit "C"),

- A. There shall be an ornamental metal fence, wood, masonry, or pre-cast (Simtek) wall of at least six (6) feet in height located around the perimeter of the property. The Simtek or masonry will be on the North side and South side of the project, as detailed on the Development & Fencing Plans. The West side will be 6' ornamental metal fence. The East side along Country Club Road will be a 6' masonry screening wall with columns.
- B. Each front yard shall have one (1) canopy tree with a minimum caliper size of four (4) inches, as measured six (6) inches above grade, from the approved plant list for the City of Wylie.
- C. Residential fencing for each Unit shall consist of ornamental metal or vinyl and have a minimum height of four (4) feet and a maximum height of six (6) feet.
- D. Residential fencing shall be permitted within the twenty-foot (20) perimeter landscape buffer.
- E. A Landscape Plan with tree species shall be submitted at the time of Construction Plans.

XI. PARKING

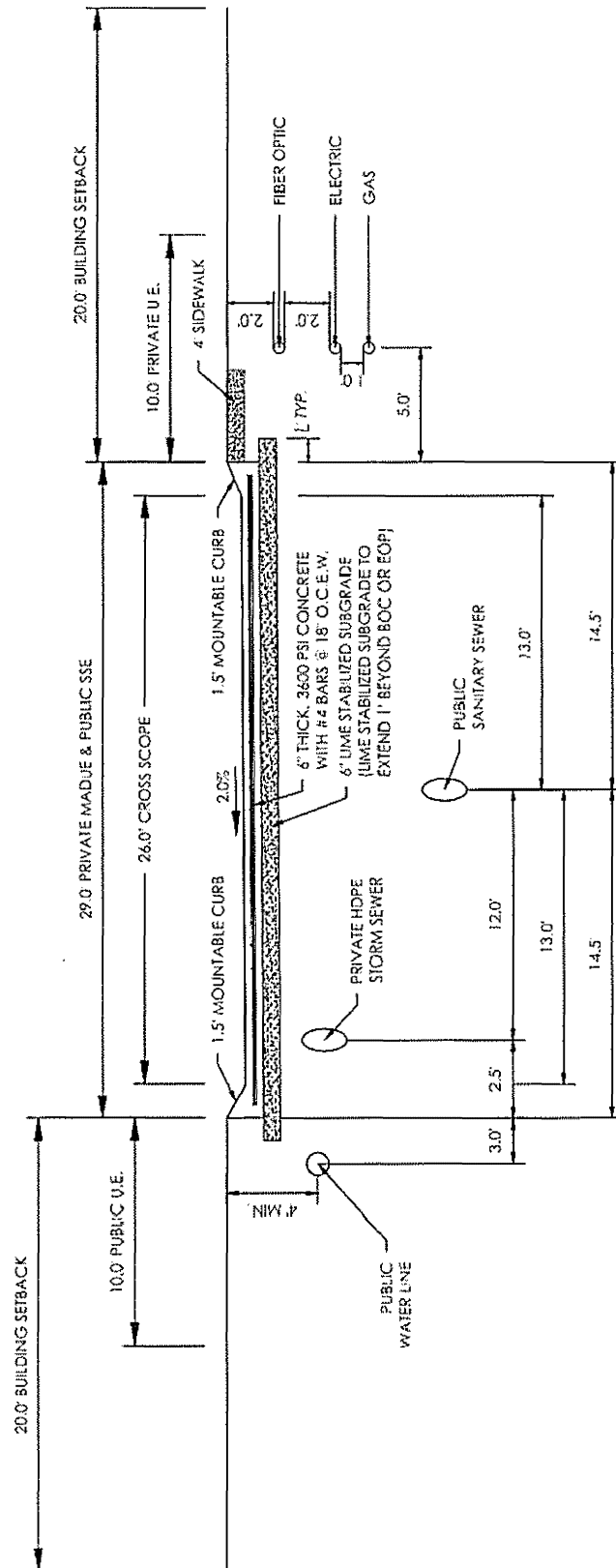
Off-street parking shall be allowed in areas shown on the approved Development Plan, Exhibit "B", Fire Lane Exhibit "B-1", and Parking Exhibit "B-2".

- A. Each dwelling shall have two (2) parking spaces within the garage, as well as having two (2) parking spaces in the driveway. Each dwelling has a 20' setback from the back of curb. All dwellings have an inset garage that provides the allowable distance for vehicles to not overhang the sidewalk or into the street.

XII. STREETS, ACCESS, AND UTILITIES

- A. The proposed streets shall be privately maintained by the Condominium Owners Association of Ladera - Wylie.

- B. The private streets shall conform to the street section on the Development Plan, (Exhibit "B"), also shown below.



**TYPICAL 29' B-B
STREET SECTION
N.T.S.**

- C. All storm and streets shall be labeled private and maintained by the Condominium Owners Association of Ladera - Wylie.
- D. HDPE shall be an acceptable material for the installation and construction of the private storm drain systems. HDPE pipe shall be installed in accordance with the pipe manufacturer specifications and geotechnical recommendations for the project.
- E. All water, per the March 30, 2010, Wholesale Water Supply Contract between Wylie and Parker will be public utilities per the agreement. Sewer to serve the project will be public utilities provided by the City of Wylie. Water and sewer will be maintained by the City of Wylie.
- F. Developer shall construct an eight (8) foot wide concrete sidewalk along Country Club Road for public use. The eight (8) foot sidewalk shall be maintained by the City of Wylie. The meandering public sidewalk will be installed within the existing right-of-way or public sidewalk easement.
- G. Developer shall construct a median break, north bound left turn lane, and south bound right turn lane for the connection to Country Club Road.
- H. A secondary emergency access connection to the Rita Smith Elementary School Drive shall be provided opposite the entrance to Gateway Community Church. This will be documented by agreement between the School District and Integrity Group (Ladera) as part of the construction plans after zoning approval. For zoning approval, email documentation will be provided to staff.
- I. A private 5' or 6' concrete trail system will be installed inside the perimeter of the fencing for use by the residents.

XIII. OPEN SPACE

The minimum required designated open space area shall be twenty-five percent (25%) of the gross land area.

- A. The perimeter landscape buffer shall be counted toward open space.

XIV. PHASING

Ladera - Wylie is subject to the Phasing Line as shown in Exhibit "B". The phase line may be adjusted at time of construction plans and platting.

XV. TIMING OF AMENITIES AND MODELS

Ladera business model works for maximum results by allowing the start of construction of main amenities and two (2) models, shown on Exhibit B, along with four (4) speculative after streets are constructed for fire protection, prior to acceptance of the subdivision by the City of Wylie.

XVI. EXHIBITS

All attached Exhibits to be adopted by this ordinance.

XVII. FLOODPLAIN RECLAMATION

- A. Floodplain reclamation will be required for a portion of an Un-Named Tributary to Muddy Creek as part of the development.
- B. It shall be necessary to submit a Floodstudy in accordance with the City of Wylie regulations and ordinances for any impacts to the existing floodplain. The Floodstudy will include the ultimate developed conditions for watershed.
- C. A CLOMR shall be submitted to the FEMA for approval. The CLOMR will need to be approved by FEMA before any building permit may be released for construction within the effective floodplain.
- D. Upon approval of the Floodstudy by the City of Wylie, a grading permit application shall be submitted to the City of Wylie for approval. The grading permit shall allow the developer to perform "At-Risk" grading, paving, and utility improvements within the effective floodplain upon submittal of the CLOMR to FEMA for acceptance.
- E. Upon completion of the grading and utility improvements, a LOMR shall be submitted to FEMA for the asbuilt improvements to update the Flood Insurance Rate Map for the Un-Named Tributary to Muddy Creek, and demonstrate all residential units are located outside of the ultimate developed 100-yr floodplain.
- F. Upon approval of the CLOMR and acceptance of the development improvements by the City of Wylie, no building permits shall be allowed for any residential units located within the effective floodplain, until such time as the LOMR has been approved by FEMA. Units 66-72 and 122, and a portion of Street "A" as shown on the development plan require floodplain reclamation. Other units may require floodplain reclamation subject to final design and Unit mix by the developer. Any adjustments from the Development Plan will be included in the floodstudy & CLOMR submitted to the City and FEMA for approval.



Wylie City Council

AGENDA REPORT

Department: Public Works
Prepared By: Tommy Weir

Account Code: 100-5411-54250

Subject

Consider, and act upon, Resolution No. 2024-16(R) authorizing the city manager to execute a Project Specific Agreement RE: Striping type “B” and “E” Roadways made pursuant to Road & Bridge Master Interlocal Agreement Between Dallas County and the City of Wylie, Texas.

Recommendation

Motion to approve the Item as presented.

Discussion

With the current Master Interlocal Agreement in place, Project Specific Agreements (PSA) can be executed by both parties for individual projects identified as candidates for joint participation.

Staff recommends that the City enter into a PSA with Dallas County to stripe Pleasant Valley Road from 6054 Pleasant Valley Road to Elm Grove Road, Vinson Road from County Line Road to Twin Creek Drive, County Line Road from Vinson Road to Troy Road, and Troy Road from County Line Road to 3001 Troy Road. The City would be responsible for the cost (\$5,372.00) of roadway striping services provided by Dallas County. Sufficient project funding is in the approved, current fiscal year Street Division budget.

RESOLUTION NO. 2024-16(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, HEREBY AUTHORIZING THE MAYOR TO EXECUTE A PROJECT SPECIFIC AGREEMENT RE: STRIPING TYPE “B” AND “E” ROADWAYS MADE PURSUANT TO ROAD & BRIDGE MASTER INTERLOCAL AGREEMENT BETWEEN DALLAS COUNTY AND THE CITY OF WYLIE, TEXAS.

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

SECTION 1: The Mayor of the City of Wylie, Texas, is hereby authorized to execute, on behalf of the City Council of the City of Wylie, Texas, a Project Specific Agreement for striping RE: Striping Type “B” and “E” Roadways made pursuant to Road & Bridge Master Interlocal Agreement Between Dallas County and the City of Wylie, Texas (Exhibit A).

SECTION 2: This Resolution shall take effect immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 28th day of May, 2024.

Matthew Porter, Mayor

ATTEST TO:

Stephanie Storm, City Secretary

EXHIBIT “A”
Project Specific Agreement

**PROJECT SPECIFIC AGREEMENT
RE: STRIPING TYPE “B” AND “E” ROADWAYS
MADE PURSUANT TO ROAD & BRIDGE MASTER INTERLOCAL
AGREEMENT BETWEEN DALLAS COUNTY AND THE CITY OF
WYLIE, TEXAS**

This Project Specific Agreement (“PSA”), supplemental to the Master Interlocal Agreement (“Master Agreement”), is made by and between Dallas County, Texas, (“County”), and the City of Wylie, Texas, (“City”), acting by and through their duly authorized representatives and officials, for the purpose of transportation-related maintenance and repairs, to be undertaken on enumerated public roadways within the territorial limits and jurisdiction of the City of Wylie, Texas, as more fully set forth and described in Attachments A, B, and C, which are attached hereto and incorporated herein by reference (“Project”).

WHEREAS, Chapter 791 of the Texas Government Code and Chapters 251 and 472 of the Texas Transportation Code provide authorization for local governments to contract amongst themselves for the performance of governmental functions and services;

WHEREAS, on or about December 20, 2022, County and City entered into a Master Interlocal Agreement, whereby County agreed to provide road and bridge maintenance and repair on certain duly qualified Type “B” and Type “E” roadways situated within the territorial limits and jurisdiction of the City; and

WHEREAS, City now desires County to perform such maintenance and repairs on Type “B” and Type “E” public roadways, consisting of striping enumerated roadways situated in the City of Wylie, Texas, as more fully described in Attachments A, B, and C.

NOW THEREFORE THIS PSA is made by and entered into by County and City, for the mutual consideration stated herein.

Witnesseth

Article I

Project Specific Agreement

This PSA is specifically intended to identify a Project authorized under the Master Agreement. This PSA sets forth the rights and responsibilities of each of the parties as set forth in the Master Agreement and all amendments and supplements thereto are incorporated herein by reference. This PSA will be in addition to the Master Agreement and incorporates each term and condition thereof as if fully set forth herein. All terms of the Master Agreement remain in full force and effect, except as modified herein. In the event of any conflict between the Master Agreement and this PSA, this PSA shall control.

Article II

Incorporated Documents

This PSA incorporates, as if fully reproduced herein word for word and number for number,

the following items:

1. Master Agreement authorized by County Commissioners Court Order 2022-1403, dated December 22, 2022, and additions thereto as incorporated herein by reference;
2. Wylie road list of Type “B” and Type “E” roadways, which is attached hereto as Attachment A, and incorporated herein by reference; and
3. Construction Estimates which are attached hereto as Attachments B and C, and incorporated herein by reference.

Article III **Term of Agreement**

This PSA becomes effective when signed by the last party whose signature makes the agreement fully executed and shall terminate upon the completion and acceptance of the Project by City or upon the terms and conditions in the Master Agreement.

Article IV **Project Description**

This PSA is entered into by the parties for maintenance and repairs conducted on Type “B” and Type “E” public roadways within the City of Wylie, Texas. The Project shall consist of striping on various streets, in the City of Wylie, Texas, and as more fully described in Attachments A, B, and C. The Project is authorized by the aforementioned Master Agreement, with the parties’ obligations and responsibilities governed thereby, as well as by the terms and provisions of this PSA. The Project will facilitate the safe and orderly movement of public transportation to benefit both the City and the County. The City has and hereby does give its approval for expenditure of County funds for the maintenance and repair of Type “B” and Type “E” streets located within the municipality.

Article V **Fiscal Funding**

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of County funding for each item and obligation contained herein. City shall have no right of action against the County of Dallas as regards this PSA, specifically including any funding by County of the Project in the event that the County is unable to fulfill its obligations under this PSA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the County, at its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of City funding for each item and obligation contained herein. County shall have no right of action against the City as regards this PSA, specifically including any funding by City of the Project in the event that the City is unable to fulfill its obligations under this PSA as a result of the

lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the City, at its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Article VI **Agreements**

I. City's Responsibilities

1. City, at its own expense, shall be responsible for the following: (a) posting appropriate and required notices to inform the public of the proposed maintenance or construction activity; (b) remediation of any hazardous or regulated materials, or other environmental hazard on or near the Project site; and (c) where necessary, providing appropriate traffic control support, including but not limited to flagging, cones, barricades, shadow vehicles, arrow boards, signage, police presence, etc., to enable the Project to be completed in a timely and safe manner.
2. City agrees to accomplish these functions in a timely and efficient manner to ensure that such activities will not delay the County's timely performance of its activities.
3. City shall be responsible for maintaining the Project site/sites once the Project is completed.
4. City shall be in compliance with the Manual on Uniform Traffic Control Devices standards in ensuring safety during re-striping operations as outlined in the scope of work in Attachments A, B, and C.

