

Wylie City Council Regular Meeting

March 23, 2021 – 6:00 PM

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



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS

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 March 9, 2021 Regular City Council and Work Session Meeting minutes.
- B. Consider, and act upon, a Final Plat for Emerald Vista Phase 1, to establish 91 residential lots, seven open space lots, and one Government Business lot on 27.369 acres, located on South Ballard Road at Elm Road.
- C. Consider, and act upon, a Preliminary Plat for Kreymer at the Park Addition, being 49 residential lots and two open space lots on 16.48 acres. Property located at 2605 E. Stone Rd.
- D. Review, and place on file, the 2020 Wylie Police Department Annual Racial Profiling Analysis.
- E. Consider, and place on file, the City of Wylie Monthly Investment Report for February 28, 2021.
- F. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for February 28, 2021.
- G. Consider, and act upon, the approval of the upgrade to Incode 10 Financial System with Tyler Technologies Inc. in the amount of \$87,670.00, and authorizing the City Manager to execute any and all necessary documents.
- H. Consider, and act upon, Ordinance No. 2021-17 adopting and enacting a new Code of Ordinances, City of Wylie, Texas; providing a penalty clause, repealing/savings clause, severability clause and an effective date; providing for the manner of amending such Code; and providing for the publication of the caption hereof.

REGULAR AGENDA

1. Hold a Public Hearing to consider, and act upon, amending Zoning Ordinance (2006-04), Article 5, as it relates to permanent, accessory, and temporary uses for Food Trucks and Farmers Markets. (ZC 2021-06).
2. Hold a Public Hearing to consider, and act upon, amending Zoning Ordinance (2006-04), Sections 5.1 Land Use Charts and 5.2 Listed Uses, as they relate to requiring Special Use Permits for certain uses currently allowed by right (ZC 2021-05).
3. Hold a Public Hearing to consider, and act upon, amending Zoning Ordinance (2006-04) Article 5, Sections 5.2.E.9 and 5.2.F.19 Listed Uses, as they relate to the Massage Establishments (ZC 2021-07).
4. Consider, and act upon, a Final Plat for The Waters Addition, being a replat of Copeville RV Park and Tracts 86 and 110 of the Drury Anglin Survey, to create four lots on 19.273 acres for an RV Park development. Property generally located on CR 546 3700' west of North State Highway 78, Nevada, in the City of Wylie's Extra Territorial Jurisdiction.
5. Consider, and act upon, Ordinance No. 2021-15 establishing a Citizens Bond Advisory Committee; providing for the scope and authority of the Committee; providing for the appointment of its members; and providing for an effective date.
6. Consider, and act upon, Ordinance No. 2021-16 establishing a Code of Ethics Council Subcommittee, providing for the scope and authority of the Subcommittee, and appointing Subcommittee members.

WORK SESSION

WS1. Wylie EDC & Retail Coach Presentation

RECONVENE INTO REGULAR SESSION

EXECUTIVE SESSION

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

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

ES1. Consider the sale or acquisition of properties located at FM 544 and Cooper.

ES2. Properties adjacent to McMillen Rd. between McCreary Rd. and Country Club Rd.

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

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

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

ES3. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2020-11b and 2021-1f.

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 March 19, 2021 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 March 9, 2021 Regular City Council and Work Session Meeting minutes.

Recommendation

A motion to approve the March 9, 2021 Regular City Council and Work Session Meeting minutes.

Discussion

The minutes are attached for your consideration.



Wylie City Council

Minutes

Regular Meeting

March 9, 2021 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Mayor Matthew Porter called the regular meeting to order at 6:00 p.m. The following City Council members were present: Councilman David R. Duke, Mayor *pro tem* Jeff Forrester, Councilman Timothy T. Wallis, and Councilman Garrett Mize. Councilman Dave Strang and Councilwoman Candy Arrington was absent.

Staff present included: City Manager Chris Holsted; Assistant City Manager Brent Parker; Assistant City Manager Renae Ollie; Assistant Police Chief Tommy Walters; Fire Chief Brandon Blythe; Public Information Officer Craig Kelly; Finance Director Melissa Beard; Planning Manager Jasen Haskins; Parks and Recreation Director Rob Diaz; Library Director Ofilia Barrera; Project Engineer Jenneen Elkhaid; Public Works Director Tim Porter; WEDC Executive Director Jason Greiner; Parks and Recreation Director Rob Diaz; City Secretary Stephanie Storm, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PRESENTATIONS

PR1. Recognition for the Smith Public Library being awarded the 2020 Texas Achievement in Library Excellence Award.

Mayor Porter recognized the Smith Public Library for being awarded the 2020 Texas Achievement in Library Excellence Award. Library staff members were present to accept the award.

PR2. Women's History Month.

Mayor Porter presented a proclamation proclaiming March 2021 as Women's History Month in Wylie, Texas. City of Wylie staff members were present to accept the Proclamation.

CITIZEN COMMENTS ON NON-AGENDA ITEMS

There were no citizens present wishing to address the Council.

CONSENT AGENDA

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

- A. Consider, and act upon, approval of February 20, 2021 Special Called Emergency Meeting and the February 23, 2021 Regular City Council and Work Session Meeting minutes.
- B. Consider, and act upon, a Final Plat of Brookside Estates establishing 62 residential lots and six HOA lots on 14.599 acres, generally located on Stone Road approximately 1900' east of Kreymer Lane within the City of Wylie's Extra Territorial Jurisdiction.
- C. Consider, and act upon, a Final Plat for Dominion of Pleasant Valley Phase 3, establishing 142 single family residential lots and four open space lots on 49.193 acres, generally located at the northeast corner of Pleasant Valley Road and Dominion Drive.
- D. Consider, and act upon, Ordinance No. 2021-14 of the City of Wylie, Texas, altering the prima facie speed limits established for vehicles under the provisions of Transportation Code, Section 545.356 upon Farm to Market Highway No. 2514 or parts thereof, within the incorporate limits of the City of Wylie, as set out in this ordinance; and providing a penalty of a fine not to exceed \$200.00 for the violation of this ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance.
- E. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of January 31, 2021.
- F. Consider, and act upon, the acceptance of the resignation of Michael McCrossin and appointment of Jacques Loraine III as a new commission member to the City of Wylie Planning and Zoning Commission to fill the term of March 2021 to June 30, 2021.

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

Council Action

A motion was made by Councilman Duke, seconded by Councilman Wallis, to approve Consent Agenda Items A and C-F as presented. A vote was taken and motion passed 5-0 with Councilman Strang and Councilwoman Arrington absent.

Mayor Porter convened the Council into Executive Session at 6:15 p.m.

EXECUTIVE SESSION

Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

A governmental body may not conduct a private consultation with its attorney except:

- (1) when the governmental body seeks the advice of its attorney about:
 - (A) pending or contemplated litigation; or
 - (B) a settlement offer; or
- (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

ES3. Item #3 on the March 9, 2021 agenda

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter convened the Council into Open Session at 6:33 p.m.

REGULAR AGENDA

3. **Consider, and act upon, repealing Ordinance No. 2021-06 Continuing or Renewing the Mayor's Declaration of Local Disaster for a Public Health Emergency to help abate the COVID-19 public health crisis.**

Staff Comments

City Manager Holsted addressed Council stating in the most recent Governor's Order, he repealed the mandatory mask mandate and the occupancy capacity at businesses. With that being said, staff is recommending Council repeal Ordinance No. 2021-06. If Council would like to discuss or implement a mask requirement in City facilities that can be discussed.

Council Comments

Forrester and Porter expressed concerns about being able to enforce a mask mandate in City facilities and asked what options do they have as a Council. Holsted stated he agreed enforcement would be challenging and agreed with the recommendation that staff and citizens continue to wear masks, social distance, and follow CDC guidelines. Council can give staff direction to require masks be worn in City facilities, or bring an Ordinance back at a future meeting for consideration. Staff's recommendation would be to recommend but not require masks in City facilities due to the lack of enforcement. Porter stated having a mask requirement could also put staff members at risk if someone is not wearing a mask in a City facility and may be unhappy about the requirement. Forrester agreed and stated he felt highly recommending, but not requiring is the route to go. Mize stated he would lean towards a requirement instead of recommendation as we have to do everything we can to slow the spread, but shared the same concerns with putting staff members in a situation, adding the Police might be the best for this type of situation to utilize educational steps to gain compliance and, if necessary, removal from premises. Duke stated he agreed with Forrester. Wallis stated he was more along the lines of strongly recommending as believes it would be difficult to enforce and could result in a potential argument that the City prohibited services to someone who did not wear a mask. Forrester stated this is not over with and we need to continue to take all precautions that we can as individuals. Mize stated the current disaster declaration provides guidance to citizens, it can stand on its own, and it should continue until the Governor's Disaster Declaration remains in place, or as long as it's necessary for the wellbeing of the residents to convey this is a serious issue to our residents. Porter asked what does our current disaster declaration allow and what would be the repercussions of leaving it in place. Holsted stated there would be some sections that would be in conflict with the Governor's most recent Order and the Governor's would overrule those, but staff would have to go line by line to review the current ordinance to see what would need to be removed, but with what the Governor's Order includes in conjunction with CDC guidelines, he is unsure if that needs to be in a City Ordinance from Council. Forrester asked, related to the EOC and vaccinations, would those items need to be revisited if the declaration is dissolved, and if the declaration is dissolved and something was to happen that required additional spending or oversight, would the City have to reissue a new disaster declaration. Holsted replied that purchases moving forward would fall under normal purchasing requirements, the City does not currently have any outstanding large purchases, and if something was to change, if the Mayor chose, could declare a new disaster declaration, but staff does not foresee the need for the relaxation of purchasing requirements moving forward.

Council Action

A motion was made by Councilman Duke, seconded by Mayor *pro tem* Forrester, to approve repealing Ordinance No. 2021-06 Continuing or Renewing the Mayor's Declaration of Local Disaster for a Public Health Emergency to help abate the COVID-19 public health crisis and the City of Wylie facilities will continue to highly recommend the wearing of masks and the following of CDC guidance. A vote was taken and motion

passed 4-1 with Councilman Mize voting against, and Councilman Strang and Councilwoman Arrington absent.

- B. Consider, and act upon, a Final Plat of Brookside Estates establishing 62 residential lots and six HOA lots on 14.599 acres, generally located on Stone Road approximately 1900' east of Kreymer Lane within the City of Wylie's Extra Territorial Jurisdiction.**

Council Comments

Mayor Porter stated he received a message from an individual expressing concerns that the detention area would not accommodate stormwater runoff, and asked if the developer has met the guidelines required and submitted a study that has been affirmed by an independent review. Holsted replied the engineering plans for this particular subdivision were reviewed by the City and Collin County and it meets the city requirements.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Mize, to accept Item B as written. A vote was taken and motion passed 5-0 with Councilman Strang and Councilwoman Arrington absent.

- 1. Consider, and act upon, the award of RFP #W2020-74-B for Construction Manager At Risk – Guaranteed Maximum Price Construction Agreement to Pogue Construction LLC, for the City of Wylie Fire Station No. 4 in the amount of \$7,074,843.00 and authorizing the City Manager to execute any and all necessary documents.**

Staff Comments

Purchasing Manager Hayes addressed Council stating the City chose Pogue Construction as the Construction Manager at Risk for this project. Pogue is required to bring the project in for the proposed Guaranteed Maximum Price (GMP).

Danny Scroggins, representing Pogue Construction, addressed Council stating they are prepared, upon acceptance of the GMP, to move forward and select a steel contractor. Steel construction has gone up exponentially over the last two months. Pogue received notice today that there will be other increases such as drywall, wall board, cement board, and insulation as of April 1; therefore, it is Pogue's intent over the next three weeks to try to mitigate the cost increases as much as possible.

Blythe addressed Council stating currently the schedule is for one-year construction time, putting the project completed in March to April 2022.

Council Action

A motion was made by Councilman Wallis, seconded by Mayor *pro tem* Forrester, to approve the award of RFP #W2020-74-B for Construction Manager At Risk – Guaranteed Maximum Price Construction Agreement to Pogue Construction LLC, for the City of Wylie Fire Station No. 4 in the amount of \$7,074,843.00 (Note: amount read aloud was \$7,074,834.00; however, the intent was \$7,074,843.00) and authorizing the City Manager to execute any and all necessary documents. A vote was taken and motion passed 5-0 with Councilman Strang and Councilwoman Arrington absent.

- 2. Consider, and act upon, Resolution No. 2021-08(R) providing the City Manager authority related to a utility credit, and city code and policy decisions necessary for issues related to the local, state, and federal emergency declarations related to the severe winter storms in the State of Texas in February 2021.**

Staff Comments

City Manager Holsted addressed Council stating during the winter storm cities were encouraging citizens to drip their faucets to help minimize freezing pipes and associate issues with broken pipes. Staff pulled data usage and dripping faucets seem to result in an increased usage of 1,000 to 2,000 gallons of water. Holsted showed NTMWD daily water consumption usage and the City of Wylie February water delivery for Brown, Newport Harbor, and Nortex pump stations. Staff is recommending a residential bill credit of \$10.00 which is equivalent to over 1,700 gallons of usage on next month's bill to all City of Wylie residents that have City water, and is not proposing a commercial bill credit.

Council Comments

Mayor Porter stated extraordinary efforts were done by staff to ensure citizens had clean running water in Wylie during the severe winter storm event.

Forrester clarified that some Wylie citizens have water from other entities and they would not be receiving the bill credit from the City. Holsted replied that is correct. Wallis asked Holsted to clarify regarding residential line breaks. Holsted stated if a resident experienced a line break, the City can credit them back with proof of a repair receipt, to last year's February usage.

Council commended staff for the measures that were taken during the severe winter storm event.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Mize, to approve Resolution No. 2021-08(R) providing the City Manager authority related to a utility credit, and city code and policy decisions necessary for issues related to the local, state, and federal emergency declarations related to the severe winter storms in the State of Texas in February 2021. A vote was taken and motion passed 5-0 with Councilman Strang and Councilwoman Arrington absent.

Mayor Porter convened the Council into Work Session at 7:27 p.m.

WORK SESSION

WS1. Discuss the development of the Monroe property located on Country Club Drive.

John Allums, representing Capstar Real Estate, addressed Council giving a presentation regarding a concept for the Monroe Property including: a location map of the property, conceptual site plan of the project, single-family rental information, courtyard housing prototype images, and townhome and single-family inspiration images.

Mike Arbour, representing JHP Architects, addressed Council reviewing the architecture of the townhomes, which is based on the California courtyard prototype, and single-family rental homes, which are similar to cottage/garden style homes and would be around 1,200-1,500 square feet in size. The goal of the development is a walkable pedestrian community around the village green taking advantage of the central community building and open space.

Allums addressed Council stating they are proposing 248 units; about 12 townhome units per acre, and about five single-family units per acre. There would be a combination of one, two, and three-bedroom units. The single-family homes would be larger in size, and a minimum of 850 square feet in the townhomes.

Forrester recommended the applicant gather input from WISD since the schools are nearing capacity, and asked if there were any plans for amenities in the open space area. Adams replied they planned to continue the trail section and add a pedestrian bridge. Forrester stated he would like to see more improvement in the open space to utilize it as a space where people can gather. Mize agreed with Forrester regarding the open space. Porter asked if the townhomes and single-family would be all rentals, be overseen by the same organization,

and offered as separate or one holding. Adams replied they would be all rentals overseen by a professional management company and would be one holding. Porter clarified there would be two access points, and asked about the median breaks on Country Club. Adams replied there are two access points and the applicant would update the Traffic Impact Analysis for the median breaks based on the recommendations received for the proposed development. Duke asked if they had a use in mind for the commercial space. Adams replied that question would have to be asked to the land owner as he is not purchasing the commercial space. Wallis expressed concerns with this type of development proposed on property zoned AG 30, not speaking with ISD to ensure this development would not burden the school district, and ensuring the open space to be able to be utilized by the community. Porter asked if the applicant would be willing to work with staff to do a development agreement for the building materials. Adams replied they would be willing to work with staff on a development agreement for building materials.

WS2. Discuss Wylie Recreation Center revenues.

Parks and Recreation Director Diaz addressed Council stating prior opening in 2011, a consultant was utilized to come in and complete a study on how to staff, where to set the fees, etc. Once a plan was in place staff worked with the Parks Board and Council regarding staffing and fees. The Recreation Center was never intended to operate at a 100% recovery facility. The main focus of the Recreation Center was to bring a quality of life service to citizens and was designed with an emphasis placed on fitness and classes.

Diaz reported in 2014 the consultant looked at how to restructure the fees and provided information on staffing and the restructuring of fees. Staff offered a few options to Council in May 2015 and the Council chose no fee increases at that time.

Diaz stated since 2011, positions have been added and the cost of doing business and utilities have increased. The total operation of the Recreation Center is funded out of 4B ½ cent sales tax, in which approximately \$1.8 million was budgeted to operate the facility this year. The membership fees are the highest revenue generator, and staff was projecting, pre-Covid, \$400,000 from membership fees and \$554,000 total from membership fees, classes, facility rentals and other miscellaneous fees. Due to Covid, the Recreation Center is looking at a reduction in revenue this year.

Diaz stated staff is requesting direction on the following: what does the recovery rate for the Wylie Recreation Center need to be, do fees need to be increased based on the recovery rate set, does a plan to deal with a recovery rate need to extend beyond FY22, and do residency restrictions need to be continued and should they dictate setting any future fees. Staff would like to have general direction before starting the next FY budget process.

Porter asked for the breakdown of residents versus nonresidents. Diaz replied currently the Recreation Center is a 70% resident and 30% non-resident use facility, with a larger Senior group user as the non-resident. Porter asked how we compare our rates with private gyms. Diaz replied the rates are all over the place, the operation models are different, and to compare a private facility to the City facility is comparing apples to oranges as they have amenities that we do not such as personal trainers, classes offered with membership, pool, sauna, etc. Diaz stated McKinney operates a facility that is close to 100% recovery. The City of Southlake operates a recreation facility that operates at a 100% recovery as their fee schedule is completely different than ours and is more like a private club. The Recreation Center was seen as a facility for the citizens like the Library by the past Council. Porter expressed concerns with raising fees in that it could make us non-competitive with other facilities and we could see a revenue drop where fewer patrons utilize our services. Diaz replied there are life cycles of facilities like this and we try to mitigate that by offering newer equipment, programs that other gyms do not offer, absorb credit card fees, customer friendly, and make it least impactful to the citizen's dollar. Porter asked out of the \$1.8 million, how much is operating staff cost. Diaz replied it is a little over \$1 million for staff. Forrester stated the Recreation Center creates community. Forrester stated the value of the consultants view on the City's business model is important, and asked what the cost of a consultant would be to review the local and regional area, and added he would not recommend increasing the senior citizen rate no matter

where they reside. Diaz replied a consultant would cost about \$20,000-\$30,000 and the City could utilize a different consultant to get a different viewpoint. Forrester recommended a flexible recovery rate and to look at the surrounding area including private gyms and other municipalities in order to make an educated decision on the best way to proceed. Wallis stated creativity and keeping us fresh and on the mind of the citizens is important, and stated he does not expect it to be a 100% recovery rate as we offer these for our citizens. Wallis stated he agreed with Forrester to get an idea of what other municipalities are doing to make sure we are in the ballpark, seeing where we sit and what we can achieve. Wallis stated we need to look at the fees as not many fees stay the same for 10 years, and citizens upfronted the money to have the facility built; therefore, there should be an advantage to the citizens. Porter stated the recovery rate does need to be evaluated, as the City is subsidizing about \$1.25 million annually on the Recreation Center. Porter stated he agreed with Forrester in looking at how we approach this long-term. Porter stated increased fees have to go hand in hand with recovery rate; however, it could become counterproductive. Porter stated the plan needs to go beyond FY 2022. and the City needs to look at it as part of the Master Plan. Porter stated regarding residency fees, when it comes to amenities in the City, except for the Senior Center, there should be a discount for citizens as the capital costs came out of the General Budget which is paid directory through property tax rates. Porter agreed he would like to see a consultant consider all the other projects in the Master Plan to see how the City is going to be able to afford all the projects long range. Duke stated the Recreation Center offers different services than a traditional gym and it is an apple to oranges comparison; however, the concern is the amount subsidized. He stated he felt the citizens do not know what the Recreation Center offers and is torn with increasing prices in order to stay competitive. He would agree the City needs a consultant to see where we need to go, the long-term plan past FY 22, including other projects in the Master Plan, and residency rates need to be continued. Mize stated learning more about what peer municipalities offer and charge would be an important baseline and with that information, hopefully the City can maintain a competitive advantage as the Recreation Center and Senior Recreation Center are important and provide a sense of community in our community, allows and encourages a healthy lifestyle which increases a quality of life. Mize stated it is important to maintain affordable rates for senior citizens and young families because it is a service being provided by the City. Mize stated if the recovery rate can maintain or preserve the burden, and not increase, from the 4B sales tax money available; an increase in fees may be appropriate if compared to peers but lean towards maintaining a competitive advantage and making it affordable; and residency discounts are important to maintain to the extent that it does not drive away customers.

WS3. Discuss the development of a Citizens Bond Advisory Committee.

Mayor Porter stated on February 25, 2020, a work session was held to discuss the makeup of a Citizens Bond Advisory Committee. The direction received from Council was that each Council member would appoint two representatives, and the committee would be formed after the May 2020 election. The election was subsequently moved to November 2020. The committee would need to be formed at the next meeting in March to allow sufficient time to develop a potential list of projects for a November bond election. Porter asked if Council would be comfortable with appointing two members each at the next Council meeting.

The direction from Council was to proceed with each bringing two names forward at the next Council meeting.