II. County's Responsibilities

1. County shall be responsible for performing all transportation-related maintenance services contemplated hereunder, specifically, roadway striping activity, as more fully set forth in Attachments A, B, and C, in a good and workmanlike manner.
2. County shall be responsible for setting up a pre-project meeting.

III. Funding

County and City mutually agree that City shall be responsible to pay One Hundred Percent (100%) of the costs and expenses necessary to carry out and to perform the Type "E" roadwork in the amount of \$1,660.00 and a total of \$3,712.00 for its portion of "Type "B" roadwork, for a total of \$5,372.00 for City share. County shall contribute the remaining amount of the Type "B" costs, in-kind, in the form of labor and equipment. In no event shall County's in-kind contribution exceed Fifty Percent (50%) of the actual Project costs for Type "B" roadwork. City shall only be liable and responsible for the amount set forth in this PSA, and any properly executed amendments and/or supplements hereto.

1. Should the final cost of the Project exceed the initial and anticipated Project costs, City agrees to either reduce the scope of the Project, or to seek additional funding to facilitate its completion. In either event, City shall be solely responsible for all such costs in excess thereof, and County shall bear no additional responsibilities beyond those herein.

2. Once approved by the County and before commencement of the Project by County, City shall set aside and place into an escrow account with the Dallas County Treasurer, the full dollar amount of City's share, \$5,372.00, representing the full amount to be paid to County either through monthly invoicing or upon completion of the Project, if the Project is completed in less than one month.

Article VII

Miscellaneous

- I. **Indemnification.** County and City agree that each shall be responsible for its own negligent acts or omissions or other tortious conduct in the course of performance of this PSA, without waiving any governmental immunity available to County or City or their respective officials, officers, employees, or agents under Texas or other law and without waiving any available defenses under Texas or other law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.
- II. **No Third Party Beneficiaries.** The terms and provisions of this PSA are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of County and City that any entity other than County or City receiving services or benefits under this PSA shall be deemed an incidental beneficiary only. This PSA is intended only to set forth the contractual rights and responsibilities of the parties hereto.
- III. **Applicable Law.** This PSA is and shall be expressly subject to the County's and City's sovereign immunity and/or governmental immunity, pursuant to Title 5 of the Texas Civil Practice and Remedies Code, as amended, and all applicable federal and state laws. This PSA shall be governed by and construed in accordance with the laws of the State of Texas. Exclusive venue for any legal action regarding this PSA shall lie in Dallas County, Texas.
- IV. **Notice.** All notices, requests, demands, and other communication under this PSA shall be tendered in writing and shall be deemed to have been duly given when either delivered in person or via certified mail, postage prepaid, return receipt requested to the respective parties as follows:

COUNTY:

Director of Public Works
Dallas County
500 Elm Street, Suite 5300
Dallas, Texas 75202

and

Commissioner John Wiley Price
Road & Bridge District #3
500 Elm Street, Suite 7300
Dallas, Texas 75202

CITY:

Tommy Weir
Public Works Director
949 Hensley Lane, Bldg. 300
Wylie, Texas 75098

Either party may change its address for notice by giving the other party written notice thereof.

- V. **Assignment.** This PSA may not be assigned or transferred by either party without the prior written consent of the other party.

- VI. Binding Agreement; Parties Bound. Upon execution by the parties, this PSA shall constitute a legal, valid, and binding obligation of the parties, their successors and permitted assigns.
- VII. Amendment. This PSA may not be amended except in a written instrument specifically referring to this PSA and signed by the parties hereto.
- VIII. Counterparts. This PSA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- IX. Severability. If one or more of the provisions in this PSA shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this PSA to be invalid, illegal or unenforceable, but this PSA shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this PSA, which shall remain in full force and effect.
- X. Entire Agreement. This PSA embodies the complete agreement of the parties, and except where noted, it shall supersede previous and/or contemporary agreements, oral or written, between the parties and relating to matters in the PSA.
- XI. Contingent. This PSA is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City of Wylie.
- XII. Effective Date. The PSA shall commence on the Effective Date. The Effective Date of this PSA shall be the date it is executed by the last of the parties. Reference to the date of execution shall mean the Effective Date.
- XIII. No Joint Enterprise/Venture. The parties agree that no party is an agent, servant or employee of the other parties. The parties, including their agents, servants, or employees, are independent contractors, and not an agent, servant, joint enterprise/venture, or employee of any other party, and are responsible for their own acts, forbearance, negligence, and deeds, and for those of their agents, servants, or employees in conjunction with this PSA. No joint enterprise/venture exists between the parties.

(the remainder of this page intentionally left blank)

(signatures appear on the following page)

The City of Wylie, State of Texas, has executed this PSA pursuant to duly authorized City Council Resolution _____ approved/passed on the _____ day of _____, 2024

The County of Dallas, State of Texas, has executed this PSA pursuant to Commissioners Court Order Number _____ and passed on the _____ day of _____, 2024

Executed this the _____ day of _____, 2024

Executed this the _____ day of _____, 2024.

CITY OF WYLIE:

COUNTY OF DALLAS:

BRENT PARKER
CITY MANAGER

CLAY LEWIS JENKINS
DALLAS COUNTY JUDGE

ATTEST:

RECOMMENDED BY:

CITY SECRETARY

DARRYL MARTIN
DALLAS COUNTY ADMINISTRATOR

APPROVED AS TO FORM:

APPROVED AS TO FORM*:
DALLAS COUNTY
JOHN CREUZOT
DISTRICT ATTORNEY



CITY ATTORNEY

CORTNEY PARKER
ASSISTANT DISTRICT ATTORNEY

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

Road List

Attachment (A)

City/Town:		Date	Contact Person
Wylie		1/23/2024	Tommy Weir
	Street	From	To
Type B 50/50 (City and County Shares Cost)			
1	Pleasant Valley Rd	6054 Pleasant Valley Rd	Elm Grove Rd
2	Vinson Rd	County Line Rd	Twin Creek Dr
3	County Line Rd	Vinson Rd	Troy Rd
Type E (City pays 100%)			
1	Troy Rd	County Line Rd	Bridge

TYPE B PAVEMENT MARKING ESTIMATE

Attachment (B)

Date:	January 23, 2024	Roadway:	Attached
Requested By:	Tommy Weir	Type:	B
City:	Wylie	Lanes:	2
City Share:	50%	Begin:	Varies
Court Order / IJ:		End:	Varies
MAPSCO:	Varies		
		Roadway Length:	
		Pre-Marking Length:	Mile
		One-way travel time to Project:	Hours

MARKING LENGTH (Miles)

	BROKEN YELLOW	SOLID YELLOW	BROKEN WHITE	SOLID WHITE
ESTIMATE:	0.3	2.2	0.0	5.0
Actual:				
MATERIALS:	EST. QUANT.	Actual QUANT.	UNIT PRICE	EST. COST
Yellow Paint Gal	39.57	0.00	\$15.67	\$620.00
White Paint Gal	84.76	0.00	\$14.80	\$1,254.00
Beads LBS	995.00	0.00	\$0.66	\$657.00
Other Cans	0.00	0.00	0.00	\$0.00
TOTAL MATERIALS:				\$2,531.00
LABOR				
Direct Labor:				
Hour	<u>Estimate Hours</u>	<u>Actual Hours</u>	<u>Hourly Rate (FR)</u>	<u>Estimate Cost</u>
Pre-Marking	0.00	0.00	\$121.17	\$0.00
Crew persons (3)	18.00	0.00	\$121.17	\$2,181.00
Administrative	3.00	0.00	\$115.82	\$347.00
			<i>Note: (FR) - with Fringes</i>	
Subtotal Direct Labor				\$2,528.00
Indirect Labor:		<u>% of Actual Salaries:</u>		
Indirect Costs		14.96		\$378.00
		<i>Value calculated by Office of Budget and Evaluation</i>		
TOTAL LABOR:				\$2,906.00
EQUIPMENT:				
HRS	<u>Estimate Hours</u>	<u>Actual Hours</u>	<u>Hourly Rate</u>	<u>Cost Estimate</u>
Survey Truck	5.00	0.00	\$19.00	\$95.00
Striper	18.00	0.00	\$81.70	\$1,471.00
Pickup	18.00	0.00	\$23.40	\$421.00
TOTAL EQUIPMENT:				\$1,987.00
TOTAL COST:				\$7,424.00
			<u>% of Cost</u>	
COST TO CITY			50%	\$3,712.00
COUNTY COST (In-kind)			50%	\$3,712.00

*NOTE:

The extended dollar amounts are rounded to the nearest dollar.

TYPE E PAVEMENT MARKING ESTIMATE

Attachment (C)

Date:	January 23, 2024	Roadway:	Attached
Requested By:	Tommy Weir		
City:	Wylie	Type:	E
City Share:	100%	Lanes:	2
Court Order / IJ:		Begin:	Varies
MAPSCO:	Varies	End:	Varies
		Roadway Length:	
		Pre-Marking Length:	Mile
		One-way travel time to Project:	Hours

	BROKEN YELLOW	SOLID YELLOW	BROKEN WHITE	SOLID WHITE
ESTIMATE:	0.0	0.8	0.0	1.6
Actual:				
	EST.	Actual	UNIT	EST.
MATERIALS:	QUANT.	QUANT.	PRICE	COST
Yellow Paint Gal	13.76	0.00	\$15.67	\$216.00
White Paint Gal	27.52	0.00	\$14.80	\$407.00
Beads LBS	330.00	0.00	\$0.66	\$218.00
Other Cans	0.00	0.00	0.00	\$0.00
TOTAL MATERIALS:				\$841.00
LABOR				
Direct Labor:				
Hour	<u>Estimate Hours</u>	<u>Actual Hours</u>	<u>Hourly Rate (FR)</u>	<u>Estimate Cost</u>
Pre-Marking	0.00	0.00	\$121.17	\$0.00
Crew persons (3)	3.00	0.00	\$121.17	\$364.00
Administrative	0.50	0.00	\$115.82	\$58.00
			Note: (FR) - with Fringes	
Subtotal Direct Labor				\$422.00
Indirect Labor:		<u>% of Actual Salaries:</u>		
Indirect Costs		14.96		\$63.00
		Value calculated by Office of Budget and Evaluation		
TOTAL LABOR:				\$485.00
EQUIPMENT:				<u>Cost</u>
HRS	<u>Estimate Hours</u>	<u>Actual Hours</u>	<u>Hourly Rate</u>	<u>Estimate</u>
Survey Truck	1.00	0.00	\$19.00	\$19.00
Striper	3.00	0.00	\$81.70	\$245.00
Pickup	3.00	0.00	\$23.40	\$70.00
TOTAL EQUIPMENT:				\$334.00
TOTAL COST:				\$1,660.00
		<u>% of Cost</u>		
COST TO CITY		100%		\$1,660.00
COUNTY COST		0%		\$0.00

***NOTE:**

The extended dollar amounts are rounded to the nearest dollar.



Wylie City Council

AGENDA REPORT

Department: Parks and Recreation

Prepared By: Janet Pieper

Account Code: _____

Subject

Consider, and act upon, approval of the Hope Under the Stars fundraiser event at Olde City Park on October 5, 2024.

Recommendation

Motion to approve the Item as presented.

Discussion

The non-profit group Hope's Gate successfully hosted the Hope Under the Stars fundraiser event in October 2023 at Olde City Park. The event is a five-course dinner with wine pairings. Live music and other entertainment are also planned during the event.

Representative Kendra Medina is requesting permission to provide alcohol to ticketholders during their event, which must go through the following process:

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



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

Non-Profit Park Event Application

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

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

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

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

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

Applicant Information

Name of Organization *

Hope's Gate

Website

www.hopesgate.org

Are you a non profit? *

☒ Yes ☐ No

Please upload 501c3 Documents

HG 501(c)(3) form (2).pdf 681.32KB

Contact Information

Primary Contact Name *

Kendra Medina

Event Information

Event Name/Title *

Hope Under the Stars

Event Type *

Fundraiser

Purpose of event *

Fundraiser 5 course dinner and entertainment to raise funds for Hope's Gate and their education fund

Event Location *

Olde City Park

112 S Ballard Avenue

Proposed Event Date *

10/05/2024

Alternative Event Date *

10/05/2024

Start Time *

09:00:00 AM

☐ Include Setup

End Time *

11:00:00 PM

☐ Include Cleanup

Do you plan to sell items of any kind?

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

☐ Yes ☒ No

Anticipated number of Participating Vendors *

0

Anticipated Event Attendance *

130

Event Target Audience *

Wylie and surrounding communities and supporters of Hope's Gate

Event Details *

This will be a 5 course dinner plus reception hour with live music and other entertainment. Wine tastings will also accompany each course. Attendees will come from approximately 5:30 pm to 9 pm, and the rest of the day will be used for set up and tear down.

Event Announcement and/or Flyers

Signature

Kendra Lynn Medina

Date*

04/16/2024



Wylie City Council

AGENDA REPORT

Department: City Manager
 Prepared By: City Secretary

Account Code: _____

Subject

Interview applicants for Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.

Recommendation

No action taken.

Discussion

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

Applicants:

Jack Craig

Jon Ennis (also applied for Construction Code Board, Planning and Zoning Commission, and Zoning Board of Adjustment)

Ronald Frantom (also applied for Planning and Zoning Commission, Construction Code Board, and Zoning Board of Adjustment)

Fernando Martinez

Luca Pareti (also applied for Planning and Zoning Commission, Zoning Board of Adjustment, and Wylie Economic Development Corporation)

Syed Shah

Krishna Upadyaya

Board of Review Application

Personal Information

First Name*

Jack

Last Name*

Craig

Residency

You must be a Wylie resident to serve on this board.

Wylie resident*

☒ Yes ☐ No

Length of Residency

Years*

6

Months*

4

Voter Status

Registered Voter*

☒ Yes ☐ No

Voter Registration County*

Collin

Employment Information

Occupation

Bank manager

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

Board/Commission Service

Currently serve on a board/commission*

☒ Yes ☐ No

Board/commission currently serving on*

Board of Review

Length of service on board/commission*

2 years

Why you would like to serve as a Board of Review member:*

I would like to continue the service I have provided to the city I live in.

Board of Review Application

Personal Information

First Name *

Jon

Last Name *

Ennis

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

9

Months *

4

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Residential contractor and property Investor

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

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I have a deep respect for our community. I would like to help in anyway possible to serve for the better of all the residence. I grew up in Richardson when wylie was all feilds. Wylie has grown so much since I was a young boy and I would like to be a part of the future growth.

Board of Review Application

Personal Information

First Name *

Ronald

Last Name *

Frantom

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

2

Months *

1

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Certified Professional Building Designer

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

I design production homes, luxury custom homes and Commercial architecture.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I would like to help and give back to the community I live in.