City Manager Holsted addressed Council asking for direction on the following items: who appoints the Chair and vice chair, should the members be City of Wylie registered voters; set a date for the work to be completed and back to Council; and a minimum amount of times the committee has to meet.

The direction from Council was to let the Committee vote at the first meeting for Chair and Vice Chair, members should be City of Wylie registered voters, the committee should meet a minimum of four times, and a recommendation should come back to Council at the June 22, 2021 City Council meeting.

RECONVENE INTO REGULAR SESSION

Mayor Porter convened the Council into Regular Session and into a break before Executive Session at 8:39 p.m.

Mayor Porter convened the Council into Executive Session at 8:47 p.m.

EXECUTIVE SESSION

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

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

ES1. Consider the sale or acquisition of properties located at: FM 544 and Cooper, Regency and Steel, State Hwy 78 and Alanis, State Hwy 78 and Birmingham, and State Hwy 78 & Brown.

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

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

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

ES2. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects 2017-10a, 2018-9b, 2020-11b, 2021-1d, 2021-1f, and 2021-2a.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter convened the Council into Open Session at 9:36 p.m.

READING OF ORDINANCES

City Secretary Storm read the caption to Ordinance No. 2021-14 into the official record.

ADJOURNMENT

A motion was made by Councilman Duke, seconded by Councilman Mize, to adjourn the meeting at 9:38 p.m. A vote was taken and motion passed 5-0 with Councilman Strang and Councilwoman Arrington absent.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins

Account Code: _____

Subject

Consider, and act upon, a Final Plat for Emerald Vista Phase 1, to establish 91 residential lots, seven open space lots, and one Government Business lot on 27.369 acres, located on South Ballard Road at Elm Road.

Recommendation

Motion to approve a Final Plat for Emerald Vista Phase 1, to establish 91 residential lots, seven open space lots, and one Government Business lot on 27.369 acres, located on South Ballard Road at Elm Road.

Discussion

OWNER: Bloomfield Homes, LP

APPLICANT: R.C Myers Surveying, LLC

The applicant has submitted a Final Plat for Phase 1 of the Emerald Vista Addition, Planned Development Ordinance No. 2018-23. This final plat is a portion of the Emerald Vista preliminary plat approved in July 2019.

The plat consists of 91 residential lots, seven open space lots, and one Government Business lot.

The Planned Development allows for a maximum of 175 single family residential lots; leaving 84 residential lots that can be developed in future phases, in accordance with the PD and the Preliminary Plat.

Emerald Vista Blvd., per the requirements of the Planned Development, is a 21' wide curb to curb street with parking allowed on one side of the street. All parking areas on Emerald Vista Blvd. will be required to be striped with the striping being maintained by the HOA. All open space lots are owned and maintained by the HOA.

The Government Business lot is in place for a potential future fire station. The tract will be deeded at time of Final Plat filing in lieu of Park fees. An amended plat will be required for this lot at time of development.

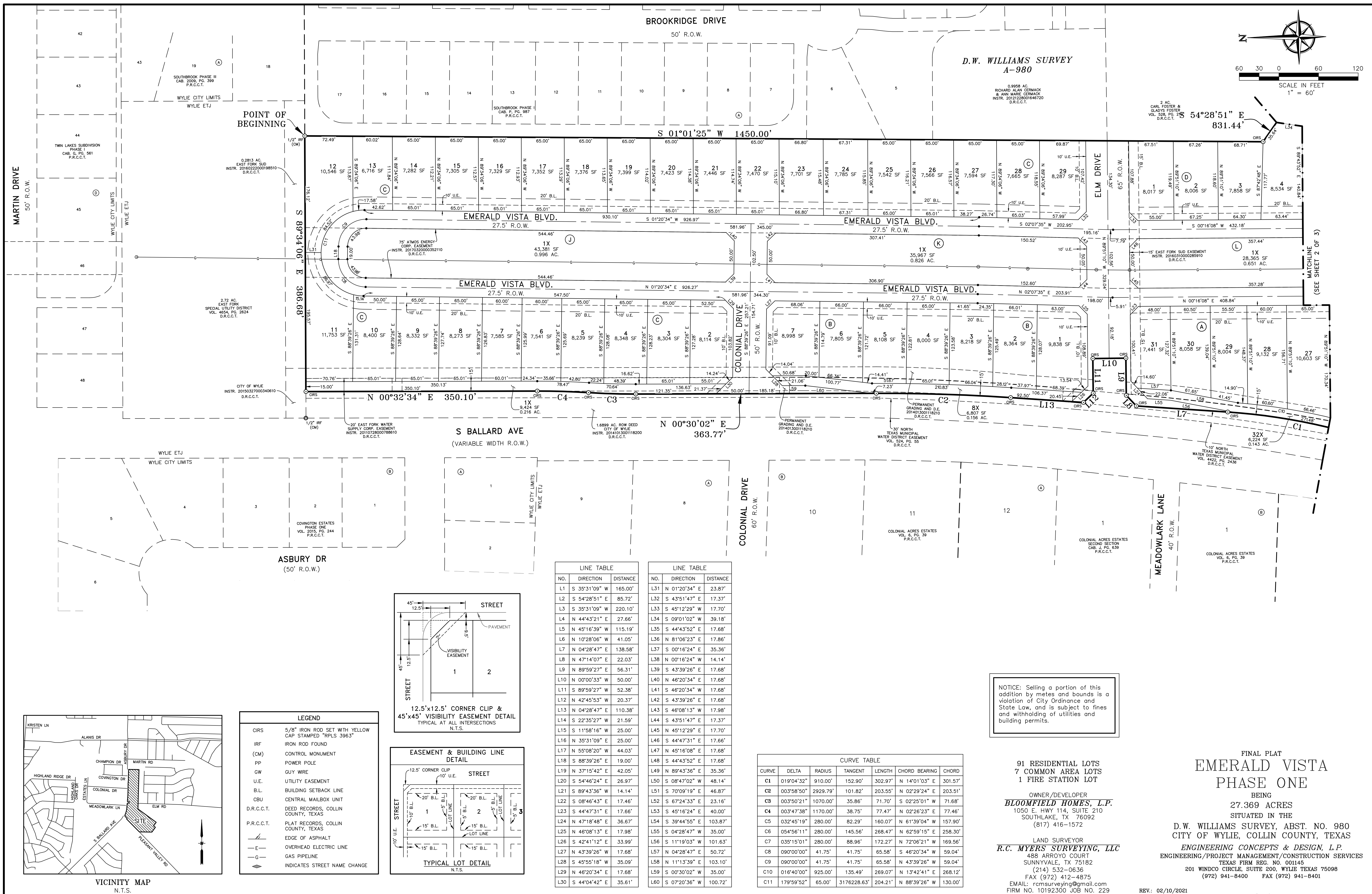
The plat dedicates the necessary rights-of-way and utility easements.

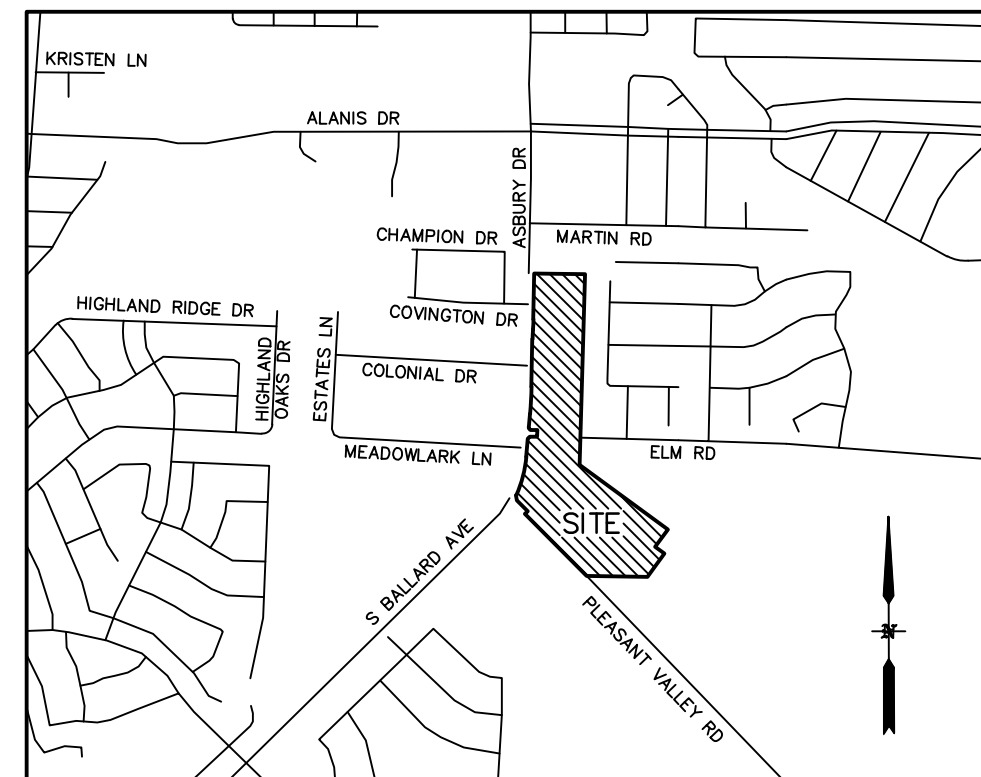
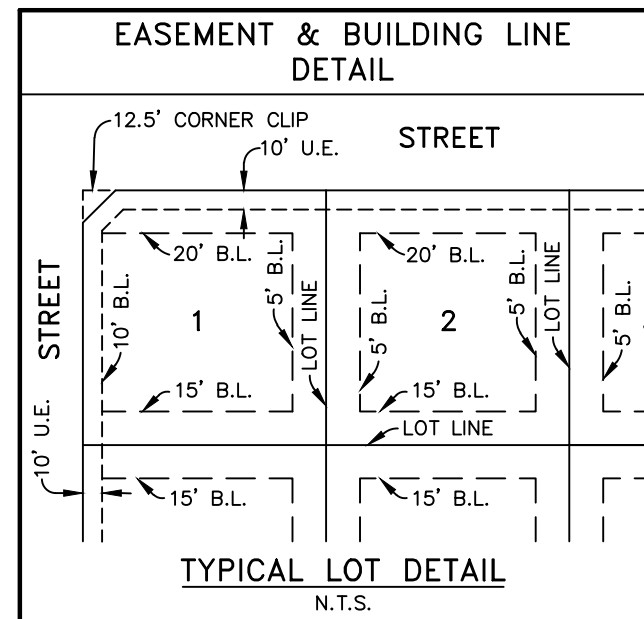
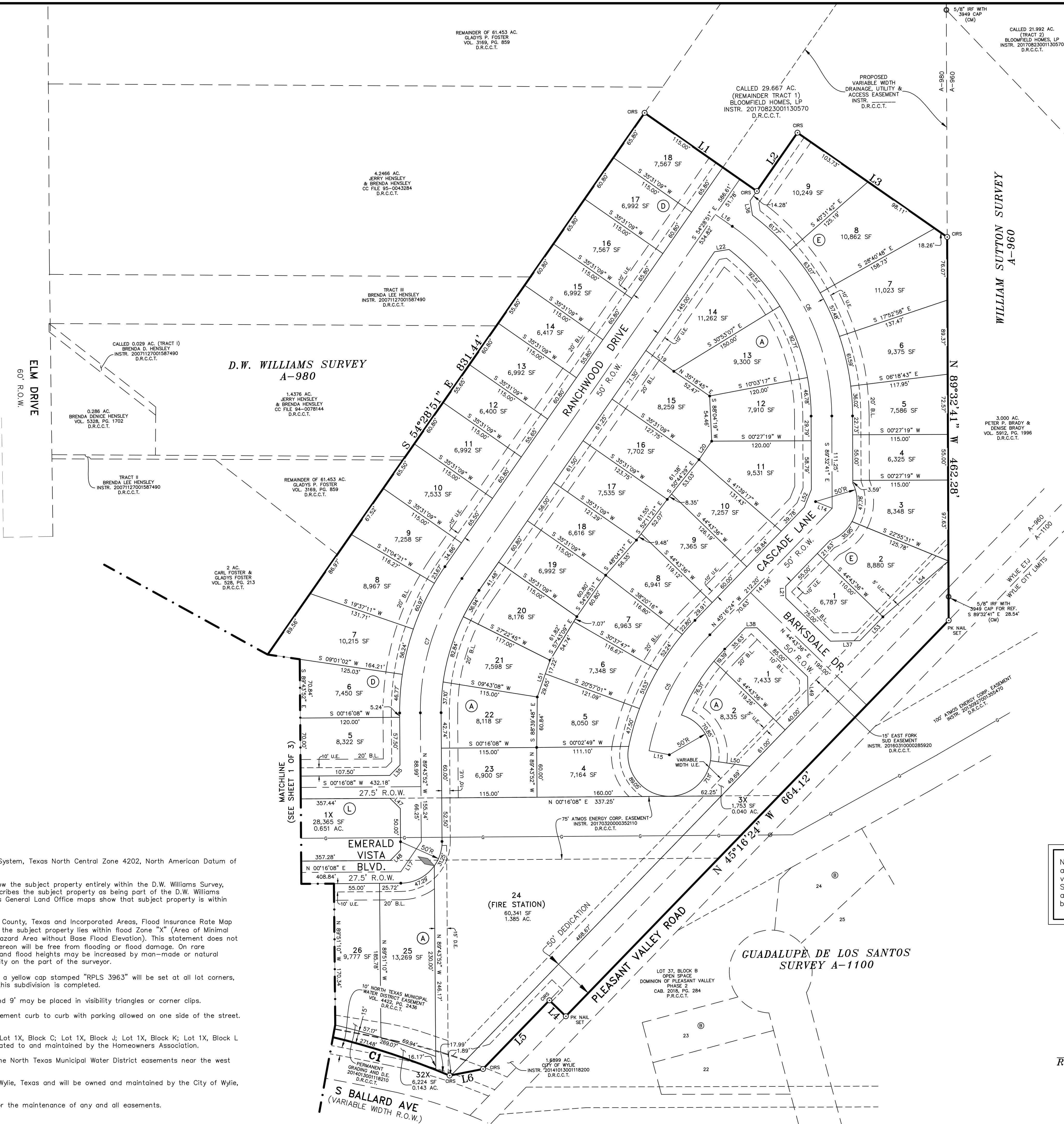
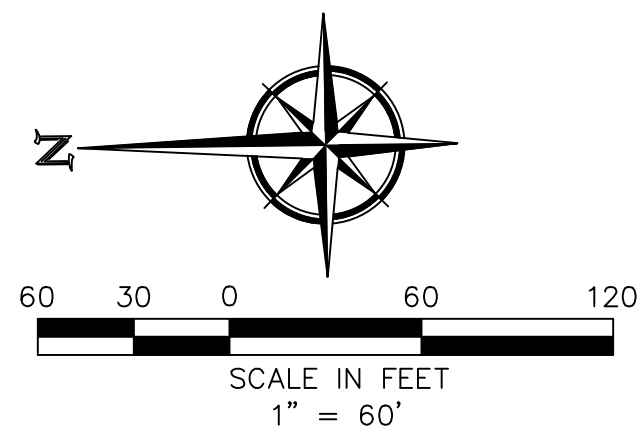
The plat is technically correct and abides by all aspects of the City of Wylie Subdivision Regulations. Approval is subject to additions and alterations as required by the City Engineering Department.

For conditional approval or disapproval City Council must provide a written statement of the reasons to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Gov't Code.

P&Z Commission Discussion

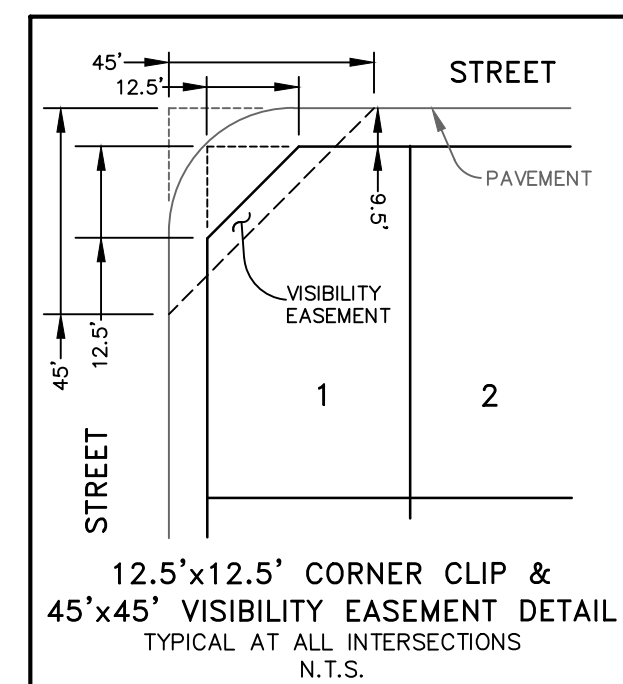
The Commission voted 6-0 to recommend approval.





VICINITY MAP
N.T.S.

LEGEND	
CIRS	5/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 3963"
IRF	IRON ROD FOUND
(CM)	CONTROL MONUMENT
PP	POWER POLE
GW	GUY WIRE
U.E.	UTILITY EASEMENT
B.L.	BUILDING SETBACK LINE
CBU	CENTRAL MAILBOX UNIT
D.R.C.C.T.	DEED RECORDS, COLLIN COUNTY, TEXAS
P.R.C.C.T.	PLAT RECORDS, COLLIN COUNTY, TEXAS
	EDGE OF ASPHALT
	OVERHEAD ELECTRIC LINE
	GAS PIPELINE
	INDICATES STREET NAME CHANGE



NOTES:

1. Basis of Bearings = State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization (CORS 2011).
2. The Collin Central Appraisal District maps show the subject property entirely within the D.W. Williams Survey, Abstract No. 980. However, the Texas General Land Office maps show that subject property is within the William Sutton Survey, Abstract No. 860.
3. According to my interpretations of the Collin County, Texas and Incorporated Areas, Flood Insurance Rate Map Number 448085C0535J, dated June 2, 2009, the subject property lies within flood Zone "X" (Area of Minimal Flood Hazard) and Zone "A" (Special Flood Hazard Area without Base Flood Elevation). This statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the surveyor.
4. Unless otherwise noted, a 5/8" iron rod with a yellow cap stamped "RPLS 3963" will be set at all lot corners, whenever possible, after all construction for this subdivision is completed.
5. No appurtenance between the height of 2' and 9' may be placed in visibility triangles or corner clips.
6. Street D will be allowed to be 21 feet in pavement curb to curb with parking allowed on one side of the street. Parking areas are to be stripped.
7. Lots 1X and 29X, Block A; Lot 1X, Block B; Lot 1X, Block C; Lot 1X, Block J; Lot 1X, Block K; Lot 1X, Block L will be common space lots that will be dedicated to and maintained by the Homeowners Association.
8. Residential Lots will not be permitted upon the North Texas Municipal Water District easements near the west boundary line of this subdivision.
9. Lot 24, Block A is dedicated to the City of Wylie, Texas and will be owned and maintained by the City of Wylie, Texas.
10. The Homeowners Association is responsible for the maintenance of any and all easements.

NOTICE: 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.

91 RESIDENTIAL LOTS
7 COMMON AREA LOTS
1 FIRE STATION LOT

OWNER/DEVELOPER
BLOOMFIELD HOMES, L.P.
1050 E. HWY 114, SUITE 210
SOUTH LAKE, TX 76092
(817) 416-1572

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875
EMAIL: rmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 229

FINAL PLAT
**EMERALD VISTA
PHASE ONE**
BEING
27.369 ACRES
SITUATED IN THE
D.W. WILLIAMS SURVEY, ABST. NO. 980
CITY OF WYLIE, COLLIN COUNTY, TEXAS
ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

REV: 02/10/2021
DATE: 07/16/2019

SCALE: 1"=60'

SHEET 2 OF 3

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS
COUNTY OF _____

WHEREAS BLOOMFIELD HOMES, LP, BEING THE OWNER of a 27.369 acres of land situated in the D.W. Williams Survey, Abstract 980, Collin County, Texas, and being a part of that certain called a part of 29.677 acre "Tract 1" described in deed to Bloomfield Homes, LP, recorded as Instrument No. 20170823001130570, Deed Records, Collin County, Texas, and this tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the northeast corner of said 29.677 acre tract and the northwest corner of Southbrook Phase I, an addition to the City of Wylie, as recorded in Cabinet P, Page 987, Plat Records, Collin County, Texas, said point also being in the south line of a 0.2813 acre tract described in a deed to East Fork Utility District recorded as Instrument No. 20160222000198510, Deed Records, Collin County, Texas;

THENCE South 01 degrees 01 minutes 25 seconds West, with the common boundary lines of said Southbrook Phase I and said 29.677 acre tract, at 950.00 feet passing the southwest corner of said Southbrook Phase I common to the northwest corner of a 0.9958 acre tract of land described in deed to Richard Alan Cermack and Ann Marie Cermack, recorded in Instrument 20121228001646720 of said Deed Records and continuing along the common line of said 29.677 acre and 0.9958 tract, at 1213.97 feet passing the southwest corner of said 0.9958 acre tract common to the northwest corner of a called 2.00 acre tract described in a deed to Carl Foster and wife Gladys Foster as recorded in Volume 528, Page 213 of said Deed Records and continuing with the west line of said 2.00 acre tract for a total distance of 1450.00 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner at an interior corner of said 29.677 acre tract and the southwest corner of said 2.00 acre tract;

THENCE South 54 degrees 28 minutes 51 seconds East, with the common boundary lines of said 29.677 acre tract and said 2.00 acre tract at a call of 182.82 feet passing the southeast corner thereof, and continuing with a remainder portion of a 61.453 acre tract described in a deed to Gladys P. Foster as recorded in Volume 3169, Page 859 of said Deed Record the southwest lines of Tract II and Tract III, described in deed to Brenda Lee Hensley, as recorded in Instrument 20071127001587490 of said Deed Records, a 1.4376 acre tract of land described in deed to Jerry Hensley and Brenda Hensley, as recorded in County Clerk file 94-0078144 of said Deed Records, and partly with a 4.2466 acre tract of land described in deed to Jerry Hensley and Brenda Hensley, recorded as County Clerk file 95-0043284 of said Deed Records, for a total distance of 831.44 feet to a 5/8-inch iron rod with a yellow cap stamped "RPLS 3963" set for corner;

Thence traversing through said 29.677 acre tract the following courses;

- South 35 degrees 31 minutes 09 seconds West, a distance of 165 feet to a 5/8-inch iron rod with a yellow cap stamped "RPLS 3963" set for corner;
- South 54 degrees 28 minutes 51 seconds East, a distance of 85.72 feet to a 5/8-inch iron rod with a yellow cap stamped "RPLS 3963" set for corner;
- South 35 degrees 31 minutes 09 seconds West, a distance of 220.10 feet to a 5/8-inch iron rod with a yellow cap stamped "RPLS 3963" set for corner in the couth line of said 29.677 acre tract common to the north line of a called 21.992 acre "Tract 2" described in previously referenced deed to Bloomfield Homes LP;

THENCE North 89 degrees 32 minutes 41 seconds West, with the common boundary line of said 29.677 acre tract and said 21.992 acre tract, and partly with the north line of a 3.000 acre tract of land described in deed to Peter P. Brady and Denise Brady, recorded in Volume 5912, Page 1996 of said Deed Records, respectively, a distance of 462.28 feet to a PK nail set at the common corner thereof, from which a 5/8-inch iron rod with cap (3949) found for reference bears South 89 degrees 32 minutes 41 seconds East a distance of 28.54 feet, said corner being in the center of Pleasant Valley Road, a 50 ft. +- public road right-of-way by occupation, (no record found);

THENCE North 45 degrees 16 minutes 24 seconds West, with the southwest boundary line of said 29.677 acre tract and the center of said Pleasant Valley Road, a distance of 664.12 feet to a PK nail set for corner;

THENCE North 44 degrees 43 minutes 21 seconds East, a distance of 27.66 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner at the most eastern southeast corner of a 1.6899 acre tract of land described in deed to the City of Wylie, recorded as Instrument No. 20141013001118200 of said Deed Records;

North 45 degrees 16 minutes 39 seconds West, along a boundary line of last mentioned tract a distance of 115.19 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner at a cut back corner of the new right-of-way of South Ballard Avenue as established by last mentioned deed;

Thence along and with the easterly lines of said 1.6899 acre tract and South Ballard Avenue (variable width right-of-way) the following courses:

- North 10 degrees 28 minutes 06 seconds West, a distance of 41.05 feet, to the beginning of a non-tangent curve to the left having a radius of 910.00 feet and a chord which bears North 14 degrees 01 minutes 03 seconds East, a distance of 301.57 feet;
- Northwesterly, with said curve to the left, through a central angle of 19 degrees 04 minutes 32 seconds, an arc distance of 302.97 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the end of said curve;
- North 04 degrees 28 minutes 47 seconds East, a distance of 138.58 feet to a to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- North 47 degrees 14 minutes 07 seconds East, a distance of 22.03 feet to a to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- North 89 degrees 59 minutes 27 seconds East, a distance of 56.31 feet to a to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner at the southwest corner of Elm Drive, a proposed 50 ft. asphalt public road by said 1.6899 acre tract (prescriptive road, no record found);
- North 00 degrees 00 minutes 33 seconds West, a distance of 50.00 feet to a to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner at the northwest corner of said Elm Drive;
- South 89 degrees 59 minutes 27 seconds West, a distance of 52.38 feet to a to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- North 42 degrees 45 minutes 53 seconds West, a distance of 20.37 feet to a to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- North 04 degrees 28 minutes 47 seconds East, a distance of 110.38 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set at the beginning of a tangent curve to the left having a radius of 2929.79 feet, and a chord which bears North 02 degrees 29 minutes 24 seconds East, a distance of 203.51 feet;
- Northeasterly, with said curve to the left, through a central angle of 03 degrees 58 minutes 50 seconds, an arc distance of 203.55 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the end of said curve;
- North 00 degrees 30 minutes 02 seconds East, a distance of 363.87 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set at the beginning of a tangent curve to the right having a radius of 1070.00 feet, and a chord which bears North 02 degrees 25 minutes 01 seconds East, a distance of 71.68 feet;
- Northeasterly, with said curve to the right, through a central angle of 03 degrees 50 minutes 21 seconds, an arc distance of 71.70 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963"set at the end of said curve and the beginning of a reverse curve to the left having a radius of 1170.00 feet, and a chord which bears North 02 degrees 26 minutes 23 seconds East, a distance of 77.46 feet;
- Northeasterly, with said curve to the left, through a central angle of 03 degrees 47 minutes 38 seconds, an arc distance of 77.47 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963"set at the end of said curve;
- North 00 degrees 32 minutes 34 seconds East, a distance of 350.10 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set in the south line of said 0.2813 acre tract and the north line of said 29.677 acre tract;

THENCE South 89 degrees 34 minutes 06 seconds East, with the common boundary line of said 0.2813 acre tract and said 29.677 acre tract, a distance of 386.68 feet to the POINT OF BEGINNING AND CONTAINING 1,192,200 square feet or 27.369 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, BLOOMFIELD HOMES, LP, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as EMERALD VISTA, PHASE ONE, 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 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 _____, 2021.

FOR: Bloomfield Homes, L.P.,
a Texas limited partnership
By: Bloomfield Properties, Inc.,
a Texas corporation, General Partner

By: _____
Donald J. Dykstra, President

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared Donald J. Dykstra, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2021.

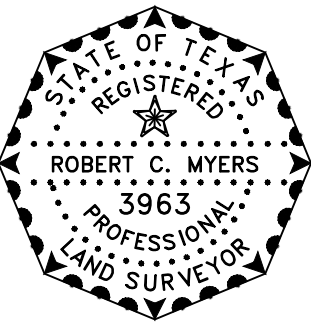
NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Robert C. Myers, 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.

ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963



STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared Robert C. Myers, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2021.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

"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

"APPROVED AND ACCEPTED"

This plat is hereby approved in accordance with Section 2.11.B of the City of Wylie Subdivision Regulations (Ordinance No. 2003-03).

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing plat of EMERALD VISTA, PHASE ONE, an addition to the City of Wylie was submitted to the City Council on the ____ day of _____, 2021 and the Council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this ____ day of _____, A.D. 2021.

City Secretary
City of Wylie, Texas

91 RESIDENTIAL LOTS
7 COMMON AREA LOTS
1 FIRE STATION LOT

OWNER/DEVELOPER
BLOOMFIELD HOMES, L.P.
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875

LAND SURVEYOR
R.C. MYERS' SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmysurveying@gmail.com
FIRM NO. 10192300 JOB NO. 229

FINAL PLAT
EMERALD VISTA
PHASE ONE

BEING
27.369 ACRES
SITUATED IN THE

D.W. WILLIAMS SURVEY, ABST. NO. 980
CITY OF WYLIE, COLLIN COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

REV.: 02/10/2021
DATE: 07/16/2019
SCALE: 1"=60'
SHEET 3 OF 3



Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins

Account Code: _____

Subject

Consider, and act upon, a Preliminary Plat for Kreymer at the Park Addition, being 49 residential lots and two open space lots on 16.48 acres. Property located at 2605 E. Stone Rd.

Recommendation

Motion to approve a Preliminary Plat for Kreymer at the Park Addition, being 49 residential lots and two open space lots on 16.48 acres. Property located at 2605 E. Stone Rd.

Discussion

OWNER: Westmere Capital, LLC & Robert & Phyllis Kreymer

APPLICANT: O'neal Surveying

The applicant has submitted a Preliminary Plat for the Kreymer at the Park Addition. The plat consists of 49 residential lots and two open space lots on 16.48 acres zoned within the SF 10/24 district. The property was zoned SF 10/24 in 2019 and the single-family residential use is allowed by-right.

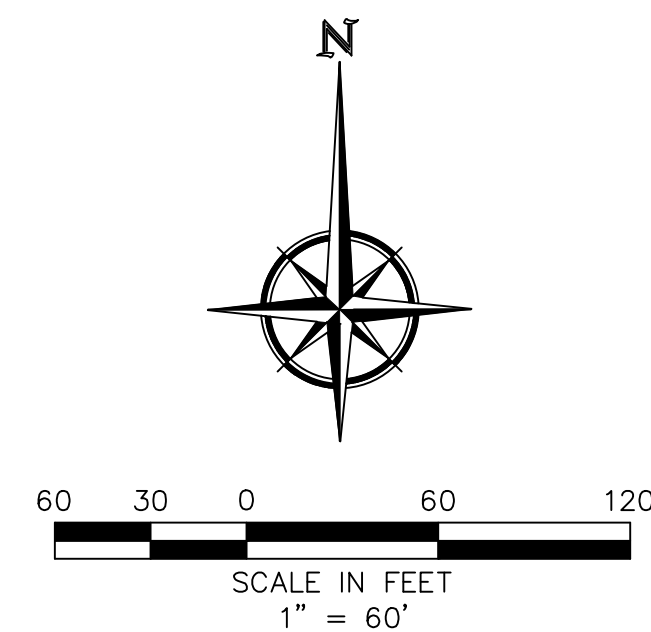
The plat dedicates the necessary rights-of-way and utility easements, including a pedestrian easement for a trail connection to the southwest and a mutual access easement to the north. All open space lots are to be dedicated to and maintained by the H.O.A.

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.

For conditional approval or disapproval City Council must provide a written statement of the reasons to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Gov't Code.

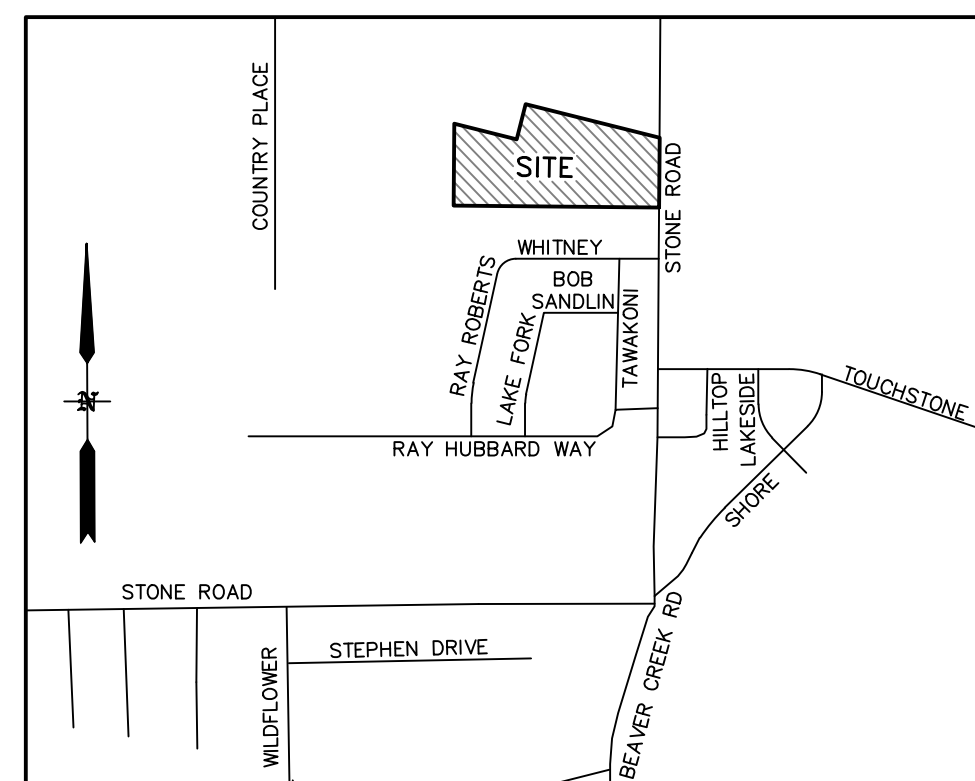
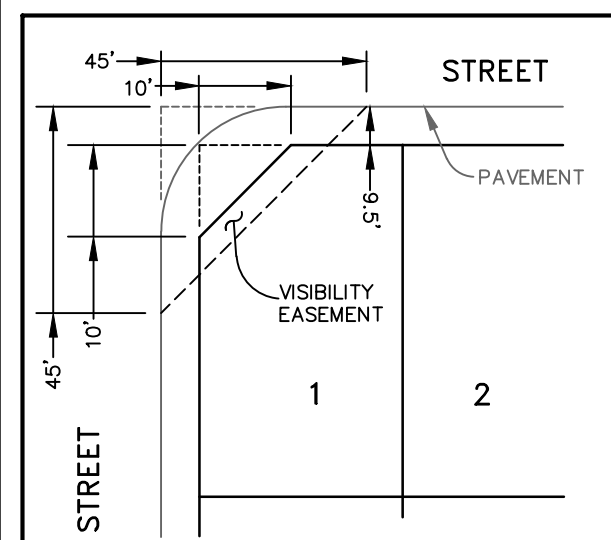
P&Z Commission Discussion

The Commission voted 6-0 to recommend approval.



NOTES:

- All bearings shown hereon are based on the Texas State Plane Coordinate System of 1983 (2011), North Central Zone (4202).
- The tract shown herein and described above was not abstracted by the surveyor. Additional easements or other encumbrances, whether of record or not may affect the subject tract.
- According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map No. 48085C0420J, dated June 2, 2009, and Flood Insurance Rate Map No. 48085C0440J, dated June 2, 2009, the subject property lies within flood Zone "X" (Area of Minimal Flood Hazard). This Flood Statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Flood Statement shall not create liability on the part of the surveyor.
- All found monuments shown hereon are deemed to be controlling monuments.
- A 1/2" iron rod with red cap stamped "ONEAL 6570" will be set at all lot corners and/or at reference points to lot corners, wherever possible, after the completion of all utilities and subdivision construction.
- SOURCE BENCHMARK: City of Wylie Monument No. 1, located at the North side of State Highway No. 78 near the east entrance drive for the City of Wylie Municipal Complex. Elevation = 530.53'. City of Wylie Monument No. 5, located at the Northeast intersection of Tray Road and County Road 732 (Beaver Creek). Elevation = 454.28'.
- Lots 15X, Block A, will be common space lots that will be dedicated to and maintained by the Homeowners Association.
- Visibility Triangles: No fence, wall, screen, billboard, sign, structure, or foliage of hedges, trees, bushes, or shrubs shall be erected, planted or maintained in any alley right-of-way. Foliage or hedges, trees, bushes, and shrubs planted adjacent to the alleys right-of-way which are not governed by the visibility triangles or by Zoning Ordinance of the City, shall be maintained such that the minimum overhang or encroachment shall be 14-feet above the alley surface at the edge of the pavement.
- No appurtenance between the height of 2' and 9' may be placed in visibility triangles or corner clips.
- A certificate of occupancy will not be issued for the property until all the offsite civil improvements, screening wall, and detention pond are constructed and accepted by the City.

VICINITY MAP
N.T.S.10'x10' CORNER CLIP &
45'x45' VISIBILITY EASEMENT DETAIL
TYPICAL AT ALL INTERSECTIONS
N.T.S.

LEGEND	
IRS	IRON ROD SET WITH CAP STAMPED "ONEAL 6570"
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
B.L.	BUILDING SETBACK LINE
C.A.	COMMON AREA
D.E.	DRAINAGE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
U.E.	UTILITY EASEMENT
D.R.C.C.T.	DEED RECORDS, COLLIN COUNTY, TEXAS
P.R.C.C.T.	PLAT RECORDS, COLLIN COUNTY, TEXAS
◆	INDICATES STREET NAME CHANGE

LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	N 88°44'57" W	50.00'
L2	N 88°44'57" W	50.00'
L3	N 46°21'46" E	21.21'
L4	S 41°55'57" E	20.61'
L5	N 01°15'03" E	0.73'

CURVE TABLE					
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING
C1	10°25'15"	250.00'	22.80'	45.47'	N 83°32'19" W 45.41'
C2	10°18'32"	250.00'	22.55'	44.98'	N 83°28'58" W 44.92'
C3	11°38'48"	250.00'	25.50'	50.82'	N 82°55'33" W 50.73'
C4	11°32'05"	250.00'	25.25'	50.33'	N 82°52'12" W 50.24'

NOTICE: 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.

49 RESIDENTIAL LOTS
2 COMMON AREA LOT

OWNER
GRANITE INDUSTRIES, LLC
161 W 3RD STREET #110
PROSPER, TX 75078
(310) 962-3931

LAND SURVEYOR
O'NEAL SURVEYING COMPANY
P.O. BOX 361
ATHENS, TX 75751
TBPLS Firm No. 10194132
daniel.oneal@onealsurveying.com
(903) 804-2891

PRELIMINARY PLAT
KREYMER AT THE PARK
BEING
16.48 ACRES
SITUATED IN THE

FRANCISCO DE LA PINA SURVEY, ABST. NO. 688
CITY OF WYLIE, COLLIN COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

DATE: 3/15/2021

SCALE: 1"=60'

SHEET 1 OF 2

Z:\PROJECTS\08834 Kreymer @ the Creek - Wylie - 16.48 AC\dwg\Plots\8834 Preliminary Plot (02-18-2021).dwg

OWNER’S CERTIFICATE AND DEDICATION

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS, GRANITE INDUSTRIES, LLC BEING THE OWNER OF A TRACT OF LAND SITUATED IN THE FRANCISCO DE LA PINA SURVEY, ABSTRACT NO. 688, IN THE CITY OF WYLIE, COLLIN COUNTY, TEXAS, BEING ALL OF THAT SAME TRACT OF LAND CONVEYED TO ROBERT KREYMER BY DEED RECORDED IN VOLUME 2967, PAGE 275 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT, A 3/8 INCH IRON ROD FOUND FOR CORNER IN THE APPROXIMATE CENTERLINE OF E. STONE ROAD, SAID POINT BEING THE NORTHEAST CORNER OF GRAYHAWK PARK AN ADDITION TO THE CITY OF WYLIE, COLLIN COUNTY, TEXAS BY PLAT THEREOF RECORDED VOLUME 2017, PAGE 760, (OPRCCT) OF THE OFFICAL PLAT RECORDS OF COLLIN COUNTY, TEXAS, SAME BEING THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, NORTH 88 DEGREES 38 MINUTES 14 SECONDS WEST, DEPARTING THE APPROXIMATE CENTERLINE OF SAID E. STONE ROAD AND ALONG THE NORTH LINE OF SAID GRAYHAWK PARK, A DISTANCE OF 1339.04 FEET TO A POINT FOR CORNER, SAID POINT BEING THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO GARNER KOCH BY DEED RECORD IN VOLUME 5733, PAGE 2432 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS SAME BEING THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THNECE, NORTH 01 DEGREES 18 MINUTES 23 SECONDS EAST, ALONG THE EAST LINE OF SAID KOCH TRACT, A DISTANCE 534.31 FEET TO A 1/2 INCH IRON ROAD FOUND FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO FARMERS ELECTRIC COOPERATIVE, INC. BY DEED RECORDED IN FILE NO. 97–0011471 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, SAME BEING THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, SOUTH 75 DEGREES 05 MINUTES 49 SECONDS EAST, ALONG THE SOUTH LINE OF SAID FARMERS ELECTRIC COOPERATIVE, INC. TRACT, A DISTANCE OF 418.93 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING AN INTERIOR ELL CORNER OF HEREIN DESCRIBED TRACT;

THENCE, NORTH 15 DEGREES 04 MINUTES 09 SECONDS EAST, CONTINUING ALONG THE SOUTH LINE OF SAID FARMERS ELECTRIC COOPERATIVE, INC. TRACT, A DISTANCE OF 235.03 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING AN INTERIOR ELL CORNER OF SAID FARMERS ELECTRIC COOPERATIVE, INC. TRACT;

THENCE, SOUTH 75 DEGREES 05 MINUTES 28 SECONDS EAST, CONTINUING ALONG THE SOUTH LINE OF SAID FARMERS ELECTRIC COOPERATIVE, INC. TRACT, A DISTANCE OF 900.76 FEET TO A POINT FOR CORNER IN THE APPROXIMATE CENTERLINE OF SAID E. STONE ROAD, SAID POINT BEING THE SOUTHEAST CORNER OF SAID FARMERS ELECTRIC COOPERATIVE, INC. SAME BEING THE NORTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 01 DEGREES 15 MINUTES 03 SECONDS WEST, ALONG THE APPROXIMATE CENTERLINE OF SAID E. STONE ROAD, A DISTANCE OF 453.58 FEET TO THE POINT OF BEGINNING AND CONTAINING 717,935 SQUARE FEET OR 16.48 ACRES OF LAND.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, GRANITE INDUSTRIES, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as KREYMER AT THE PARK, 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 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 _____, 2021.

FOR: GRANITE INDUSTRIES, LLC (Owner)

By: _____
Michael G. Todd, Director

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared Michael G. Todd, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2021.

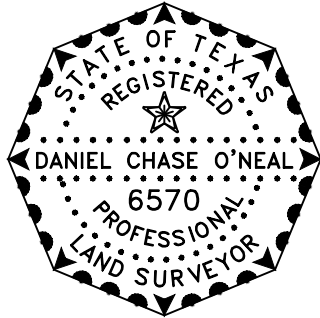
NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

MY COMMISSION EXPIRES:

SURVEYOR’S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Daniel Chase O'Neal, 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.