Board of Review Application

Personal Information

First Name *

Fernando

Last Name *

Martinez

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

6

Months *

1

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Student

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

Equal Opportunity Specialist with U.S. Dept. Of HUD, General Counsel Intern for IRS Office of General Counsel, Board Intern for National Labor Relations Board.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

As an Army veteran, I would like to be part of the city that I live in and give back to the community any way I can.

Board of Review Application

Personal Information

First Name *

Luca

Last Name *

Pareti

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

1

Months *

10

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Business consultant

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

Business growth consulting, restoration, manufacturing, property management

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I love Wylie and I'd be happy to give back to the community by serving on a board, as a father of 3 I have the best interest in having a thriving and healthy community around my family.

Board of Review Application

Personal Information

First Name *

Syed

Last Name *

Shah

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

0

Months *

3

Voter Status

Registered Voter *

☐ Yes ☒ No

Employment Information

Occupation

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

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

As a new resident of the City, I'm interested in the development and growth of the city. I can help being part of review board.

Board of Review Application

Personal Information

First Name *

Krishna

Last Name *

Upadhyaya

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

5

Months *

5

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Realtor

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

I am involved with Government Affairs at Collin County Area of Realtors. I have also served on the board at different organizations including PTA, Realtor Associations and I have completed Leadership Training.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I have always believed that in order to understand the ins and outs of a system its important to be involved or serve. Wylie is a wonderful City with much growth and its important for residents to be invested with the City.



Wylie City Council

AGENDA REPORT

Department: City Manager

Prepared By: Brent Parker

Account Code: _____

Subject

Consider, and act upon, nominations for a primary and an alternate member to serve on the North Central Texas Council of Governments (NCTCOG) Regional Transportation Council (RTC) of the Dallas/Fort Worth area for the cities of Allen, Rowlett, Sachse, Wylie, Murphy, Lucas, Parker, and Lavon.

Recommendation

A motion to nominate _____ as the primary member and _____ as the alternate member to serve on the North Central Texas Council of Governments (NCTCOG) Regional Transportation Council (RTC) of the Dallas/Fort Worth area for the cities of Allen, Rowlett, Sachse, Wylie, Murphy, Lucas, Parker, and Lavon.

Discussion

The North Central Texas Council of Governments (NCTCOG) is the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area. The Regional Transportation Council (RTC), composed primarily of local elected officials, is the transportation policy body for the MPO. The RTC is responsible for direction and approval of the Regional Transportation Plan, the Transportation Improvement Program, the Congestion Management System, and the Unified Planning Work Program, and for satisfying and implementing federal and state laws and regulations pertaining to the regional transportation planning process.

Membership on the Regional Transportation Council is either by direct membership or group representation. Currently, the Cities of Allen, Rowlett, Sachse, Wylie, Murphy, Lucas, Parker, and Lavon share a seat on the Regional Transportation Council. The Cities of Parker and Lavon were added when the Bylaws were updated in November 2022. Each seat on the Regional Transportation Council will be provided a primary member and permitted an alternate member. The RTC's Bylaws and Operating Procedures state that "the person representing a group of several cities shall be selected by the mayors using a weighted vote of the maximum population or employment of the cities represented, and the person selected shall serve a two-year term beginning in July of even-numbered years and shall be serving on one of the governing bodies they represent." A table containing population and employment figures is enclosed. The Bylaws further state that in the spirit of integrated transportation planning, all cities within a city-only cluster are eligible to hold the RTC membership seat for the cluster, and the cities should strongly consider rotation of the seat among the entities within the respective cluster. Items to consider when contemplating seat rotation may include: 1) a natural break in a member's government service, such as the conclusion of an elected term, 2) a member's potential to gain an officer position or advance through the officer ranks, 3) a member's strong performance and commitment to transportation planning, or 4) the critical nature of a particular issue or project and its impact on an entity within the cluster.

An alternate member is the individual appointed to represent an entity or group of entities on the Regional Transportation Council in the absence of the primary member. The alternate member must be predetermined in advance of a meeting and will have voting rights in the absence of the primary member. An entity or group of entities may elect to appoint its alternate member(s) from a pool of eligible nominees. The same requirements apply to alternate members as to primary members. If a primary member is an elected official, then the alternate member must also be an elected official; if a primary member is a

non-elected individual, then the alternate member can be either a non-elected individual or an elected official. A best practice for city-only clusters may be to appoint the alternate member from an eligible entity within the cluster that is not providing the primary member.

The current primary representative is Chris Schulmeister, Mayor pro tem, City of Allen, and the current alternate representative is Matthew Porter, Mayor, City of Wylie. The City may choose to appoint a new primary representative and/or alternate representative. All appointments, whether a reappointment or new appointment, must be received by June 30, 2024. Per the RTC Bylaws, the new two-year terms begin in July.

The City of Allen has notified the City that with one year remaining in Mayor *pro tem* Schulmeister term of office, he has decided not to seek a new term; however, Allen Councilmember Michael Schaeffer has expressed a willingness to serve as the Primary Representative to the RTC with Mayor Porter of the City of Wylie continuing as the Alternate Representative.



The Transportation Policy Body for the North Central Texas Council of Governments
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

April 19, 2024

The Honorable Baine Brooks
Mayor
City of Allen
305 Century Parkway
Allen, TX 75013

The Honorable Jeff Bickerstaff
Mayor
City of Sachse
3815 Sachse Rd.
Sachse, TX 75048

The Honorable Matthew Porter
Mayor
City of Wylie
300 Country Club Rd., Bldg. 100
Wylie, TX 75098

The Honorable Scott Bradley
Mayor
City of Murphy
206 North Murphy Rd.
Murphy, TX 75094

The Honorable Jim Olk
Mayor
City of Lucas
665 Country Club Rd.
Lucas, TX 75002-7651

The Honorable Blake Margolis
Mayor
City of Rowlett
4000 Main St.
Rowlett, TX 75088

The Honorable Lee Pettie
Mayor
City of Parker
5700 E. Parker Rd.
Parker, TX 75002

The Honorable Vicki Sanson
Mayor
City of Lavon
PO Box 340
Lavon, TX 75166

Dear Mayors Brooks, Bickerstaff, Porter, Bradley, Olk, Margolis, Pettie, and Sanson:

The North Central Texas Council of Governments (NCTCOG) is the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan Area. The Regional Transportation Council (RTC), composed primarily of local elected officials, is the transportation policy body for the MPO. The RTC is responsible for direction and approval of the Metropolitan Transportation Plan, the Transportation Improvement Program, the Congestion Management Process, and the Unified Planning Work Program, and for satisfying and implementing federal and state laws and regulations pertaining to the regional transportation planning process.

Membership on the Regional Transportation Council is either by direct membership or group representation. Each seat on the Regional Transportation Council will be provided a primary member and permitted an alternate member. The Cities of Allen, Rowlett, Sachse, Wylie, Murphy, Lucas Paker and Lavon share a seat on the Regional Transportation Council. The Cities of Parker and Lavon were added when the Bylaws were updated in November 2022. The RTC's Bylaws and Operating Procedures state that the person representing a group of several cities shall be selected by the mayors using a weighted vote of the maximum population or employment of the cities represented, and the person selected shall serve a two-year term beginning in July of even-numbered years and shall be serving on one of the governing bodies they represent. A table containing population and employment figures is enclosed. The Bylaws further state that in the spirit of integrated transportation planning, all cities within a city-only cluster are eligible to hold the RTC membership seat for the cluster, and the cities should strongly consider rotation of the seat among the entities within the respective cluster. Items to consider when contemplating seat rotation may include: 1) a natural break in a member's government service, such as the conclusion of an elected term, 2) a member's potential to gain an officer position or advance through the officer ranks, 3) a member's strong performance and commitment to transportation planning, or 4) the critical nature of a particular issue or project and its impact on an entity within the cluster.

Page Two

April 19, 2024

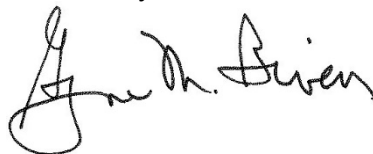
An alternate member is the individual appointed to represent an entity or group of entities on the Regional Transportation Council in the absence of the primary member. The alternate member must be predetermined in advance of a meeting and will have voting rights in the absence of the primary member. An entity or group of entities may elect to appoint its alternate member(s) from a pool of eligible nominees. The same requirements apply to alternate members as to primary members. If a primary member is an elected official, then the alternate member must also be an elected official; if a primary member is a non-elected individual, then the alternate member can be either a non-elected individual or an elected official. A best practice for city-only clusters may be to appoint the alternate member from an eligible entity within the cluster that is not providing the primary member.

Your current primary representative is Chris Schulmeister, Mayor Pro Tem, City of Allen. Your current alternate representative is Matthew Porter, Mayor, City of Wylie. You may choose to appoint a new primary representative and/or alternate representative. **All appointments, whether a reappointment or new appointment, must be received by June 30, 2024.** Per the RTC Bylaws, the new two-year terms begin in July. Please email (VPruitt-Jenkins@nctcog.org), mail (P.O. Box 5888, Arlington, TX 76005-5888), or fax (817/640-3028) your correspondence to Vercie Pruitt-Jenkins of NCTCOG. Please note that your designations must be confirmed in writing by all entities included in this group. Once the appointments have been determined by weighted vote, confirmation of the primary and/or alternate member(s) will be provided to your group.

In addition, the Regional Transportation Council has established an Ethics Policy in accordance with Section 472.034 of the Texas Transportation Code. This policy applies to both primary and alternate RTC members, whether elected or non-elected. All RTC members must also adhere to Chapter 171 of the Local Government Code and to the Code of Ethics from their respective local governments and public agencies. Please remind your representatives to be cognizant of these policies and codes.

Please contact Vercie Pruitt-Jenkins at VPruitt-Jenkins@nctcog.org or 817/608-2325 if you have any questions. We look forward to working with you.

Sincerely,



Gyna Bivens, Chair
Regional Transportation Council
Mayor Pro Tem, City of Fort Worth

VPJ
Enclosure

cc: Chris Schulmeister, Councilmember, City of Allen (RTC Primary Member)
Aretha Adams, City Manager, City of Murphy
Joni Clarke, City Manager, City of Lucas
Kim Dobbs, City Manager, City of Lavon
Eric Ellwanger, City Manager, City of Allen
David Hall, City Manager, City of Rowlett
Gina Nash, City Manager, City of Sachse
Luke Olson, City Administrator, City of Parker
Brent Parker, City Manager, City of Wylie

APPENDIX A
2022 RTC Membership Structure

City								
	2022	2020	Maximum of	Percent of Total	Share of 27 RTC	% of RTC Seat	Number of	
	Population	Employment	Population and Employment	Based on Maximum	City Seats	By Grouping	RTC Seats by Formula	Current RTC Seats
City Membership								
Plano	290,850	309,830	309,830	4.47%	1.208	1.208	1	1
McKinney	206,460	75,142	206,460	2.98%	0.805			
Anna	20,980	2,041	20,980	0.30%	0.082			
Princeton	21,760	1,184	21,760	0.31%	0.085			
Fairview	10,830	2,102	10,830	0.16%	0.042			
Melissa	18,030	1,264	18,030	0.26%	0.070	1.084	1	1
Allen	104,870	48,745	104,870	1.51%	0.409			
Lucas	8,000	1,285	8,000	0.12%	0.031			
Wylie	60,460	12,579	60,460	0.87%	0.236			
Rowlett	65,030	11,730	65,030	0.94%	0.254			
Sachse	28,450	2,641	28,450	0.41%	0.111			
Murphy	21,200	3,269	21,200	0.31%	0.083			
Parker	5,730	414	5,730	0.08%	0.022			
Lavon	5,710	42	5,710	0.08%	0.022	1.168	1	1
Frisco	217,470	103,440	217,470	3.14%	0.848			
Prosper	35,410	5,128	35,410	0.51%	0.138			
Little Elm	51,640	10,705	51,640	0.75%	0.201			
The Colony	45,900	14,923	45,900	0.66%	0.179			
Celina	25,240	2,623	25,240	0.36%	0.098			
Providence Village	8,260	639	8,260	0.12%	0.032	1.497	1	1
Dallas	1,321,740	1,210,400	1,321,740	19.09%	5.154			
University Park	25,360	10,724	25,360	0.37%	0.099			
Highland Park	8,800	4,257	8,800	0.13%	0.034	5.287	5	6
								Includes seat for Love Field
Garland	247,590	108,320	247,590	3.58%	0.965	0.965	1	1
Addison	17,720	80,505	80,505	1.16%	0.314			
Richardson	122,570	170,520	170,520	2.46%	0.665	0.979	1	1
Irving	261,350	309,100	309,100	4.46%	1.205			
Coppell	43,140	46,666	46,666	0.67%	0.182	1.387	1	1
Mesquite	152,020	70,576	152,020	2.20%	0.593			
Balch Springs	27,740	6,919	27,740	0.40%	0.108			
Seagoville	19,580	3,793	19,580	0.28%	0.076			
Sunnyvale	8,540	4,768	8,540	0.12%	0.033	0.811	1	1
Grand Prairie	199,780	88,592	199,780	2.89%	0.779	0.779	1	1
Duncanville	40,700	16,236	40,700	0.59%	0.159			
DeSoto	57,380	20,743	57,380	0.83%	0.224			
Cedar Hill	50,280	15,260	50,280	0.73%	0.196			
Lancaster	41,560	15,443	41,560	0.60%	0.162			
Glenn Heights	18,090	550	18,090	0.26%	0.071			
Hutchins	5,700	4,742	5,700	0.08%	0.022			
Wilmer	6,690	462	6,690	0.10%	0.026	0.859	1	1
Carrollton	135,110	114,810	135,110	1.95%	0.527			
Farmers Branch	38,140	87,335	87,335	1.26%	0.341	0.867	1	1
Denton	146,750	106,740	146,750	2.12%	0.572			
Sanger	9,470	5,134	9,470	0.14%	0.037			
Corinth	22,800	7,052	22,800	0.33%	0.089			
Lake Dallas	7,790	2,811	7,790	0.11%	0.030			
Aubrey	7,580	913	7,580	0.11%	0.030			
Krum	5,790	827	5,790	0.08%	0.023			
Hickory Creek	5,440	1,301	5,440	0.08%	0.021			
Oak Point	5,000	558	5,000	0.07%	0.019	0.821	1	1
Lewisville	132,620	94,311	132,620	1.92%	0.517			
Flower Mound	78,570	40,851	78,570	1.13%	0.306			
Highland Village	16,020	6,665	16,020	0.23%	0.062			
Northlake	8,790	3,120	8,790	0.13%	0.034			
Justin	5,820	3,657	5,820	0.08%	0.023	0.943	1	1
Fort Worth	955,900	575,550	955,900	13.80%	3.727	3.727	4	4
Arlington	399,560	225,160	399,560	5.77%	1.558	1.558	2	2
N. Richland Hills	71,600	31,646	71,600	1.03%	0.279			
Richland Hills	8,630	5,848	8,630	0.12%	0.034			
Haltom City	46,260	21,351	46,260	0.67%	0.180			
Watauga	23,660	5,555	23,660	0.34%	0.092			
White Settlement	18,430	9,257	18,430	0.27%	0.072			
River Oaks	7,640	1,645	7,640	0.11%	0.030			
Lake Worth	4,710	6,125	6,125	0.09%	0.024			
Saginaw	24,450	7,556	24,450	0.35%	0.095			
Azle	13,610	4,825	13,610	0.20%	0.053			
Sansom Park	5,480	1,089	5,480	0.08%	0.021			
Keller	46,060	18,460	46,060	0.67%	0.180	1.060	1	1
Grapevine	52,000	114,620	114,620	1.66%	0.447			
Southlake	31,770	36,439	36,439	0.53%	0.142			
Colleyville	26,370	10,289	26,370	0.38%	0.103			
Westlake	1,840	9,604	9,604	0.14%	0.037			
Trophy Club	14,400	2,526	14,400	0.21%	0.056			
Roanoke	9,830	5,774	9,830	0.14%	0.038			
Hurst	40,430	22,852	40,430	0.58%	0.158			
Euless	61,480	31,276	61,480	0.89%	0.240			
Bedford	49,930	34,770	49,930	0.72%	0.195	1.416	1	1
Mansfield	77,040	30,508	77,040	1.11%	0.300			
Benbrook	25,240	6,243	25,240	0.36%	0.098			
Forest Hill	14,190	3,669	14,190	0.20%	0.055			
Crowley	18,600	4,821	18,600	0.27%	0.073			
Everman	6,170	1,703	6,170	0.09%	0.024			
Kennedale	8,530	2,374	8,530	0.12%	0.033	0.584	1	1
Total	6,618,110	4,505,922	6,924,764		27	27.000	27	28
Allocation for City Seats					27			
Population Per RTC Seat					256,473			