DANIEL CHASE O'NEAL
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6570

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared Daniel Chase O'Neal, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2021.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

"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 _____

"APPROVED AND ACCEPTED"

This plat is hereby approved in accordance with Section 2.11.B of the City of Wylie Subdivision Regulations (Ordinance No. 2003–03).

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing plat of KREYMER AT THE PARK, an addition to the City of Wylie was submitted to the City Council on the ____ day of _____, 2021 and the Council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this ____ day of _____, A.D., 2021.

City Secretary
City of Wylie, Texas

49 RESIDENTIAL LOTS
2 COMMON AREA LOT

OWNER
GRANITE INDUSTRIES, LLC
161 W 3RD STREET #110
PROSPER, TX 75078
(310) 962–3931

LAND SURVEYOR
O'NEAL SURVEYING COMPANY
P.O. BOX 361
ATHENS, TX 75751
TBPLS Firm No. 10194132
daniel.oneal@onealsurveying.com
(903) 804–2891

NOTICE: 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.

PRELIMINARY PLAT

KREYMER AT THE PARK
BEING
16.48 ACRES
SITUATED IN THE

FRANCISCO DE LA PINA SURVEY, ABST. NO. 688
CITY OF WYLIE, COLLIN COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001146
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941–8400 FAX (972) 941–8401

DATE: 3/15/2021

SCALE: 1"=60'

SHEET 2 OF 2



Wylie City Council

AGENDA REPORT

Department: Police
 Prepared By: Anthony Henderson

Account Code: _____

Subject

Review, and place on file, the 2020 Wylie Police Department Annual Racial Profiling Analysis.

Recommendation

A motion to place on file the 2020 Wylie Police Department Annual Racial Profiling Analysis.

Discussion

Texas Senate Bill (SB 1074), Sandra Bland Act, and HB 3051 requires Police Departments to collect traffic-related contact data and report the contact data to their governing body every year, no later than March of the following year. The 2020 Wylie Police Department Annual Racial Profiling Analysis meets all requirements of SB 1074, HB 3051, HB 3389, and the Sandra Bland Act.

Exhibit: Report by Justice Research Consultants, LLC.

WYLIE POLICE DEPARTMENT

2020

RACIAL PROFILING ANALYSIS

PREPARED BY:

Eric J. Fritsch, Ph.D.

Chad R. Trulson, Ph.D.

Justice Research Consultants, LLC



Executive Summary

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

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

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

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

Introduction

This report details an analysis of the Wylie Police Department's policies, training, and statistical information on racial profiling for the year 2020. This report has been prepared to specifically comply with Article 2.132, 2.133, and 2.134 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of traffic stop data. Specifically, the analysis will address Articles 2.131 – 2.134 of the CCP and make a determination of the level of compliance with those articles by the Wylie Police Department in 2020. The full copies of the applicable laws pertaining to this report are contained in Appendix A.

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

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

Wylie Police Department Policy on Racial Profiling

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

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

Wylie Police Department Training and Education on Racial Profiling

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas Peace officers. Documentation provided by Wylie Police Department reveals that all officers have received bias-based/racial profiling training.

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

Wylie Police Department Complaint Process and Public Education on Racial Profiling

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

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

Wylie Police Department Statistical Data on Racial Profiling

Article 2.132(b) 6 and Article 2.133 requires that law enforcement agencies collect statistical information on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to other information noted previously. Wylie Police Department submitted statistical information on all motor vehicle stops in 2020 and accompanying information on the race/ethnicity of the person stopped. Accompanying this data was the relevant information required to be collected and reported by law.

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

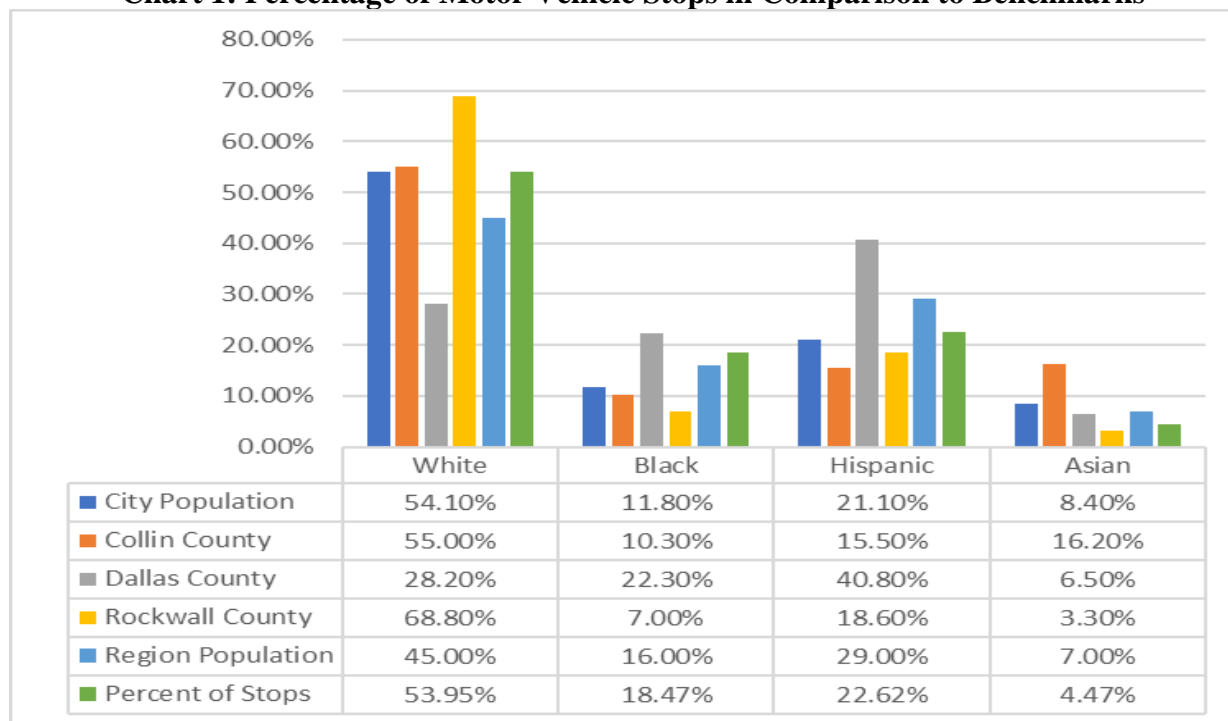
Analysis of the Data

Comparative Analysis #1:

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

The first chart depicts the percentages of people stopped by race/ethnicity among the total 8,493 motor vehicle stops in which a ticket, citation, or warning was issued, including arrests made, in 2020.¹

¹ There were 41 motor vehicle stops of drivers considered Alaska Native/American Indian. These motor vehicle stops were not charted in the first figure of this report due to the small number of stops relative to the population of the City of Wylie and relative to the total number of motor vehicle stops among all drivers (8,493).

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

White drivers constituted 53.95 percent of all drivers stopped, whereas Whites constitute 54.10 percent of the city population, 55.00 percent of the Collin county population, 28.20 percent of the Dallas county population, 68.80 percent of the Rockwall county population, and 45.00 percent of the region population.²

Black drivers constituted 18.47 percent of all drivers stopped, whereas Blacks constitute 11.80 percent of the city population, 10.30 percent of the Collin county population, 22.30 percent of the Dallas county population, 7.00 percent of the Rockwall county population, and 16.00 percent of the region population.

Hispanic drivers constituted 22.62 percent of all drivers stopped, whereas Hispanics constitute 21.10 percent of the city population, 15.50 percent of the Collin county population, 40.80 percent of the Dallas county population, 18.60 percent of the Rockwall county population, and 29.00 percent of the region population.

Asian drivers constituted 4.47 percent of all drivers stopped, whereas Asians constitute 8.40 percent of the city population, 16.20 percent of the Collin county population, 6.50 percent of the Dallas county population, 3.30 percent of the Rockwall county population, and 7.00 percent of the region population.

² City and County and Regional populations were derived from the 2019 American Community Survey (ACS) of the U.S. Census Bureau. Because the City of Wylie extends into Collin, Dallas, and Rockwall counties, population measures for all counties are presented. Region is defined as the 16 county Dallas-Ft. Worth Area including the following counties: Collin, Dallas, Denton, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise.

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

Methodological Issues

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

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

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

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

Issue #2: Problems Associated with Population Base-Rates

There has been considerable debate as to what the most appropriate population “base-rate” is in determining whether or not racial/ethnic disparities exist. The base-rate serves as the benchmark

for comparison purposes. The outcome of analyses designed to determine whether or not disparities exist is dependent on which base-rate is used. While this report utilized the most recent 2019 American Community Survey (ACS) as a population base-rate, this population measure can become quickly outdated, may be inaccurate, and may not keep pace with changes experienced in city and county and regional population measures.

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

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

Table 1 reports the summaries for the total number of motor vehicle stops in which a ticket, citation, or warning was issued, and to arrests made as a result of those stops, by the Wylie Police Department in 2020. Table 1 and associated analyses are utilized to satisfy the comparative analyses as required by Texas law, and in specific, Article 2.134 of the CCP.

Comparative Analysis #2:

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

As shown in Table 1, there were a total of 8,493 motor vehicle stops in 2020 in which a ticket, citation, or warning was issued. The table also shows arrests made as a result of those stops. Roughly 82 percent of stops resulted in a verbal warning and roughly 13 percent resulted in a citation. These actions accounted for roughly 95 percent of all stop actions and will be the focus of the below discussion.

Specific to **verbal warnings**, White motorists received a verbal warning in roughly 83 percent of stops involving White motorists (3,788/4,582), Black motorists received a verbal warning in roughly 85 percent of stops of Black motorists, Hispanic motorists received a verbal warning in roughly 79 percent of stops of Hispanic motorists, and Asian motorists received a verbal warning in roughly 85 percent of stops of Asian motorists.

White motorists received a **citation** in roughly 13 percent of stops involving White motorists (586/4,582), Black motorists received a citation in roughly 10 percent of stops of Black motorists, Hispanic motorists received a citation in roughly 15 percent of stops of Hispanic

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

Finally, arrests were rare in 2020. Of the 8,493 total stops, only 218 arrests [written warning and arrest (4), citation and arrest (8) and sole arrests (206)] were made in 2020. White motorists were arrested in roughly 2 percent of stops involving White motorists (97/4,582), Black motorists were arrested in roughly 3 percent of stops involving Black motorists, Hispanic motorists were arrested in roughly 4 percent of stops involving Hispanic motorists, and Asian motorists were arrested in less than 1 percent of stops involving Asian motorists (three total arrests).

As illustrated in Table 1, most arrests were based on a **violation of the penal code** (77.98%; 170/218) or an **outstanding warrant** (18.81%; 41/218).

Finally, as presented in Table 1, **physical force resulting in bodily injury** was not used in any of the 8,493 traffic stops in 2020.

Table 1: Traffic Stops and Outcomes by Race/Ethnicity

Stop Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
Number of Stops	4,582	1,569	1,921	380	41	8,493
Gender						
Female	1,661	496	526	129	12	2,824
Male	2,921	1,073	1,395	251	29	5,669
Reason for Stop						
Violation of Law	204	72	86	19	0	381
Preexisting Knowledge	44	15	52	1	0	112
Moving Traffic Violation	3,636	1,194	1,448	285	36	6,599
Vehicle Traffic Violation	698	288	335	75	5	1,401
Result of Stop						
Verbal Warning	3,788	1,327	1,522	322	33	6,992
Written Warning	111	30	52	3	3	199
Citation	586	163	279	52	4	1,084
Written Warning and Arrest	3	0	1	0	0	4
Citation and Arrest	2	5	1	0	0	8
Arrest	92	44	66	3	1	206
Arrest Based On						
Violation of Penal Code	74	38	55	3	0	170
Violation of Traffic Law	3	2	2	0	0	7
Violation of City Ordinance	0	0	0	0	0	0
Outstanding Warrant	20	9	11	0	1	41
Physical Force Resulting in Bodily Injury Used?						
No	4,582	1,569	1,921	380	41	8,493
Yes	0	0	0	0	0	0

Comparative Analysis #3:

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

In 2020, a total of 839 **searches** of motorists were conducted, or roughly 10 percent of all stops resulted in a search (839/8,493). Among searches within each racial/ethnic group, White motorists were searched in roughly 9 percent of all stops of White motorists (418/4,582), Black motorists were searched in roughly 12 percent of all stops of Black motorists, Hispanic motorists were searched in roughly 11 percent of all stops of Hispanic motorists, and Asian motorists were searched in roughly 3 percent of all stops of Asian motorists.

As illustrated in Table 2, the most common reason for a search was probable cause (53.64%; 450/839). Among **probable cause searches** within each racial/ethnic group, White motorists were searched based on probable cause in roughly 44 percent of all searches of White motorists (183/418), Black motorists were searched based on probable cause in roughly 75 percent of all searches of Black motorists, Hispanic motorists were searched based on probable cause in roughly 55 percent of all searches of Hispanic motorists, and Asian motorists were searched based on probable cause in roughly 55 percent of all searches of Asian motorists.

Regarding searches, it should be further noted that 238 searches (see Table 2) were based on consent, which are regarded as discretionary as opposed to non-discretionary searches. Relative to the total number of stops (8,493), discretionary consent searches occurred in 2.80 percent of stops. Among **consent searches** within each racial/ethnic group, White motorists were searched based on consent in roughly 39 percent of all searches of White motorists (162/418), Black motorists were searched based on consent in roughly 11 percent of all searches of Black motorists, Hispanic motorists were searched based on consent in roughly 23 percent of all searches of Hispanic motorists, and Asian motorists were searched based on consent in roughly 36 percent of all searches of Asian motorists.

Of the searches that occurred in 2020, and as shown in Table 2, contraband was discovered in 551 or roughly 66 percent of all searches (551/839 total searches). Among the searches in which contraband was discovered, roughly 79 percent of the time the contraband discovered was drugs.

Table 2: Searches and Outcomes by Race/Ethnicity

Search Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
Search Conducted						
Yes	418	190	216	11	4	839
No	4,164	1,379	1,705	369	37	7,654
Reason for Search						
Consent	162	20	50	4	2	238
Contraband in Plain View	42	22	28	1	1	94
Probable Cause	183	142	119	6	0	450
Inventory	5	1	8	0	0	14
Incident to Arrest	26	5	11	0	1	43
Was Contraband Discovered						
Yes	254	146	142	7	2	551
No	164	44	74	4	2	288
Description of Contraband						
Drugs	190	123	118	4	0	435
Weapons	6	2	3	0	0	11
Currency	0	0	0	0	0	0
Alcohol	16	5	6	0	0	27
Stolen Property	0	1	0	0	0	1
Other	42	15	15	3	2	77
Did Discovery of Contraband Result in Arrest?						
Yes	43	35	37	2	0	117
No	211	111	105	5	2	434

Comparative Analysis #4:

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

In 2020, internal records indicate that the Wylie Police Department received 1 complaint alleging that a peace officer employed by the agency engaged in racial profiling. Upon internal investigation, the complaint did not result in disciplinary action against the officer.

Additional Analysis:

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

In 2020, 8,493 motor vehicle stops were made by the Wylie Police Department. Of these stops, 2,824 or roughly 33 percent were female drivers (2,824/8,493), and roughly 67 percent were male drivers (see Table 1).

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

Overall, in 2020, males were stopped at rates higher than their proportion of the city and county populations.

Additional Information Required to be Reported to TCOLE

Table 3 provides additional information relative to motor vehicle stops in 2020 by the Wylie Police Department. The data are required to be collected by the Wylie Police Department under the Texas Code of Criminal Procedure Article 2.133.

As illustrated in Table 3, of the 8,493 motor vehicle stops in 2020, the officer knew the race/ethnicity of the motorist prior to the stop in 6.95% of the stops (590/8,493). This percentage is consistent across law enforcement agencies throughout Texas. An analysis of all annual racial profiling reports submitted to the Texas Commission on Law Enforcement, as required by the Texas racial profiling law, found that in 2.9% of the traffic stops in Texas, the officer knew the race/ethnicity of the motorist prior to the stop.³ The analysis included 1,186 Texas law enforcement agencies and more than 3.25 million traffic stops.

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

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

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

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

Table 3: Additional Information

Additional Information	Total
Was Race/Ethnicity Known Prior to Stop	
Yes	590
No	7,903
Approximate Location of Stop	
City Street	6,360
US Highway	141
County Road	68
State Highway	1,913
Private Property/Other	11
Number of Complaints of Racial Profiling	1
Resulted in Disciplinary Action	0
Did Not Result in Disciplinary Action	1

Analysis of Racial Profiling Compliance by Wylie Police Department

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

In addition to providing summary reports and analysis of the data collected by the Wylie Police Department in 2020, this report also included an extensive presentation of some of the

limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Wylie Police Department as well as police agencies across Texas.

Appendix A: Racial Profiling Statutes and Laws

Texas Racial Profiling Statutes

Art. 3.05. RACIAL PROFILING.

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

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

Art. 2.131. RACIAL PROFILING PROHIBITED.

A peace officer may not engage in racial profiling.

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

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

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

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

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

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

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

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

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

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

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

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

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

(E) the location of the stop; and

(F) the reason for the stop; and

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

(A) the Texas Commission on Law Enforcement; and

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

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

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

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

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

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

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

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

Amended by:

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

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

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

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

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

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

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

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

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

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

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

Amended by:

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

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

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

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

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

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

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

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

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency,

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

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

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

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

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

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

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

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

Amended by:

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

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

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

Art. 2.136. LIABILITY.

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

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

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

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

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

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

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

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

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

Amended by:

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

Art. 2.138. RULES.

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

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

Art. 2.1385. CIVIL PENALTY.

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

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

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

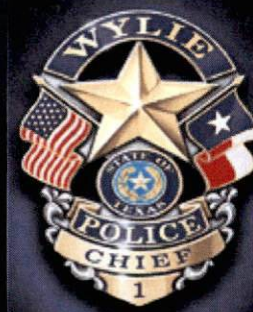
Added by Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 29, eff. September 1, 2009.

Amended by:

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

Appendix B: Agency Policy

WYLIE POLICE DEPARTMENT POLICY		
NUMBER: 614	# OF PAGES: 5	EFFECTIVE DATE: JANUARY 1, 2010
SUBJECT: UNBIASED POLICING		
APPROVED: MAY 1, 2020	ACCREDITATION STANDARDS:	REVIEW DATE
BY THE ORDER OF:  Chief Anthony B. Henderson		MAY 1, 2021
RELATED POLICY #:		



I. PURPOSE

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

II. POLICY

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

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

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

III. DEFINITIONS

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

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

Individual Demographics: Personal characteristics, to include, but not limited to race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, cultural group, or political status.

Race or ethnicity: Is defined by Chapter 2 of the Texas Code of Criminal Procedures as, Alaskan native or American Indian, Asian or Pacific Islander, Black, White, and Hispanic or Latino.

Police Services: Actions and activities that may not directly include enforcement of the law but that contribute to the overall well-being and safety of the public. These may include, but are not limited to, such tasks as traffic accidents, medical emergencies, and assistance at fire scenes; lifesaving services; preventive patrol; crime prevention; public information; traffic control; and similar activities.

Motor vehicle stop: means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

IV. TRAINING

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

V. COMPLAINT INVESTIGATION

- A. The department shall accept complaints from any person who believes he or she has been stopped or searched based on individual demographics.
- B. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
- C. Any person who receives an allegation of biased policing, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channels or direct the individual(s) on the process to do so. Any employee contacted shall provide to that person instructions on the complaint process and will report any allegation of biased policing to their superior before the end of shift.
- D. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable time period. The investigation shall be documented in writing and any reviewer's comments or conclusions shall be filed with the Chief. When applicable, findings and or suggestions for disciplinary action, retraining or changes in policy shall be filed with the Chief.
- E. If a biased policing complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
- F. If there is a department video or audio recording of the events upon which a complaint of biased policing is based, upon commencement of an investigation by this department into the complaint and written request by the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.
- G. The Professional Standards office shall maintain data related specifically to complaints of biased policing. Information shall be provided to the Chief or to his or her designee, in a manner most suitable for administrative review, problem identification, and development of appropriate corrective actions.

VI. PUBLIC EDUCATION

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

VII. DATA COLLECTION AND REPORTING

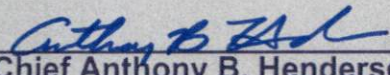
- A. An officer is required to collect information relating to motor vehicle stops in which a citation is issued or an arrest is made as a result of those stops. On the citation officers must include:
 - 1. The person's gender; and
 - 2. The race or ethnicity of the individual detained; as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
 - 3. The initial reason for the stop;

4. Whether a search was conducted as a result of the stop;
 5. If a search was conducted, whether the person detained consented to the search;
 6. The reason for the search, including any probable cause or reasonable suspicion that existed to perform the search;
 7. Whether contraband or other evidence was found in plain view;
 8. Whether the search was a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
 9. If an arrest occurred, was the arrest based on a violation of the Penal Code, traffic law, ordinance, or outstanding warrant;
 10. Whether the person contacted is a resident or non-resident of the City of Wylie;
 11. Whether the peace officer knew the race or ethnicity of the individual detained before detaining the individual; and,
 12. Whether the peace officer issued a verbal or written warning or a citation as a result of the stop.
- B. The information collected shall be compiled in an annual report covering the period of January 1 through December 31 of each year, and shall be submitted to the governing body of the City of Wylie no later than March 1 of the following year. The report will include:
1. A breakdown of motor vehicle stops by race or ethnicity;
 2. Number of citations that resulted in a search;
 3. Number of searches that were consensual;
 4. Number of citations that resulted in custodial arrest for this cited violation or any other violation; and
 5. The number of biased policing complaints to the department.
- C. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.

VIII. USE OF VIDEO AND AUDIO EQUIPMENT

- A. All marked motor vehicles regularly used by this department to make motor vehicle stops shall be equipped with a video camera and transmitter-activated equipment.
- B. Each motor vehicle stop made by an officer of this department that is capable of being recorded by video and audio, or audio as appropriate, shall be recorded.
- C. This department shall retain the video and audio tapes, or digital video and audio recording of each motor vehicle stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in biased policing with respect to a motor vehicle stop, this department shall retain the video and audio tapes or digital video and audio recordings of the stop until final disposition of the complaint.
- D. Supervisors will ensure officers of this department are recording their motor vehicle stops. A recording of each officer will be reviewed at least once every ninety (90) days.

1. If the equipment used to record audio and video of a motor vehicle stop is malfunctioning or otherwise not operable, officers will drive a vehicle with operable equipment. Police units with malfunctioning or inoperable mobile video camera equipment shall not be utilized, under normal circumstances.
2. Supervisors shall have the authority to assign units with malfunctioning or inoperable mobile video equipment when situations dictate.

WYLIE POLICE DEPARTMENT POLICY		
NUMBER: 614	# OF PAGES: 5	EFFECTIVE DATE: JANUARY 1, 2010
SUBJECT: VIGILANCIA IMPARCIAL		
APPROVED: MAY 1, 2020	ACCREDITATION STANDARDS:	REVIEW DATE
BY THE ORDER OF:  Chief Anthony B. Henderson		MAY 1, 2021
RELATED POLICY #:		



I. PROPÓSITO

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

II. PÓLIZA

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

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

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

III. DEFINICIONES

Vigilancia Parcial: Discriminación al desempeñar funciones de cumplimiento de la ley o prestación de servicios policiales, en función de los prejuicios personales o la parcialidad de los funcionarios con respecto a las clases de individuos o personas basadas en datos demográficos individuales.

Tratamiento Justo e Imparcial: Una creencia y práctica de que todas las personas deben ser tratadas de la misma manera en circunstancias iguales o similares, a pesar de la raza u otras distinciones. Esto no significa que todas las personas en circunstancias iguales o similares puedan o deban ser tratadas de manera idéntica. Se pueden hacer concesiones y ajustes razonables, cuando se trata de personas con discapacidades físicas o mentales, lesiones, enfermedades o afecciones similares, o cuando la información sobre ellos requiere un tratamiento diferente.

Datos Demográficos Individuales: Características personales, que incluyen, entre otras, raza, origen étnico, origen nacional, género, identidad de género, orientación sexual, religión, estatus socioeconómico, edad, discapacidad, grupo cultural o estatus político.

Raza o etnicidad: El Capítulo 2 del Código de Procedimientos Penales de Texas lo define como nativo de Alaska o indio americano, asiático o de las islas del Pacífico, negro, blanco e hispano o latino.

Servicios Policiales: Acciones y actividades que pueden no incluir directamente la aplicación de la ley pero que contribuyen al bienestar general y la seguridad del público. Estos pueden incluir, entre otros, tareas como accidentes de tráfico, emergencias médicas y asistencia en escenas de incendio; servicios de salvamento; patrulla preventiva prevención del crimen; información pública; control de tráfico; y actividades similares.

Parada de Vehículo: Significa una ocasión en la que un oficial detiene un vehículo motorizado por una presunta violación de una ley u ordenanza.

IV. ENTRENAMIENTO

- A. Los oficiales son responsables de cumplir con toda la capacitación de la Comisión de Cumplimiento de la Ley de Texas (TCOLE) y los requisitos del Instituto de Administración de Cumplimiento de la Ley de Texas (LEMIT) según lo estipulado por la ley.
- B. Todos los oficiales deberán completar el programa de capacitación y educación TCOLE sobre perfiles raciales a más tardar en el segundo aniversario de la fecha en que el oficial tiene licencia según el Capítulo 1701 del Código de Ocupaciones de Texas o la fecha en que el oficial solicita un certificado de aptitud intermedia, cualquiera que sea la fecha más temprano.
- C. Todos los empleados recibirán capacitación básica y periódica en el servicio y, cuando se considere necesario, capacitación correctiva sobre temas relacionados

con la ética policial, la diversidad cultural, el multiculturalismo, las relaciones humanas, la interacción entre la policía y los ciudadanos, las normas de conducta, los prejuicios implícitos, y temas relacionados adecuados para prevenir incidentes de vigilancia parcial.

V. INVESTIGACIÓN DE RECLAMACIONES

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

VI. EDUCACION PÚBLICA

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

VII. RECOPIACIÓN DE DATOS Y INFORMES

- A. Se requiere que un oficial recopile información relacionada con las paradas de vehículos motorizados en las que se emite una citación o se realice un arresto como resultado de esas paradas. En la citación los oficiales deben incluir:
1. El género de la persona; y
 2. La raza y origen étnico de la persona detenida; según lo indicado por la persona o, si la persona no indica la raza o el origen étnico de la persona, según lo determine el oficial de la mejor manera posible;
 3. ¿Se conocía la raza o el origen étnico antes de la detención?
 4. La razón inicial de la parada;
 5. Ubicación aproximada de la parada;
 6. Si se realizó una búsqueda como resultado de la detención;
 7. El motivo de la búsqueda, incluida cualquier causa probable o sospecha razonable que existiera para realizar la búsqueda;
 8. Si se descubrió el contrabando;
 9. Descripción del contrabando;
 10. Resultado de la parada; y
 11. Si ocurrió un arresto, fue el arresto basado en una violación del Código Penal, la ley de tránsito, una ordenanza o una orden pendiente.
- B. La información recopilada se compilará en un informe anual que abarcará el período comprendido entre el 1 de enero y el 31 de diciembre de cada año y se presentará al órgano rector de la Ciudad de Wylie a más tardar el 1 de marzo del año siguiente. El informe incluirá toda la información requerida indicada en VII.A.1-11 de esta póliza.
- C. El informe anual no incluirá información de identificación sobre ninguna persona detenida o arrestada, y no incluirá información de identificación sobre ningún oficial de paz involucrado en una detención o arresto.

VIII. USO DE VIDEO Y EQUIPO DE AUDIO

- A. Todos los vehículos motorizados marcados utilizados regularmente por este departamento para realizar paradas de vehículos motorizados deben estar equipados con una cámara de video y un equipo activado por el transmisor.
- B. Se debe registrar cada parada de vehículo motorizado realizada por un oficial de este departamento que pueda ser grabado por video y audio, o audio, según corresponda.
- C. Este departamento conservará las cintas de video y audio, o la grabación de video y audio digital de cada parada de vehículo motorizado por lo menos noventa (90) días después de la fecha de la parada. Si se presenta una queja ante este departamento alegando que uno de nuestros oficiales se ha involucrado en una actuación policial parcial con respecto a una parada de vehículo motorizado, este departamento conservará las cintas de video y audio o las grabaciones de audio y video digitales de la parada hasta la disposición final de la queja.
- D. Los supervisores se asegurarán de que los oficiales de este departamento estén registrando las paradas de sus vehículos motorizados. Se revisará una grabación de cada oficial al menos una vez cada noventa (90) días.

1. Si el equipo utilizado para grabar el audio y el video de una parada de un vehículo motorizado no funciona correctamente o no está operativo, los oficiales conducirán un vehículo con un equipo operable. En circunstancias normales, no se deben utilizar unidades de policía con equipo de cámara de video móvil que no funcione correctamente o que no funcione.
2. Los supervisores deberán tener la autoridad para asignar unidades con equipo de video móvil que no funcione correctamente o que no funcione cuando la situación lo dictan.

Appendix C: Racial Profiling Laws and Corresponding Agency Policy

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



Wylie City Council

AGENDA REPORT

Department: Finance
Prepared By: Melissa Beard

Account Code: _____

Subject

Consider, and place on file, the City of Wylie Monthly Investment Report for February 28, 2021.

Recommendation

Motion to accept, and place on file, the City of Wylie Monthly Investment Report for February 28, 2021.

Discussion

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

City Of Wylie

2020-2021 Investment Report February 28, 2021

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

MMA
CCD
T-Bills
T-Notes
AN

Invest. Number	Principal Amount	Type Of Security	Interest Rate	Issuer	Purchase Date	Maturity Date
1	\$15,399,455.41	MMA	0.0431%	Texpool	12/31/2006	NA
2	\$14,957,141.13	MMA	0.0334%	TexStar	3/15/2011	NA
	\$30,356,596.54					

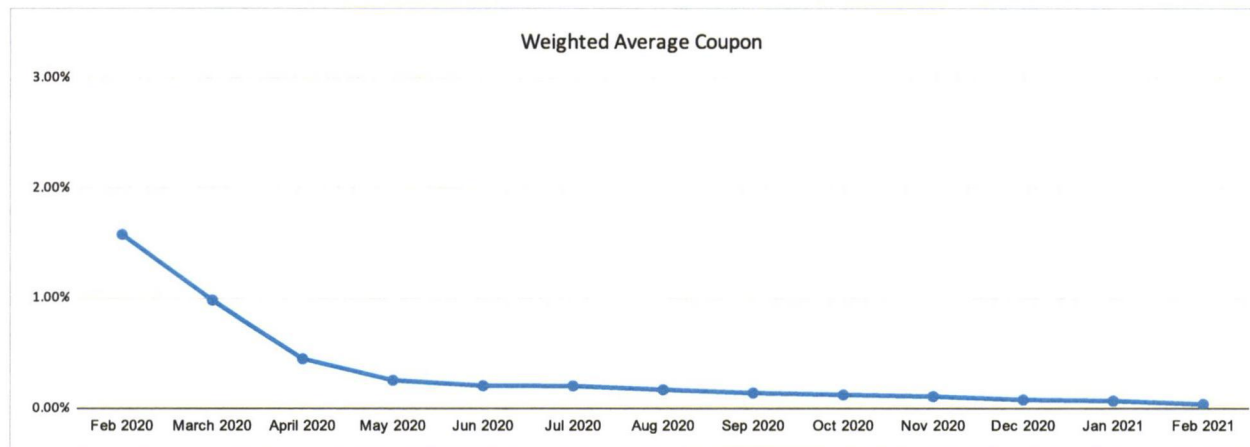
Total

Weighted Average Coupon:
Weighted Average Maturity (Days):

0.0383%
1.00

Money Markets:
Certificates of Deposits:

\$30,356,596.54
\$0.00
\$30,356,596.54



Melissa Beaulieu
Finance Director/Investment Officer



Wylie City Council

AGENDA REPORT

Department: Finance
Prepared By: Melissa Beard

Account Code: _____

Subject

Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for February 28, 2021.

Recommendation

Motion to accept, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for February 28, 2021.

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

February 28, 2021

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2020-2021	CURRENT MONTH ACTUAL 2020-2021	YTD ACTUAL 2020-2021	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 41.67%
GENERAL FUND REVENUE SUMMARY					
TAXES	32,899,113	3,325,392	28,261,127	85.90%	A
FRANCHISE FEES	2,840,000	860,796	1,236,701	43.55%	
LICENSES AND PERMITS	916,852	63,828	373,863	40.78%	
INTERGOVERNMENTAL REV.	4,554,021	242,783	3,136,196	68.87%	B
SERVICE FEES	3,872,224	371,684	1,367,816	35.32%	C
FINES AND FORFEITURES	331,450	16,946	83,664	25.24%	D
INTEREST INCOME	25,000	376	3,200	12.80%	E
MISCELLANEOUS INCOME	177,500	16,101	45,460	25.61%	
OTHER FINANCING SOURCES	2,416,161	0	2,416,161	100.00%	F
REVENUES	48,032,321	4,897,906	36,924,188	76.87%	
USE OF FUND BALANCE	0	0	0	0.00%	
USE OF CARRY-FORWARD FUNDS	1,015,111	NA	NA	NA	G
TOTAL REVENUES	49,047,432	4,897,906	36,924,188	75.28%	
GENERAL FUND EXPENDITURE SUMMARY					
CITY COUNCIL	95,507	4,534	26,054	27.28%	
CITY MANAGER	1,205,582	87,443	422,686	35.06%	
CITY SECRETARY	423,850	30,443	154,112	36.36%	
CITY ATTORNEY	170,000	9,501	33,377	19.63%	
FINANCE	1,243,879	69,189	482,634	38.80%	
FACILITIES	899,196	80,997	271,636	30.21%	
MUNICIPAL COURT	548,566	26,847	137,923	25.14%	
HUMAN RESOURCES	721,834	44,566	225,893	31.29%	
PURCHASING	206,256	14,253	70,929	34.39%	
INFORMATION TECHNOLOGY	2,011,514	66,077	802,388	39.89%	
POLICE	11,230,854	789,049	4,086,773	36.39%	
FIRE	9,522,116	750,733	3,350,787	35.19%	
EMERGENCY COMMUNICATIONS	2,020,542	103,097	912,904	45.18%	H
ANIMAL CONTROL	620,751	38,696	165,524	26.67%	
PLANNING	327,506	23,234	115,277	35.20%	
BUILDING INSPECTION	602,724	44,634	223,704	37.12%	
CODE ENFORCEMENT	258,143	16,493	84,830	32.86%	
STREETS	4,480,590	209,257	849,304	18.96%	
PARKS	2,593,029	205,353	843,564	32.53%	
LIBRARY	2,120,887	145,756	746,605	35.20%	
COMBINED SERVICES	5,234,999	138,257	1,500,517	28.66%	
TOTAL EXPENDITURES	46,538,325	2,898,409	15,507,421	33.32%	
REVENUES OVER/(UNDER) EXPENDITURES	2,509,107	1,999,497	21,416,767	41.96%	
<p>A. Property Tax Collections for FY20-21 as of February 28, 2021 are 97.81%, in comparison to FY19-20 for the same time period of 97.36%. Sales tax is on a 2 month lag and three months have been received. February 2021 was up 26% compared to February 2020.</p> <p>B. Intergovernmental Rev: The majority of intergovernmental revenues come from WISD reimbursements and Fire Services which are billed quarterly. Includes funds for CARES funding that were transferred to General Fund.</p> <p>C. Service Fees: Trash fees billed in October are applicable towards FY 2019-20 revenue with the remaining fees coming from other seasonal fees.</p> <p>D. Fines and Forfeitures are down 16% from February 2020 which is a continuation of the decreasing trend in fines.</p> <p>E. The Interest rate has declined from .20% in July 2020 when budget was prepared to .0383% for February 2021.</p> <p>F. Yearly transfer from Utility Fund.</p> <p>G. Largest Carry Forward items: Energov Software \$225,450, Rowlett Creek Dam Improvements \$110,000. Stone Road Rehab Project \$300,000</p> <p>H. Annual contract payments for Plano Joint Radio System \$133k, hosted solution for workstations \$78k and portable radio replacements \$87k. Percentage will level out over next few months.</p>					

CITY OF WYLIE

MONTHLY FINANCIAL REPORT

February 28, 2021

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2020-2021	CURRENT MONTH ACTUAL 2020-2021	YTD ACTUAL 2020-2021	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 41.67%
UTILITY FUND REVENUES SUMMARY					
SERVICE FEES	23,921,619	1,786,667	7,489,724	31.31%	I
INTEREST INCOME	18,000	147	2,081	11.56%	
MISCELLANEOUS INCOME	33,000	92,415	118,006	357.59%	J
OTHER FINANCING SOURCES	0	0	0	0.00%	
REVENUES	23,972,619	1,879,229	7,609,811	31.74%	
USE OF FUND BALANCE	0	NA	0	0	
USE OF CARRY-FORWARD FUNDS	1,040,244	NA	NA	NA	K
TOTAL REVENUES	25,012,863	NA	7,609,811	30.42%	
UTILITY FUND EXPENDITURE SUMMARY					
UTILITY ADMINISTRATION	1,360,620	48,582	334,325	24.57%	
UTILITIES - WATER	4,576,213	130,026	636,110	13.90%	
UTILITIES - SEWER	1,381,599	78,847	371,341	26.88%	
UTILITY BILLING	1,178,328	70,381	337,211	28.62%	
COMBINED SERVICES	15,425,292	1,298,356	8,033,774	52.08%	L
TOTAL EXPENDITURES	23,922,052	1,626,191	9,712,761	40.60%	
REVENUES OVER/(UNDER) EXPENDITURES	1,090,811	253,038	-2,102,950	-10.18%	
I. Most Utility Fund Revenue billed in October was applicable to FY 2019-20. J. NTMWD settlement of \$68,400 and \$22K for the scrap water meters. K. Largest Carry Forward items: Energov Software \$150,300, Pump Station Backup Generators \$601,370, WW Treatment Plant Decommissioning Design \$100,000 L. Annual transfer to the General Fund of \$2.4 million. Other expenses are payments to NTMWD for water minimum and sewer treatment.					



Wylie City Council

AGENDA REPORT

Department: Purchasing **Account Code:** 100-5155-54810
Prepared By: Glenna Hayes

Subject

Consider, and act upon, the approval of the upgrade to Incode 10 Financial System with Tyler Technologies Inc. in the amount of \$87,670.00, and authorizing the City Manager to execute any and all necessary documents.

Recommendation

A motion to approve the upgrade to Incode 10 Financial System with Tyler Technologies Inc. in the amount of \$87,670.00, and authorizing the City Manager to execute any and all necessary documents.

Discussion

The City of Wylie currently utilizes Incode Software by Tyler Technologies for Financial, Utility Billing, and Courts department. The current version has become outdated and less stable with the Windows 10 operating system, and Incode power users are beginning to experience daily issues with the software. This upgrade to Incode 10 will provide both stability and new features for Courts (jury modules and on-line automation functions) and Utility Billing (compatibility with the new advanced meter reading system).

This is an upgrade to the existing software system. Staff recommends the approval of the Incode 10 Financial System upgrade through Tyler Technologies Inc. in the amount of \$86,020 (implementation) and recurring annual maintenance fees in the amount of \$1,650.00, for a total expenditure for year one (1) of \$87,670.00. Wylie Agreement #W2003-515-A.

<u>Account Code</u>	<u>Budget</u>	<u>Expense</u>
100-5155-54810	\$87,670.00	\$87,670.00



Wylie City Council

AGENDA REPORT

Department: City Secretary
Prepared By: Stephanie Storm

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2021-17 adopting and enacting a new Code of Ordinances, City of Wylie, Texas; providing a penalty clause, repealing/savings clause, severability clause and an effective date; providing for the manner of amending such Code; and providing for the publication of the caption hereof.

Recommendation

A motion to approve Ordinance No. 2021-17 adopting and enacting a new Code of Ordinances, City of Wylie, Texas; providing a penalty clause, repealing/savings clause, severability clause and an effective date; providing for the manner of amending such Code; and providing for the publication of the caption hereof.

Discussion

Article III, Section 14B of the Wylie City Charter states that within three years after adoption of this Charter, and at least every five years thereafter, the city council shall provide for the preparation of the codification of all general ordinances of the city. Every general ordinance enacted subsequent to such codification shall be enacted as an amendment to the code. For the purposes of this section, general ordinances shall be deemed to be those ordinances of a permanent or continuing nature which affect the residents of the city at large. The codification shall be published promptly, together with the Charter and any amendments thereto, and with appropriate references to state statutes and the constitution, and such codes of technical regulations and other rules and regulations as the city council may specify. This compilation shall be known and cited officially as the Wylie City Code and shall be in full force and effect without the necessity of such code or any part thereof being published in any newspaper.

In 2005, the City of Wylie adopted the re-codification of the Wylie City Code. The Wylie City Code presented tonight is a re-codification of the 2005 code. The Code, once approved, will be available through Municipal Code Corporation on our web page for easy access.

ORDINANCE NO. 2021-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES, CITY OF WYLIE, TEXAS; PROVIDING A PENALTY CLAUSE, REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

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

SECTION 1. The Code entitled "Code of Ordinances, City of Wylie, Texas," published by Municipal Code Corporation, consisting of chapters 1 through 118, each inclusive, is adopted.

SECTION 2. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 3. 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 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00), except for:

- (1) violations of municipal ordinances that govern fire, safety, zoning, public health and sanitation, including dumping of refuse, vegetation and litter violations in which the maximum fine shall be two thousand dollars (\$2,000.00) for each offense; and
- (2) violations of traffic laws which are punishable as a Class C misdemeanor shall be punished by a fine not to exceed two hundred dollars (\$200.00).

However, no penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the state. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to

the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

SECTION 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the City to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

SECTION 6. Ordinances adopted after February 9, 2021, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

SECTION 7. This Ordinance shall become effective on April 1, 2021.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, ON THIS THE 23RD DAY OF MARCH 2021.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Date of Publication in *The Wylie News* - March 31, 2021

Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the Wylie City Council, held on the 23rd day of March, 2021.

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins

Account Code: _____

Subject

Hold a Public Hearing to consider, and act upon, amending Zoning Ordinance (2006-04), Article 5, as it relates to permanent, accessory, and temporary uses for Food Trucks and Farmers Markets. (ZC 2021-06).

Recommendation

Motion to approve amending Zoning Ordinance (2006-04), Article 5, as it relates to permanent, accessory, and temporary uses for Food Trucks and Farmers Markets. (ZC 2021-06).

Discussion

Locally sourced foods and mobile prepared food vendors have gained in both popularity and acceptance. A survey conducted during the update to the Parks Master Plan identified interest from the community in allowing Food Truck Parks and Farmers Markets as both permanent and temporary uses.