APPENDIX A
2022 RTC Membership Structure (Continued)

City Membership		Number of RTC Seats by Formula 27	Current RTC Seats 28
2022 Population by County Grouped By RTC Seats			
County Membership		Number of RTC Seats	Current RTC Seats
	2022 Population		
<u>Collin County</u>	1,135,060	1	1
<u>Dallas County</u>	2,654,510	2	2
<u>Denton County</u>	950,660	1	1
<u>Tarrant County</u>	2,157,740	2	2
<u>Ellis County</u>	207,620		
Ennis	21,860		
Waxahachie	44,280		
Midlothian	37,580		
Red Oak	15,640		
<u>Kaufman County</u>	153,130		
Forney	27,040		
Kaufman	6,990		
Terrell	17,590		
Combined Ellis and Kaufman Population	360,750	1	1
<u>Johnson County</u>	193,500		
Burleson	50,210		
Cleburne	32,640		
Keene	6,500		
Joshua	8,370		
Venus	5,760		
Alvarado	5,330		
<u>Hood County</u>	62,120		
Granbury	11,440		
Combined Johnson and Hood Population	255,620	1	1
<u>Hunt County</u>	104,900		
Commerce	9,180		
Greenville	30,450		
<u>Rockwall County</u>	119,900		
Rockwall	49,300		
Heath	9,890		
Royse City	18,810		
Fate	22,890		
Combined Hunt and Rockwall Population	224,800	1	1
<u>Parker County</u>	152,930		
Weatherford	31,690		
Mineral Wells	15,090		
Willow Park	5,210		
Aledo	5,010		
<u>Wise County</u>	69,740		
Decatur	6,910		
Bridgeport	5,930		
Combined Parker and Wise Population	222,670	1	1
Total County Membership		10	10
DART		1	1
DCTA		1	1
FWTA		1	1
DFW Airport		1	1
TxDOT Dallas		1	1
TxDOT Fort Worth		1	1
NTTA		1	1
Total Transportation Providers		7	7
Total RTC Members		44	45
Total MPA Population	7,961,810		
Data Based on NCTCOG Annual Population Estimates and Estimated 2020 Employment			



May 15, 2024

The Honorable Vicki Sanson
Mayor
City of Lavon
PO Box 340
Lavon, TX 75166

The Honorable Dusty Kuykendall
Mayor
City of Lucas
665 Country Club Road
Lucas, TX 75002

The Honorable Scott Bradley
Mayor
City of Murphy
206 North Murphy Road
Murphy, TX 75094

The Honorable Lee Pettie
Mayor
City of Parker
5700 E. Parker Road
Parker, TX 75002

The Honorable Blake Margolis
Mayor
City of Rowlett
4000 Main Street
Rowlett, TX 75088

The Honorable Jeff Bickerstaff
Mayor
City of Sachse
3815 B Sachse Road
Sachse, TX 75048

The Honorable Matthew Porter
Mayor
City of Wylie
300 Country Club Road
Wylie, TX 75098

Mayor
Baine L. Brooks

Mayor Pro Tem
Chris Schulmeister

Councilmembers
Michael Schaeffer
Tommy Baril
Dave Cornette
Dave Shafer
Ben Trahan

City Manager
Eric Ellwanger

RE: Regional Transportation Council Representation

Dear Mayor Sanson, Mayor Kuykendall, Mayor Bradley, Mayor Pettie, Mayor Margolis, Mayor Bickerstaff, and Mayor Porter:

The Regional Transportation Council (RTC) is requesting nominations for the regular and alternate seat shared by our communities. Allen Mayor Pro Tem Chris Schulmeister currently serves as the Primary Representative to the RTC for our shared seat, with Mayor Porter of Wylie serving as the Alternate Representative. With one year remaining in his term of office, Mayor Pro Tem Schulmeister has decided not to seek a new term. Allen Councilmember Michael Schaeffer has expressed a willingness to serve as your Primary Representative to the RTC with Mayor Porter of the City of Wylie continuing as the Alternate Representative. Both Councilmember Schaeffer and Mayor Porter would serve the length of the term of appointment to the RTC.

If you have any questions or would like to discuss further, please contact me at 214.509.4120 or bbrooks@cityofallen.org.

Sincerely,

Baine L. Brooks
Mayor

Mayor Sanson, Mayor Kuykendall, Mayor Bradley, Mayor Pettie,
Mayor Margolis, Mayor Bickerstaff, and Mayor Porter
May 15, 2024
Page 2

cc: Ms. Kim Dobbs, City Manager, City of Lavon
Ms. Joni Clarke, City Manager, City of Lucas
Ms. Aretha L. Adams, City Manager, City of Murphy
Mr. Luke Olson, City Manager, City of Parker
Mr. David Hall, City Manager, City of Rowlett
Ms. Gina Nash, City Manager, City of Sachse
Mr. Brent Parker, City Manager, City of Wylie
The Honorable Chris Schulmeister, Mayor Pro Tem, City of Allen
The Honorable Michael Schaeffer, City Council, City of Allen
Mr. Eric Ellwanger, City Manager, City of Allen

Attachments:

Bio for The Honorable Michael Schaeffer, City of Allen
Regional Transportation Council Representative Endorsement Form

MICHAEL SCHAEFFER

Councilmember Place No. 1

Term 2024-2027

Councilmember Michael Schaeffer is committed to building a best-in-class community that attracts both families and businesses through exceptional amenities and intentional, responsible growth.

Prior to his election to Allen City Council, Schaeffer spent more than eleven years as a board member on the Allen Economic Development Corporation, including two years as vice president and eight as president. He also served as the public safety subcommittee chair during the 2023 City of Allen CIP bond campaign and participated in the library subcommittee for the 2016 City of Allen CIP bond campaign. In addition, Schaeffer has served on the board of the Allen Public Safety Recovery Fund and the 2010 Allen Census Committee.

Schaeffer is a small business owner with experience in the construction and restaurant industries. He and his family have lived in Allen for more than 25 years.

Contact Michael Schaeffer

Phone: 214.509.4121

[Email](#)

Regional Transportation Council Representative Endorsement

On behalf of the City of _____,

I, _____, Mayor, do hereby endorse the following to serve as RTC Primary and Alternate Representatives on behalf of our community for the term July 1, 2024, to June 30, 2026:

PRIMARY REPRESENTATIVE – Michael Schaeffer, Councilmember, City of Allen

ALTERNATE REPRESENTATIVE – Matthew Porter, Mayor, City of Wylie

SIGNED:

Mayor

ATTEST:

By: _____

Name: _____

Title: City Secretary

Date: _____



Wylie City Council

AGENDA REPORT

Department: Fire

Prepared By: Cory Claborn

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2024-18, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 46 (Fire Prevention and Protection), Article III (Fire Code), repealing Ordinance No. 2022-21 and adopting the 2021 Edition of the International Fire Code including Appendices B, C, D, K, L, and N, save and except the deletions and amendments set forth herein; prescribing regulations governing, among other things conditions hazardous to the life and property from fire, hazardous materials or explosions; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof.

Recommendation

Motion to approve the Item as presented.

Discussion

The purpose of this agenda item is to repeal and re-adopt the 2021 International Fire Code (IFC) with local and regional amendments. An in-depth review has revealed several changes and omissions, mostly administrative on the City's side that necessitate this action. Additionally, language from the 2024 IFC addressing Lithium-Ion Batteries has been incorporated to address an emerging threat that should not wait for the 2027 Code adoption, given that the City of Wylie typically updates its Fire Code every six years.

ORDINANCE NO. 2024-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE’S CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED, CHAPTER 46 (FIRE PREVENTION AND PROTECTION), ARTICLE III (FIRE CODE), REPEALING AND ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE INCLUDING APPENDICES B, C, D, K, L, AND N, SAVE AND EXCEPT THE DELETIONS AND AMENDMENTS SET FORTH HEREIN; PRESCRIBING REGULATIONS GOVERNING, AMONG OTHER THINGS CONDITIONS HAZARDOUS TO THE LIFE AND PROPERTY FROM FIRE, HAZARDOUS MATERIALS OR EXPLOSIONS; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”) has investigated and determined that it would be advantageous, beneficial and in the best interest of the citizens of the City of Wylie, Texas (“Wylie”) to repeal Ordinance No. 2022-21 in its entirety, and any amendments thereto, codified as Chapter 46 (Fire Prevention and Protection), Article III (Fire Code) of the Wylie Code of Ordinances to adopt the 2021 Edition of the International Fire Code including Appendices B, C, D, K, L, and N, save and except the deletions and amendments as set forth below.

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

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

SECTION 2: Ordinance No. 2022-21 Repealed, Codified as Chapter 46 (Fire Prevention and Protection), Article III (Fire Code) of the Wylie Code of Ordinances. Wylie Ordinance No. 2022-21 is repealed in its entirety, codified as Chapter 46 (Fire Prevention and Protection), Article III (Fire Code) of the Wylie Code of Ordinances, and replaced by this Ordinance. The effective date of the repeal discussed in this Section shall not occur until the effective date of this Ordinance at which time Ordinance No. 2022-21 shall be repealed, codified as Chapter 46 (Fire Prevention and Protection), Article III (Fire Code) of the Wylie Code of Ordinances. Such repeal shall not abate any pending prosecution and/or lawsuit or prevent any prosecution and/or lawsuit from being commenced for any violation of Ordinance No. 2022-21, codified as Chapter 46 (Fire Prevention and Protection), Article III (Fire Code), of codified the Wylie Code of Ordinances occurring before the effective date of this Ordinance.

SECTION 3: Adoption of the 2021 Edition of the International Fire Code. The City Council hereby adopts the 2021 Edition of the International Fire Code including Appendices B, C, D, K, L, and N, copyrighted by the International Code Council, Inc. save and except the deletions and additions set forth in Exhibit A and Exhibit B, attached hereto and incorporated for all purposes prescribing regulations governing, among other things, conditions hazardous to life and property from fire, hazardous materials or explosions in Wylie (“2021 International Fire Code”). The 2021 International Fire Code is made a part of this Ordinance as if fully set forth herein. One (1) copy of the 2021 International Fire Code and shall be kept on file in the office of the City Secretary of Wylie being marked and designated as the 2021 International Fire Code.

SECTION 4: 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 portion of conflicting ordinances shall remain in full force and effect.

SECTION 5: Penalty. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding Two Thousand Dollars (\$2,000.00) if the violation relates to the public health, sanitation or dumping of refuse, otherwise the fine shall be in an amount not exceeding Five Hundred Dollars (\$500.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6: 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, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7: Effective Date. This Ordinance shall become effective immediately upon its passage and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 28th day of May, 2024.

Matthew Porter, Mayor

**ATTESTED AND CORRECTLY
RECORDED:**

Stephanie Storm, City Secretary

Date of Publication: June 5, 2024, in *The Wylie News*

Exhibit A
City of Wylie Local Amendments to the 2021 International Fire Code

The following sections, paragraphs, and sentences of the *2021 International Fire Code* (IFC) and are hereby amended as follows:

Section 101.1 Insert: [NAME OF JURISDICTION]:

[A] 101.1 Title. These regulations shall be known as the Fire Code of [The City of Wylie](#), hereinafter referred to as “this code.”

Section 103.1 change to read as follows:

[A] 103.1 Creation of agency. The [Wylie Fire Prevention Division a Division of the Wylie Fire Department](#) is hereby created and the official in charge thereof shall be known as the [Fire Marshal. The Fire Marshal shall be the designated fire code official.](#) The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 109.3 change to read as follows:

[A] 109.3 *Recordkeeping.* A record of periodic inspections, tests, servicing and other operations and maintenance shall be maintained on the premises or other approved location for not less than 3 years, or a different period of time where specified in this code or referenced standards. Records shall be made available for inspection by the fire code official, and a copy of the records shall be provided to the fire code official on request.

The fire code official is authorized to prescribe the form, format [and time requirements](#) of such recordkeeping. The fire code official is authorized to require that certain required records be filed with the fire code official. [The contractor completing any work described above may be held responsible for the completeness, accuracy and timeliness of the such records.](#)

Section 111.1; Establishing a board of appeals, change to read as follows:

[A] 111.1 Board of appeals established. [The Zoning Board of Adjustments is hereby designated as the official board of appeals for The City of Wylie.](#) In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, ~~there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure.~~ The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 111.3; change to read as follows:

[A] 111.3 Qualifications. The board of appeals shall consist of members ~~who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems, and are not employees of the jurisdiction.~~ [per the adopted rules and procedures of the Zoning Board of Adjustments.](#)

Section 112.4; change to read as follows:

[A] 112.4 Violation penalties. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding Two Thousand Dollars (\$2,000.00) if the violation relates to the public health, sanitation or dumping of refuse, otherwise the fine shall be in an amount not exceeding Five Hundred Dollars (\$500.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state and federal law.

(Reason: To mirror the wording of the adopted ordinance) Section 322; Local Amendment pulled from Section 320, IFC 2024

SECTION 322—LITHIUM-ION AND LITHIUM METAL BATTERY STORAGE

322.1 General. The storage of lithium-ion and lithium metal batteries shall comply with Section 322.

Exceptions:

1. New or refurbished batteries installed in the equipment, devices or vehicles they are designed to power.
2. New or refurbished batteries packed for use with the equipment, devices or vehicles they are designed to power.
3. Batteries in original retail packaging that are rated at not more than 300 watt-hours for lithium-ion batteries or contain not more than 25 grams of lithium metal for lithium metal batteries.
4. Temporary storage of batteries or battery components during the battery manufacturing process prior to completion of final quality control checks.
5. Temporary storage of batteries during the vehicle manufacturing or repair process.

322.2 Permits. Permits shall be required for an accumulation of more than 15 cubic feet (0.42 m³) of lithium-ion and lithium metal batteries, other than batteries listed in the exceptions to Section 321.1, as set forth in Section 105.5.28.

322.3 Fire safety plan. A fire safety plan shall be provided in accordance with Section 404. In addition, the fire safety plan shall include emergency response actions to be taken upon detection of a fire or possible fire involving lithium-ion or lithium metal battery storage.

322.4 Storage requirements. Lithium-ion and lithium metal batteries shall be stored in accordance with Section 322.4.1, 322.4.2 or 322.4.3, as applicable.

322.4.1 Limited indoor storage in containers. Not more than 15 cubic feet (0.42 m³) of lithium-ion or lithium metal batteries shall be permitted to be stored in containers in accordance with all of the following:

1. Containers shall be open top and constructed of noncombustible materials or shall be approved for battery collection.
2. Individual containers and groups of containers shall not exceed a capacity of 7.5 cubic feet (0.21 m³).
3. A second container or group of containers shall be separated by not less than 3 feet (914 mm) of open space or 10 feet (3048mm) of space that contains combustible materials.
4. Containers shall be located not less than 5 feet (1524 mm) from exits or exit access doors.

322.4.2 Indoor storage areas. Indoor storage areas for lithium-ion and lithium metal batteries, other than those complying with Section 322.4.1, shall comply with Sections 322.4.2.1 through 322.4.2.6.

322.4.2.1 Technical opinion and report. A technical opinion and report complying with Section 104.2.2 shall be prepared to evaluate the fire and explosion risks associated with the indoor storage area and to

make recommendations for fire and explosion protection. The report shall be submitted to the fire code official and shall require the fire code official's approval prior to issuance of a permit. In addition to the requirements of Section 104.2.2, the technical opinion and report shall specifically evaluate the following:

1. The potential for deflagration of flammable gasses released during a thermal runaway event.
2. The basis of design for an automatic sprinkler system or other approved fire suppression system. Such design basis shall reference relevant full-scale fire testing or another approved method of demonstrating sufficiency of the recommended design.

322.4.2.2 Construction requirements. Where indoor storage areas for lithium-ion and lithium metal batteries are located in a building with other uses, battery storage areas shall be separated from the remainder of the building by 2-hour rated fire barriers or horizontal assemblies. Fire barriers shall be constructed in accordance with Section 707 of the International Building Code, and horizontal assemblies shall be constructed in accordance with Section 711 of the International Building Code.

Exceptions:

1. 1. Where battery storage is contained in one or more approved prefabricated portable structures providing a complete 2-hour fire-resistance-rated enclosure, fire barriers and horizontal assemblies are not required.
2. Where battery storage is limited to new batteries in packaging that has been demonstrated to and approved by the fire code official as sufficient to isolate a fire in packaging to the package interior, fire barriers and horizontal assemblies are not required.

322.4.2.3 Fire protection systems. Indoor storage areas for lithium-ion and lithium metal batteries shall be protected by an automatic sprinkler system complying with Section 903.3.1.1 or an approved alternative fire suppression system. The system design shall be based on recommendations in the approved technical opinion and report required by Section 322.4.2.1.

322.4.2.4 Fire alarm systems. Indoor storage areas for lithium-ion and lithium metal batteries shall be provided with an approved automatic fire detection and alarm system complying with Section 907. The fire detection system shall use air-aspirating smoke detection, radiant energy-sensing fire detection or both.

322.4.2.5 Explosion control. Where the approved technical opinion and report required by Section 322.4.2.1 recommends explosion control, explosion control complying with Section 911 shall be provided.

322.4.2.6 Reduced requirements for storage of partially charged batteries. Indoor storage areas for lithium-ion and lithium metal batteries with a demonstrated state of charge not exceeding 30 percent shall not be required to comply with Sections 322.4.2.1, 322.4.2.2 and 322.4.2.5, provided that procedures for limiting and verifying that the state of charge will not exceed 30 percent have been approved.

322.4.3 Outdoor storage. Outdoor storage of lithium-ion or lithium metal batteries shall comply with Sections 322.4.3.1 through 322.4.3.3.

322.4.3.1 Distance from storage to exposures. Outdoor storage of lithium-ion or lithium metal batteries, including storage beneath weather protection in accordance with Section 414.6.1 of the International Building Code, shall comply with one of the following:

1. Battery storage shall be located not less than 20 feet (6096 mm) from any building, lot line, public street, public alley, public way or means of egress.
2. Battery storage shall be located not less than 3 feet (914 mm) from any building, lot line, public street, public alley, public way or means of egress, where the battery storage is separated by a 2-hour fire-resistance-rated assembly without openings or penetrations and extending 5 feet (1524 mm) above and to the sides of the battery storage area.
3. Battery storage shall be located not less than 3 feet (914 mm) from any building, lot line, public street, public alley, public way or means of egress, where batteries are contained in approved, prefabricated portable structures providing a complete 2-hour fire-resistance-rated enclosure.

322.4.3.2 Storage area size limits and separation. Outdoor storage areas for lithium-ion or lithium metal batteries, including storage beneath weather protection in accordance with Section 414.6.1 of the International Building Code, shall not exceed 900 square feet (83.6 m²). The height of battery storage in such areas shall not exceed 10 feet (3048 mm). Multiple battery storage areas shall be separated from each other by not less than 10 feet (3048 mm) of open space.

322.4.3.3 Fire detection. Outdoor storage areas for lithium-ion or lithium metal batteries, regardless of whether such areas are open, under weather protection or in a prefabricated portable structure, shall be provided with an approved automatic fire detection and alarm system complying with Section 907. The fire detection system shall use radiant energy-sensing fire detection.

509.2, 509.2.1; change to read as follows:

509.2 Equipment access. Approved access shall be provided and maintained for all fire protection system equipment and utility equipment to permit immediate safe operation and maintenance of such equipment. Storage, trash and other materials or objects shall not be placed or kept in such a manner that would prevent such equipment from being readily accessible. The code official may require additional markings to identify areas that must be kept clear to provide access to the above equipment.

509.2.1 Electrical Shut Off Switch- The Fire Code Official may require a single electrical shut off switch be provided on a building. This switch shall be installed and maintained so that all electrical circuits will be disconnected in the building and or electrical panels as approved by Fire Code Official. At the discretion of the Fire Code Official life safety and fire suppression systems may be exempt from being shut off by the electrical shut off switch.

(Reason: For clarity Section 509 addresses fire protection equipment and utilities but utilities are not specifically called out in 509.2)

903.4.2 Alarms: Adding visual alarm to the requirement

903.4.2 Alarms. Approved audible and visual devices, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

903.4.3 Floor control valves

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in ~~high-rise buildings~~ over 2 stories or as required by the Fire Code Official.

6104.2 Insert: [JURISDICTION TO SPECIFY]

6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L) in residential districts.

907.5.2.1 Audible Alarms. change to read as follows:

907.5.2.1 Audible Alarms. Audible alarm notification appliances shall be provided and emit a distinctive sound that is not to be used for any purpose other than that of a fire alarm. Each individual suite or occupancy, within a sprinklered building, that is not required in other sections of this code to provide audible notification to the building occupants, shall install an audible fire alarm device with a temporal

pattern horn connected to the fire alarm panel that provides notification of a fire alarm condition if one is detected in the building.

(Reason: The change is to ensure all occupants of a building are notified of an active alarm. Currently code does not require each suite to have a notification device.)

5706.2.4.4 Insert: [JURISDICTION TO SPECIFY]

5706.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by law as the limits of districts in which such storage is prohibited in residential districts.

6104.2 Insert: [JURISDICTION TO SPECIFY]

6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L) in residential districts.

D103.5 Fire apparatus access road gates add #9

9. Gates that affect access for more than one address/parcel, such as a neighborhood or business park shall be set up with an electric opener.

Exhibit B 2021 International Fire Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Fire Code* (IFC) are hereby amended as follows: Standard type is text from the IFC. Underlined type is text inserted. ~~Lined through type is deleted text from IFC.~~ A double asterisk (**) at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2021 code.

Note: Historically, the North Central Texas Council of Governments (NCTCOG) has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.** Note that Appendices must be specifically adopted by Ordinance, and that Appendices B, D, and L are currently recommended for adoption via these Amendments. As per Page vii of the 2021 IFC under ‘Adoption’, note that several sections of this code require jurisdictional specificity as to dollar amounts, geographic limits, etc. and are not addressed in these amendments.

City of Wylie is “Option B” jurisdiction; Option B shall govern where applicable.

****Section 102.1; change #3 to read as follows:**

3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of this code.

(Reason: To clarify that there are other provisions in the fire code applicable to existing buildings that are not located in Chapter 11, including but not limited to Section 505 Premises Identification.)

****Section 105.3.3; change to read as follows:**

105.3.3 Occupancy Prohibited before Approval. The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.

(Reason: For clarity to allow for better understanding in areas not requiring such permits, such as unincorporated areas of counties. This amendment may be struck by a city.)

****Section 105.6.25; add to read as follows:**

105.6.25 Electronic access control systems. Construction permits are required to install or modify an electronic access control system, as specified in Chapter 10. A separate construction permit is required to install or modify a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

(Reason: Adds construction permit requirements for electronic access control systems affecting access and/or egress to ensure proper design and installation of such systems. These changes reflect local practices of municipalities in this region.)

*****Section 107.3; delete this section in its entirety:**

(Different jurisdictions establish permit fee requirements in different ways, and the majority in this region do not utilize this methodology for establishing Fire Code-required permit fees, as well as have already established and adopted applicable permit fee requirements.)

****Section 202; amend and add definitions to read as follows:**

**** [B] AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff has accepted responsibility for care recipients already incapable. This group may include but not be limited to the following:

- Dialysis centers
- Procedures involving sedation
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

(Reason: to clarify the range of uses included in the definition)

**** [B] ATRIUM.** An opening connecting three or more stories... *{remaining text unchanged}*

(Reason: Accepted practice in the region based on legacy codes. IBC Section 1009 permits unenclosed two story stairways under certain circumstances.)

**** [B] DEFEND IN PLACE.** A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

(Reason: Added from International Building Code (IBC) definitions for consistency in interpretation of the subject requirements pertaining to such occupancies.)

****FIRE WATCH.** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the fire code official, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

(Reason: Clearly defines options to the fire department for providing a fire watch.)

****FIREWORKS.** Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration, detonation*, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.3G fireworks or 1.4G fireworks. ... *{Remainder of text unchanged}*...

(Reason: Increased safety from fireworks related injuries.)

****Option B*****HIGH-PILED COMBUSTIBLE STORAGE: add a second paragraph to read as follows:***

Any building classified as a group S Occupancy or Speculative Building exceeding 6,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified (speculative warehouse), a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

(Reason: To provide protection for worst-case scenarios in flexible or unknown situations.)

****Option B**

HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

(Reason: Allows for additional construction safety features to be provided, based on firefighting response capabilities.)

****REPAIR GARAGE.** A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

(Reason: To further clarify types of service work allowed in a repair garage, as well as to correspond with definition in the IBC.)

****SELF-SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

(Reason: To provide a definition that does not exist in the code.)

****STANDBY PERSONNEL.** Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

(Reason: To provide a definition that does not exist in the code for fire watch accommodations as required by the jurisdiction.)

****UPGRADED OR REPLACED FIRE ALARM SYSTEM.** A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new fire alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates

- Replacing boards of the same model with chips utilizing the same or newer firmware

(Reason: This is referenced in several places, but the wording of “upgraded or replaced” is somewhat ambiguous and open to interpretation. Defining it here allows for consistent application across the region.)

****Section 307.1.1; change to read as follows:**

****Section 307.1.1; change to read as follows:**

307.1.1 Prohibited Open Burning. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Exception: {No change.}

(Reason: To further protect adjacent property owners/occupants from open burning and/or smoke emissions from open burning.)

****Section 307.2; change to read as follows:**

307.2 Permit Required. A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or open burning. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality (TCEQ) guidelines and/or restrictions.
2. State, County, or Local temporary or permanent bans on open burning.
3. Local written policies as established by the *fire code official*.

(Reason: Amendments to 307.2, 307.4, 307.4.3, and 307.5 better explain current requirements and recognize that jurisdictions have local established policies that best fit their environments.)

****Section 307.3; change to read as follows:**

307.3 Extinguishment Authority. The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

(Reason: Provides direction as to responsible parties relative to extinguishment of the subject open burning.)

*****Section 307.4 and 307.4.1; change to read as follows:**

307.4 Location. The location for open burning shall not be less than 300 feet (91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91 440 mm) of any structure.

Exceptions: {No change.}

307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet (15 240 mm), or greater distance as determined by the fire code official, of a structure or combustible material, unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within the required setback ~~50 feet (15 240 mm)~~ of a structure shall be eliminated prior to ignition.

(Reason: To increase the separation distance thereby increasing the safety to adjacent properties, as per applicable TCEQ rules and regulations regarding outdoor burning. Bonfires were added to this requirement to allow the AHJ the ability to match the increased setback utilized for open burning as necessary. Size of bonfire will help to determine needed setback, fire equipment and apparatus as per permit requirements.)

****Section 307.4.3, Exceptions; add Exception #2 to read as follows:**

Exceptions:

1. Portable outdoor fireplaces used at one- and two-family dwellings.
2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system.

(Reason: To reflect similar allowances for open-flame cooking in these same locations.)

****Section 307.4.4 and 5; add section 307.4.4 **Section 307.4.4 and 307.4.5; change to read as follows:**

307.4.4 Permanent Outdoor Firepit. Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

Exception: Permanently installed outdoor fireplaces constructed in accordance with the International Residential Code or International Building Code.

307.4.5 Trench Burns. Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

(Reason: To provide a greater level of safety for this potentially hazardous fire exposure condition. Decrease in separation distance allowed for outdoor firepits due to permanent nature of construction having substantial securement.)

****Section 307.5; change to read as follows:**

307.5 Attendance. Open burning, trench burns, bonfires, recreational fires, and use of portable outdoor fireplaces shall be constantly attended until the... *{Remainder of section unchanged}*

(Reason: Adds attendance for trench burns based on previous amendment provision for such.)

****Section 308.1.4; change to read as follows:**

308.1.4 Open-flame Cooking Devices. Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings where LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an

- aggregate LP-gas capacity not to exceed 100 pounds (5 containers). All LP-gas containers shall be stored outside, as per Chapter 61.
2. Where buildings, balconies and decks are protected by an approved *automatic sprinkler system*, and LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs. (2 containers). All LP-gas containers shall be stored outside, as per Chapter 61.
 3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2-1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

(Reason: Decrease fire risk in multi-family dwellings and minimizes ignition sources and clarify allowable limits for 1 & 2 family dwellings, and allow an expansion for sprinklered multi-family uses. This amendment adds clarification and defines the container size allowed for residences.)

****Section 308.1.6.2, Exception #3; change to read as follows:**

3. Torches or flame-producing devices in accordance with Section 308.1.3.

(Reason: Section identified in published code is inappropriate.)

****Section 308.1.6.3; change to read as follows:**

308.1.6.3 Sky Lanterns. A person shall not release or cause to be released an unmanned free-floating device containing an open flame or other heat source, such as but not limited to a *sky lantern*.

(Reason: Eliminates the potential fire hazard presented by utilization of such devices and the potential accidental release of such devices.)

****Section 311.5; change to read as follows:**

311.5 Placards. The *fire code official* is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 114 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

(Reason: There may be situations where placarding is not desired or necessary; also clarifies intent that it is not the fire code official's responsibility to provide the placard.)

****Section 403.4; change to read as follows:**

403.4 Group E Occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Sections 403.4.1 through 403.4.3.

(Reason: The diagrams are intended to assist with egress in such occupancies – specifically, the primary teacher is not always present to assist children with egress. Also, such will help reinforce evacuation drill requirements.)

****Section 404.2.2; add Number 4.10. to read as follows:**

- 4.10. Fire extinguishing system controls.

(Reason: The committee believed this information could be of great help to such plans to facilitate locating sprinkler valves to minimize water damage, for instance.)

*****Section 405.5; change to read as follows:**

405.5 Time. The fire code official may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

Exceptions:

1. {No change.}
2. {No change.}
3. Notification of teachers/staff having supervision of light- or sound-sensitive students/occupants, such as those on the autism spectrum, for the protection of those students/occupants, shall be allowed prior to conducting a drill.

(Reason: This change clarifies who may require a fire or evacuation drill, and also allows for consideration/protection of students/occupants who may be severely negatively impacted by the nature of a fire alarm notification during a practice drill.)

****Section 501.4; change to read as follows:**

501.4 Timing of Installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

(Reason: Reflects current practice in the region relative to ensuring fire department and EMS access during construction, which can be a time of increased frequency for emergency incidents.)

****Section 503.1.1; add sentence to read as follows:**

Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a 10 feet (3048 mm) wide unobstructed pathway around the external walls of the structure.

(Reason: Recognizes that the hose lay provision can only be measured along a pathway that is wide enough for fire fighter access.)

****Section 503.2.1; change to read as follows:**

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4267 mm).

Exception: Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.

(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)

****Section 503.2.2; change to read as follows:**

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)

*****Section 503.2.3; change Section 503.2.3 to read as follows:**

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support imposed loads of 85,000 Lbs. for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

(Reason: To address the current size of fire trucks in use – figure derived from DOT requirements for waiver of vehicle exceeding such weight and from current maximum weights of fire trucks being purchased by jurisdictions in North Texas.)

****Section 503.3; change to read as follows:**

503.3 Marking. Striping, signs, or other markings, when approved by the fire code official, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) Striping – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” shall appear in four inch (4”) white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

(2) Signs – Signs shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high. Signs shall be painted on a white background with letters and borders in red, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

(Reason: Establishes a standard method of marking and reflects regional long-standing practices.)

****Section 503.4; change to read as follows:**

503.4 Obstruction of Fire Apparatus Access Roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and 503.2.2 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

(Reason: As originally worded, the section implied that vehicles could be parked in the marked fire lane and not be in violation if the minimum width is still maintained. Current accepted enforcement practice is to require the entire marked fire lane to be maintained clear and unobstructed.)

****Section 505.1; change to read as follows:**

505.1 Address Identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background on border. Address identification shall be maintained.

Exception: R-3 Single Family occupancies shall have approved numerals of a minimum 3 ½ inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

(Reason: To increase the minimum addressing requirements for commercial properties and establish a minimum for single-family residential properties. Such improves legibility of these signs which are critical to emergency response in a more timely manner.)

****Section 507.4; change to read as follows:**

507.4 Water Supply Test Date and Information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants” and within one year of sprinkler plan submittal. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official*, as required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the waterflow test report, or as approved by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. Reference Section 903.3.5 for additional design requirements.

(Reason: Clarifies intent of the test to ensure contractor accounts for water supply fluctuations.)

****Section 507.5.4; change to read as follows:**

507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

(Reason: Additional guidance based on legacy language to ensure these critical devices are available in an emergency incident.)

****Section 509.1.2; add to read as follows:**

509.1.2 Sign Requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as approved by the *fire code official*. The letters shall be of a color that contrasts with the background.

(Reason: Provides direction as to appropriate sign criteria to develop local and regional consistency in this regard.)

*****Section 605.4 through 605.4.2.2; change to read as follows:**

605.4 Fuel oil storage systems. Fuel oil storage systems shall be installed and maintained in accordance with this code. Tanks and fuel-oil piping systems shall be installed in accordance with Chapter 13 of the *International Mechanical Code* and Chapter 57.

605.4.1 Fuel oil storage in outside, above-ground tanks. Where connected to a fuel-oil piping system, the maximum amount of fuel oil storage allowed outside above ground without additional protection shall be 660 gallons (2498 L). The storage of fuel oil above ground in quantities exceeding 660 gallons (2498 L) shall comply with NFPA 31 and Chapter 57.

605.4.1.1 Approval. Outdoor fuel oil storage tanks shall be in accordance with UL 142 or UL 2085, and also listed as double-wall/secondary containment tanks.

605.4.2 Fuel oil storage inside buildings. Fuel oil storage inside buildings shall comply with Sections 605.4.2.2 through 605.4.2.8 and Chapter 57.

605.4.2.1 Approval. Indoor fuel oil storage tanks shall be in accordance with UL 80, UL 142 or UL 2085.

605.4.2.2 Quantity limits. One or more fuel oil storage tanks containing Class II or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all tanks shall not exceed the following:

1. 660 gallons (2498 L) in unsprinklered buildings, where stored in a tank complying with UL 80, UL 142 or UL 2085, and also listed as a double-wall/secondary containment tank for Class II liquids.
2. 1,320 gallons (4996 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in a tank complying with UL 142 or UL 2085. The tank shall be listed as a secondary containment tank, and the secondary containment shall be monitored visually or automatically.
3. 3,000 gallons (11 356 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in protected above-ground tanks complying with UL 2085 and Section 5704.2.9.7. The tank shall be listed as a secondary containment tank, as required by UL 2085, and the secondary containment shall be monitored visually or automatically.

(Reason: Issues addressed by Chapter 57, such as venting to outside of buildings, remote fill to outside of building, overfill protection, physical protection, etc., are not included in Section 605.4, so compliance with Chapter 57 is also required. The Board removed the applicability to heating systems only from the charging statement based on this more prudent method of diesel storage for generators, boilers, fire pumps and other fuel-fired equipment inside buildings without requiring Group H occupancy classification – this is now established practice in the region as well.)

****Section 807.5.2.2 and 807.5.2.3 applicable to Group E occupancies; change to read as follows:**

807.5.2.2 Artwork in Corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

807.5.2.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

(Reason: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)

****Section 807.5.5.2 and 807.5.5.3 applicable to Group I-4 occupancies; change to read as follows:**

807.5.5.2 Artwork in Corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

807.5.5.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

(Reason: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)

****Section 901.6.1.1; add to read as follows:**

901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed or inspected by an approved camera when foreign material is present or when caps are missing, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the *fire code official*.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.
7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.

(Reason: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25 relative to standpipe systems, as well as ensuring that FDC connections are similarly tested/maintained to ensure operation in an emergency incident.)

****Section 901.6.4; add to read as follows:**

901.6.4 False Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

(Reason: Places the responsibility on the business or property owner to maintain their fire alarm systems in approved condition. Allows the enforcement of "prohibition of false alarms". Replaces text lost from the legacy codes that helps to ensure the maintenance of life safety systems.)

****Section 901.7; change to read as follows:**

901.7 Systems Out of Service. Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an

approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service. ... {Remaining text unchanged}

(Reason: Gives fire code official more discretion with regards to enforcement of facilities experiencing nuisance alarm or fire protection system activations necessitating correction/repair/replacement. The intent of the amendment is to allow local jurisdictions to enforce fire watches, etc., where needed to ensure safety of occupants where fire protection systems are experiencing multiple nuisance activations.)

****Section 903.1.1; change to read as follows:**

903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as *approved by the fire code official.*

(Reason: Such alternative systems do not provide the reliability of automatic sprinkler protection. Most gaseous type systems are highly susceptible to open doors, ceiling or floor tile removal, etc. However, an applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the fire code official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths.)

****Section 903.2; add paragraph to read as follows and delete the Exception for telecommunications buildings:**

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”

(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3005.4, such that passive fire barriers for these areas are maintained. The exception deletion is due to the fact that such telecom areas pose an undue fire risk to the structural integrity of the building.)

*****Section 903.2.4.2; change to read as follows:**

903.2.4.2 Group F-1 distilled spirits. An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits involving more than 120 gallons of distilled spirits (>16% alcohol) in the fire area at any one time.

(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small distillery type operations without sprinkler requirements as has been historically allowed.)

*****Section 903.2.9.3; change to read as follows:**

903.2.9.3 Group S-1 distilled spirits or wine. An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine involving more than 120 gallons of distilled spirits or wine (>16% alcohol) in the fire area at any one time.

(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small storage operations without sprinkler requirements as has been historically allowed.)

****Section 903.2.9.4 and 903.2.9.5; delete Exception to 903.2.9.4 and add Section 903.2.9.5 to read as follows:**

903.2.9.5 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

(Reason: Fire departments are unable to regularly inspect the interior of these commercial occupancies and are unaware of the contents being stored. Previous allowance to separate units by fire barriers is difficult to enforce maintenance after opening.)

*****Option B**

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:

903.2.11.3 Buildings ~~55~~ 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories, other than penthouses in compliance with Section 1511 of the *International Building Code*, located 35 feet (10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

903.2.11.9 Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the *International Building Code* where all of the following conditions apply:

- a. The structure is freestanding.
- b. The structure does not contain any mixed uses, accessory uses, storage rooms, electrical rooms, elevators or spaces used or occupied for anything other than motor vehicle parking.
- c. The structure does not exceed 3 stories.
- d. An approved fire apparatus access road is provided around the entire structure.

(Reason: Provides jurisdictions options as to their desired level of sprinkler protection based on multiple factors including firefighting philosophies/capabilities.)

****Section 903.3.1.1.1; change to read as follows:**

903.3.1.1.1 Exempt Locations. When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such ... *{text unchanged}*... because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.-
5. {Delete.}

(Reason: Gives more direction to code official. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirement.)

*****Section 903.3.1.2; change to read as follows:**

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or less above grade plane.
2. The floor level of the highest story is 35 feet (10668 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is 35 feet (10668 mm) or less below the lowest level of fire department vehicle access.

{No change to remainder of section.}

(Reason: The change to the 2021 IFC over-reached to limit 13R systems to 30 ft. high at topmost floor level, which basically results in limiting 13R systems to 3 story buildings in reality. This change to 35 ft. would still allow 13R systems in 4 story apartment buildings, as has been allowed historically and as intended by 13R's scope.)

*****Section 903.3.1.2.2; change to read as follows:**

903.3.1.2.2 Corridors and balconies. Sprinkler protection shall be provided in all corridors and for all balconies. *{Delete the rest of this section.}*

(Reason: Corridor protection is critical to the means of egress, and corridors are regularly utilized for miscellaneous storage, fixtures, artwork, food kiosks and beverage dispensers, and furnishings. Balcony protection is required due to issues with fire exposure via soffit vents and the potential for significant combustible loading.)

****Section 903.3.1.2.3; delete section and replace as follows:**

Section 903.3.1.2.3 Attached Garages and Attics. Sprinkler protection is required in attached garages, and in the following attic spaces:

1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.
2. Where fuel-fired equipment is installed in an unsprinklered attic, not fewer than one quick-response intermediate temperature sprinkler shall be installed above the equipment.
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following:
 - 4.1. Provide automatic sprinkler system protection.
 - 4.2. Provide a heat detection system throughout the attic that is arranged to activate the building fire alarm system.
 - 4.3. Construct the attic using noncombustible materials.
 - 4.4. Construct the attic using fire-retardant-treated wood complying with Section 2303.2 of the International Building Code.
 - 4.5. Fill the attic with noncombustible insulation.

(Reason: Attic protection is required due to issues with fire exposure via soffit vents, as well as firefighter safety. Several jurisdictions indicated experience with un-protected attic fires resulting in displacement of all building occupants. NFPA 13 provides for applicable attic sprinkler protection requirements, as well as exemptions to such, based on noncombustible construction, etc. Attached garages already require sprinklers via NFPA 13R – this amendment just re-emphasizes the requirement.)

****Section 903.3.1.3; change to read as follows:**

903.3.1.3 NFPA 13D Sprinkler Systems. Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

(Reason: To allow the use of the Plumbing section of the International Residential Code (IRC) and recognize current state stipulations in this regard.)

****Section 903.3.1.4; add to read as follows:**

903.3.1.4 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and

3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

(Reason: In the last few years, severe winters brought to light several issues with current practices for sprinklering attics, not the least of which was wet-pipe sprinklers in ventilated attics provided with space heaters, etc. for freeze protection of such piping. This practice is not acceptable for the protection of water-filled piping in a ventilated attic space as it does not provide a reliable means of maintaining the minimum 40 degrees required by NFPA, wastes energy, and presents a potential ignition source to the attic space. Listed antifreeze is specifically included because NFPA currently allows such even though there is no currently listed antifreeze at the time of development of these amendments. The intent of this amendment is to help reduce the large number of freeze breaks that have occurred in the past with water-filled wet-pipe sprinkler systems in the future, most specifically in attic spaces.)

****Section 903.3.5; add a second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective NFPA standards; however, every water-based fire protection system shall be designed with a 10 psi safety factor. Reference Section 507.4 for additional design requirements.

(Reason: To define uniform safety factor for the region.)

****Section 903.4; add a second paragraph after the Exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(Reason: To avoid significant water losses. Consistent with amendment to IFC 905.9.)

****Section 903.4.2; add second paragraph to read as follows:**

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

(Reason: Fire department connections are not always located at the riser; this allows the fire department faster access and ease of recognition of the FDC location, especially at night.)

****Section 905.3.9; add to read as follows:**

905.3.9 Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the fire code official.
2. R-2 occupancies of four stories or less in height having no interior corridors.

(Reason: Allows for the rapid deployment of hose lines to the body of the fire in larger structures.)

****Section 905.4; change Items 1, 3, and 5, and add Item 7 to read as follows:**

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.
Exception: {No change.}
2. {No change.}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.
Exception: Where floor areas adjacent to an exit passageway are reachable from an exit stairway hose connection by a {remainder of text unchanged}
4. {No change.}
5. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located to serve the roof or at the highest landing of an exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change.}
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

(Reason: Item 1, 3, and 5 amendments to remove 'interior' will help to clarify that such connections are required for all 'exit' stairways, to ensure firefighter capabilities are not diminished in these tall buildings, simply because the stair is on the exterior of the building. Item 5 reduces the amount of pressure required to facilitate testing, and provides backup protection for fire fighter safety. Item 7 allows for the rapid deployment of hose lines to the body of the fire.)

*****Section 905.8; change to read as follows:**

905.8 Dry standpipes. Dry standpipes shall not be installed.

Exception: Where subject to freezing and in accordance with NFPA 14. Additionally, manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low Supervisory alarm.

(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm. NFPA 14 requires supervisory air for such, but does not provide pressure criteria for what that means. This is a long-standing regional requirement.)

****Section 905.9; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(Reason: To avoid significant water losses. Consistent with amendment to IFC 903.4.)

*****Section 906.1(1); delete Exception 3 as follows:**

(Reason: This provision of only having vehicle-mounted fire extinguishers is not at all consistent with historical practice of requiring extinguishers throughout based on travel distance. Often times, the vehicle is what has caused the incident and/or may be the source of the incident, so having the extinguisher vehicle-mounted results in greater potential injury of the user. This assumes the only occupants in the building are on a vehicle, which again, significantly reduces access to fire extinguishers throughout the building to other occupants. Future use of the building/tenancy may change further complicating the issue.)

****Section 907.1.4; add to read as follows:**

907.1.4 Design Standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

(Reason: Provides for the ability of descriptive identification of alarms, and reduces need for panel replacement in the future. Change of terminology allows for reference back to definitions of NFPA 72.)

****Section 907.2.1; change to read as follows:**

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons, or where the occupant load is more than 100 persons above or below the *lowest level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

(Reason: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices or reduces ability of fire alarm system to notify occupants of the emergency condition.)

****Section 907.2.3; change to read as follows:**

907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. {No change.}

1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

{No change to remainder of exceptions.}

(Reason: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems. Exceptions provide consistency with State law concerning such occupancies.)

*****Section 907.2.10; change to read as follows:**

907.2.10 Group S. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies for interior corridors and interior common areas. Visible notification appliances are not required within storage units.

Exception: {No change.}

(Reason: Because of the potential unknown fire load and hazards in self-storage type facilities, which could include flammable liquids for instance, as well as other hazardous materials, prompt evacuation in the event of fire alarm is needed; therefore, notification in the corridors/common areas is critical to all such occupancies, regardless of height.)

****Section 907.2.13, Exception #3; change to read as follows:**

3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.

(Reason: To indicate that enclosed areas within open air seating type occupancies are not exempted from automatic fire alarm system requirements.)

****Section 907.4.2.7; add to read as follows:**

907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.

(Reason: Helps to reduce false alarms.)

****Section 907.6.1.1; add to read as follows:**

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

(Reason: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)

****Section 907.6.3; delete all four Exceptions.**

(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This is moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections.)

****Section 907.6.6; add sentence at end of paragraph to read as follows:**

See 907.6.3 for the required information transmitted to the supervising station.

(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This was moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections (legacy language).)

****Section 910.2; change Exceptions #2 and 3 to read as follows:**

2. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m^*S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while still prohibiting such systems from being automatically activated, which is a potential detriment to the particular sprinkler systems indicated.)

****Section 910.2.3; add to read as follows:**

910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

(Reason: Maintains a fire protection device utilized in such occupancies where it is sometimes necessary to allow chemicals to burn out, rather than extinguish. This is based on legacy language establishing long-standing historical practice.)

****Section 910.4.3.1; change to read as follows:**

910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.

(Reason: Makeup air has been required to be automatic for several years now in this region when mechanical smoke exhaust systems are proposed. This allows such systems to be activated from the smoke control panel by first responders without having to physically go around the exterior of the building opening doors manually. Such requires a significant number of first responders on scene to conduct this operation and significantly delays activation and/or capability of the smoke exhaust system.)

****Section 912.2.3; add to read as follows:**

912.2.3 Hydrant Distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

(Reason: To accommodate limited hose lengths, improve response times where the FDC is needed to achieve fire control, and improve ease of locating a fire hydrant in those situations also. Also, consistent with NFPA 14 criteria.)

****Section 913.2.1; add second paragraph and exception to read as follows:**

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by Section 506.1.

(Reason: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)

****Section 914.3.1.2; change to read as follows:**

914.3.1.2 Water Supply to required Fire Pumps. In all buildings that are more than 120 feet (36.6 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: {No change to exception.}

(Reason: The 2009 edition of the IFC added this requirement based on a need for redundancy of the water supply similar to the redundancy of the power supply to the fire pumps required for such tall buildings,

partially due to the fact that these buildings are rarely fully evacuated in a fire event. More commonly, the alarm activates on the floor of the event, the floor above and the floor below. Back-up power to the fire pump becomes critical for this reason. Certainly, the power is pointless if the water supply is impaired for any reason, so a similar requirement is provided here for redundant water supplies. The 2015 edition changes the requirement to only apply to very tall buildings over 420 ft. This amendment modifies/lowers the requirement to 120 ft., based on this same height requirement for fire service access elevators. Again, the language from the 2009 and 2012 editions of the code applied to any high-rise building. This compromise at 120 ft. is based on the above technical justification of defend-in-place scenarios in fire incidents in such tall structures.)

****Section 1006.2.1; change Exception #3 to read as follows:**

1006.2.1 Egress based on occupant load and common path of egress travel distance. Two exits or exit doorways from any space shall be provided where the design occupant load or the common path of egress travel distance exceeds the values listed in Table 1006.2.1. The cumulative occupant load from adjacent rooms, areas or space shall be determined in accordance with Section 1004.2.

Exceptions:

1. {No change.}
2. {No change.}
3. Unoccupied rooftop mechanical rooms and penthouses are not required to comply with the common path of egress travel distance measurement.

(Reason: Add "rooftop" to Exception No. 3 to clarify that only such mechanical rooms located on the roof may be exempted.)

****Section 1009.8; add Exception #7 to read as follows:**

Exceptions:

1. through 6. {No change.}
7. Buildings regulated under State Law and built in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and Chapter 11.

(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments in Chapter 11.)

****Section 1010.2.5; change Exceptions #3 and 4 to read as follows:**

Exceptions:

1. {No change.}
2. {No change.}
3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy. (remainder unchanged)
4. Where a pair of doors serves a Group A, B, F, M or S occupancy (remainder unchanged)
5. {No change.}

(Reason: It is common in our region to see the 2nd leaf locked, when that leaf is not part of the required egress door clear width, such as in a typical Group M occupancy. Exception No. 4 was expanded to Group A due to it being a similar situation for Group A restaurants.)

****Section 1020.2; add Exception #6 to read as follows:**

Exceptions:

1. through 5. {No change.}
6. In unsprinklered group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector must activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors must be connected to an approved automatic fire alarm system where such system is provided.

(Reason: Similar concept was previously in UBC – legacy language. This scenario occurs primarily in existing, non-sprinklered buildings, which under current IBC would be required to have a fire resistance rated corridor. This exception provides a cost-effective solution for single tenant space in lieu of the base IBC requirement to retrofit a fire sprinkler system throughout the building.)

*****Section 1030.1.1.1; add Exception#4 to read as follows:**

Exceptions:

1. through 3. {No change.}
4. Where alternate means or methods are submitted to and approved by the Building and Fire Officials.

(Reason: This base IBC provision applies to all grandstands and bleachers and does not differentiate between open air grandstands & bleachers, smaller, less complex grandstands and bleachers and or movable/non-fixed grandstands and bleachers. The new exception permits the AHJ to be presented with alternate means or methods that take into consideration these differentiators that are unique to the specific grandstand and/or bleacher.)

****Section 1032.2; change to read as follows:**

1032.2 Reliability. Required *exit accesses*, *exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress.

(Reason: Maintain legacy levels of protection and long-standing regional practice, and provide firefighter safety.)

****Section 1103.3; add sentence to end of paragraph as follows:**

Provide emergency signage as required by Section 604.4.

(Reason: This signage to avoid elevators in a fire emergency is critical to life safety justifying the retroactive requirement.)

****Section 1103.5.1; add sentence to read as follows:**

Fire sprinkler system installation shall be completed within 24 months from date of notification by the fire code official.

(Reason: Regional consistency of this retroactive requirement to allow business owners adequate time to budget to accommodate the cost of the fire sprinkler system.)

****Section 1103.5.6; add to read as follows:**

1103.5.6 Spray Booths and Rooms. Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

(Reason: Consistent with amendment to IFC 2404, and long-standing regional requirement to protect this hazardous operation.)

****Section 1103.7.7; add to read as follows:**

1103.7.7 Fire Alarm System Design Standards. Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

Exception: Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

1103.7.7.1 Communication requirements. Refer to Section 907.6.6 for applicable requirements.

(Reason: To assist responding personnel in locating the emergency event and provide clarity as to percentages of work that results in a requirement to upgrade the entire fire alarm system.)

*****Section 1203; change and add to read as follows:**

1203.1.1 {No change.}

1203.1.2 {No change.}

1203.1.3 Installation. Emergency power systems and standby power systems shall be installed in accordance with the *International Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

1203.1.4 {No change.}

1203.1.5 Load Duration. Emergency power systems and standby power systems shall be designed to provide the required power for a minimum duration of 2 hours without being refueled or recharged, unless specified otherwise in this code.

Exception: Where the system is supplied with natural gas from a utility provider and is approved.

1203.1.6 through 1203.1.9 {No changes to these sections.}

1203.1.10 Critical Operations Power Systems (COPS). For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

1203.2 Where Required. Emergency and standby power systems shall be provided where required by Sections 1203.2.1 through 1203.2.26 or elsewhere identified in this code or any other referenced code.

1203.2.1 through 1203.2.3 {No change.}

1203.2.4 Emergency Voice/alarm Communications Systems. Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

Covered and Open Malls, Section 907.2.20 and 914.2
 Group A Occupancies, Sections 907.2.1 and 907.5.2.2
 Special Amusement Areas, Section 907.2.12 and 914.7
 High-rise Buildings, Section 907.2.13 and 914.3
 Atriums, Section 907.2.14 and 914.4
 Deep Underground Buildings, Section 907.2.19 and 914.5

1203.2.5 through 1203.2.14 {No change.}

1203.2.15 Means of Egress Illumination. Emergency power shall be provided for *means of egress* illumination in accordance with Sections 1008.3 and 1104.5.1. (90 minutes)

1203.2.16 Membrane Structures. Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6. (90 minutes) Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with Section 2702 of the *International Building Code*. (4 hours) Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with section 3103.10.4.

1203.2.17 {No change.}

1203.2.18 Smoke Control Systems. Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.11:

Covered Mall Building, *International Building Code*, Section 402.7

Atriums, *International Building Code*, Section 404.7

Underground Buildings, *International Building Code*, Section 405.8

Group I-3, *International Building Code*, Section 408.4.2

Stages, *International Building Code*, Section 410

Special Amusement Areas (as applicable to Group A's), *International Building Code*, Section 411

Smoke Protected Seating, Section 1030.6.2

1203.2.19 {No change.}

1203.2.20 Covered and Open Mall Buildings. Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.

1203.2.21 Airport Traffic Control Towers. A standby power system shall be provided in airport traffic control towers more than 65 ft. in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

1203.2.22 Smokeproof Enclosures and Stair Pressurization Alternative. Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.7.2.

1203.2.23 Elevator Pressurization. Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

1203.2.24 Elimination of Smoke Dampers in Shaft Penetrations. Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

1203.2.25 Common Exhaust Systems for Clothes Dryers. Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code*, Section 504.11, Item 7.

1203.2.26 Means of Egress Illumination in Existing Buildings. Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

1203.3 through 1203.6 {No change.}

(Reason: These amendments were moved from Chapter 6, due to relocation of the published sections to this new Chapter 12 in the past edition of the code and have now been updated for this edition. These provisions provide a list to complete and match that throughout the codes. The only additional

requirements are the reference to COPS in NFPA 70, and the specified Energy time duration. Other changes are a reference to a code provision that already exists.)

****Section 2304.1; change to read as follows:**

2304.1 Supervision of Dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with the following:

1. Conducted by a qualified attendant; and/or,
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 2304.3.

At any time the qualified attendant of item Number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2304.3.

(Reason: Allows a facility to apply the attended and unattended requirements of the code when both are potentially applicable.)

****Section 2401.2; delete this section in its entirety.**

(Reason: This section eliminates such booths from all compliance with Chapter 24 including, but not limited to: size, ventilation, fire protection, construction, etc. If the product utilized is changed to a more flammable substance, the lack of compliance with Chapter 15 could result in significant fire or deflagration and subsequent life safety hazard.)

****Section 3103.3.1; delete this section in its entirety**

(Reason: This section requires a fire sprinkler system to be installed in temporary tents and membrane structures, which is not a reasonable or enforceable requirement for a temporary use. A fire watch or fire alarm system is a more advisable approach for such occupancies that are only temporary in nature.)

****Table 3206.2, footnote h; change text to read as follows:**

- h. Where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of 50 (m • s) 1/2 or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while ensuring proper operation of the sprinkler protection provided. Also, gives an alternative to smoke and heat vents.)

****Table 3206.2; add footnote j to row titled 'High Hazard' and 'Greater than 300,000' to read as follows:**

- j. High hazard high-piled storage areas shall not exceed 500,000 square feet. A 2-hour fire wall constructed in accordance with Section 706 of the *International Building Code* shall be used to divide high-piled storage exceeding 500,000 square feet in area.

(Reason: This is a long-standing legacy requirement and provides passive protection for extremely large buildings where it would be otherwise impossible to control the spread of fire without the fire wall in place in an uncontrolled fire event, which is much more likely in high hazard commodities, such as tires, flammable liquids, expanded plastics, etc.)

*****Section 3311.1; change to read as follows:**

Section 3311.1 Required access. Approved vehicle access for firefighting and emergency response shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 50 feet (15 240 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. When fire apparatus access roads are required to be installed for any structure or development, access shall be approved prior to the time which construction has progressed beyond completion of the foundation of any structure. Whenever the connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign.

(Reason: Improves access to the FDC where required, as well as coordinates with the timing of installation amendment from Section 501.4.)

****Section 5601.1.3; change to read as follows:**

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

Exceptions:

1. Only when approved for fireworks displays, the storage and handling of fireworks as allowed in Section 5604 and 5608.
2. The use of fireworks for approved fireworks displays as allowed in Section 5608.

(Reason: Restricts fireworks to approved displays only, which is consistent with regional practice. Such is intended to help protect property owners and individuals from unintentional fireworks fires within the jurisdiction, as well as to help protect individuals from fireworks injuries. It is noted that there has been a change in the State Law to allow possession of unopened fireworks in certain areas of the vehicle, and it is highly recommended that AHJ's familiarize themselves with the applicable State Laws in this regard.)

****Section 5703.6; add sentence to end of paragraph to read as follows:**

An *approved* method of secondary containment shall be provided for underground tank and piping systems.

(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)

****Section 5704.2.11.4; change to read as follows:**

5704.2.11.4 Leak Prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through 5704.2.11.4.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)

****Section 5704.2.11.4.2; change to read as follows:**

5704.2.11.4.2 Leak Detection. Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.4.3.

(Reason: Reference to IFC Section 5704.2.11.4.3 amendment.)

****Section 5704.2.11.4.3; add to read as follows:**

5704.2.11.4.3 Observation Wells. Approved sampling tubes of a minimum 4 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

(Reason: Provides an economical means of checking potential leaks at each tank site. This is long-standing regional practice.)

****Section 5707.4; add paragraph to read as follows:**

Mobile fueling sites shall be restricted to commercial, industrial, governmental, or manufacturing, where the parking area having such operations is primarily intended for employee vehicles. Mobile fueling shall be conducted for fleet fueling or employee vehicles only, not the general public. Commercial sites shall be restricted to office-type or similar occupancies that are not primarily intended for use by the public.

(Reason: The general public does not expect a hazardous operation to be occurring in a typical parking lot or for a fuel truck to be traversing such parking lot, temporarily fueling a vehicle, and moving on to the next area in the parking lot to fuel the next vehicle. Vehicular accidents occur in parking lots on a regular basis, but the presence of a fuel truck, especially one in the process of fueling a vehicle with gasoline, greatly adds to the potential risk involved in such accidents. By restricting such operations to the occupancies in question, the employees of the business may be adequately notified to expect such operations to occur in the parking lot.)

****Section 6103.2.1.8; add to read as follows:**

6103.2.1.8 Jewelry Repair, Dental Labs and Similar Occupancies. Where natural gas service is not available, portable LP-Gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.

(Reason: To provide a consistent and reasonable means of regulating the use of portable LP-Gas containers in these situations. Reduces the hazard presented by portable containers when natural gas is already available. Please note that current State Law does not allow for the enforcement of any rules more stringent

than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

****Section 6104.2; add Exception 2. to read as follows:**

Exceptions:

1. {existing text unchanged}
2. Except as permitted in Sections 308 and 6104.3.3, LP-gas containers are not permitted in residential areas.

(Reason: To provide a consistent and reasonable means of regulating the use LP-Gas containers. Reduces the hazard presented by such containers when natural gas is already available. References regional amendment to IFC 6104.3.3. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

****Section 6104.3.3; add to read as follows:**

6104.3.3 Spas, Pool Heaters, and Other Listed Devices. Where natural gas service is not available, an LP-gas container is allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 6104.3 for location of containers.

Exception: Lots where LP-gas can be off-loaded wholly on the property where the tank is located may install up to 500 gallon above ground or 1,000 gallon underground approved containers.

(Reason: Allows for an alternate fuel source. Dwelling density must be considered and possibly factored into zoning restrictions. Reduces the hazard presented by over-sized LP-Gas containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

****Section 6107.4 and 6109.13; change to read as follows:**

6107.4 Protecting Containers from Vehicles. Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312.

6109.13 Protection of Containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

(Reason: NFPA 58 does not provide substantial physical protection [it allows raised sidewalks, fencing, ditches, parking bumpers as 'vehicle barrier protection'] of the container(s) from vehicular impact as is required and has been required historically, as per Section 312, i.e. bollard protection. Further, the exception to Section 6109.13 would allow for portable containers in ventilated metal cabinets to not require any physical protection whatsoever from vehicular impact, regardless of the location of the containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

*****{Appendix D Fire Apparatus Access Roads amendments}**

***Section D102.1; change to read as follows:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing up to 85,000 pounds (38 556 kg).

(Reason: To address the current size of fire trucks in use – figure derived from DOT requirements for waiver of vehicle exceeding such weight and from current maximum weights of fire trucks being purchased by jurisdictions in North Texas.)

***Section D103.4; change to read as follows:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with [Table D103.4](#).

**TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0–150	20 <u>24</u>	None required
151–500	20 <u>24</u>	120-foot Hammerhead, 60-foot “Y” or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501–750	26	120-foot Hammerhead, 60-foot “Y” or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.

(Reason: Reflects current increased apparatus access roadway widths as indicated in the recommended amendment to 503.2.1.)

***Section D103.5; change Item 1 to read as follows:

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 24 feet (7315.2 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet (3658 mm).

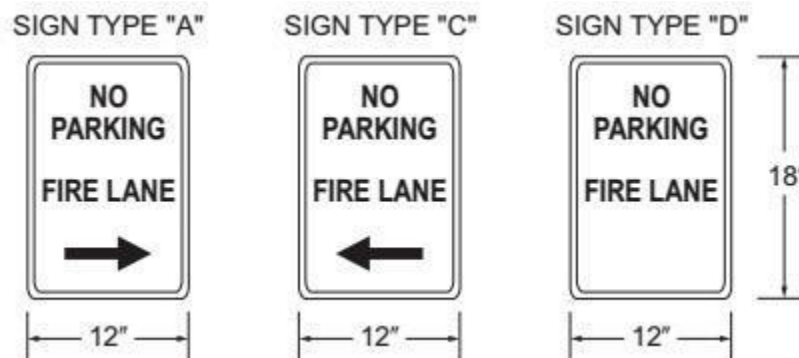
(Reason: Reflects current increased apparatus access roadway widths as indicated in the recommended amendment to 503.2.1.)

***Section D103.6; change to read as follows:

D103.6 Marking. Striping, signs, or other markings, when approved by the *fire code official*, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) **Striping** – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” shall appear in four inch (4”) white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

(2) **Signs** – Signs shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high (See Figure D103.6). Signs shall have red letters on a white reflective background, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.



**FIGURE D103.6
FIRE LANE SIGNS**

(Reason: Reflects current markings for apparatus access roadways as indicated in the recommended amendment to Section 503.3)

***Section D103.6.1 and D103.6.2; delete sections as follows:

(Reason: Reflects current markings for apparatus access roadways as indicated in the recommended amendment to 503.3 and D103.6, which requires the signage on both sides of the fire apparatus access roads, regardless of width)

***Section D104.3; change to read as follows:

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)

***Section D105.3; change to read as follows:

D105.3 Proximity to building. Unless otherwise approved by the fire code official, one or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be *approved by the fire code official.*

(Reason: To provide some additional flexibility to the fire code official on the location of the aerial fire apparatus access roads.)

*****{Appendix L Requirements For Fire Fighter Air Replenishment Systems amendments}**

*****Section L101.1; change to read as follows:**

Section L101.1 Scope. Fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix in new buildings when any of the following conditions occur:

1. Any new building 5 or more stories in height.
2. Any new building with 2 or more floors below grade.
3. Any new building 500,000 square feet or more in size.

Each stairwell shall have a supply riser. SCBA fill panels shall be located on odd numbered floors commencing at the first level in the primary stairwell and on even numbered floors commencing at level 2 in the remaining stairwells. Fill panels in buildings over 500,000 square feet shall be located adjacent to each standpipe connection.

(Reason: Breathing air is critical for firefighting operations. Historically, fire departments have supplied air bottles by manually transporting air bottles up stairways or across long distances in a building, which is an extraordinarily intensive process and takes firefighters away from their primary mission of rescue and firefighting. The FARS technology in Appendix L exists to address this issue using in-building air supply systems. Many jurisdictions in North Texas and across the country have already adopted this Appendix and are enforcing and installing these systems to improve the life safety of firefighters and enhance their firefighting capabilities in an emergency incident, which is one of the reasons for recommending this Appendix for adoption – to ensure regional consistency, as well as to improve mutual emergency aid among jurisdictions in North Texas.)

*****Section L104.13.1; delete this section in its entirety.**

(Reason: The amendment to Section L101.1 above addresses the location criteria for SCBA fill panels.)

*****Section L104.14; add paragraph to read as follows:**

The external mobile air connection shall be located with approved separation from the Fire Department Connection (FDC) to allow functionality of both devices by first responders; shall be visible from and within 50 ft. of a fire apparatus access road along an unobstructed path; and shall be located in an approved signed, secured cabinet.

(Reason: To accommodate the needs of first responders to be able to locate and utilize the required connection to ensure air supply availability to this system, similar to the requirements of FDC's.)

END



Wylie City Council

AGENDA REPORT

Department: Finance

Prepared By: Melissa Brown

Account Code: _____

Subject

Discuss the Five-Year Projections for the General Fund.

Recommendation

Discussion.

Discussion

Discuss with City Council the Five-Year Projections for the General Fund.

City of Wylie, Texas

Future Years Budget Projections - Voter Approval Rate including 3 cent incremental

For the Fiscal Year Periods 2025 - 2029

	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
Property Tax Revenue	\$ 30,594,212	\$ 35,200,006	\$ 37,432,037	\$ 39,759,757	\$ 42,224,232	\$ 45,070,486
Property Values	\$ 7,070,918,136	\$ 7,254,487,253	\$ 7,455,183,243	\$ 7,661,053,182	\$ 7,872,209,940	\$ 8,088,767,660
Tax Rate	0.538882	0.580079	0.609889	0.636303	0.651222	0.582521
Tax Rate Increase		0.04120	0.02981	0.02641	0.01492	(0.06870)
GENERAL FUND						
Estimated Tax Rate per \$100	0.5389	0.5801	0.6099	0.6363	0.6512	0.5825
	BUDGET	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED
	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
BEGINNING FUND BALANCE (1)	\$ 28,554,755	\$ 23,217,674	\$ 24,481,525	\$ 25,815,868	\$ 27,224,790	\$ 28,713,401
TOTAL REVENUES	\$ 53,596,003	\$ 60,473,163	\$ 63,916,169	\$ 67,561,032	\$ 71,459,013	\$ 75,866,336
Transfers from Other Funds	2,640,204	2,719,410	2,800,992	2,885,022	2,971,573	3,060,720
TOTAL REVENUES & TRANSFERS-IN	\$ 56,236,207	\$ 63,192,573	\$ 66,717,162	\$ 70,446,054	\$ 74,430,586	\$ 78,927,056
Base Expenditures	\$ 57,767,748	\$ 62,902,769	\$ 65,886,063	\$ 70,045,569	\$ 73,389,987	\$ 78,066,636
New Personnel Requests						
Revenue (Shortfall)/Available		289,805	831,099	400,486	1,040,599	860,420
TOTAL EXPENDITURES (Balanced Budget)	57,767,748	63,192,573	66,717,162	70,446,054	74,430,586	78,927,056
Use of Fund Balance for One Time Expense	2,962,343					
Midyear amendment	2,099,795					
TOTAL EXPENDITURES & TRANSFERS-OUT	\$ 62,829,886	\$ 63,192,573	\$ 66,717,162	\$ 70,446,054	\$ 74,430,586	\$ 78,927,056
ENDING FUND BALANCE	\$ 21,961,076	\$ 23,217,674	\$ 24,481,525	\$ 25,815,868	\$ 27,224,790	\$ 28,713,401
FUND BALANCE - % OF EXPENDITURES	38.02%	36.74%	36.69%	36.65%	36.58%	36.38%
EXCESS FUND BALANCE (OVER 25%)	7,519,139	7,419,530	7,802,235	8,204,355	8,617,143	8,981,637
2% OF EXPENDITURES	1,256,598	1,263,851	1,334,343	1,408,921	1,488,612	1,578,544

City of Wylie, Texas
Future Years Budget Projections - 3.5% M&O Revenue Growth
For the Fiscal Year Periods 2025 - 2029

	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
Property Tax Revenue	\$ 30,594,212	\$ 32,972,012	\$ 35,125,439	\$ 37,372,369	\$ 39,754,937	\$ 42,536,958
Property Values	\$ 7,070,918,136	\$ 7,254,487,253	\$ 7,455,183,243	\$ 7,661,053,182	\$ 7,872,209,940	\$ 8,088,767,660
Tax Rate	0.538882	0.549979	0.579574	0.605771	0.620468	0.551543
Tax Rate Increase		0.01110	0.02959	0.02620	0.01470	(0.06893)
GENERAL FUND						
Estimated Tax Rate per \$100	0.5389	0.5500	0.5796	0.6058	0.6205	0.5515
	BUDGET	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED
	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
BEGINNING FUND BALANCE (1)	\$ 28,554,755	\$ 23,217,674	\$ 24,436,965	\$ 25,725,177	\$ 27,086,350	\$ 28,525,576
TOTAL REVENUES	\$ 53,596,003	\$ 58,245,170	\$ 61,609,571	\$ 65,173,645	\$ 68,989,718	\$ 73,332,807
Transfers from Other Funds	2,640,204	2,719,410	2,800,992	2,885,022	2,971,573	3,060,720
TOTAL REVENUES & TRANSFERS-IN	\$ 56,236,207	\$ 60,964,580	\$ 64,410,563	\$ 68,058,667	\$ 71,961,291	\$ 76,393,527
Base Expenditures	\$ 57,767,748	\$ 62,902,769	\$ 65,886,063	\$ 70,045,569	\$ 73,389,987	\$ 78,066,636
New Personnel Requests						
Revenue (Shortfall)/Available		(1,938,189)	(1,475,500)	(1,986,902)	(1,428,696)	(1,673,109)
TOTAL EXPENDITURES (Balanced Budget)	57,767,748	60,964,580	64,410,563	68,058,667	71,961,291	76,393,527
Use of Fund Balance for One Time Expense	2,962,343					
Midyear amendment	2,099,795					
TOTAL EXPENDITURES & TRANSFERS-OUT	\$ 62,829,886	\$ 60,964,580	\$ 64,410,563	\$ 68,058,667	\$ 71,961,291	\$ 76,393,527
ENDING FUND BALANCE	\$ 21,961,076	\$ 23,217,674	\$ 24,436,965	\$ 25,725,177	\$ 27,086,350	\$ 28,525,576
FUND BALANCE - % OF EXPENDITURES	38.02%	38.08%	37.94%	37.80%	37.64%	37.34%
EXCESS FUND BALANCE (OVER 25%)	7,519,139	7,976,529	8,334,325	8,710,510	9,096,027	9,427,194
2% OF EXPENDITURES	1,256,598	1,219,292	1,288,211	1,361,173	1,439,226	1,527,8