Currently, the Wylie Zoning Ordinance does not allow these uses on a permanent basis. The uses have been allowed on a temporary basis using Temporary Use Permits (TUPs). TUPs are limited to 90 days per calendar year for each approved site.

Staff held a work session with the Planning and Zoning Commission and based on the comments received from the Commission, staff recommendations to the Zoning Ordinance amendment are:

- Allow permanent, stand-alone food truck parks and farmer's markets with the approval of a Special Use Permit in most commercial areas. Due to the nature of the use and site design, the SUP will allow for each site to be evaluated on a case per case basis. Allowed zoning districts and additional provisions are listed in the exhibit.
- Add food vendors / farmers market style sales to the Accessory Outside Sales use to allow these uses to be added to existing commercial facilities on a permanent basis and add designated food court / garage sales areas to HOA owned property in residential districts. Changes also recommend several additions or amended provisions and are listed in the exhibit.
- Amending and updating the 'Seasonal Sales Stand' temporary use to specify and allow Food Trucks and Farmers Markets in addition to adjusting the setback requirements.
- Amending and updating Section 5.5 Temporary Uses to adjust for the addition of Food Trucks and Farmers Markets and clarify and amend the number of allowed days per calendar year per use.

In total, these amendments will allow for food trucks and farmers markets in the City on a more permanent basis. An example of possible results of permanent uses are included in the exhibits. In addition, the amendments will allow more freedom for existing business owners to appropriately add these uses to their business or coordinate with an operator to allow the use on their property. Lastly, the amendments amend and clarify Temporary Uses to increase understanding of temp uses.

P&Z Commission Discussion

After some discussion regarding the types of permanent uses would be allowed and a motion to clarify the types of permanent utilities required on-site, the Commission voted 6-0 to recommend approval.

ZONING ORDINANCE

Permitted Uses	Residential Districts							Non-Residential Districts								Parking
	Low Density		High Density					Commercial				Industrial		Mixed-Use		
F. Retail, Personal Service & Commercial Cont.	AG/30	SF-ED	SF-20/26	SF-10/24	TH	MF	MH	NS	CR	CC	BG	L I	H I	DT H	SB O	
20. Restaurant with Drive-in or Drive-through Service									P*	P*		P*				1 per 150 sq ft (L)
21. Restaurant without Drive-in or Drive-through Service								P*	P*	P*	P*	P*	P*	P*	P*	1 per 100 sq ft (L)
23. Truck, Machinery & Heavy Equipment Sales, Service or Repair												S	P			1 per 600 sq ft of main structure (L)
24. Vehicle Display, Sales or Service										P		P				1 per 500 sq ft (L)
25. Beer & Wine Package Sales								P*	P*	P*		P*	P*	P*	P*	1 per 250 sq ft (L)
26. Antique Shop (Inside Sales)								S	P*	P*				P*	P*	1 per 250 sq ft (L)
27. Secondhand Goods								S		P*						1 per 250 sq ft (L)
28. Permanent Cosmetic Establishment								P*	P*	P*				P*	P*	1 per 250 sq ft (L)
29. Food Truck Park / Farmer's Market									<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>	Per approved site plan

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

ZONING ORDINANCE

Permitted Uses	Residential Districts							Non-Residential Districts								Parking
	Low Density		High Density					Commercial				Industrial		Mixed-Use		
J. Accessory Uses	AG/ 30	SF- ED	SF- 20/ 26	SF- 10/ 24	TH	MF	MH	NS	CR	CC	BG	L I	H I	DTH	SBO	
1. Accessory Agricultural Buildings	P*	S														None
2. Accessory Community Center (Private)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*	P*			1 per 300 sq ft
3. Accessory Game Court (Private)	P*	P*	P*	P*	P*	P*	P*	P*	P*	S		P*	P*			None / Per approved site plan
4. Accessory Outside Display of Merchandise								P*	P*	P*		P*		P*	P*	None
5. Accessory Outside Sales			<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>		P*	P*	<u>P*</u>	<u>P*</u>		<u>P*</u>	<u>P*</u>	1 per 500 sq ft
6. Accessory Outside Storage									S			P*	P*			None
7. Amaetuer Communication Tower	P*	P*	S	S	S	P*	P*	P*	P*	P*		P*	P*			None
8. Caretakers Quarters/ Domestic or Security Unit	S					P	P	P	P	P		P	P	P	P	1 per 1000 sq ft
9. Home Occupation	P*	P*	P*	P*	P*	P*									P*	None
10. Private Stable	P*	P*														None
11. Swimming Pool (Private)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*	P*	S	S	None

29. Food Truck Park / Farmers Market

a. Definition: A park or market of a permanent nature allowing for mobile food units, cart food vendors, and for the sale of locally sourced foodstuffs and arts and craft products. Additional uses, such as entertainment or amusement, may be allowed only when included in Special Use Permit development conditions.

b. Additional Provisions:

- (1) All access/egress points, food truck and vendor stalls, and fire lanes (if necessary) shall be located on an impervious concrete surface. Drive aisles, on-site parking, and pedestrian walkways shall be located on an impervious concrete surface or a durable semi-impervious surface approved by the City Engineer.
- (2) As a permanent use, with or without permanent structures, the site shall provide water and electric utilities consistent with a commercial use.
- (3) If a Food Truck Parks/Farmers Market is located within 500 feet of a residential or mixed-use district, the hours of operation shall be made a part of the SUP.
- (4) Applicable food and sales tax permits shall be required for all vendors.
- (5) Sale of alcohol shall abide by the same regulations as restaurants or beer/wine sales establishments as appropriate.
- (6) At least one permanent enclosed restroom shall be provided within 500 feet of any market stall or food vendor. An alternative restroom provider may be included if, as part of the SUP:
 - A. The lot containing the use is less than one acre or has another limiting factor for the installation of permanent bathrooms, and;
 - B. Permanent bathrooms, open to the public, are located within 500 feet of all market stalls and food vendors.
- (7) Each mobile food unit and/or vendor stall must provide a trash receptacle that is accessible to customers.
- (8) All mobile food units and vendors shall provide fire prevention tools as required by the City of Wylie Fire department.
- (9) All mobile food units and vendors must provide a food or health permit as required at the time of operation.

Article 5.J Accessory Sales

Currently allowed in CR and CC

5. Accessory Outside Sales

a. Definition: Accessory outside sales means the area of an existing site for the generally permanent outside sale of food or merchandise. Accessory uses may include, but not be limited to, year-round rotated seasonal merchandise and food truck and cart vendors.

b. Additional Provisions: Accessory outside sales shall meet the following standards:

(1) Accessory outside sales are permitted only in areas designated on the site plan filed with the City. The City Planner shall have the authority to approve or disapprove the addition of Accessory Outside Sales exhibits when presented as an amendment to an approved site plan of the primary use. The City Planner may waive this authority and require consideration of the amendment by the Planning and Zoning Commission.

(2) In residential districts this use shall only be allowed on property owned and maintained by the subdivision's Homeowners Association (HOA). Operation of the use shall be specified in the HOA's Covenants, Conditions, and Restrictions (CCRs).

(3) Outdoor sales areas may not exceed five percent of the adjacent building floor area. (Building area is defined as the entirely enclosed portion of the primary use structure building.) or 50% of the common lot area in a residential district.

(4) Accessory outside sales shall have required parking based on the accessory use and the square footage of the entirety of the use, including such areas as seating and queuing, as determined by a rectangle that encompasses said area.

(5) Outdoor sales may occupy up to thirty percent of a covered sidewalk that is located within twenty feet of the building. Such display shall not impede pedestrian use of the sidewalk and at least a five foot passable distance shall be maintained. Outside sales and displays shall only occupy the sidewalk during normal business hours.

(6) Any outside sales areas not located on a covered sidewalk must be located, in its entirety, on an improved concrete surface within 100 feet of the primary structure with safe pedestrian route(s) to the primary structure.

(7) Any outside sales located within 25 feet of the property line, and not on a sidewalk, shall be screened shall be screened from view of adjacent roadways, public areas, and adjacent properties. Such screening shall must:

(a) Be a minimum of eight feet high or one foot taller than any and all the, merchandise, materials being displayed, or vendor vehicles, whichever is greater.

(b) Include a minimum of twenty percent solid screening matching the material of the primary building.

(c) The remainder may be solid evergreen planting, or wrought iron, or dark vinyl coated chain link or similar materials.

~~(5) Any outside sales areas not located on a covered sidewalk must be located immediately adjacent to or connected to the primary structure.~~

~~(86) No outdoor sales may be located in any portion of a parking lot required by all other existing on-site uses.~~

Article 5.K.3 Seasonal Sales Stand

Currently allowed in AG, CR, CC, DTH, SBO

3. ~~Seasonal Sales Stand~~ Seasonal Farmers Market / Food Truck Park

a. **Definition:** ~~Seasonal sales stand means a~~ A site or facility for the sale of agricultural products or prepared foods that are seasonal or temporary in nature.

b. **Additional Provisions:**

(1) No product, ~~food cart, truck, or stall~~ may be placed for sale or display and no structures ~~used for a temporary seasonal sales stand~~ closer than ~~50~~10 feet to the public right-of-way or sidewalk, whichever is greater. ~~EXCEPTION: The placement distance may be reduced adjacent to rights-of-way with no more than two total lanes of motorized vehicle traffic and a speed limit of 30 miles per hour or less~~

(2) No ~~temporary site or facility~~ ~~temporary seasonal sales stand~~ may shall be larger than one acre nor have more than ~~50%~~ 50% of the total area of the property occupied by vendor stalls, carts, or trucks. ~~3,500 square feet of floor area.~~

(3) Upon completion of the temporary use, the site shall be ~~restored~~ cleaned, all evidence of its use removed.

(4) Off-street parking requirements for this use may be satisfied by using existing parking spaces ~~for other uses~~ located within 500 feet of the ~~use (not the property line)~~ Seasonal Sales Stand, or by providing temporary parking spaces that do not strictly comply with the City's off-street parking construction requirements. The operator of this use shall demonstrate to the satisfaction of the Building Official that temporary off-street parking space:

(a) Adequately accommodate the parking needs of the use; ~~and~~

(b) Will not adversely affect surrounding uses; ~~And~~

~~(c) Is used with written permission of the property owner, manager, or duly appointed representative.~~

SECTION 5.5 TEMPORARY USES

A. Purpose

Temporary uses shall include short-term or seasonal uses that would not be appropriate on a permanent basis. Temporary uses ~~operating for less than 90 days within a one-year time period~~ shall obtain a Temporary Use Permit from the Building Official. Temporary Use Permits outline conditions of operations to protect the public health, safety, and welfare. TUPs may be approved for up to a maximum of 90 consecutive days, unless otherwise limited by additional provisions as listed in the Land Use charts or in Section 5.5.B, below

B. Temporary Use Defined

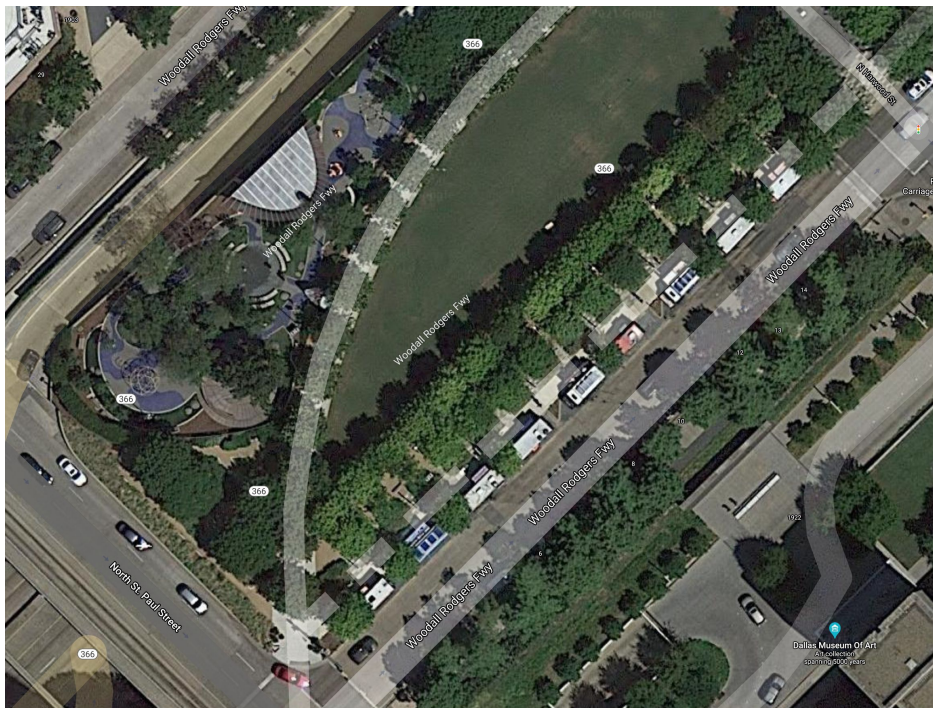
~~Temporary uses shall include short-term or seasonal uses that would not be appropriate on a permanent basis.~~ Temporary uses are identified in Section 5.1 Land Use Charts and 5.2 Listed Uses. In addition, the following uses and activities shall be considered temporary uses:

1. Fundraising Activities by Not-for-Profit Agencies. Fundraising or noncommercial events for nonprofit educational, community service or religious organizations where the public is invited to participate in the activities and which last longer than 48 hours, but less than 14 days.
2. Special and Seasonal Sales Events. Significant commercial activities lasting not longer than 930 days intended to sell, lease, rent or promote specific merchandise, services or product lines, including but not limited to warehouse sales, tent sales, trade shows, flea markets, ~~farmer's markets, Christmas tree lot sales,~~ product demonstrations or parking lot sales of ~~food,~~ art work or other goods.
3. Entertainment or Amusement Events. Short-term cultural and entertainment events including public or private events lasting not longer than 3090 days intended primarily for entertainment or amusement, such as concerts, plays or other theatrical productions, circuses, fairs, carnivals or festivals.

The Picnic - Austin, TX
Privately Operated
~ 0.25 acres



Klyde Warren Park - Dallas, TX Publicly Operated through PPP ~ 5.2 acres





Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins

Account Code: _____

Subject

Hold a Public Hearing to consider, and act upon, amending Zoning Ordinance (2006-04), Sections 5.1 Land Use Charts and 5.2 Listed Uses, as they relate to requiring Special Use Permits for certain uses currently allowed by right (ZC 2021-05).

Recommendation

Motion to approve amending Zoning Ordinance (2006-04), Sections 5.1 Land Use Charts and 5.2 Listed Uses, as they relate to requiring Special Use Permits for certain uses currently allowed by right (ZC 2021-05).

Discussion

Planning Staff and the Planning and Zoning Commission held a work session to discuss recommended changes to the Zoning Ordinance related to requiring Special Use Permits (SUPs) for some uses currently allowed by right.

After a staff presentation and some discussion, the Commission directed staff to draft a Zoning Ordinance amendment. Those amendments are summarized below. The full text amendments are attached.

The recommended changes are as follows:

- Commercial Greenhouse / Nursery - Remove as an allowed use in Neighborhood Services (NS) and require a SUP in Community Retail (CR) due to effects of noise and odor near residential development.
- Theater - Require a SUP in all allowed zoning districts due to noise, traffic, and redevelopment difficulties.
- Dry Cleaning (on-site) - Require SUP in NS, CR, CC and remove as allowed use in DTH due to environmental concerns.
- Motor Vehicle Fueling Station - Require SUP in CR and CC due to environmental concerns, public safety, and redevelopment difficulties.
- Restaurant with Drive in - Require SUP in CR and CC and remove from LI due to traffic volatility, pedestrian safety, air quality concerns, and redevelopment difficulty.
- Vehicle Sales - Require SUP in CC and LI due to environmental concerns and redevelopment difficulties.
- Contractor's Maintenance Yard - Remove use from the retail chart (F.8) as the use is duplicated in the wholesale chart (I.2) and require SUP in CC due to noise, odor, and environmental concerns.

These changes allow city staff, the Planning and Zoning Commission, and City Council the opportunity to thoroughly review each use and recommend site specific requirements on a case by case basis. In addition, as SUPs are zoning cases which require notifications and public hearings, citizens most affected by the proposed use will have a better opportunity to provide their input.

P&Z Commission Discussion

The Commission voted 6-0 to recommend approval.

ZONING ORDINANCE

Permitted Uses	Residential Districts							Non-Residential Districts								Parking
	Low Density		High Density					Commercial				Industrial		Mixed-Use		
A. Agricultural & Animal Related	AG/30	SF-ED	SF-20/26	SF-10/24	TH	MF	MH	NS	CR	CC	BG	L I	H I	DTH	SBO	
1. Animal Boarding Kennel with Outside Pens	S									S			P			1 per 325 sq ft of main structure
2. Animal Boarding/ Kennel without Outside Pens	S							S	S	P*		P*	P*			1 per 325 sq ft
3. Animal Production	P*															Per approved Site Plan
4. Commercial Greenhouse or Nursery	P*							P*	S*P*	S			P			1 per 300 sq ft of main structure
5. Crop Production	P*	P*														none
6. Stable (Commercial)	S*												P*			1 per 3 stalls

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

ZONING ORDINANCE

Permitted Uses	Residential Districts							Non-Residential Districts								Parking
	Low Density		High Density					Commercial				Industrial		Mixed-Use		
E. Recreational, Entertainment & Amusement Cont.	AG/30	SF-ED	SF-20/26	SF-10/24	TH	MF	MH	NS	CR	CC	BG	L I	H I	DTH	SBO	
6. Golf Driving Range	S	S	S	S	S	S		S	S	S		S				1.25 per tee (L)
7. Health Club						P*	P*	P*	P	P		P	P			1 per 200 sq ft
8. Neighborhood Park or Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Per approved site plan (L)
9. Sexually Oriented Business													P*			1 per 150 sq ft (L)
10. Shooting Range, Indoor										S			P*			1 per 400 sq ft (L)
11. Theater									SP	SP		SS		SP	SP	1 per 200 sq ft

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

ZONING ORDINANCE

Permitted Uses	Residential Districts							Non-Residential Districts							Parking
	Low Density		High Density					Commercial				Industrial		Mixed-Use	
F. Retail, Personal Service & Commercial	AG/30	SF-ED	SF-20/26	SF-10/24	TH	MF	MH	NS	CR	CC	BG	LI	HI	DTH	SBO
1. Animal Clinic or Hospital	S							S	P	P					1 per 400 sq ft (L)
2. Automobile Rental								S	P*	P		P*	P		1 per 400 sq ft (L)
3. Automobile Repair, Major										S		S	P		1 per 400 sq ft (L)
4. Automobile Repair, Minor								S	S	S		P	P		1 per 300 sq ft (L)
5. Body Art Studio												P*	P*		1 per 150 sq ft (L)
6. Car Wash								S	S	S					Per approved SUP (L)
7. Club or Lodge (Non-profit)								P	P	P				P	P
8. Contractor's Maintenance Yard												S	P		1 per 500 sq ft main structure (L)
9. Dry Cleaning or Laundry, Drop-Off or Self Service								S*	S*	S*		P	P	P*	1 per 350 sq ft
10. Cleaners (Commercial)										S		P*	P*		1 per 1000 sq ft (L)
11. Equipment Rental								S	S	S		P	P		1 per 500 sq ft

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

ZONING ORDINANCE

Permitted Uses	Residential Districts							Non-Residential Districts								Parking
	Low Density		High Density					Commercial				Industrial		Mixed-Use		
F. Retail, Personal Service & Commercial Cont.	AG/30	SF-ED	SF-20/26	SF-10/24	TH	MF	MH	NS	CR	CC	BG	L I	H I	DTH	SBO	
12. Food Processing								S	P*	P		P				1 per 1000 sq ft
13. General Merchandise Store								P	P	P	P*	P		P	P	1 per 400 sq ft (L)
14. Grocery Store								S	P	P				P	P	1 per 300 sq ft (L)
15. Home Improvement Center, Lumber, Brick, or Building Materials										P		P	P			1 per 400 sq ft (L)
16. Household Equipment & Appliance Repair								P	P	P		P	P			1 per 500 sq ft (L)
17. Motor Vehicle Fueling Station								S	SP	SP		P	P			Per site plan (L)
18. Pawn Shop												P				1 per 250 sq ft (L)
19. Personal Service Use								P	P	P		P		P	P	1 per 250 sq ft (L)

P=Permitted P*=Permitted with additional requirements when located in this district.

S=Special Use Permit T=Temporary Use Permit (L)=Loading spaces are required

Permitted Uses	Residential Districts	Non-Residential Districts	Parking
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ZONING ORDINANCE

	Low Density		High Density					Commercial				Industrial		Mixed-Use		
F. Retail, Personal Service & Commercial Cont.	AG/30	SF-ED	SF-20/26	SF-10/24	TH	MF	MH	NS	CR	CC	BG	L I	H I	DT H	SB O	
20. Restaurant with Drive-in or Drive-through Service									<u>S*</u> <u>P*</u>	<u>S*</u> <u>P*</u>		<u>P*</u>				1 per 150 sq ft (L)
21. Restaurant without Drive-in or Drive-through Service								P*	P*	P*	P*	P*	P*	P*	P*	1 per 100 sq ft (L)
22. Truck, Machinery & Heavy Equipment Sales, Service or Repair												S	P			1 per 600 sq ft of main structure (L)
23. Vehicle Display, Sales or Service										<u>SP</u>		<u>SP</u>				1 per 500 sq ft (L)
24. Beer & Wine Package Sales								P*	P*	P*		P*	P*	P*	P*	1 per 250 sq ft (L)
25. Antique Shop (Inside Sales)								S	P*	P*				P*	P*	1 per 250 sq ft (L)
26. Secondhand Goods								S		P*						1 per 250 sq ft (L)
27. Used Merchandise Resale/ Consignment or Thrift Shop								S		P*				P*	P*	1 per 250 sq ft (L)
28. Permanent Cosmetic Establishment								P*	P*	P*				P*	P*	1 per 250 sq ft (L)

P=Permitted P*=Permitted with additional requirements when located in this district.

S=Special Use Permit T=Temporary Use Permit (L)=Loading spaces are required

Permitted Uses	Residential Districts	Non-Residential Districts	Parking
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ZONING ORDINANCE

	Low Density		High Density					Commercial				Industrial		Mixed-Use		
I. Wholesale, Distribution & Storage	AG/30	SF-ED	SF-20/26	SF-10/24	TH	MF	MH	NS	CR	CC	BG	L I	H I	DTH	SBO	
1. Auto Auction													S			Per approved site plan (L)
2. Contractor's Maintenance Yard										<u>S*</u> <u>P*</u>		P	P			Per approved site plan (L)
3. Freight Terminal													P			Per approved site plan (L)
4. Landfill													S			Per approved SUP
5. Livestock Auction Pens or Sheds													S			Per approved SUP (L)
6. Mini-Warehouse (Self-Storage)												S	S			1 per 20 units
7. Office Showroom / Warehouse									S	P		P	P*		P	1 per 750 sq ft (L)
8. Outside Storage												P	P			Per approved site plan (L)
9. Recycling Collection Center									S	S		S	P			Per approved site plan (L)
10. Warehouse/ Distribution Center												S	P			1 per 1500 sq ft (L)

P=Permitted P*=Permitted with additional requirements when located in this district.

S=Special Use Permit T=Temporary Use Permit (L)=Loading spaces are required

5.2.A.4

4. Commercial Greenhouse or Nursery

- a. **Definition:** Commercial greenhouse & nursery means a facility for the cultivation of plants within a protected environment on a commercial basis.

b. **Additional Provisions:**

AG District: Limited retail sales are permitted on-site subject to the following conditions:

- (1) Retail sales are permitted at all times as part of the commercial greenhouse and nursery use when the retail sales do not exceed 10 percent of the total greenhouse floor area.
- (2) Up to 100 percent of the total greenhouse floor area may be devoted to retail sales activities during an occasional greenhouse sale. No more than 4 occasional greenhouse sales may be conducted during any 12 month period. Each occasional greenhouse sale shall be limited in duration to no more than 3 consecutive calendar days.

~~NS & CR Districts:~~

- (1) Use shall be limited to 5,000 square feet of land area.
- (2) Inside retail sales permitted.
- (3) All outside storage shall be screened from adjacent properties and streets.

5.2.F.8

~~8. Contractor's Maintenance Yard~~

~~**Definition:** Contractor's maintenance yard means a facility for the storage and maintenance of contractor's supplies and operational equipment.~~

5.2.F.9

9. Dry Cleaning or Laundry, Drop-Off or Self Service

- a. **Definition:** Dry cleaning, laundry store means a facility for the cleaning of garments, principally for individuals. This use may be either:

- (1) a facility where patrons do their own cleaning; or
- (2) a facility where the cleaning is done by employees of the establishment.

b. **Additional Provisions:**

- (1) The minimum stacking space for the first vehicle stop for a commercial drive-through shall be 100-feet, and 40-feet thereafter, for any other stops.

- (2) ~~**DTH: No drive-through window service.**~~

5.2.F.17

17. Motor Vehicle Fueling Station

- a. **Definition:** Motor Vehicle Fueling Station means a building or covered premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade, together with automatic car wash facilities.
- b. **Additional Provisions:**
NS, CR, CC Districts:
 - (1) SUP required and the additional conditions in 2 through 5 below.
 - (2) All commercial activities and operations shall be conducted entirely within an enclosed structure, except as follows:
 - (a) The dispensing of petroleum products, water and air from pump islands.
 - (b) The sale of items via vending machines which shall be located next to the main structure.
 - (3) Pump islands shall be located a minimum of 45 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 35 feet from the street right-of-way line.
 - (4) One off-street stacking space is required for each pump and water/air dispenser.
 - (5) No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
 - (6) Noise from bells or loudspeakers shall not be audible beyond the property line at any time.

5.2.F.20

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

- a. **Definition:** Restaurant with drive-in or drive through service means
 - (1) A restaurant with drive-in service is an establishment principally for the sale and consumption of food where food service is provided to customers in motor vehicles for consumption on the premises.
 - (2) A restaurant with drive-through service is an establishment principally for the sale and consumption of food which has direct window service allowing customers in motor vehicles to pick up food for off-premises consumption. This use applies for the pick-up of delivery service and / or customer pre-orders of food for off-premises consumption.
- b. **Additional Provisions:**
 - (1) The minimum stacking space for the first vehicle stop for a commercial drive-through shall be a minimum of 100-feet, and a minimum of 40-feet thereafter, for any other stops.

- (2) CR District: Drive through and stacking area shall not be located adjacent to residential uses.
- (3) The “Additional Provisions” listed in paragraph 21, subpart e., below, for “Restaurants without Drive-in or Drive-through Service” shall apply to Restaurants with Drive-in or Drive-through Service that sell alcohol.



Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins

Account Code: _____

Subject

Hold a Public Hearing to consider, and act upon, amending Zoning Ordinance (2006-04) Article 5, Sections 5.2.E.9 and 5.2.F.19 Listed Uses, as they relate to the Massage Establishments (ZC 2021-07).

Recommendation

Motion to approve amending Zoning Ordinance (2006-04) Article 5, Sections 5.2.E.9 and 5.2.F.19 Listed Uses, as they relate to the Massage Establishments (ZC 2021-07).

Discussion

The Planning and Zoning Commission and staff held a work session to discuss recommended changes to the Zoning Ordinance related to massage establishments.

After a presentation from staff and discussion, the Commission directed staff to draft a Zoning Ordinance amendment. Those amendments are summarized below. The full text amendments are attached.

The recommended changes for massage establishments moves the use category from a sexually oriented business to a personal service use. The definition is more in line with the State, which defines a massage establishment as a health care service. By definition a massage establishment can only be staffed by state licensed masseuse. This use includes sports therapy massage and day-spas, as long as the appropriate state licenses are held.

Any establishment that offers massage by a non-licensed masseuse would not be allowed.

The change eases restrictions on the legitimate massage establishment uses, i.e. staffed exclusively by those who have a state license and are allowed to advertise as massage therapy, while eliminating potential for non-licensed facilities.

P&Z Commission Discussion

After some discussion and clarification that unlicensed massage is not an allowed use, the Commission voted 6-0 to recommend approval.

8. Sexually-Oriented Business

- a. **Definition:** An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, or nude model studio. ~~or massage establishment~~
- b. **Additional Provisions:** This use shall meet all requirements of the Chapter 26 “Businesses” of the City of Wylie Code, ~~Article III Massage Establishments and~~ Article IV Sexually Oriented Businesses.

19. Personal Service Use

Definition: Personal service use means a facility for the sale of personal services. Personal service uses include, but are not limited to a barber/beauty shop, shoe repair, a tailor, an instructional arts studio, a photographic studio, a handcrafted art work studio, a travel bureau, ~~and~~ duplicating shop, and Massage Establishments.

b. Additional Provisions: ~~This use~~ Massage Establishments shall meet all requirements of the Chapter 26 “Businesses” of the City of Wylie Code of Ordinances, Article III Massage Establishments.



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins

Account Code: _____

Subject

Consider, and act upon, a Final Plat for The Waters Addition, being a replat of Copeville RV Park and Tracts 86 and 110 of the Drury Anglin Survey, to create four lots on 19.273 acres for an RV Park development. Property generally located on CR 546 3700' west of North State Highway 78, Nevada, in the City of Wylie's Extra Territorial Jurisdiction.

Recommendation

Motion to approve a Final Plat for The Waters Addition, being a replat of Copeville RV Park and Tracts 86 and 110 of the Drury Anglin Survey, to create four lots on 19.273 acres for an RV Park development. Property generally located on CR 546 3700' west of North State Highway 78, Nevada, in the City of Wylie's Extra Territorial Jurisdiction.

Discussion

OWNER: Marshall Warren

APPLICANT: Carroll Consulting Group, Inc

The applicant has submitted a Final Plat for The Waters Addition. The plat consists of four irregular lots on 19.273 acres located outside of the city limits within the extraterritorial jurisdiction (ETJ).

The purpose of the plat is for a Tiny Home / RV Park.

The irregular configuration and splitting of the development into four lots is due to the applicants desire to connect small onsite sewage facilities (OSFF) to each lot that each treat less than 5,000 gallons of wastewater per day. Limiting the daily wastewater capacity on each lot allows Collin County the authority to review and approve the OSFFs.

The property could be platted as one regular lot and one large OSSF facility could be used to provide wastewater service to the entire development. However, the volume of wastewater would exceed 5,000 gallons per day. The increased volume would require a review and Domestic Wastewater permit from the Texas Commission on Environmental Quality (TCEQ).

The applicant has requested for the allowance of the four irregular lots with four separate OSFFs due to TCEQ's requirements and review process being more involved and lengthier than Collin County's. The applicant has provided a septic plan (included) to demonstrate the lot and septic layout.

Staff has concerns over the allowance of the irregular lots. The irregular lots do not leave many options for possible future development and there are cross access issues if any lot changes ownership, particularly for the western portions of lots 1, 2, and 4.

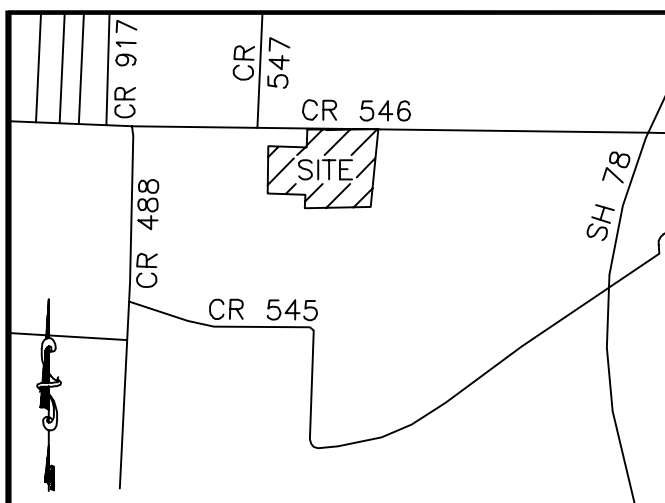
Section 3.6.C of the Subdivision Regulations grants the City the authority to disapprove any lot which, in its sole opinion, will not be suitable or desirable for the purpose intended. In general, triangular, severely elongated or tapered, "flag" or "panhandle" lots shall be avoided.

Approval is subject to additions and alterations as required by the City Engineering Department.

For conditional approval or disapproval City Council must provide a written statement of the reasons to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Gov't Code.

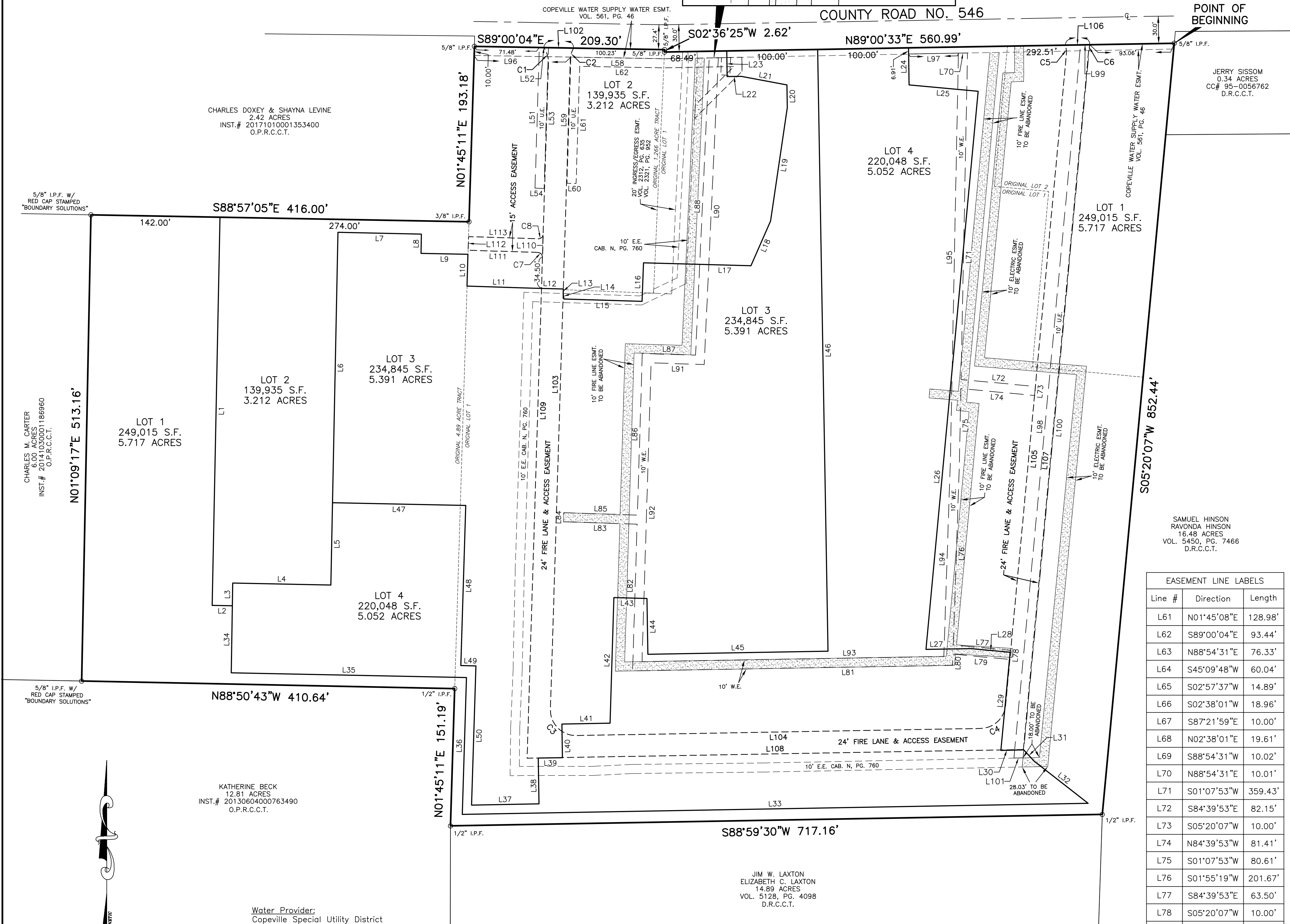
P&Z Commission Discussion

After some discussion and discussion with the applicant over the various development options, the Commission voted 5-1 to recommend approval.

LOCATION MAP
(N.T.S.)

LEGEND	
E.E.	— ELECTRIC EASEMENT
U.E.	— UTILITY EASEMENT
I.P.F.	— IRON PIN FOUND
D.R.C.C.T.	— DEED RECORDS, COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	— OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS
	— EASEMENT TO BE ABANDONED

Curve Table				
Curve #	Length	Radius	Delta	CHORD
C1	17.86'	28.00'	36°33'07"	N16°31'26"W, 17.56'
C2	13.32'	28.00'	27°14'57"	S15°22'36"W, 13.19'
C3	45.33'	28.00'	92°45'38"	S44°37'41"E, 40.54'
C4	40.88'	28.00'	83°39'23"	N47°09'48"E, 37.35'
C5	11.15'	28.00'	22°49'33"	N06°04'40"W, 11.08'
C6	5.41'	28.00'	11°04'21"	S10°52'17"W, 5.40'
C7	7.85'	5.00'	90°00'00"	N43°14'52"W, 7.07'
C8	7.85'	5.00'	90°00'00"	N46°45'09"E, 7.07'



LOT LINE LABELS		
Line #	Direction	Length
L1	S01°09'17"W	427.22'
L2	S88°50'43"E	22.16'
L3	N00°57'43"E	25.02'
L4	S88°50'43"E	107.92'
L5	N01°09'17"E	90.56'
L6	N01°09'17"E	297.65'
L7	S88°49'03"E	91.86'
L8	S01°09'17"W	21.30'
L9	S88°50'46"E	51.77'
L10	S01°45'11"W	34.98'
L11	S88°14'52"E	68.98'
L12	S88°14'52"E	37.00'
L13	S01°34'45"W	4.85'
L14	S06°25'47"E	6.17'
L15	S88°15'30"E	86.11'
L16	N02°08'37"E	42.50'
L17	S88°26'24"E	118.34'

LOT LINE LABELS		
Line #	Direction	Length
L18	N23°35'55"E	53.82'
L19	N08°24'05"E	126.02'
L20	N00°59'27"W	25.13'
L21	N79°25'21"W	51.09'
L22	S89°00'33"W	15.55'
L23	N00°59'27"W	28.17'
L24	S00°59'27"E	40.80'
L25	S84°39'53"E	76.23'
L26	S05°20'07"W	616.87'
L27	N88°59'30"E	49.98'
L28	S84°39'53"E	42.82'
L29	S05°20'07"W	108.43'
L30	N88°59'30"E	25.15'
L31	S42°51'39"E	16.77'
L32	S51°54'03"E	75.32'
L33	S88°59'30"W	688.67'
L34	N00°57'43"E	73.70'

LOT LINE LABELS		
Line #	Direction	Length
L35	N88°50'43"W	258.86'
L36	N01°45'11"E	150.71'
L37	S88°59'30"W	74.20'
L38	S01°00'30"E	50.50'
L39	S88°59'30"W	26.63'
L40	S01°00'30"E	36.99'
L41	S88°59'27"W	53.06'
L42	S01°45'08"W	138.27'
L43	N88°14'52"W	36.33'
L44	N01°00'30"W	61.35'
L45	S88°59'30"W	198.20'
L46	S00°59'27"E	662.34'
L47	N88°50'43"W	146.74'
L48	N01°45'11"E	176.29'
L49	N88°27'26"W	16.50'
L50	N01°45'11"E	153.21'

EASEMENT LINE LABELS		
Line #	Direction	Length
L1	S01°09'17"W	427.22'
L2	S88°50'43"E	22.16'
L3	N00°57'43"E	25.02'
L4	S88°50'43"E	107.92'
L5	N01°09'17"E	90.56'
L6	N01°09'17"E	297.65'
L7	S88°49'03"E	91.86'
L8	S01°09'17"W	21.30'
L9	S88°50'46"E	51.77'
L10	S01°45'11"W	34.98'
L11	S88°14'52"E	68.98'
L12	S88°14'52"E	37.00'
L13	S01°34'45"W	4.85'
L14	S06°25'47"E	6.17'
L15	S88°15'30"E	86.11'
L16	N02°08'37"E	42.50'
L17	S88°26'24"E	118.34'
L18	N23°35'55"E	53.82'
L19	N08°24'05"E	126.02'
L20	N00°59'27"W	25.13'

EASEMENT LINE LABELS		
Line #	Direction	Length
L21	N79°25'21"W	51.09'
L22	S89°00'33"W	15.55'
L23	N00°59'27"W	28.17'
L24	S00°59'27"E	40.80'
L25	S84°39'53"E	76.23'
L26	S05°20'07"W	616.87'
L27	N88°59'30"E	49.98'
L28	S84°39'53"E	42.82'
L29	S05°20'07"W	108.43'
L30	N88°59'30"E	25.15'
L31	S42°51'39"E	16.77'
L32	S51°54'03"E	75.32'
L33	S88°59'30"W	688.67'
L34	N00°57'43"E	73.70'
L35	N88°50'43"W	258.86'
L36	N01°45'11"E	150.71'
L37	S88°59'30"W	74.20'
L38	S01°00'30"E	50.50'
L39	S88°59'30"W	26.63'
L40	S01°00'30"E	36.99'

EASEMENT LINE LABELS		
Line #	Direction	Length
L41	S88°59'27"W	53.06'
L42	S01°45'08"W	138.27'
L43	N88°14'52"W	36.33'
L44	N01°00'30"W	61.35'
L45	S88°59'30"W	198.20'
L46	S00°59'27"E	662.34'
L47	N88°50'43"W	146.74'
L48	N01°45'11"E	176.29'
L49	N88°27'26"W	16.50'
L50	N01°45'11"E	153.21'
L51	N01°45'08"E	154.95'
L52	S89°00'04"E	10.00'
L53	N01°45'08"W	155.08'
L54	N00°57'43"E	10.00'
L55	N45°09'48"E	73.78'
L56	N01°05'29"W	15.35'
L57	S88°54'31"W	85.02'
L58	N89°00'04"W	103.13'
L59	S01°45'08"W	138.85'
L60	S88°14'52"E	10.00'

EASEMENT LINE LABELS		
Line #	Direction	Length
L61	N01°45'08"E	128.98'
L62	S89°00'04"E	93.44'
L63	N88°54'31"E	76.33'
L64	S45°09'48"W	60.04'
L65	S02°57'37"W	14.89'
L66	S02°38'01"W	18.96'
L67	S87°21'59"E	10.00'
L68	N02°38'01"E	19.61'
L69	S88°54'31"W	10.02'
L70	N88°54'31"E	10.01'
L71	S01°07'53"W	359.43'
L72	S84°39'53"E	82.15'
L73	S05°20'07"W	10.00'
L74	N84°39'53"W	81.41'
L75	S01°07'53"W	80.61'
L76	S01°55'19"W	201.67'
L77	S84°39'53"E	63.50'
L78	S05°20'07"W	10.00'
L79	N84°39'53"W	62.90'
L80	S01°55'19"W	12.35'

EASEMENT LINE LABELS		
Line #	Direction	Length
L81	S88°59'30"W	352.13'
L82	N01°45'11"E	161.58'
L83	N88°05'00"W	81.05'
L84	N01°45'11"E	10.00'
L85	S88°05'00"E	81.05'
L86	N01°45'11"E	177.90'
L87	S88°14'49"E	58.58'
L88	N02°38'01"E	327.49'
L89	N88°54'31"E	10.02'
L90	S02°38'01"W	337.98'
L91	N88°14'49"W	58.42'
L92	S01°45'11"W	328.99'
L93	N88°59'30"E	332.14'
L94	N01°55'19"E	214.47'
L95	N01°07'53"E	449.60'
L96	S89°00'04"E	106.49'
L97	N88°54'31"E	54.87'
L98	N05°20'07"E	788.36'
L99	N89°00'33"E	10.06'
L100	S05°20'07"W	788.34'

EASEMENT LINE LABELS		
Line #	Direction	Length
L101	S88°52'53"W	10.06'
L102	S89°00'04"E	32.62'
L103	S01°45'08"W	715.35'
L104	N88°59'30"E	444.99'
L105	N05°20'07"E	718.72'
L106	N89°00'33"E	26.88'
L107	S05°20'07"W	773.70'
L108	S88°59'30"W	546.10'
L109	N01°45'08"E	765.63'
L110	S01°45'08"W	25.00'
L111	N88°14'52"W	76.96'
L112	N01°45'27"E	15.00'
L113	S88°14'52"E	76.95'

FINAL PLAT

THE WATERS ADDITION

BEING A REPLAT OF LOTS 1 & 2
BLOCK A, OF COPEVILLE R.V. PARK
19.372 ACRES OF LAND
D. ANGLIN SURVEY, ABSTRACT NO. 3
COLLIN COUNTY, TEXAS

PAGE 1 OF 2

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11 972-742-4411
LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2776-21	1"=60'	MARCH 1, 2021	CP

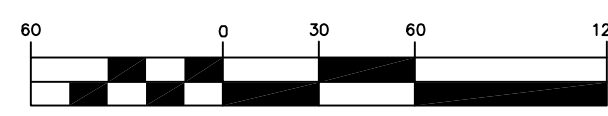
OWNER:
RV AT THE LAKE, LLC
536 OAKRIDGE TRAIL
COPPER CANYON, TEXAS 75077

Water Provider:
Copeville Special Utility District
P.O. BOX 135
16120 FM 1778
Nevada, TX 75173
(972) 853-4630

Electric Provider:
Oncor Electric
310 Highway 205
Terrell, TX 75160
972-551-7233

JIM W. LAXTON
ELIZABETH C. LAXTON
14.89 ACRES
VOL. 5128, PG. 4098
D.R.C.C.T.

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

OWNER’S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, RV at the Lake, LLC, is the owner of a tract of land situated in the D. Anglin Survey, Abstract No. 3, Collin County, Texas, and being all of Lots 1 and 2, Block A of Capeville R.V. Park, an addition to Collin County, Texas, according to the plat thereof recorded in Cabinet N, Page 760, Map Records, Collin County, Texas, and being the same tract 1 a 1.266 acre tract and the same tract 3 a 4.89 acre tract of land as conveyed to RV at the Lake, LLC by deed recorded in Instrument No. 20190604000638460, Official Public Records, Collin County, Texas, and being more particularly described as follows:

Beginning at a 5/8" iron pin found on the south right-of-way line of County Road No. 546 and on the west line of a 0.34 acre tract of land conveyed to Jerry Sissom by deed recorded in County Clerk’s File Number 95–0056762, Deed Records, Collin County, Texas and the northeast corner of said Lot 2;

Thence, South 05°20’07" West, along the east line of said Lot 2, the west line of said 0.34 acre tract and the west line of a 16.48 acre tract of land conveyed to Samuel Hinson and Ravonda Hinson by deed recorded in Volume 5450, Page 7466, Deed Records, Collin County, Texas, a distance of 852.44 feet to a 1/2" iron pin found for the southeast corner of said Lot 1 and the northeast corner of a 14.89 acre tract of land conveyed to Jim W. Laxton and Elizabeth C. Laxton by deed recorded I Volume 5128, Page 4098, Deed Records, Collin County, Texas;

Thence, South 88°59’30" West, along the south line of said Lot 1 and the north line of said 14.89 acre tract, a distance of 717.16 feet to a 1/2" iron pin found on the east line of a 12.81 acre tract of land conveyed to Katherine Beck by deed recorded in Instrument No. 20130604000763490, Official Public Records, Collin County, Texas and for the southwest corner of said Lot 1 and the northwest corner of said 14.89 acre tract;

Thence, North 01°45’11" East, along the west line of said Lot 1 and the east line of said 12.81 acre tract, a distance of 151.19 feet to a 1/2" iron pin found for the northeast corner of said 12.81 acre tract and the southeast corner of said 4.89 acre tract;

Thence, North 88°50’43" West, along the south line of said 4.89 acre tract and the north line of said 12.81 acre tract, a distance of 410.64 feet to a 5/8" iron pin found with red cap stamped "BOUNDARY SOLUTIONS" for the southwest corner of said 4.89 acre tract and the southeast line of a 6.00 acre tract of land conveyed to Charles M. Carter by deed recorded in Instrument No. 201410360001186960, Official Public Records, Collin County, Texas;

Thence, North 01°09’17" East, along the west line of said 4.89 acre tract and the east line of said 6.00 acre tract, a distance of 513.16 feet to a 5/8" iron pin found with red cap stamped "BOUNDARY SOLUTIONS" on the south line of a 2.42 acre tract of land conveyed to Charles Doxey and Shayna Levine by deed recorded in Instrument No. 20171010001353400, Official Public Records, Collin County, Texas and for the northwest corner of said 4.89 acre tract and the northeast corner of said 6.00 acre tract;

Thence, South 88°57’05" East, along the north line of said 4.89 acre tract and the south line of said 2.42 acre tract, a distance of 416.00 feet to a 3/8" iron pin found on the west line of said 1.266 acre tract and for the northeast corner of said 4.89 acre tract and the southeast corner of said 2.42 acre tract;

Thence, North 01°45’11" East, along the west line of said 1.266 acre tract and the east line of said 2.42 acre tract, a distance of 193.18 feet to a 5/8" iron pin found for the northwest corner of said 1.266 acre tract, and being on the south right-of-way line of County Road No. 546;

Thence, South 89°00’04" East, along the north line of said 1.266 acre tract and the south right-of-way line of County Road No. 546, a distance of 209.30 feet to a 5/8" iron pin found for the northeast corner of said 1.266 acre tract;

Thence, South 02°36’25" West, along the east line of said 1.266 acre tract, a distance of 2.62 feet to a 5/8" iron pin found for the northwest corner of said Lot 1 and on the south right-of-way line of County Road No. 546;

Thence, North 89°00’33" East, along the north line of said Lots 1 and 2 and the south right-of-way line of County Road No. 546, a distance of 560.99 feet to the Point of Beginning and containing 843,843 square feet or 19.372 acres of land.

NOW, THEREFOR KNOW ALL MEN BY THESE PRESENTS:

That, RV at the Lake, LLC, does hereby adopt this plat as THE WATERS ADDITION, an Addition to Collin County, Texas and does hereby dedicate to the public use forever the roads and easements shown hereon (if any) for the mutual use and accommodation of any public utility desiring to use or using same for the purpose of construction, maintaining, adding to or removing any or all of their respective systems and traffic control signs located therein.

WITNESS my hand this the ____ day of _____, 2021.

RV at the Lake, LLC, Owner
By:_____

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date 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 purpose and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2021.

Notary Public for the State of Texas
My Commission expires _____

SURVEYOR’S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

I, James Bart Carroll, do hereby certify that I have prepared this plat from an actual on-the-ground survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.

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

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

NOTARY CERTIFICATE

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 James Bart Carroll, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____, 2021.

Notary Public in and for the State of Texas.
My commission expires: _____

NOTES:

- Blocking the flow of water or construction improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
- The existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by individual owners of the lot or lots that are traversed by or adjacent to the drainage course along or across said lots.
- Collin County will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion in said drainage ways.
- Collin County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.
- Collin County permits are required for building construction, on-site sewage facilities and driveway culverts.
- All private driveway tie-ins to a county maintained roadway must be even with the existing driving surface.
- All surface drainage easements shall be kept clear of fences, buildings, foundations and plantings, and other obstructions to the operation and maintenance of the drainage facility.
- All lots must utilize alternative type On-Site Sewage Facilities.
- Must maintain state-mandated setback of all On-Site Sewage Facility components from any/all easements and drainage areas, water distribution lines, sharp breaks and/or creeks/rivers/ponds/etc. (Per State regulations).
- Lots adjacent to the lots containing ponds will be subject to setback from OSSF components to the ponds.
- Tree removal and/or grading for OSSF may be required on individual lots.
- There are no water wells noted in this subdivision and no water wells are allowed without prior approval from Collin County Development Services.
- Each lot is limited to a maximum of 5,000 gallons of treated/disposed sewage each day.
- Individual site evaluations and OSSF design plans (meeting all State and County requirements) must be submitted to and approved by Collin County for each lot prior to construction of any OSSF system.
- Bearings based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.
- Mail boxes shall meet USPS specifications.
- Collin County will only maintain street signs and poles with current county materials.
- Collin County does not, and will not accept street lights for maintenance or operation.
- Detention Ponds shall be maintained by the individual lot owners.

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 THE WATERS ADDITION subdivision or addition to Collin County was submitted to the City Council on the ____ day of _____, 20____, and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easement, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this ____ day of _____, A.D., 20____.

City Secretary
City of Wylie, Texas

Health Department Certificate:

I hereby certify that the on-site sewage facilities described on this plat conform to applicable health laws of the State of Texas, that site evaluations have been submitted representing the site conditions in the areas in which on-site sewage facilities are planned to be used.

Registered Sanitarian/Designated Representative
Collin County Development Services

Date

FINAL PLAT

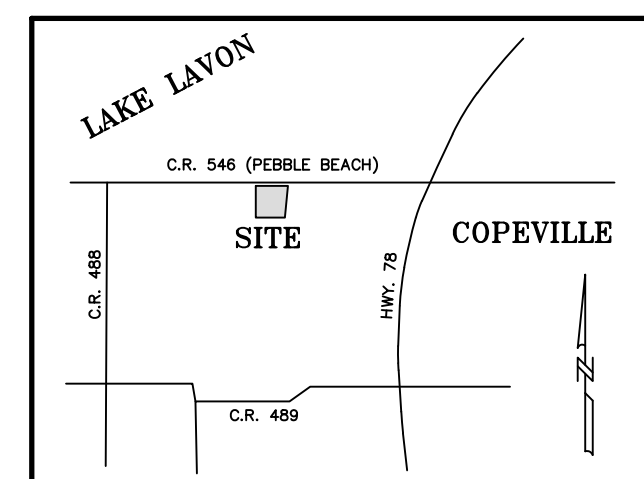
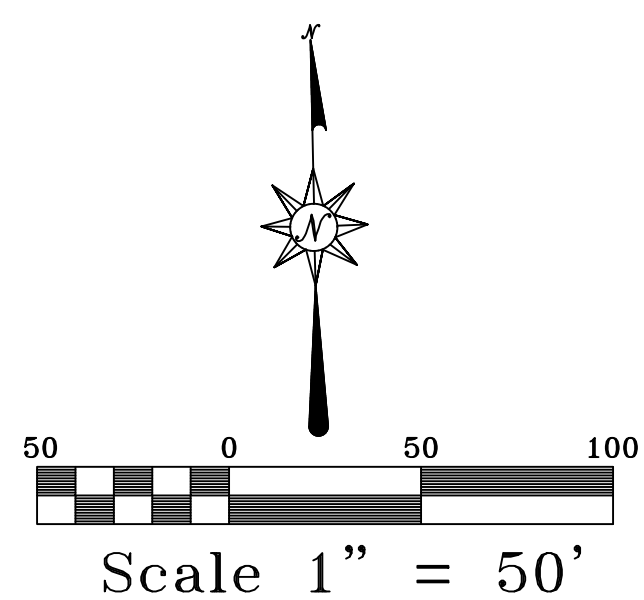
THE WATERS ADDITION

BEING A REPLAT OF LOTS 1 & 2
BLOCK A, OF COPEVILLE R.V. PARK
19.372 ACRES OF LAND
D. ANGLIN SURVEY, ABSTRACT NO. 3
COLLIN COUNTY, TEXAS

PAGE 2 OF 2

OWNER:
RV AT THE LAKE, LLC
536 OAKRIDGE TRAIL
COPPER CANYON, TEXAS 75077

CARROLL CONSULTING GROUP, INC.			
P.O. BOX 11		972-742-4411	
LAVON, TEXAS 75166		TEXAS FIRM REGISTRATION NO.: 10007200	
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2776-21	1"=60'	MARCH 1, 2021	CP



BEFORE YOU DIG CALL:
1-800-245-4545



BENCHMARK:
5/8" IRON PIN FOUND
IN EDGE OF ASPHALT
ELEV.: 552.27

FLOOD PLAIN NOTE:
ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 48085C0430 J AND 48085C0435J, DATED JUNE 2, 2009, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR COLLIN COUNTY, TEXAS, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

NOTES:

1 BOUNDARY & TOPO SURVEY PROVIDED BY:
CARROLL CONSULTING GROUP, INC
PO BOX 11
LAVON, TX 75166

NOTE:
CONTRACTOR TO VERIFY HORIZONTAL & VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO BEGINNING ANY CONSTRUCTION/EXCAVATION AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES EXISTING UTILITIES SHOWN ON THESE PLANS ARE BASED ON COMBINATION OF FIELD SURVEY & CITY RECORD DRAWINGS

CHARLES DOXEY & SHAYNA LEVINE
2.42 ACRES
INST.# 20171010001353400
O.P.R.C.C.T.

KATHERINE BECK
12.81 ACRES
INST.# 20130604000763490

PROP SYSTEM 5
15 UNITS
UNIT 1-15
SEE SEPTIC DESIGN
REPORT FOR DETAILS

PROP SYSTEM 3
20 UNITS
UNIT 57-76
SEE SEPTIC DESIGN
REPORT FOR DETAILS

PROP SYSTEM 2
24 UNITS
UNIT 33-56
SEE SEPTIC DESIGN
REPORT FOR DETAILS

PROP SYSTEM 4
3 RESTROOMS, 2 SHOWERS
& 9 WASHERS
SEE SEPTIC DESIGN
REPORT FOR DETAILS

PROP SYSTEM 6
30 UNITS - EXISTING
(UNIT 1-30)
SEE SEPTIC DESIGN
REPORT FOR DETAILS

PROP SYSTEM 1
29 UNITS
(UNIT 77-88 & 16-32)
SEE SEPTIC DESIGN
REPORT FOR DETAILS

JERRY SISSOM
0.34 ACRES
CC# 95-0056762
D.R.C.C.T.

SAMUEL HINSON
RAYONDA HINSON
16.48 ACRES
VOL. 5450, PG. 7466
D.R.C.C.T.

NOTE:
SEE SHEET 11 FOR UTILITY LAYOUT AND DETAILS

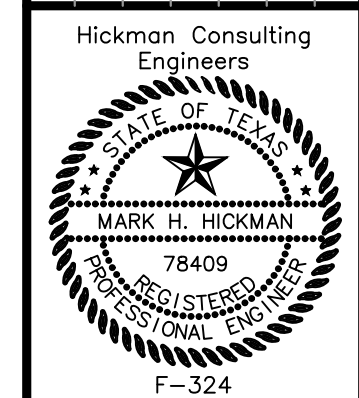
This document is released for the purpose of
REVIEW
under the authority of Mark H. Hickman, P.E. 78409 on
12-14-20

Hickman Consulting Engineers
1705 W. Northwest Highway, Suite 175
Grapevine, TX 76051
Ph (469)283-2625
Engineers
Planners

HCE

SEPTIC PLAN
WATERS RV
COLLIN COUNTY, TEXAS
RV AT THE LAKE, LLC
536 OAKRIDGE TRAIL
COPPER CANYON, TX 75077
214-415-0211

SCALE: AS SHOWN
DATE: OCT2020
DRAWN BY: FCP
CHK'D BY: CFD
JOB NO: 2001-413
FILE: 311-WATERS RV-WD
SUBMITAL: 12/14/20(1)



REVISION	DATE	BY	DESCRIPTION

SHEET
8



Wylie City Council

AGENDA REPORT

Department: City Manager
Prepared By: Chris Holsted

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2021-15 establishing a Citizens Bond Advisory Committee, providing for the scope and authority of the committee, and providing for the appointment of its members.

Recommendation

Motion to approve Ordinance No. 2021-15 establishing a Citizens Bond Advisory Committee, providing for the scope and authority of the committee, and appointing _____ to the committee.

Discussion

On March 9, 2021 a work session was held to discuss the formation and duties of a Citizens Bond Advisory Committee. The direction received was for each council person to appoint two members to the committee, each member shall be a citizen of Wylie, and each member shall be a registered voter. Also, the committee shall meet a minimum of four times and make a recommendation to council at the June 22, 2021 meeting.

In the motion to approve the Ordinance, council will need to state the committee members. Staff will contact the members to schedule the first committee meeting which we expect to be held in early April.

ORDINANCE NO. 2021-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, ESTABLISHING A CITIZENS BOND ADVISORY COMMITTEE (CBAC); PROVIDING FOR THE SCOPE AND AUTHORITY OF THE COMMITTEE; PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wylie is considering calling a local bond election for November 2021; and

WHEREAS, the City Council's desire is to appoint a Citizens Bond Advisory Committee (CBAC) to develop a Bond Program for recommendation to the City Council at its June 22, 2021 regular meeting; and

WHEREAS, the CBAC has the responsibility to develop a recommendation regarding the total amount of the bond issuance and the specific projects to be included in the proposition(s) presented to the voters; and

WHEREAS, bond projects are necessary in order to maintain and expand infrastructure to meet the needs of the continued growth of the city; and

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Wylie, Texas:

SECTION 1. The City Council shall appoint fourteen (14) members to serve on the CBAC, which shall consist of two (2) members designated by the Mayor and each City Council member. Each member shall be a citizen of the City of Wylie and shall be a registered voter. The City Manager or designated representative will serve as the staff liaison.

SECTION 2. The CBAC shall meet a minimum of four (4) times, according to a schedule established by the CBAC. All meetings shall be conducted in accordance with the Texas Open Meetings Act.

SECTION 3. The CBAC shall be a recommending body with no budget or administrative authority.

SECTION 4. The CBAC shall be charged with the following:

- (a) To discuss and consider a list of capital improvement projects for inclusion in a November 2, 2021 bond election.

- (b) To ensure that the Bond Program is fiscally responsible, adequately addresses current and future critical city needs, and is beneficial to all sectors of the community.
- (c) To make recommendation(s) to the City Council at the June 22, 2021 Regular Meeting about the total amount of the Bond issuance and the specific projects to be included in the proposition(s) presented to the voters.

SECTION 5. The City Council reserves the right to amend or deny any recommendation made by the CBAC.

SECTION 6. This Ordinance shall take effect immediately after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, ON THIS THE 23 DAY OF MARCH 2021.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: City Manager
Prepared By: Chris Holsted

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2021-16 establishing a Code of Ethics Council Subcommittee, providing for the scope and authority of the Subcommittee, and appointing Subcommittee members.

Recommendation

Motion to approve Ordinance No. 2021-16 establishing a Code of Ethics Council Subcommittee, providing for the scope and authority of the Subcommittee, and appointing _____, _____, and _____ to the Subcommittee.

Discussion

Staff and Council previously discussed the City of Wylie Code of Ethics and possible revisions. Council recommended establishing a Subcommittee to review the current ethics policy and provide recommendations to the full Council. Approval of the Ordinance will establish the Subcommittee.

ORDINANCE NO. 2021-16**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, APPOINTING A CODE OF ETHICS COUNCIL SUBCOMMITTEE; PROVIDING FOR THE SCOPE AND AUTHORITY OF THE SUBCOMMITTEE; PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Wylie established a Code of Ethics on May 20, 2014 to define the bounds of reasonable ethical behavior by the City Council and all appointed City Offices; and

WHEREAS, the City Council of the City of Wylie, Texas has investigated and determined that it will be advantageous and beneficial to the City of Wylie, Texas and its citizens to create a Code of Ethics Council Subcommittee ("Subcommittee") for recommendation to the City Council; and

WHEREAS, the Subcommittee has the responsibility to review the current Code of Ethics and make a recommendation to Council regarding any revisions to the policy; and

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Wylie, Texas:

SECTION 1. The Subcommittee shall consist of three (3) members, to be appointed by the City Council for the remainder of the term that said member serves on the City Council, or until said member resigns from the Subcommittee, whichever occurs first. The City Manager or designated representative will serve as the staff liaison.

SECTION 2. The Subcommittee shall meet as needed and as determined by the Subcommittee. All meetings shall be conducted in accordance with the Texas Open Meetings Act.

SECTION 3. The Subcommittee shall be a recommending body with no budget or administrative authority.

SECTION 4. The Subcommittee shall be charged with the following:

- (a) Advise and make recommendations to the City Council on matters relating to the Code of Ethics.

SECTION 5. The City Council reserves the right to amend or deny any recommendation made by the Subcommittee.

SECTION 6. This Ordinance shall take effect immediately after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE,
TEXAS, ON THIS THE 23 DAY OF MARCH 2021.**

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary