



# Wylie City Council

## NOTICE OF MEETING

### Regular Meeting Agenda August 9, 2016 – 6:00 pm Wylie Municipal Complex Council Chambers/Council Conference Room 300 Country Club Road, Building #100

|                           |                |
|---------------------------|----------------|
| Eric Hogue .....          | Mayor          |
| Keith Stephens .....      | Mayor Pro Tem  |
| Diane Culver .....        | Place 2        |
| Jeff Forrester .....      | Place 3        |
| Candy Arrington .....     | Place 4        |
| William Whitney III ..... | Place 5        |
| David Dahl .....          | Place 6        |
| Mindy Manson.....         | City Manager   |
| Richard Abernathy .....   | City Attorney  |
| Carole Ehrlich .....      | City Secretary |

*In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at the Wylie Municipal Complex, distributed to the appropriate news media, and posted on the City website: [www.wylietexas.gov](http://www.wylietexas.gov) within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

*The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.*

*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.*

#### CALL TO ORDER

*Announce the presence of a Quorum*

#### INVOCATION & PLEDGE OF ALLEGIANCE

#### PRESENTATIONS

- **Presentation to Wylie Fire Rescue with the 2016 Grant for WFR's Pre-plan Program by FM Global**

## CITIZENS COMMENTS ON NON-AGENDA ITEMS

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*Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

## CONSENT AGENDA

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

- A. Consider, and act upon, approval of the Minutes of July 26, 2016 Regular Meeting of the Wylie City Council.** *(C. Ehrlich, City Secretary)*
- B. Consider, and act upon, Resolution No. 2016-19(R) authorizing the City Manager of the City of Wylie, Texas, to execute a Memorandum of Understanding between Collin County and the City Of Wylie for Use and Storage of Collin County's Mobile Incident Command Post.** *(B. Parker, Fire Chief)*
- C. Consider, and act upon, Resolution No. 2016-20(R) authorizing the City Manager to execute a Memorandum of Agreement between the Wylie Independent School District and the City of Wylie to jointly cooperate in order to furnish clinical education to students enrolled in the Wylie Independent School District's Emergency Medical Technician Curricula Offerings.** *(B. Parker, Fire Chief)*
- D. Consider, and act upon, approval of a Preliminary Plat for New Haven at Wylie Addition, creating one lot on 3.126 acres, generally located on the northeast corner of Brown Street and Westgate Way.** *(R. Ollie, Development Services Director)*
- E. Consider, and act upon, Ordinance No. 2016-13 amending Ordinance No. 2015-30 (2015-2016 Budget) for the purpose of distributing funds that were previously budgeted for hail storm damage repairs to the proper departments and accounts; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.** *(L. Bantz, Finance Director)*

## REGULAR AGENDA

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### **Tabled Item from 6-28-2016**

*Remove from table and consider*

- 1. Hold a Public Hearing and consider, and act upon amending regulations to Zoning Ordinance 2008-47, Article 6, Section 6.3 Downtown Historic District (DTH) as it relates to design guidelines and standards within the Downtown Historic District. ZC 2016-07** *(R. Ollie, Development Services Director)*

**Executive Summary**

At its June 28, 2016 meeting, the Council directed staff to establish a work session with the Historic Review Commission to provide reasonable guidelines.

2. **Conduct the 1st Public Hearing for the annexation of approximately 5.23 acres of land situated in the Francisco De La Pina Survey, Abstract No. A0688, Tract 126, Collin County, Texas, located 1023 Kreymer Lane (1023 Private Road 5259).** (*R. Ollie, Development Services Director*)

**Executive Summary**

This annexation is at the request of the property owner and applicant of a 5.23 acre tract. The subject tract is contiguous to existing city limits on the northern side, while properties to the south, east and west are within unincorporated Collin County.

3. **Consider, and act upon, Resolution No. 2016-21 (R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for fiscal year 2016-2017, accepting the calculation of the effective tax rate, establishing dates for public hearings on the proposed property tax rate, and providing for the publication as provided by the Texas Local Government Code, Section 140.010.** (*L. Bantz, Finance Director*)

**Executive Summary**

The City is required by law to follow certain meeting and notice (publication) guidelines identified in the "Truth in Taxation" guide. In accordance with the "Truth in Taxation" laws of the State of Texas, the effective and rollback tax rates and other information must be published and two public hearings must be held if an entity's proposed tax rate exceeds the lower of either the effective tax rate or the rollback tax rate. This year's effective tax rate is \$0.795191 and the rollback tax rate is \$0.829955.

4. **Consider, and act upon, Ordinance No. 2016-14 authorizing the City Manager to amend Ordinance No. 2007-12 and Ordinance No. 2009-30 and Updating the Fire Development Fees to be Assessed by the City of Wylie, Texas; Modifying Certain Regulations Relating to Fire Development fees; Providing a Penalty Clause, Savings/Repealing Clause, Severability Clause and an Effective Date; and Providing for the Publication of the Caption Hereof.** (*B. Parker, Fire Chief*)

**Executive Summary**

The rationale behind the Fire Development Fee ("Fire Fee") is not to burden its current residents with the full financial cost of providing new fire stations, new fire equipment, and new emergency services equipment for new development and placing a substantial portion of the burden onto the developers creating the additional demands on emergency services. The Fire Fee will allow the City of Wylie to maintain its current level of fire and emergency services to both old and new development.

5. **Consider and act upon, Ordinance No. 2016-15 amending Article VI (stopping, standing, and parking) of Chapter 110 (traffic and vehicles) of the Wylie Code of Ordinances, creating section 101-189 Resident Only Parking Permit Areas; permitting parking in certain areas by permit only during those times set forth in the ordinance; establishing an offence; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.** (*C. Holsted, City Engineer*)

**Executive Summary**

In March, a meeting was held with the residents on Palmdale Drive to discuss the issues with students from WEHS parking along the roadway. As a follow up to that meeting, a council work session was held on April 26<sup>th</sup> to discuss parking restrictions for portions of Cimarron Estates. Council directed staff to develop an ordinance restricting parking in portions of the Cimarron Estates Subdivision from 7:00 a.m. to 5:00 p.m. during school days.

6. **Consider and act upon, Ordinance No. 2016-16 amending Ordinance 2007-36 and Article IV (Speed) of Section 110-133 (School Zones) of the Wylie Code of Ordinances, establishing a school zone for certain streets; establishing prima facie maximum speed limits during school hours in such zone; removing the school zone for certain street(s); providing for installation of signs and markings; regulating vehicular and pedestrian traffic; providing for a penalty for the violation of this ordinance, providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance. (C. Holsted, City Engineer)**

**Executive Summary**

The area west of Wylie High School has developed into a large retail center. As a result, students are crossing Woodbridge Parkway as they travel from the school to the development. Vehicular and pedestrian volumes were collected in this area, and between the hours of 8:15am and 2:30pm, 641 pedestrians crossed the roadway (see attached).

**READING OF ORDINANCES**


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

**ADJOURNMENT**


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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:

**CERTIFICATION**


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*I certify that this Notice of Meeting was posted on August 5, 2016 at 5:00 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

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**Carole Ehrlich, City Secretary**

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**Date Notice Removed**



# Wylie City Council

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## Minutes

### City Council Meeting

**Tuesday, July 26, 2016 – 6:00 p.m.**

**Wylie Municipal Complex – Council Chambers**

**300 Country Club Road, Bldg. 100**

**Wylie, TX 75098**

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#### CALL TO ORDER

*Announce the presence of a Quorum.*

Mayor Hogue called the meeting to order at 6:03 p.m. City Secretary, Carole Ehrlich, took roll call with the following City Council members present: Mayor Eric Hogue, Mayor pro tem Keith Stephens, Councilman David Dahl, Councilwoman Candy Arrington, Councilwoman Diane Culver, and Councilman William Whitney III. Councilman Jeff Forrester was absent.

Staff present were: City Manager, Mindy Manson; Fire Chief, Brent Parker; City Engineer, Chris Holsted; Finance Director, Linda Bantz; Development Services Director, Renae Ollie; Public Services Director, Mike Sferra; Library Director, Rachel Orozco; City Secretary, Carole Ehrlich, and various support staff.

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#### INVOCATION & PLEDGE OF ALLEGIANCE

Firefighter Randall Barber gave the invocation and Police Officer Donald English led the Pledge of Allegiance.

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#### PRESENTATIONS

- **Carter BloodCare Presentation**

Katie Huntsman, representing Carter BloodCare, addressed Council stating that during the Bluegrass on Ballard event held July 2, 2016 a “Battle of the Badges” was conducted. Each person donating blood was given a ballot to vote for either the Police or Fire Departments. She announced the winner of the contest was the Wylie Fire Rescue, by one vote.

She thanked all involved for providing blood to save lives. Representatives of the Police Department and Wylie Fire Rescue were present for the award.

## CITIZENS COMMENTS ON NON-AGENDA ITEMS

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Nikki Culver addressed Council stating she was the marketing representative for Conversations Coffee Bar located in historic downtown Wylie. She invited those present to the Grand Opening of the coffee bar to be held Thursday, July 28, 2016.

## CONSENT AGENDA

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

- A. Consider, and act upon, approval of the Minutes of July 12, 2016 Regular Meeting and the July 14, 2016 Special Called Work Session of the Wylie City Council.** *(C. Ehrlich, City Secretary)*
- B. Consider, and act upon, approval of a Preliminary Plat for Inspiration, Phases 5 consisting of 17.186 acres to establish single family residential lots for a master planned development within Unincorporated Collin County, generally located north of Parker Road (F.M. 2414) on Inspiration Blvd.** *(R. Ollie, Development Services Director)*
- C. Consider, and place on file, the City of Wylie Monthly Investment Report for June 30, 2016.** *(L. Bantz, Finance Director)*
- D. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for June 30, 2016.** *(L. Bantz, Finance Director)*
- E. Consider, and act upon, a vendor application for the Girls Scouts of Northeast Texas Service Unit 148 for a family fun and registration event at Olde City Park on August 28, 2016.** *(R. Diaz, Parks and Recreation Superintendent)*
- F. Consider, and act upon, a vendor application for the Wylie ISD Council of PTA's "Back to the Future Back to School" event at Olde City Park on August 27, 2016.** *(R. Diaz, Parks and Recreation Superintendent)*
- G. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of June 30, 2016.** *(S. Satterwhite, WEDC Director)*

## **Council Action**

A motion was made by Councilwoman Culver, seconded by Councilman Whitney to approve the Consent Agenda as presented. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

## REGULAR AGENDA

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- 1. Hold a Public Hearing and consider, and act upon, a change in zoning from Agricultural (A) to Townhouse District (TH) to allow for 89 Townhome lots on 9.689 acres, generally located west of Country Club Road and north of Brown Street. ZC 2016-08 (R. Ollie, Development Services Director)**

### **Staff Comments**

Development Services Director Ollie addressed Council stating that the property totals 9.69 acres and will create eighty-nine (89) townhome residential lots and one open space lot. Exhibit A is a concept plan that shows a public road to be dedicated to the City that will provide access to all of the proposed residential lots. All units will be sprinkled as the proposed subdivision does not have two points of vehicular access as required by ordinance. In addition, the layout exceeds the maximum block length of 1,200' per Section 3.4.B. of the Subdivision Regulations. The fire marshal has approved the sprinkler addition as an alternative to the two points of vehicular access requirement.

Access to the parcel will be limited to vehicles coming inbound from the north due to a median that prevents access from the south. The developer has also left an open space at the end of the proposed road to allow for the possibility of future access south of the subject property.

Ollie explained a revised concept plan was submitted after P&Z approval that shows 6 parking spaces along the frontage of the open space lot, in an effort to minimize on-street parking in front of dwelling units. These spaces will be owned and maintained by the HOA. However, the parking spaces are partially within the public right-of-way. This type of maneuvering is not in accordance with Section 7.3.H, which requires that all parking areas provide suitable maneuvering room so that all vehicles may enter an abutting street in a forward direction, except when it is residential parking with no more than two spaces per property.

Additionally, the zoning ordinance requires a 20' front yard setback and a 25' rear yard setback. The concept plan shows compliance with the minimum lot size of 3,000 square feet. At the request of the Commission, setbacks are 25 feet in the front, 20 feet in the rear, 5 feet for exterior sides, and 15 feet for corner sides. The applicant has made this adjustment and it is reflected on the concept plan.

The Comprehensive Land Use Plan categorizes this area as General Urban Sector. This sector provides for a wide range of opportunities to "live, work and play", and primarily supports the retail, service, office, light production and research, and development type uses. It further states that some high density residential may occur provided that it is in a mixed-use type setting. There is no mixed use proposed for this development. The property will be required to pay fees in lieu of Parkland Dedication at a rate of \$800 per dwelling unit.

Ollie reported the Commissioners discussed at great length the number of units proposed with only one access off Country Club. The 50' width of right-of-way was a concern for the Commissioners. This width would allow for 10' on both sides, thereby leaving a total street curb to curb width of only 30'. After much discussion, the applicant agreed to widen the curb to curb width to 37'. In addition, the Commissioners expressed concerns with the number of lots and the limited accessibility to the tract. The Commissioners voted 4-3 to approve the request with amendments to increase the street width to 37' curb to curb; front yard setback to 25 feet.

### **Applicant Comments**

Alan Lauhoff, representing Atlas Associates, Inc., addressed Council stating that the parking had been increased at the recommendation of the Zoning Commission. Lauhoff noted his firm did not find out

about the mixed use requirement until the day prior to the Council meeting and therefore could not address this requirement.

### **Council Discussion**

Mayor Hogue asked if the Planning and Zoning Commission was aware of the Comprehensive Plan requirements for mixed uses at the time of the meeting. Ollie reported they were not; staff had not included the plan in the report to them. Mayor Hogue reiterated that the plan does call for mixed use in the Comprehensive Plan. Ollie replied it did.

Councilwoman Culver asked Ollie why the commission voted for approval. Ollie replied that many of the commission members had concerns with regard to meeting the requirements of the Comprehensive Plan; however, when the vote came, the commission voted 4-3 to approve.

Councilman Dahl had concerns with regard to fire protection. He asked what would happen if more than one Quint was required to service a fire, would they be able to maneuver into the development without backing out due to one access point. He also voiced his concern with the high density of the development. Mayor pro tem Stephens had concerns with the additional traffic this would feed onto Country Club Road with the many U-turns to access the property.

### **Public Hearing**

Mayor Hogue opened the public hearing on Zoning Case 2016-08 at 6:32 p.m. asking anyone present wishing to address Council to come forward.

Duane Fisher, real estate broker for the applicant, addressed Council stating that the applicant did not find out about the "mixed use" requirement until noon today. He stated he was aware this was not the only issue addressed tonight however he did not think the mixed use with high density requirement was practical. Mayor Hogue explained that during the amendments to the comprehensive plan, Council felt certain areas within the City should require high density with mixed uses and other areas for mobile home parks and so on.

Mayor Hogue closed the public hearing at 6:36 p.m.

### **Council Action**

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Culver to **deny** a change in zoning from Agricultural (A) to Townhouse District (TH) to allow for 89 Townhome lots on 9.689 acres, generally located west of Country Club Road and north of Brown Street ZC 2016-08. A vote was taken and the motion passed to deny ZC 2016-08, 6-0 with Councilman Forrester absent.

Mayor Hogue convened into work session at 6:38 p.m.

### **WORK SESSION**

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- **Discuss the Report on Water and Wastewater Rates prepared by NewGen Strategies & Solutions.** (*L. Bantz, Finance Director*)

Finance Director Bantz addressed Council stating that NewGen Strategies and Solutions had conducted a study and provided a report on Water and Wastewater Rates. She reported the rates were last updated on August 27, 2013. Since that time, the City has approved updates to the water and wastewater ten-year capital improvement plan, and the North Texas Municipal Water District has updated their proposed wholesale water rates. The report incorporates the

new information and calculates the rates necessary to maintain 90 days of working capital as required by the City's financial policy. Bantz introduced Matthew Garrett representing NewGen.

Mr. Garrett gave a presentation showing current rates and recommended rates for the coming years based on current consumption and estimated wholesale rate increases.

The two scenarios presented were as follows:

- Scenario 1 is based on the City's current rate structure and would require a 9.5% increase in water and wastewater rates for all customer classes.
- Scenario 2 is based on a more conservation minded rate structure and would require a 9% increase in water and wastewater rates for all customer classes. In addition to the current tiers, two additional tiers would be added with different per gallon charges for 20,001-40,000 gallons and over 40,000 gallons of use in a month.

Council direction was to move forward with Scenario 2 and bring back an ordinance for Council consideration. If approved, new rates would go into effect October 1, 2016.

- **FY 2016-2017 Budget Work Session**

City Manager Manson addressed Council and reviewed the proposed revenues and expenditures for the Utility Fund and the 4B Tax Fund. Manson noted that the City's policy calls for 90 days of operating expenditures which is equal to \$4,109,798 for the Utility Fund. She indicated the estimated ending fund balance 9/30/17 would be closer to \$6,708,902, well above the 90 day requirement. Manson reviewed the personnel and non-personnel related recommendations which were included in the ending fund balance above and totaling \$286,760 in personnel related recommendations for staffing and \$203,750 in non-personnel related equipment.

Manson reported the 4B Sales Tax Fund ending balance for 9/30/15 was \$1,501,824; adding estimated revenues and expenditures for 2016/17 the estimated ending fund balance is \$1,316,751. Policy requirement for the 4B Fund is 25% or \$616,824. This will leave an overage in the ending balance to support another park project of some type, if Council wishes.

Manson gave an update to the General Fund showing an estimated ending fund balance as of 9/30/17 of \$12,079,914. Policy for this fund is to have 25% budgeted expenditures or \$9,276,598. The ending balance will show a 33% fund balance. This includes all carried-forward expenditures, all recommended personnel and non-personnel requests, 100% of the Market Survey implementation, and the 3% merit raises for non-sworn employees and the 2.5% sworn officer pay increases.

Manson reported after all expenditures, the ending balance in the General Fund to be \$177,238. She explained Collin County Appraisal District had reported additional tax revenue of \$848,000 in their final certified totals which brings the budget to an overage of \$1,025,238. Manson recommended possible expenditures for a Police laser scanner, Phase II of the school zone sign replacement, an articulated tractor w/edger attachment to be funded at \$197,200, and for Council to consider a property tax reduction of a half-cent or one-cent for FY 2016/17.

Council direction was to move forward with all staff recommendations and to look at a two-cent reduction in property tax for the FY 2016/17, and bring these adjustments back for Council consideration.

RECONVENE INTO REGULAR SESSION

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Mayor Hogue reconvened into Regular Session at 8:26 p.m.

ADJOURNMENT

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A motion was made by Mayor pro tem Stephens, seconded by Councilman Whitney to adjourn the meeting at 8:28 p.m. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

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**Eric Hogue, Mayor**

**ATTEST:**

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**Carole Ehrlich, City Secretary**



# Wylie City Council

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## AGENDA REPORT

**Meeting Date:** August 9, 2016  
**Department:** Fire  
**Prepared By:** Fire  
**Date Prepared:** July 18, 2016

**Item Number:** B  
*(City Secretary's Use Only)*  
**Account Code:** N/A  
**Budgeted Amount:** N/A  
**Exhibits:** 2

### Subject

Consider, and act upon, Resolution No. 2016-19(R) authorizing the City Manager of the City of Wylie, Texas, to execute a Memorandum of Understanding between Collin County and the City Of Wylie for Use and Storage of Collin County's Mobile Incident Command Post.

### Recommendation

Motion to approve, Resolution No. 2016-19(R) authorizing the City Manager of the City of Wylie, Texas, to execute a Memorandum of Understanding between Collin County and the City Of Wylie for Use and Storage of Collin County's Mobile Incident Command Post.

### Discussion

Collin County and the City of Wylie's missions are similar and their respective capabilities are complementary in many respects. With both entities having a mutual interest in protecting the residents of Collin County during natural and man-made disaster, as well as, other emergency situations it has been determined working together utilizing the CCDEM Mobile Incident Command Post ("MICP") is beneficial for both entities. WFR, with support from the City of Wylie, agrees to house and store the MICP in its Fire Station No. Two at its expense until a response is necessary and will provide delivery, and set-up to requesting entities during emergency incidents under the terms of this Memorandum of Understanding.

**RESOLUTION NO. 2016-19(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, HEREBY AUTHORIZING THE CITY MANAGER OF THE CITY OF WYLIE, TEXAS, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN COLLIN COUNTY AND THE CITY OF WYLIE FOR USE AND STORAGE OF COLLIN COUNTY'S MOBILE INCIDENT COMMAND POST.**

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

SECTION 1: The City Manager of the City of WYLIE, Texas, is hereby authorized to execute, on behalf of the City Council of the City of WYLIE, Texas, a Memorandum of Understanding between Collin County and the City of Wylie for use and storage of Collin County's Mobile Incident Command Post.

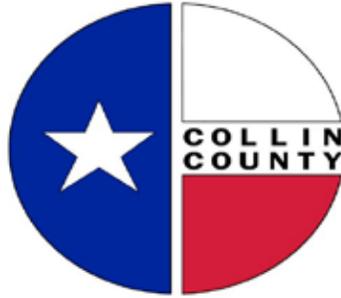
SECTION 2: This Resolution shall take effect immediately upon its passage.

**RESOLVED THIS THE 9<sup>th</sup> day of August, 2016.**

\_\_\_\_\_  
ERIC HOGUE, Mayor

**ATTEST TO:**

\_\_\_\_\_  
CAROLE EHRLICH, City Secretary



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**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF WYLIE, ACTING  
BY AND THROUGH THE WYLIE FIRE  
DEPARTMENT AND COLLIN COUNTY,  
ACTING BY AND THROUGH THE COLLIN  
COUNTY DEPARTMENT OF EMERGENCY  
MANAGEMENT**

**Collin County Mobile Incident Command Post  
(MICP)**

**Whereas**, the City of Wylie, Texas, acting by and through the Wylie Fire Department (hereinafter referred to as “WFD”), and Collin County, Texas, acting by and through its Department of Emergency Management (hereinafter referred to as “CCDEM”), find that WFD and CCDEM’s respective departmental missions to be congruent and their respective capabilities complementary in many respects; and

**Whereas**, WFD and CCDEM have a mutual interest in protecting the residents of Collin County during natural and man-made disaster, as well as, other emergency situations; and

**Whereas**, WFD and CCDEM have a mutual interest in providing the capability to respond the CCDEM Mobile Incident Command Post (“MICP”) in the event the MICP is requested. WFD further agrees to house and store the MICP in its Fire Station No. Two at its expense until a response is necessary and will provide delivery, set-up and communication services to requesting entities under the terms of this Memorandum of Understanding.

**THEREFORE, COLLIN COUNTY, TEXAS AND THE CITY OF WYLIE, TEXAS AGREE IN THIS MEMORANDUM OF UNDERSTANDING AS FOLLOWS:**

**I. Term of agreement**

The term of this Memorandum of Understanding shall be from July 1, 2016 and shall continue in force and effect on a year-to-year basis thereafter until terminated utilizing the provisions set forth in Section Five (5) herein titled “Procedures for Amendments and Termination.”

**II. Services to be Provided**

For the purpose of this Memorandum of Understanding, each party will provide the following MICP-related services on an as-needed basis during the term of this Memorandum of Understanding, except where specifically noted otherwise:

**A. By WFD on behalf of the City of Wylie:**

1. Provide personnel as needed to deliver, set-up and assist with needs regarding the MICP for the duration of the requested response.
2. Provide leadership person for assuming a command and control position and take responsibility for the MICP pre- and post-incident.
3. Provide statistical information regarding service runs in Collin County.
4. Provide a current inventory list of all equipment assigned to the MICP that is owned by WFD.
5. Respect and conform to the MICP-related operational protocols of CCDEM and maintain response, use and inventory records to the CCDEM.
6. Provide for housing and storage of the MICP in WFD Fire Station No. Two and any related ancillary equipment at all times when not being used for an emergency response.
7. Provide training to all members of WFD who are attached to MICP responses to include TCFP certifications for Drivers and communications certifications for Communications Operators.
8. Maintain MICP and related ancillary equipment at all times for the term of this Memorandum of Understanding and make it readily available as a first response vehicle at all times of the day, night, or week.
9. Coordinate and provide MICP-related staff training and coordinate and provide continuing education for all WFD personnel on a routine basis.
10. Be competent in establishing communications utilizing equipment on MICP.

11. Follow MICP instrument safety guidelines and manufacturer's guidelines.
12. Repair or replace any equipment on the MICP that is damaged when under WFD's care at its sole cost and expense or, at WFD's option, using WFD applicable insurance/City of Wylie's insurance or Risk Management program to subrogate expenses for any damage that occurs to the equipment on the MICP or ancillary equipment when under WFD's care.
13. Determine, coordinate and utilize best practices for deployment and response of MICP to requested incidents.

**By CCDEM on behalf of Collin County:**

1. Provide regularly scheduled maintenance and repair to the MICP.
2. Meet regularly with representatives of WFD to coordinate efforts on requested MICP-related responses.
3. Provide the most current equipment and inventory in the possession of CCDEM that is owned by CCDEM and assigned to the MICP.
4. Continue to seek grants and/or funds for MICP equipment, or the repair or maintenance of the MICP.
5. Repair or replace the MICP and any equipment on the MICP that is damaged when under CCDEM's care at its sole cost and expense or, at CCDEM's option, using CCDEM/Collin County's applicable insurance or Risk Management program to subrogate expenses for any damage that occurs to the MICP or ancillary equipment when under CCDEM care or operation.

### **III. Exchange of Information**

Information acquired by either WFD or CCDEM regarding citizens, community or businesses to be served and that is related to the WFD's or CCDEM's functions and responsibilities will be made mutually accessible by the parties to provide an integrated approach to fire department support and to avoid unnecessary duplication of services.

This information will be shared only to the extent permitted by regulations requiring confidentiality of participant records. WFD and CCDEM will cooperate in sharing information on the status and outcome of services provided to the extent allowed by applicable law.

WFD and CCDEM representatives will conduct quarterly meetings and in addition agree to meet as needed to discuss public safety issues and matters regarding responses, needs, inventory and other subject matters as is necessary to carry out the intent of this Memorandum of Understanding and the parties' objectives.

### **IV. Evaluation and Review**

In order to provide a vehicle for on-going evaluation, review, and discussion of operational issues, both parties agree to communicate on a quarterly basis, or more often as is necessary to discuss issues related to the implementation of this Memorandum of Understanding.

### **V. Procedures for Amendments and Termination**

1. This Memorandum of Understanding may be amended by the mutual written consent of both parties. In addition, this Memorandum of Understanding and any amendments thereof shall remain in effect until terminated by either party upon providing at least ninety (90) days written notice of termination to the other party.

2. In addition to the foregoing, Collin County or CCDEM may immediately terminate this Memorandum of Understanding in the event the County or CCDEM determines in its sole discretion there exist circumstances of breach of this Memorandum of Understanding, misuse of the MICP, unsafe driving, or for a failure to report accidents or provide records regarding the WFD's use of the MICP. In addition to the foregoing, the City of Wylie or WFD may immediately terminate this Memorandum of Understanding in the event the City of Wylie or WFD determines in its sole discretion there exist circumstances of breach of this Memorandum of Understanding.

## **VI. Insurance**

1. Worker's Compensation Coverage. Each party shall be responsible for its own actions and those of its employees and is responsible for complying with the Texas Workers' Compensation Act.
2. Automobile Liability Coverage. Collin County shall be responsible for complying with the Texas motor vehicle financial responsibility laws as they relate to the MICP.
3. Liability. To the extent permitted by law and without waiving sovereign immunity, each party shall be responsible for any and all claims, demands, suits, actions, damages, and causes for action related to or arising out of or in any way connected with its own actions, and the actions of its personnel in providing services pursuant to the terms and conditions of this Memorandum of Understanding. Each party agrees to maintain general liability insurance or a comparable self-insurance program.
4. Other Coverage. Each party shall provide and maintain its standard packages of medical and death benefit insurance coverage or comparable self-insurance program.

## **VII. Miscellaneous**

1. Address of asset location: 555 Country Club Dr., Wylie, TX 75098.
2. Sovereign Immunity. It is expressly understood and agreed that, in the execution and performance of this Memorandum of Understanding, the parties have not waived, nor shall be deemed hereby to have waived, any immunity, governmental, sovereign and/or official, or defense that would otherwise be available to them against claims arising in the exercise of governmental powers and functions. By entering into this Memorandum of Understanding, the parties do not create any obligations, express or implied, other than those set forth herein.
3. Independent Contractor. Except as otherwise expressly provided herein, the parties agree and acknowledge that each entity is not an agent of the other entity and that each entity is responsible for its own acts, forbearance, negligence and deeds, and for those of its agents or employees in conjunction with the performance of work covered under this Memorandum of Understanding.
4. No Third Party Beneficiaries. Nothing in this Memorandum of Understanding shall be construed to create any right in any third party not a signatory to this Memorandum of Understanding, and the parties do not intend to create any third party beneficiaries by entering into this Memorandum of Understanding.
5. Assignment. This Memorandum of Understanding is not assignable.
6. Entire Agreement. This Memorandum of Understanding represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and/or agreements, either written or oral. This Memorandum of Understanding may be amended only by written instrument duly executed by both parties.

*In witness whereof the parties hereto have affixed their signatures as written below:*

**Collin County, Texas**

\_\_\_\_\_  
Keith Self,  
County Judge

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Collin County Clerk

**City of Wylie, Texas**

\_\_\_\_\_  
Mindy Manson  
City Manager

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
City Secretary

Acknowledged and Approved

**Collin County Department of Emergency Management**

\_\_\_\_\_  
James McCrone  
Director of Emergency Management

\_\_\_\_\_  
Date

**Wylie Fire Department**

\_\_\_\_\_  
Brent Parker, Chief

\_\_\_\_\_  
Date



# Wylie City Council

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## AGENDA REPORT

**Meeting Date:** August 9, 2016  
**Department:** Fire Department  
**Prepared By:** Fire Department  
**Date Prepared:** July 18, 2016

**Item Number:** C  
*(City Secretary's Use Only)*  
**Account Code:** N/A  
**Budgeted Amount:** N/A  
**Exhibits:** 2

### Subject

Consider, and act upon, Resolution No. 2016-20(R) authorizing the City Manager to execute a Memorandum of Agreement between the Wylie Independent School District and the City of Wylie to jointly cooperate in order to furnish clinical education to students enrolled in the Wylie Independent School District's Emergency Medical Technician Curricula Offerings.

### Recommendation

Motion to approve, Resolution No. 2016-20(R) authorizing the City Manager to execute a Memorandum of Agreement between the Wylie Independent School District and the City of Wylie to jointly cooperate in order to furnish clinical education to students enrolled in the Wylie Independent School District's Emergency Medical Technician Curricula Offerings.

### Discussion

Wylie ISD is starting an emergency medical technician basic (EMT-B) program this year. On April 12, 2016, City Council approved the MOU between Wylie ISD and the city of Wylie to allow EMT-B students to ride-out as part of the program requirements. Upon further review, Wylie ISD required a minor change in the MOU. Due to this change, the MOU requires council approval.

**RESOLUTION NO. 2016-20(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, HEREBY AUTHORIZING THE CITY MANAGER OF THE CITY OF WYLIE, TEXAS, TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE WYLIE INDEPENDENT SCHOOL DISTRICT AND THE CITY OF WYLIE TO JOINTLY COOPERATE IN ORDER TO FURNISH CLINICAL EDUCATION TO STUDENTS ENROLLED IN THE WYLIE INDEPENDENT SCHOOL DISTRICT'S EMERGENCY MEDICAL TECHNICIAN CURRICULA OFFERINGS.**

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

SECTION 1: The City Manager of the City of WYLIE, Texas, is hereby authorized to execute, on behalf of the City Council of the City of WYLIE, Texas, a Memorandum of Agreement between the Wylie Independent School District and the City of Wylie to jointly cooperate in order to furnish clinical education to students enrolled in the Wylie Independent School District's Emergency Medical Technician Curricula Offerings.

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

**RESOLVED THIS THE 9<sup>th</sup> day of August, 2016.**

---

ERIC HOGUE, Mayor

**ATTEST TO:**

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CAROLE EHRLICH, City Secretary

**MEMORANDUM OF AGREEMENT  
BETWEEN  
WYLIE FIRE DEPARTMENT  
AND  
WYLIE INDEPENDENT WYLIE ISD WYLIE ISD**

This agreement made and entered into this 12<sup>th</sup> day of April 2016 between WYLIE INDEPENDENT SCHOOL WYLIE ISD, hereinafter called the "Wylie ISD", and WYLIE FIRE DEPARTMENT, hereinafter call the "Fire Department", WITHNESSETH THAT:

**WHEREAS**, the Wylie ISD is desirous of offering an emergency medical technician and patient care technician curricula designed to help meet the local area health manpower need, and

**WHEREAS**, the Wylie ISD recognizes the need for providing the community, which it undertakes to serve, with an adequate emergency medical services and patient care technician staff, and

**WHEREAS**, the contracting parties are desirous of cooperating to furnish clinical education to students enrolled in the Wylie ISD's emergency medical technician and patient care technician curricula offerings, and

**WHEREAS**, it is mutually agreed by the Wylie ISD and the Fire Department, that the Wylie ISD has established programs for general and technical health care education students. It is further mutually agreed that portions of the clinical training of students enrolled in these programs will be provided by the Fire Department.

**NOW, THEREFORE**, it is mutually agreed by and between said parties as follows:

Section A: Wylie ISD shall do or cause to be done the following:

1. Be responsible after consultation with the Fire Department to plan, coordinate and implement the educational program for the clinical period.
2. Work cooperatively with the appropriate staff members in the selection of students' learning experience.
3. Assure observance of the Fire Department's policies and procedures by students and faculty.
4. Initiate, as indicated, individual and group conferences with the staff for the purpose of discussing student learning and performance and patient services.
5. Provide a list to the Fire Department of the approximate number of students that will be using the Fire Department and the dates involved.
6. Assure the Fire Department that the students are covered with liability insurance and provide certificate of coverage.
7. Educate students to the requirements of the Texas Confidentiality Act, Chapter 773 Health & Safety code, Sub Chapter D, Section 773.091.
8. Educate students to the requirements set forth by O.S.H.A. in regards to the appropriate precautions for blood borne pathogens and other necessary safety regulations.
9. Be responsible for the administration functions, including admission, scheduling, accounting, and achievement records similar to those records maintained for all students of the Wylie ISD and to those records required by the Fire Department.
10. Wylie ISD and their students will abide with any and all other regulatory and accreditation standard guidelines applicable to the Fire Department.

11. Conduct criminal background check on all students.
12. Assure students do not have a criminal background. Students with a criminal conviction above a Class C misdemeanor will be evaluated by the Fire Department. The Fire Department will decide if a student with a criminal conviction above a Class C misdemeanor, will be allowed to perform their clinical at the Fire Department.
13. Conduct urinalysis drug screening on all students.
14. Assure students do not have a positive urinalysis drug screen. Students with a positive urinalysis drug screen will not be allowed to perform their clinical at the Fire Department.

Section B: The Fire Department will do or cause to be done the following:

1. Provide full cooperation on the part of the Fire Department to help foster the success of the program.
2. Provide opportunity for student practice and observation in the patient areas and other areas of the Fire Department under direct supervision of Fire Department personnel, and under the general supervision of the Wylie ISD faculty.
3. Make provision for orientation of faculty members of the Wylie ISD to the facilities, philosophies, and policies of the Fire Department.
4. Assist in the orientation of the students to the health service Fire Department and clear channels of administration for the use of equipment and records as necessary for teaching purposes.
5. Provide adequate space, equipment, and supplies for the clinical practices.
6. Assist in the evaluation of students' learning and performance in providing patient care.
7. The Fire Department will in all situations be ultimately responsible for the care rendered to patients.
8. Have no authority to dismiss faculty or students from the program. Should the Fire Department wish to recommend dismissal of faculty or students such recommendations must be in writing. However, the Fire Department reserves the right summarily to exclude from the Fire Department premises any person who is deemed undesirable, pending joint resolution of the matter by the Fire Department and the Wylie ISD.
9. Staff members shall not require a student to commit an act that this student feels unable to do. Likewise, any staff member becoming aware of the likelihood that any student will carry out any act that is deemed inappropriate, has the duty to make reasonable efforts to stop such student from carrying out such act.
10. Allow the use of the Fire Department's food service and parking facilities on the same basis as for the Fire Department employees.
11. Allow the use of the Fire Department's library by the Wylie ISD faculty and students.
12. To the extent possible, provide dressing room space and lockers for the use of the Wylie ISD faculty and students while the students are receiving clinical instruction at the Fire Department.

Section C: The Wylie ISD and the Fire Department agree to be mutually responsible for the following:

1. Clinical assignments for students enrolled in the health occupations curricula of the Wylie ISD will be planned by the faculty of the Wylie ISD in cooperation with the designated staff leaders of the various units.

2. All arrangements for any special programs, projects, or special provisions not covered by this agreement, will be made through the Clinical Instructor of the students and the Coordinator of Education.
3. Faculty and students of the Wylie ISD will abide by the policies of the Fire Department while using the facilities. However, the Fire Department reserves the right summarily to exclude from the Fire Department's premises any person who is deemed undesirable or is deemed dangerous or disruptive to patients or Fire Department employees or staff, pending joint resolution of the matter by the Fire Department and the Wylie ISD.
4. The Wylie ISD Faculty, the Fire Department staff members, and students will work together to maintain an environment which provides quality patient care and quality student learning.
5. The Wylie ISD is responsible for training students in infection control and body substance isolation prior to entering clinical/internship rotations.

Section D: The Fire Department *does not* assume liability for an injury and/or illness in any manner and to any extent that a student or faculty member may receive during their experience at the Fire Department. The Wylie ISD expressly agrees to indemnify the Fire Department to the extent allowed by Texas law for any claims arising out of the services provided pursuant to this Agreement brought by a student or faculty member. However, if the student/or faculty member is injured and/or ill, the Fire Department will provide access to emergency care at the student's or the faculty's expense.

Section E:

1. This agreement shall be effective upon its execution. Expiration of contract shall be ongoing until terminated by either the Fire Department or the Wylie ISD. This agreement may be terminated by either party by written notice of such intent submitted ninety (90) days in advance. Such termination shall not effect students then enrolled and participating in the emergency medical services and patient care technician program.
2. This agreement may be modified by mutual consent at any time.
3. If any part of this agreement is determined by any legal authority with jurisdiction to be beyond the power either of the parties hereto or invalid or illegal in any respect, this agreement shall be modified accordingly, but if any such part is a material part of this agreement, the agreement may be canceled by either party.

Section F: **Health Insurance Portability and Accountability Act ("HIPAA")**

The parties hereto shall ensure that all services provided hereunder shall comply with all applicable material laws, ordinances, rules and regulations, including the Health Insurance Portability and Accountability Act ("HIPAA") (in its current form, or as it may be modified from time to time, and such modifications or changes shall automatically become applicable to this Agreement based upon the effective date of the change) and the rules and regulations promulgated there under. The parties hereto shall also require any agent or subcontractor to comply with all applicable laws, ordinances, rules and regulations, including HIPAA, as set forth above. In the event that there are modifications or changes in applicable laws, ordinances, rules or regulations that are not, as of the date of this Agreement, either in effect or promulgated to become effective, and if such modifications or changes cause an increase in cost or time required to perform services under this Agreement, the price and schedule will be equitably adjusted by mutual agreement of the parties; however, the parties shall remain responsible at all times for compliance with all such laws, ordinances, rules and regulations. Wylie ISD shall at its own expense, protect, defend and hold the Fire Department, its officers, directors, agents and employees harmless to the extent allowed by Texas law from and against all liability, loss penalties, or damages assessed against or incurred by either party hereto, its officers, directors, agents and employees or any of them (including attorneys' fees and court costs incurred by any party indemnified hereunder) as a result of the Wylie ISD, or its agent's or subcontractor's material noncompliance with this provision.

Section G: **Family Education Rights and Privacy Act of 1974 ("FERPA")**

For purposes of this Agreement, pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA) and the program, District hereby designates the Fire Department as a school official with a legitimate education interest in the educational records of the Students who participate in the Program only to the extent that access to the records are required by the Fire Department to carry out the Agreement. Wylie ISD understands that it shall not release any student information to any third parties unless such release is authorized in writing by the student's parent or guardian. Fire Department further understands that the unauthorized release of student information to any third parties is a violation of FERPA. To the extent allowed by Texas law, Fire Department agrees to indemnify to the extent allowed by Texas law from any claims brought against Wylie ISD for any violation of this section by the Fire Department.

"My organization will not discriminate on the basis of sex, race, color, national origin, disability, or age in services, activities, or employment practices".

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their respective authorized officers as of the date and year first above written.

**WYLIE FIRE DEPARTMENT**

**WYLIE INDEPENDENT WYLIE ISD WYLIE ISD**

Name: \_\_\_\_\_

Name: Michelle Trongaard

Title: \_\_\_\_\_

Title: Asst. Superintendent for Finance and Operations

\_\_\_\_\_  
Authorized Signature

Michelle Trongaard  
Authorized Signature

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

Date: 6/28/16



# Wylie City Council

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## AGENDA REPORT

Meeting Date: August 9, 2016  
Department: Planning  
Prepared By: Renae' Ollie  
Date Prepared: August 1, 2016

Item Number: D  
*(City Secretary's Use Only)*  
Account Code: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_  
Exhibits: 1

### Subject

Consider, and act upon, approval of a Preliminary Plat for New Haven at Wylie Addition, creating one lot on 3.126 acres, generally located on the northeast corner of Brown Street and Westgate Way.

### Recommendation

Motion to approve a Preliminary Plat for New Haven at Wylie Addition, creating one lot on 3.126 acres, generally located on the northeast corner of Brown Street and Westgate Way.

### Discussion

**Owner: Birmingham Land Ltd**

**Applicant: Engineering Concepts Design, LP**

The property totals 3.126 acres and will create one lot currently zoned as Neighborhood Services with a Special Use Permit for Assisted Living.

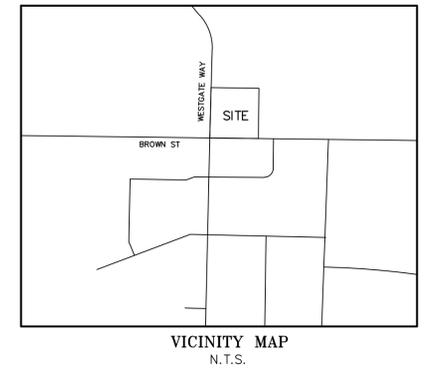
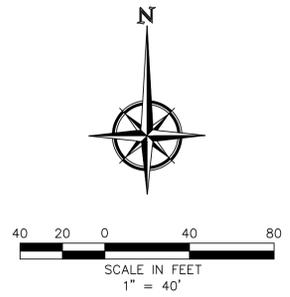
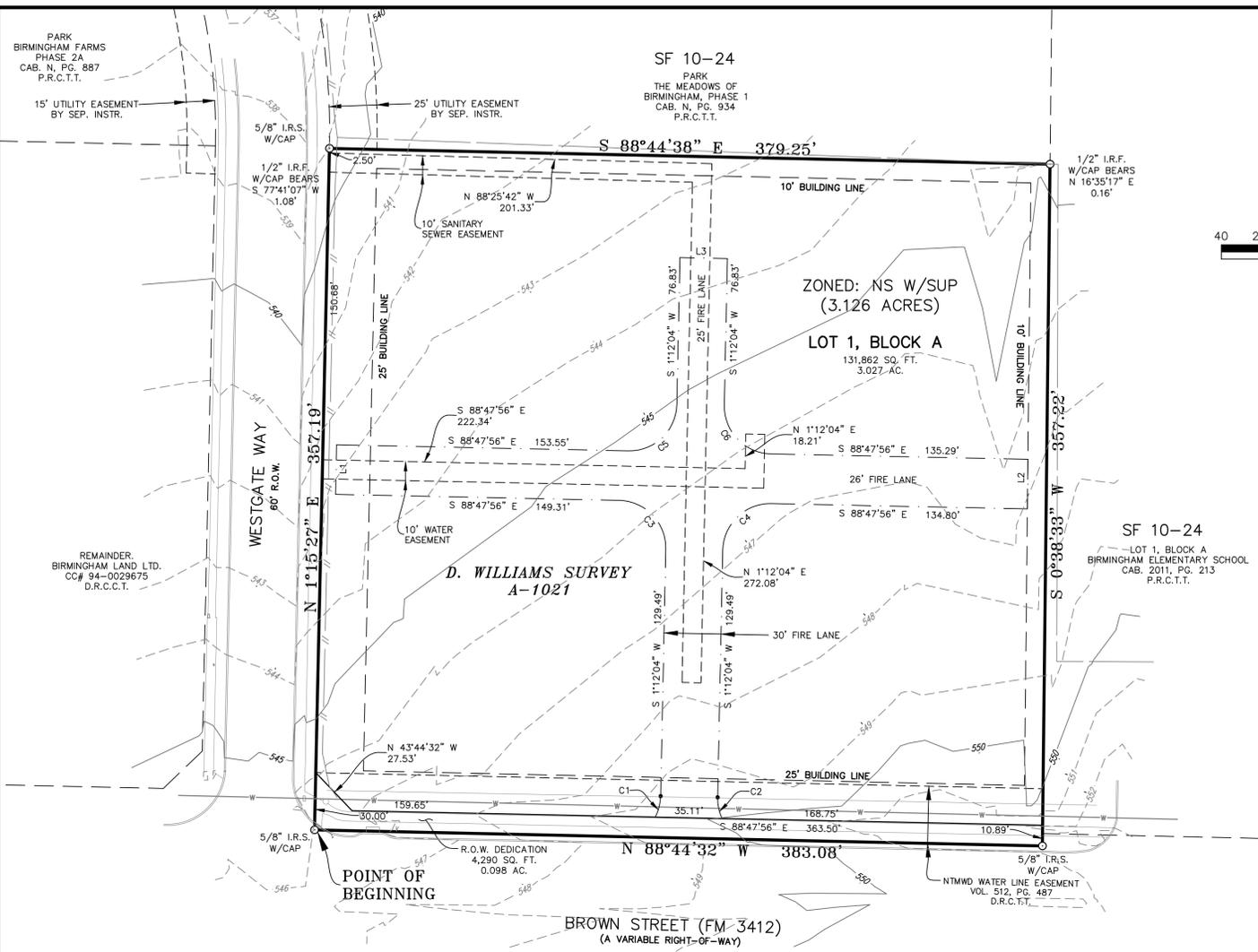
The plat, and later separate instruments, shall also dedicate the necessary rights-of-way, fire lanes, utility, construction, and drainage easements.

A Site Plan was approved by the Planning and Zoning Commission on July 19, 2016.

This Preliminary Plat complies with the applicable technical requirements of the City of Wylie.

#### **PLANNING & ZONING COMMISSION DISCUSSION:**

The Planning and Zoning Commission voted 6-0 to recommend approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.



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.

| LINE TABLE |               |          |
|------------|---------------|----------|
| NO.        | DIRECTION     | DISTANCE |
| L1         | S 1°12'04" W  | 26.00'   |
| L2         | S 0°36'19" W  | 26.00'   |
| L3         | S 88°44'38" E | 25.00'   |

| CURVE TABLE |            |        |         |        |               |        |
|-------------|------------|--------|---------|--------|---------------|--------|
| CURVE       | DELTA      | RADIUS | TANGENT | LENGTH | CHORD BEARING | CHORD  |
| C1          | 028°07'11" | 25.00' | 5.80'   | 11.40' | N 14°15'39" E | 11.30' |
| C2          | 028°07'11" | 25.00' | 5.80'   | 11.40' | S 11°51'28" E | 11.30' |
| C3          | 090°00'00" | 25.00' | 25.00'  | 39.27' | N 43°47'56" W | 35.36' |
| C4          | 090°00'00" | 25.00' | 25.00'  | 39.27' | S 46°12'04" W | 35.36' |
| C5          | 090°00'00" | 25.00' | 25.00'  | 39.27' | N 46°12'04" E | 35.36' |
| C6          | 090°00'00" | 25.00' | 25.00'  | 39.27' | S 43°47'56" E | 35.36' |

**OWNER'S CERTIFICATE AND DEDICATION**

STATE OF TEXAS  
 COUNTY OF COLLIN

WHEREAS BIRMINGHAM LAND, LTD. BEING THE OWNER of a B3.126 acre tract of land situated in the D. Williams Survey, Abstract No. 1021, in the City of Wylie, Collin County, Texas and being part of a tract of land described in deed to Birmingham Land Ltd., recorded in County Clerk's File No. 94-0029675, Deed Records, Collin County, Texas;

BEGINNING at a 5/8-inch iron rod with cap stamped RPLS 3963 set for corner at the intersection of the east right-of-way line of Westgate Way, a 60 ft. right-of-way and Brown Street, a variable width right-of-way;

THENCE North 01 degrees 15 minutes 27 seconds East, along the east right-of-way line of said Westgate Way, a distance of 357.19 feet to a 5/8 inch iron rod with cap stamped RPLS 3963 set for the southwest corner of a Park tract, described in The Meadows of Birmingham, Phase 1, an addition to the City of Wylie, as recorded in Cabinet N, Page 934, Plat Records, Collin County, Texas from which a 1/2-inch iron rod with cap bears South 77 degrees 41 minutes 07 seconds West, a distance of 1.08 feet;

THENCE South 88 degrees 44 minutes 38 seconds East, along the South line of said Park, a distance of 379.25 feet to the southeast corner of said Park from which a 1/2-inch iron rod bear North 16 degrees 35 minutes 17 seconds East, a distance of 0.16 feet, said corner being in the west line of Lot 1, Block A, Birmingham Elementary School, as recorded in Cabinet 2011, Page 213 of said Plat Records;

THENCE South 00 degrees 38 minutes 33 seconds West, along the West line of said Lot 1, a distance of 357.22 feet to a 5/8-inch iron rod with cap stamped RPLS 3963 set for the southwest corner of said Lot 1, said corner being in the north right-of-way line of said Brown Street;

THENCE North 88 degrees 44 minutes 32 seconds West, along the North right-of-way line of said Brown Street, a distance of 383.08 feet to the POINT OF BEGINNING, and containing 136,115 or 3.126 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, BIRMINGHAM LAND, LTD acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as NEW HAVEN AT WYLIE ADDITION, 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 \_\_\_\_\_, 2016.

FOR: BIRMINGHAM LAND, LTD.  
 BY: \_\_\_\_\_

Authorized Signature of Owner

Printed Name and Title

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 \_\_\_\_\_ 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 \_\_\_\_\_, 2016.

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.

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. This preliminary plat is released on June 27, 2016 for review by the City and other parties for comments and progression to an approved preliminary plat.

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 \_\_\_\_\_ 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 \_\_\_\_\_, 2016.

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 NEW HAVEN AT WYLIE, an addition to the City of Wylie was submitted to the City Council on the \_\_\_\_ day of 2016 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. 2016.

\_\_\_\_\_  
 City Secretary  
 City of Wylie, Texas

**NOTES:**

- Preliminary Plat for review purposes only
- Bearings are based on Texas State Plane Coordinates. Projection: State Plane NAD83 Texas North Central Zone 4202, Lambert Conformal Conic, Feet (TX83-NCF).
- By graphical plotting, the parcel described herein does not lie within a Special Flood Hazard Area (SFHA) as delineated on the Collin County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 48085C0420, dated June 2, 2009, as published by the Federal Emergency Management Agency. The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by the Federal Emergency Management Agency or some other source. On occasion, 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.
- 
- All corners set hereon are 5/8" Iron Rods with yellow cap stamped RPLS Number 3963.

**"PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY"**

**PRELIMINARY PLAT  
 NEW HAVEN AT WYLIE  
 ADDITION**

BEING  
 3.126 ACRES  
 SITUATED IN THE

D. WILLIAMS SURVEY, ABST. NO. 1021  
 CITY OF WYLIE, COLLIN COUNTY, TEXAS

OWNER  
**BIRMINGHAM LAND, LTD**  
 613 NW LOOP 410, STE 510  
 SAN ANTONIO, TX 78216

DEVELOPER  
**GLOBAL SENIOR HOUSING**  
 PO BOX 1297  
 EAGLE, IO 83616

**R.C. MYERS SURVEYING, LLC**  
 3400 OXFORD DRIVE  
 ROWLETT, TX 75085  
 (214) 532-0636 FAX (972) 412-4875  
 EMAIL: rcmsurveying@gmail.com  
 Job. No. 229



# Wylie City Council

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## AGENDA REPORT

**Meeting Date:** August 9, 2016  
**Department:** Finance  
**Prepared By:** Linda Bantz  
**Date Prepared:** August 1, 2016

**Item Number:** E  
*(City Secretary's Use Only)*  
**Account Code:** Various  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** 2

### Subject

Consider, and act upon, Ordinance No. 2016-13 amending Ordinance No. 2015-30 (2015-2016 Budget) for the purpose of distributing funds that were previously budgeted for hail storm damage repairs to the proper departments and accounts; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

### Recommendation

Motion to approve, Ordinance No. 2016-13 amending Ordinance No. 2015-30 (2015-2016 Budget) for the purpose of distributing funds that were previously budgeted for hail storm damage repairs to the proper departments and accounts; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

### Discussion

Following the hail storm that occurred on April 11, staff was directed to allocate funds to cover the cost of repairs for damages caused by the hail storm as part of the Mid-Year Budget Amendments, Ordinance 2016-07 passed on April 26, 2016. Due to the severity of the damage and the unknown scope of the necessary repairs, it was decided to budget for these repairs in the Combined Services departments of the General Fund and 4B Sales Tax Fund and re-allocate the funds at a later date. Council is now being asked to consider re-allocating the funds budgeted for hail storm damage repairs to the proper departments and accounts.

**ORDINANCE NO. 2016-13**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2015-30 (2015-2016 BUDGET) FOR THE PURPOSE OF DISTRIBUTING FUNDS THAT WERE PREVIOUSLY BUDGETED FOR HAIL STORM DAMAGE REPAIRS TO THE PROPER DEPARTMENTS AND ACCOUNTS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the City Council of the City of Wylie, Texas (“City Council”) has investigated and determined that it will be beneficial and advantageous to the citizens of the City of, Wylie, Texas (“Wylie”) to amend Ordinance No. 2015-30 (2015-2016 Budget) for the purpose of distributing funds that were previously budgeted for hail storm damage repairs to the proper departments and accounts; and

**WHEREAS**, the total funds set aside for hail storm damage repairs to be redistributed is \$684,462.82.

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

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

**SECTION 2: Amendment to Ordinance No. 2015-30 (2015-2016 Budget).** Ordinance No. 2015-30 (2015-2016 Budget) is hereby amended to allow for the appropriations shown on Exhibit 1 attached:

**SECTION 3: Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

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

SECTION 5: Effective Date: This Ordinance shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS,** on this 9<sup>th</sup> day of August, 2016.

---

Eric Hogue, Mayor

**ATTESTED AND CORRECTLY  
RECORDED:**

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Carole Ehrlich, City Secretary

**Budget Amendment**  
**Redistribution of Funds Allocated for Hail Storm Damage Repairs**

**General Fund**

| <u>Department</u> | <u>Account</u> | <u>Debit</u>  | <u>Credit</u> |
|-------------------|----------------|---------------|---------------|
| City Manager      | 100 5112-52010 | \$ 20.56      |               |
| Finance           | 100 5131-52130 | \$ 289.76     |               |
| Facilities        | 100 5132-54910 | \$ 160,985.01 |               |
| Court             | 100 5152-52010 | \$ 3,453.49   |               |
|                   | 100 5152-52130 | \$ 4,353.95   |               |
|                   | 100 5152-52810 | \$ 22.26      |               |
| IT                | 100 5155-52130 | \$ 600.06     |               |
| Comb Services     | 100 5181-54510 | \$ 39,308.89  |               |
|                   | 100 5181-56680 | \$ 136,626.85 |               |
| Police            | 100 5211-52130 | \$ 3,636.94   |               |
|                   | 100 5211-52310 | \$ 32.80      |               |
|                   | 100 5211-52810 | \$ 168.44     |               |
|                   | 100 5211-56040 | \$ 84,184.96  |               |
|                   | 100 5211-56110 | \$ 599.97     |               |
|                   | 100 5211-56180 | \$ 10,540.00  |               |
|                   | 100 5211-58510 | \$ 70,414.76  |               |
|                   |                |               |               |
| Fire              | 100 5231-52130 | \$ 686.87     |               |
|                   | 100 5231-52810 | \$ 55.51      |               |
|                   | 100 5231-54530 | \$ 213.28     |               |
|                   | 100 5231-54610 | \$ 1,343.00   |               |
|                   | 100 5231-54910 | \$ 30.31      |               |
|                   | 100 5231-56040 | \$ 8,437.87   |               |
| Comm              | 100 5241-52010 | \$ 113.46     |               |
|                   | 100 5241-52130 | \$ 849.15     |               |
|                   | 100 5241-52310 | \$ 1,605.66   |               |
|                   | 100 5241-52810 | \$ 103.86     |               |
|                   | 100 5241-54610 | \$ 29.75      |               |
|                   | 100 5241-54630 | \$ 35.19      |               |
|                   | 100 5241-56040 | \$ 42,383.00  |               |
|                   | 100 5241-56110 | \$ 25,234.39  |               |

| <u>Department</u> | <u>Account</u> | <u>Debit</u> | <u>Credit</u> |
|-------------------|----------------|--------------|---------------|
|                   | 100 5241-56120 | \$ 1,079.94  |               |
|                   | 100 5241-56180 | \$ 6,782.00  |               |
| Streets           | 100 5411-52130 | \$ 24.90     |               |
|                   | 100 5411-54250 | \$ 2,547.00  |               |
|                   | 100 5411-54530 | \$ 1,260.68  |               |
| Parks             | 100 5511-52550 | \$ 422.00    |               |
|                   | 100 5511-52610 | \$ 15,674.12 |               |
|                   | 100 5511-54530 | \$ 191.10    |               |
|                   | 100 5511-54630 | \$ 183.47    |               |
|                   | 100 5511-54910 | \$ 1,132.61  |               |
|                   | 100 5511-56040 | \$ 8,805.00  |               |
| Comb Services     | 100 5181-56040 |              | \$ 634,462.82 |

**4B Sales Tax Fund**

| <u>Department</u> | <u>Account</u> | <u>Debit</u> | <u>Credit</u> |
|-------------------|----------------|--------------|---------------|
| 4B Brown House    | 112 5612-54630 | \$ 14.40     |               |
|                   | 112 5612-54910 | \$ 20,958.20 |               |
| 4B Senior Center  | 112 5613-52130 | \$ 121.64    |               |
|                   | 112 5613-52810 | \$ 11.92     |               |
|                   | 112 5613-54530 | \$ 2,276.61  |               |
|                   | 112 5613-54910 | \$ 25,660.53 |               |
|                   | 112 5613-56210 | \$ 956.70    |               |
| 4B Comb Services  | 112 5000-56040 |              | \$ 50,000.00  |



# Memo

To: Mindy Manson, City Manager  
From: Linda Bantz, Finance Director  
Date: 8/1/2016  
Re: Update on Hail Storm Repairs

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## Building Repairs:

- McCarthy Architects has been hired to review Fire Department buildings, the Senior Recreation Center and the Brown House for structural damages.
- The quote for the roof and gutters at the Senior Recreation Center has been approved by the adjustor and the bid needs to be reviewed by City staff prior to work commencing.
- Quotes have been received for fire station roofs/gutters/siding and the adjustor is providing updated estimates (adjusting for July price increases). We will request quotes from other co-op roofers.
- Fire Alarm Panels at Public Safety Building and Senior Recreation Center have been repaired.
- City staff is obtaining quotes on work to be performed using the adjustor's report and then working with our adjustor to get preapproval for any cost overage determined when the quotes on repair work are obtained.

## Fire Department:

- Stations 1 & 2: All windows have been replaced with new windows.
- Stations 1 & 3: Garage bay doors have been ordered and are to be installed week of 8/1.
- Stations 1 & 3: Generator parts are on order.
- Stations 1 & 3: Metal patio cover and roof are on order.
- Stations 1 & 2: Exterior Doors are on order.
- Stations 1 & 3: We have received quotes from contract vendors for interior sheetrock repairs and are waiting for roof repairs before starting.

- Note: There was an additional interior water leak at Station 3 (not hail storm related) and the claim has been submitted to TML.
- Communication Towers: All the towers have been inspected, quotes received and repairs are underway.
- Dispatch Temporary Building: Building is 100% complete and operational.
- Vehicles: Staff is working with a repair shop in Farmersville and this is in process.

Parks: Their initial focus has been on the shade structures and playground equipment.

- Shade Structures: All have been repaired except for dug-out covers at Community Park and quotes are in process.
- Playground Equipment: All is on order and/or is in storage waiting for installation.

Vehicle Repairs: There are 66 units to repair and 28 units are not being repaired. There are approximately 5-6 being done per week depending on depending on vendor capacity.

For vehicle repairs done the body shop is using the adjustor's report as a guide to repairs needed/cost allowed. If they find any additional repairs needed they are consulting with the adjustor and we are then sent supplemental funds so the entire repair cost is covered by our insurance.



# Wylie City Council

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## AGENDA REPORT

**Meeting Date:** August 9, 2016  
**Department:** Planning  
**Prepared By:** Renaë Ollie  
**Date Prepared:** August 4, 2016

**Item Number:** 1  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** 1

### Subject

#### Tabled Item from 6-28-2016

*Remove from table and consider*

Hold a Public Hearing and consider, and act upon amending regulations to Zoning Ordinance 2008-47, Article 6, Section 6.3 Downtown Historic District (DTH) as it relates to design guidelines and standards within the Downtown Historic District. **ZC 2016-07**

### Recommendation

Motion to table amending regulations to Zoning Ordinance 2008-47, Article 6, Section 6.3 Downtown Historic District (DTH) as it relates to design guidelines and standards within the Downtown Historic District. **ZC 2016-07**

### Discussion

At its June 28, 2016 meeting, the Council directed staff to establish a work session with the Historic Review Commission to provide reasonable guidelines.

In accordance with Resolution No. 2003-20(R), Rule 6, a tabled item must be acted upon or re-tabled at the third meeting.

The City Council has declared as a matter of ordinance that the preservation, protection, and use of landmarks and historic districts is a public necessity because they have a special character or a special historic, architectural, aesthetic, or cultural interest and value and thus serve as visible reminders of the history and heritage of the City of Wylie.

Staff is requesting that the item be re-tabled to the September 27, 2016 meeting to allow for a work session.



# Wylie City Council

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## AGENDA REPORT

**Meeting Date:** August 9, 2016  
**Department:** Planning  
**Prepared By:** Renaë Ollie  
**Date Prepared:** August 3, 2016

**Item Number:** 2  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** 4

### Subject

Conduct the 1<sup>st</sup> Public Hearing for the annexation of approximately 5.23 acres of land situated in the Francisco De La Pina Survey, Abstract No. A0688, Tract 126, Collin County, Texas, located 1023 Kreymer Lane (1023 Private Road 5259).

### Recommendation

Conduct Public Hearing only. No action is necessary.

### Discussion

**Property Owner: Odie Hall Living Trust**

**Applicant: Jim Koch – Serene Global**

This annexation is at the request of the property owner and applicant of a 5.23 acre tract. The subject tract is contiguous to existing city limits on the northern side, while properties to the south, east and west are within unincorporated Collin County.

At its August 2<sup>nd</sup> meeting, the Planning Commission voted 5-1 to recommend approval to rezone the properties to the north from AG/30 to Single-Family 10/24. This item will be on the August 23<sup>rd</sup> Council agenda. The applicant desires to bring the subject tract into the city and eventually combine it with the northern properties within city limits and develop it as a single family residential community.

Exhibits attached: Exhibit "A" Legal Description; Exhibit "B" Annexation Exhibit; Exhibit "C" Boundary Survey; Exhibit "D" Service Plan

Before a municipality may begin annexation proceedings, the governing body of the municipality must conduct two (2) public hearings at which persons interested in the annexation are given the opportunity to be heard. The notice for each hearing must be published at least once on or after the 20th day but before the 10th day before the date of the hearing and must remain posted on the municipality's website until the date of the hearing. In compliance with state law, the following schedule has been adhered to:

|                                      |                                  |
|--------------------------------------|----------------------------------|
| Notice published for Public Hearings | July 20, 2016 and August 3, 2016 |
| First Public Hearing                 | August 9, 2016                   |
| Second Public Hearing                | August 23, 2016                  |
| Adoption of Ordinance                | September 13, 2016               |

Article 1, Section 3 of the Wylie City Charter authorizes the City Council to adjust boundaries. This annexation is being conducted in compliance with Sections 43.052 (h) (2) and 43.063 of the Local Government Code.

**EXHIBIT A**  
**Property Description (south / annexation)**

**SITUATED** in the State of Texas and the County of Collin, being part of the Francisco De La Pina Survey, Abstract No. 688, being all of a called 5.230 acre tract of land conveyed to Odie Hall Living Trust by deed recorded in Volume 5424, Page 4662 of the Deed Records of Collin County, Texas and these premises being more particularly described as follows:

**BEGINNING** at a point for corner in the west line of Kreymer Lane and in the north line of a called 8.96 acre tract of land conveyed to Baby Abraham and Annamma Abraham by deed recorded in Document No. 20130830001232590 of the Deed Records of Collin County, Texas and marking the southeast corner of said 5.230 acre tract, from which a 1/2 inch iron rod found for reference bears South 88°10'56" West, 3.68 feet;

**THENCE** with the north line of said 8.96 acre tract and the south line of said 5.230 acre tract, South 88°10'56" West, 1099.01 feet to a 1/2 inch iron rod found for corner in the east line of a called 21.054 acre tract of land conveyed to William R. Taibert by deed recorded in Document No. 2014111700125200 of the Deed Records of Collin County, Texas and marking the northwest corner of said 8.96 acre tract and the southwest corner of said 5.230 acre tract;

**THENCE** with the east line of said 21.054 acre tract and the west line of said 5.230 acre tract, North 03°24'46" West, 205.70 feet to a 1 inch iron pipe found for corner marking the southwest corner of a tract of land conveyed to Kikuchi Living Trust by deed recorded in Document No. 95-0091053 of the Deed Records of Collin County, Texas and the northwest corner of said 5.230 acre tract;

**THENCE** with the south line of said Kikuchi Living Trust tract and the north line of said 5.230 acre tract, North 88°13'47" East, 1103.24 feet to a point for corner in the west line of Kreymer Lane and marking the southeast corner of said Kikuchi Living Trust tract and the northeast corner of said 5.230 acre tract;

**THENCE** with west line of Kreymer Lane and the east line of said 5.230 acre tract, South 02°14'05" East, 204.71 feet to the Point of Beginning and containing 5.186 acres of land, more or less.

Called 11.05 Acres  
Bloomfield Homes, L.P.  
Doc. No. 20141117001250220  
DRCC

Called 11.006 Acres  
Beatriz Chavez  
Doc. No. 20080210000137050  
DRCC

Kiluchi Living Trust  
Doc. No. 95-0091053  
DRCC

Called 21.054 Acres  
William R. Tolbert  
Doc. No. 2014111700125200  
DRCC

**1023 S KREYMER LANE**

Called 8.96 Acres  
Baby Abraham & Annette Abraham  
Doc. No. 20130830001232590  
DRCC

N03°24'46"W 205.70'

N88°13'47"E 1103.24'

S88°10'56"W 1099.01'

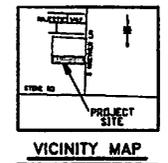
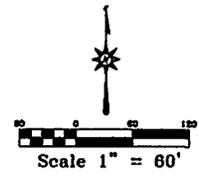
1153 ± TO CENTERLINE OF MAJESTIC WAY

**S KREYMER LANE**  
(VISIBLE WIDTH RIGHT-OF-WAY)

204.71'

975 ± TO CENTERLINE OF STONE RD

POINT OF BEGINNING



**LEGEND**

|  |                    |
|--|--------------------|
|  | AREA TO BE ANNEXED |
|--|--------------------|

This document is released for the purpose of REVIEW under the authority of Mark R. Holzman, P.E. 78440 on 08-08-18. It is not to be used for construction bidding permit purposes.

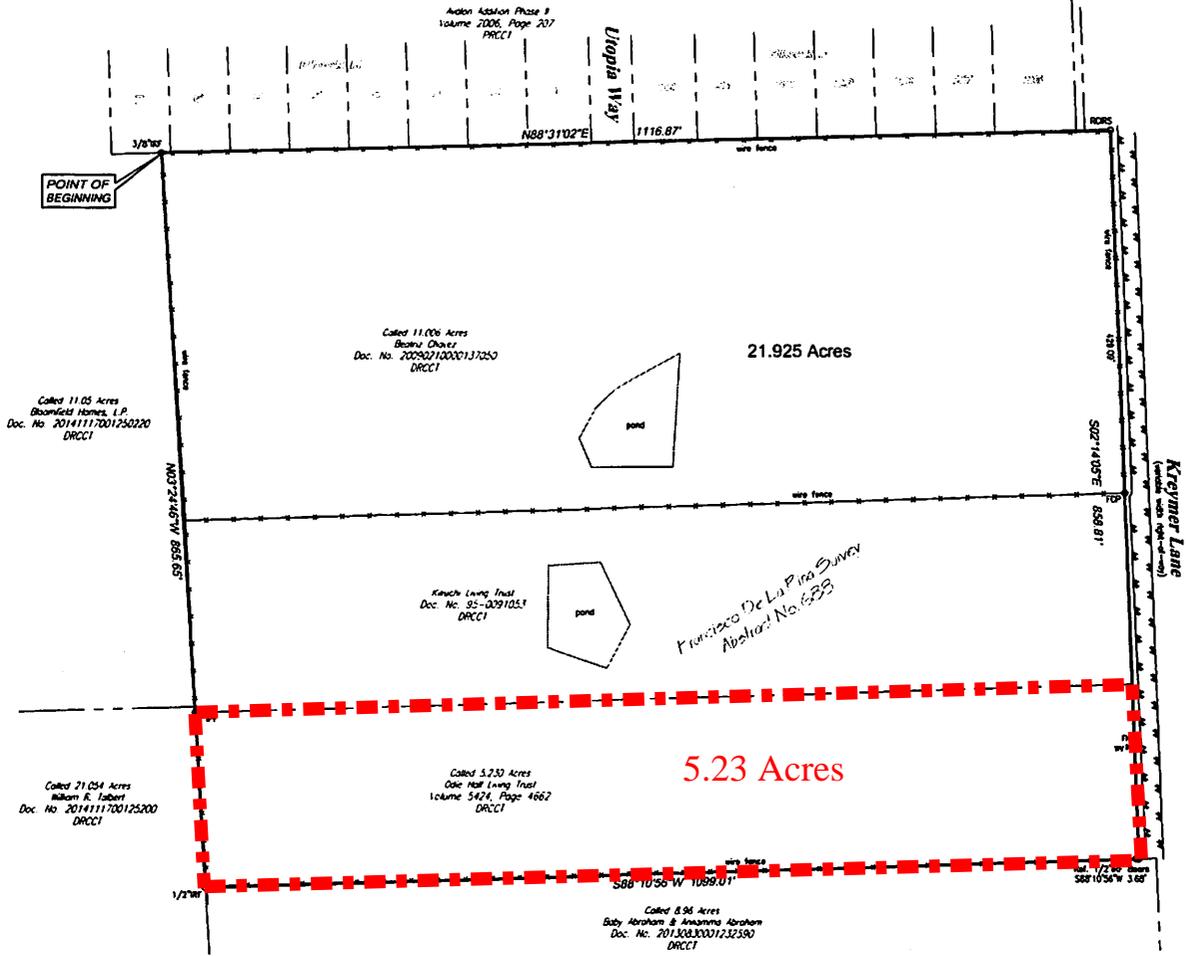
**HCE**  
Hickman Consulting Engineers, Inc.  
8004 County Road 1222,  
P.O. Box 1000,  
Garland, Texas 75040  
Tel: (972)794-4400 Fax: (972)793-0044  
Engineers

**ANNEXATION EXHIBIT**  
SERVING VILLAS  
WILHE, TEXAS  
SERVING GLOBAL GROUP, INC  
1713 JARVIS DRIVE  
GARLAND, TEXAS 75040  
312-344-3339

SEAL ONLY  
DATE EXPIRES  
ISSUED BY  
EXPIRES ON  
FOR NO. OF DAYS  
FILE NUMBER  
BY INITIALS

| DATE | BY | DESCRIPTION |
|------|----|-------------|
|      |    |             |
|      |    |             |
|      |    |             |

1 OF 1



**Property Description**

SITUATED in the State of Texas, County of Collin and the City of Wylie, being part of the Francisco De La Pina Survey, Abstract No. 688, being all of a called 11.006 acre tract of land conveyed to Beatriz Chavez by deed recorded in Document No. 20090210000137050 of the Deed Records of Collin County, Texas, all of a tract of land conveyed to Kluachi Living Trust by deed recorded in Document No. 95-0091053 of the Deed Records of Collin County, Texas and all of a called 5.230 acre tract of land conveyed to Ode Hall Living Trust by deed recorded in Volume 5424, Page 4662 of the Deed Records of Collin County, Texas and these premises being more particularly described as follows:

**BEGINNING** at a 3/8 inch iron rod found for corner in the south line of Ardon Addition Phase II, an addition to the City of Wylie, Collin County, Texas, according to the plat thereof recorded in Volume 2006, Page 207 of the Plat Records of Collin County, Texas and marking the northeast corner of a called 11.05 acre tract of land conveyed to Bloomfield Homes, L.P. by deed recorded in Document No. 20141117001250220 of the Deed Records of Collin County, Texas and the northwest corner of said 11.006 acre tract;

**THENCE** with the south line of said Ardon Addition Phase II and the north line of said 11.006 acre tract, North 88°31'02" East, 1116.87 feet to a 1/2 inch iron rod capped "Roome" set for corner in the west line of Kreymer Lane (variable width right-of-way) and marking the northeast corner of said 11.006 acre tract;

**THENCE** with west line of Kreymer Lane, the east line of said 11.006 acre tract, the east line of said Kluachi Living Trust tract and the east line of said 5.230 acre tract, South 02°14'05" East, passing a metal fence corner post found for reference marking the southeast corner of said 11.006 of 429.09 feet and continuing for a total distance of 858.81 feet to a point for corner in the north line of a called 8.96 acre tract of land conveyed to Baby Abraham and Ananama Abraham by deed recorded in Document No. 20130830001732590 of the Deed Records of Collin County, Texas and marking the southeast corner of said 5.230 acre tract, from which a 1/2 inch iron rod found for reference bears South 88°10'56" West, 3.68 feet;

**THENCE** with the north line of said 8.96 acre tract and the south line of said 5.230 acre tract, South 88°10'56" West, 1089.01 feet to a 1/2 inch iron rod found for corner in the east line of a called 21.054 acre tract of land conveyed to William R. Tubert by deed recorded in Document No. 2014111700125200 of the Deed Records of Collin County, Texas and marking the northwest corner of said 8.96 acre tract and the southwest corner of said 5.230 acre tract;

**THENCE** with the east line of said 21.054 acre tract, the east line of said 11.05 acre tract, the west line of said 5.230 acre tract, the west line of said Kluachi Living Trust tract and the west line of said 11.006 acre tract, North 03°24'46" West, 855.65 feet to the Point of Beginning and containing 21.925 acres of land, more or less.

**Surveyor's Certificate**

I hereby certify that on the 25th day of March, 2016, this survey was made on the ground as per the field notes shown on the survey and is true, correct, and accurate as to the boundaries and areas of the subject property and the size, location, and types of buildings and improvements thereon, if any, and as to the other matters shown hereon, and correctly shows the location of all visible assessments and rights-of-way and of all rights-of-way, easements, and any other matters of record, or of which I have knowledge or have been advised, whether or not of record, affecting the subject property, and the location of all curb cuts and driveways, if any.

Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets, or alleys by any improvements on the subject property, and there are no conflicts or discrepancies.

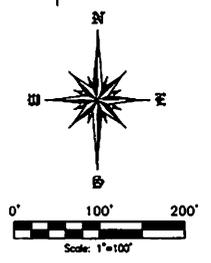
Both vehicular and pedestrian ingress to and egress from the subject property is provided by Kreymer Lane, same being paved a public roadway, which abut(s) the subject property, and is physically open and being used.

This survey complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey.

*Michael Guzzo*  
 Michael Guzzo  
 Registered Professional Land  
 Surveyor No. 5693



Notes: 1) CM is a controlling monument; 2) Surveyor's signature will appear in red ink on certified copies; 3) Source bearing per the plat of Ardon Addition Phase II recorded in Volume 2006, Page 207 of the Plat Records of Collin County, Texas; 4) No portion of the subject property is shown to lie within a Special Flood Hazard Area inundated by 100-year flood per Map No. 48085C0420 J of the F.E.M.A. Flood Insurance Rate Maps for Collin County, Texas and Incorporated Areas, dated June 2, 2009 (Zone X); 5) This survey was performed without the benefit of a title commitment; 6) This survey is intended for the exclusive use of the person noted owner, purchaser, title company and/or mortgage company only and the survey is made in accordance with the title commitment referenced by the GF number shown hereon as provided by the above stated title company; 7) Found centerline X cuts in Ardon Addition Phase II are the controlling monuments; 8) Per client's request not all improvements have been shown.



**Legend**

|       |                                   |
|-------|-----------------------------------|
| DRCC  | Deeds Capped Iron Rod Set         |
| DRCC1 | Deeds Records Collin County Texas |
| PRCC1 | Plat Records Collin County Texas  |
| IR    | Iron Rod Found                    |
| IRP   | Iron Pipe Found                   |
| FCP   | Fence Corner Post                 |
| WM    | Water Meter                       |
| WH    | Well Hydrant                      |
| WF    | Wire Fence                        |
| AP    | Asphalt                           |

**Boundary Survey**  
 1023, 1033 & 1053 Kreymer Lane  
 21.925 Acres  
 Francisco De La Pina Survey, Abstract No. 688  
 City of Wylie, Collin County, Texas  
 March 2016

**Roome Land Surveying, Inc.**  
 TBPLS Firm No. LV1180  
 2000 Avenue G, Suite 810  
 Plano, Texas 75074  
 Phone (972) 421-4322 Fax (972) 421-7523  
 www.roome-surveying.com

P:\VC\201601\VC825878.DWG

EXHIBIT "D"

**CITY OF WYLIE, TEXAS  
SERVICE PLAN FOR ANNEXED AREA  
ODIE HALL-SERENE BUILDERS TRACT**

ANNEXATION ORDINANCE NO.: \_\_\_\_\_

DATE OF ANNEXATION ORDINANCE: XX-XX-XXXX

ACREAGE ANNEXED: 5.23 acres

SURVEY, ABSTRACT & COUNTY: Francisco De La Pina Survey, Abstract No. A0688, Tract 126, Collin County, Texas

Municipal Services to the acreage described above shall be furnished by or on behalf of the City of Wylie, Texas (the "City"), at the following levels and in accordance with the following schedule:

**A. POLICE SERVICE**

1. Patrolling, responses to calls and other routine police services, within the limits of existing personnel and equipment and in a manner consistent with any of the methods of the City, extends police service to any other area of the municipality, will be provided within sixty (60) days of the effective date of the annexation ordinance.
2. As development and construction commence in this area, sufficient police personnel and equipment will be provided to furnish this area the maximum level of police services consistent with the characteristics of topography, land utilization and population density within the area as determined by the City Council within four and one-half (4-1/2) years from the effective date of the annexation ordinance, or upon commencement of development within the area, whichever occurs later.
3. Upon ultimate development of the area, the same level of police services will be provided to this area as are furnished throughout the City.

**FIRE SERVICES**

1. Fire protection by the present personnel and the present equipment of the Fire Department, within the limitations of available water and distances from existing fire stations, and in a manner consistent with any of the methods of the City, extends fire service to any other area of the municipality, will be provided to this area within sixty (60) days of the effective date of the annexation ordinance.
2. As development and construction commence in this area, sufficient fire and emergency ambulance equipment will be provided to furnish this area the maximum level of fire services consistent with the characteristics of topography, land utilization and population density within the area as

## EXHIBIT "D"

determined by the City Council within four and one-half (4-1/2) years from the effective date of the annexation ordinance, or upon commencement of development within the area, whichever occurs later.

3. Upon ultimate development of the area, the same level of fire and emergency ambulance services will be provided to this area as are furnished throughout the City.

### **C. ENVIRONMENTAL HEALTH AND CODE ENFORCEMENT SERVICES**

1. Enforcement of the City's environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances and animal control ordinances, shall be provided within this area sixty (60) days of the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel.
2. Complaints of ordinance or regulation violations within this area will be answered and investigated within sixty (60) days of the effective date of the annexation ordinance.
3. Inspection services, including the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical and electrical work to ensure compliance with City codes and ordinances will be provided within sixty (60) days of the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
4. The City's zoning, subdivision, sign and other ordinances shall be enforced in this area beginning within sixty (60) days of the effective date of the annexation ordinance.
5. All inspection services furnished by the City, but not mentioned above, will be provided to this area beginning within sixty (60) days of the effective date of the annexed ordinance.
6. As development and construction commence in this area, sufficient personnel will be provided to furnish this area the same level of Environmental Health and Code Enforcement Services as are furnished throughout the City.

### **D. PLANNING AND ZONING SERVICES**

The planning and zoning jurisdiction of the City will extend to this area within sixty (60) days of the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Zoning Ordinance and Comprehensive Plan.

## EXHIBIT "D"

### **E. PARK AND RECREATION SERVICES**

1. Residents of this property may utilize all existing park and recreational services, facilities and sites throughout the City, beginning within sixty (60) days of the effective date of the annexation ordinance.
2. Additional facilities and sites to serve this property and its residents will be acquired, developed and maintained at locations and times provided by applicable plans for providing parks and recreation services to the City.
3. Existing parks, playgrounds, swimming pools and other recreational facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Wylie, but not otherwise.

### **F. SOLID WASTE COLLECTION**

1. Solid waste collection shall be provided to the property in accordance with existing City policies, beginning within sixty (60) days of the effective date of the annexation ordinance. Residents of this property utilizing private collection services at the time of annexation shall continue to do so until it becomes feasible because of increased density of population to serve the property municipally. Commercial refuse collection services will be provided to any business located in the annexed area at the same price as presently provided for any business customer within the City, upon request.
2. As development and construction commence in this property and population density increases to the property level, solid waste collection shall be provided to this property in accordance with the current policies of the City as to frequency, changes and so forth.
3. Solid waste collection shall begin within sixty (60) days of the effective date of the annexation ordinance.

### **G. STREETS**

1. The City's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning within sixty (60) days of the effective date of the annexation ordinance. Unless a street within this property has been constructed or is improved to the City's standards and specifications, that street will not be maintained by the City.
2. As development, improvement or construction of streets to City standards commences within this property, the policies of the City with regard to participation in the costs thereof, acceptance upon completion and maintenance after completion, shall apply.
3. The same level of maintenance shall be provided to streets within this property which have been accepted by the City as is provided to City streets throughout the City.

## EXHIBIT "D"

4. Street lighting installed on streets improved to City standards shall be maintained in accordance with current City policies.

### **H. WATER SERVICES**

1. Connection to existing City water mains for water service for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinances for such service throughout the City.
2. As development and construction commence in this property, water mains of the City will be extended in accordance with provisions of the Subdivision Regulations and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with the applicable City ordinances and regulations. Such extensions will be commenced within two (2) years from the effective date of the annexation ordinance and substantially completed with four and one-half (4 1/2) years after that date.
3. Water mains installed or improved to City standards which are within the annexed area and are within dedicated easements shall be maintained by the City of Wylie beginning within sixty (60) days of the effective date of the annexation ordinance.
4. Private water lines within this property shall be maintained by their owners in accordance with existing policies applicable throughout the City.

### **I. SANITARY SEWER SERVICES**

1. Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such service throughout the City.
2. Sanitary sewage mains and/or lift stations installed or improved to City standards, located in dedicated easements, and which are within the annexed area and are connected to City mains will be maintained by the City of Wylie beginning within sixty (60) days of the effective date of the annexation ordinance.
3. As development and construction commence in this area, sanitary sewer mains of the City will be extended in accordance with provisions of the Subdivision Regulations and other applicable City ordinances and regulations. Such extensions will be commenced within two (2) years from the effective date of the annexation ordinance and substantially completed within four and one-half (4 1/2) years after that date.

## EXHIBIT "D"

### **J. MISCELLANEOUS**

1. Any facility or building located within the annexed area and utilized by the City in providing services to the area will be maintained by the City commencing upon the date of use or within sixty (60) days of the effective date of the annexation ordinance, whichever occurs later.
2. General municipal administrative services of the City shall be available to the annexed area beginning within sixty (60) days of the effective date of the annexation ordinance.
3. Notwithstanding, anything set forth above, this Service Plan does not require all municipal services be provided as set forth above if different characteristics of topography, land use and population density are considered a sufficient basis for providing different levels of service.
4. The Service Plan is valid for ten (10) years from the effective date of this Ordinance.



# Wylie City Council

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## AGENDA REPORT

**Meeting Date:** August 9, 2016  
**Department:** Finance  
**Prepared By:** Linda Bantz  
**Date Prepared:** July 27, 2016

**Item Number:** 3  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** Resolution, Property Tax  
Distribution Calculations

### Subject

Consider, and act upon, Resolution No. 2016-21 (R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for fiscal year 2016-2017, accepting the calculation of the effective tax rate, establishing dates for public hearings on the proposed property tax rate, and providing for the publication as provided by the Texas Local Government Code, Section 140.010.

### Recommendation

Motion approving Resolution No. 2016-21(R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for fiscal year 2016-2017, accepting the calculation of the effective tax rate, establishing dates for public hearings on the proposed property tax rate, and providing for the publication as provided by the Texas Local Government Code, Section 140.010.

### Discussion

The City is required by law to follow certain meeting and notice (publication) guidelines identified in the "Truth in Taxation" guide. In accordance with the "Truth in Taxation" laws of the State of Texas, the effective and rollback tax rates and other information must be published and two public hearings must be held if an entity's proposed tax rate exceeds the lower of either the effective tax rate or the rollback tax rate. This year's effective tax rate is \$0.795191 and the rollback tax rate is \$0.829955.

The proposed 2016-17 budget is based on a tax rate of \$0.8489 per \$100 valuation. Any change in the proposed tax rate will require revision of the proposed budget. The City Council is required to vote on the proposed tax rate and publish required information at least seven (7) days prior to the first scheduled public hearing on August 23, 2016. A second public hearing is scheduled for September 6, 2016. The Council may not adopt the tax rate at these hearings. At each hearing, it must announce the date, time and place of the meeting at which it will adopt the tax rate. This meeting must take place no less than three (3) days and no more than fourteen (14) days after the second public hearing. The City Council's vote on the tax rate is scheduled for September 13, 2016.

The official detailed effective tax rate calculation is available in the office of the Collin County Tax Assessor/Collector (Kenneth L. Maun) in McKinney. A copy is also maintained in the Finance Department for the Council and public to view.

**RESOLUTION NO. 2016-21(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, ACCEPTING THE PROPOSED PROPERTY TAX RATE FOR FISCAL YEAR 2016-2017; ACCEPTING THE CALCULATION OF THE EFFECTIVE TAX RATE; ESTABLISHING DATES FOR PUBLIC HEARINGS ON THE PROPOSED PROPERTY TAX RATE; AND PROVIDING FOR THE PUBLICATION AS PROVIDED BY THE TEXAS LOCAL GOVERNMENT CODE, SECTION 140.010.**

**WHEREAS**, the City of Wylie has received the calculated effective tax rate as presented by the Collin County Tax Assessor/Collector's Office; and

**WHEREAS**, the proposed tax rate exceeds the effective tax rate and the Statute requires two public hearings in order to allow the City Council to consider acceptance and adoption of an ordinance levying a proposed rate of \$0.8489 per \$100 valuation; and

**WHEREAS**, the Texas Local Government Code, as amended by adding Section 140.010, provides the specific procedures in which to consider the proposed tax rate;

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

**SECTION 1.** The City Council of the City of Wylie, Texas, does hereby accept the rate of \$0.8489 per \$100 valuation as the proposed property tax rate for fiscal year 2016-2017.

**SECTION 2.** The City Council of the City of Wylie, Texas, met in a public meeting on August 9, 2016, and accepted this resolution with a majority vote.

**SECTION 3.** Public hearings shall be held on August 23, 2016, and September 6, 2016, at 6:00 p.m. in the City Council Chambers at the Wylie Municipal Complex, 300 Country Club Road, Wylie, Texas, to receive public comment regarding the proposed tax rate.

**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, on this the 9<sup>th</sup> day of August 2016.

\_\_\_\_\_  
Eric Hogue, Mayor

ATTEST:

\_\_\_\_\_  
Carole Ehrlich, City Secretary

**PROPERTY TAX DISTRIBUTION CALCULATIONS**

|  | <b>FY2016-17</b>     | <b>FY2015-16</b>     |
|--|----------------------|----------------------|
|  | <b>Tax Year 2016</b> | <b>Tax Year 2015</b> |
| <b>TAX ROLL:</b>                         |                      |                      |
| Assessed Valuation (100%)                | \$ 3,325,563,066     | \$ 2,921,053,864     |
| Rate per \$100                           | 0.848900             | 0.868900             |
| Tax Levy Freeze Adjusted                 | 28,230,705           | 25,381,037           |
| Tax Levy - Frozen (Disabled / Over 65)*  | 1,460,669            | 1,288,090            |
| Total Tax Levy                           | 29,691,374           | 26,669,127           |
| Percent of Collection                    | 100%                 | 100%                 |
| <b>Estimated Current Tax Collections</b> | <b>\$ 29,691,374</b> | <b>\$ 26,669,127</b> |

**SUMMARY OF TAX COLLECTIONS:**

|                                  |                      |                      |
|----------------------------------|----------------------|----------------------|
| Current Tax                      | \$ 28,230,705        | \$ 25,381,037        |
| Revenue From Tax Freeze Property | 1,460,669            | 1,288,090            |
| Delinquent Tax                   | 300,000              | 195,000              |
| Penalty and Interest             |                      |                      |
| <b>TOTAL TAX COLLECTIONS</b>     | <b>\$ 29,991,374</b> | <b>\$ 26,864,127</b> |

|                                  | <b>FY2016-17</b>   | <b>FY2016-17</b> | <b>FY2016-17</b>     | <b>FY2015-16</b>     |
|----------------------------------|--------------------|------------------|----------------------|----------------------|
|                                  | <b>TAX RATE</b>    | <b>PERCENT</b>   | <b>AMOUNT</b>        | <b>AMOUNT</b>        |
| <b>GENERAL FUND:</b>             |                    |                  |                      |                      |
| Current Tax                      | \$ 0.623399        |                  | \$ 20,731,492        | \$ 17,864,669        |
| Revenue From Tax Freeze Property |                    |                  | 1,066,288            | 906,687              |
| Delinquent Tax                   |                    |                  | 200,000              | 130,000              |
| Penalty and Interest             |                    |                  |                      |                      |
| <b>Total General Fund</b>        | <b>\$ 0.623399</b> | <b>73.44%</b>    | <b>\$ 21,997,780</b> | <b>\$ 18,901,356</b> |
| <b>DEBT SERVICE FUND:</b>        |                    |                  |                      |                      |
| Current Tax                      | \$ 0.225501        |                  | \$ 7,499,213         | \$ 7,516,368         |
| Revenue From Tax Freeze Property |                    |                  | 394,381              | 381,403              |
| Delinquent Tax                   |                    |                  | 100,000              | 65,000               |
| Penalty and Interest             |                    |                  |                      |                      |
| <b>Total Debt Service</b>        | <b>\$ 0.225501</b> | <b>26.56%</b>    | <b>\$ 7,993,594</b>  | <b>\$ 7,962,771</b>  |
| <b>DISTRIBUTION</b>              | <b>\$ 0.848900</b> | <b>100.00%</b>   | <b>\$ 29,991,374</b> | <b>\$ 26,864,127</b> |



# Wylie City Council

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## AGENDA REPORT

|                       |                       |                         |   |
|-----------------------|-----------------------|-------------------------|---|
| <b>Meeting Date:</b>  | <u>August 9, 2016</u> | <b>Item Number:</b>     | <u>4</u>  |
| <b>Department:</b>    | <u>Fire</u>           |                         | <i>(City Secretary's Use Only)</i>  |
| <b>Prepared By:</b>   | <u>Fire</u>           | <b>Account Code:</b>    | <u>Revenue / 133-4000-44127</u>   |
|                       |                       |                         | <u>\$426.00 per residential dwelling unit or \$0.20 per square foot on non-residential structures</u> |
| <b>Date Prepared:</b> | <u>July 11, 2016</u>  | <b>Budgeted Amount:</b> | <u></u>   |
|                       |                       | <b>Exhibits:</b>        | <u>4</u>  |

### Subject

Consider, and act upon, Ordinance No. 2016-14 authorizing the City Manager to amend Ordinance No. 2007-12 and Ordinance No. 2009-30 and Updating the Fire Development Fees to be Assessed by the City of Wylie, Texas; Modifying Certain Regulations Relating to Fire Development fees; Providing a Penalty Clause, Savings/Repealing Clause, Severability Clause and an Effective Date; and Providing for the Publication of the Caption Hereof.

### Recommendation

Motion to approve, Ordinance No. 2016-14 authorizing the City Manager to amend Ordinance No. 2007-12 and Ordinance No. 2009-30 and Updating the Fire Development Fees to be Assessed by the City of Wylie, Texas; Modifying Certain Regulations Relating to Fire Development fees; Providing a Penalty Clause, Savings/Repealing Clause, Severability Clause and an Effective Date; and Providing for the Publication of the Caption Hereof.

### Discussion

The rationale behind the Fire Development Fee ("Fire Fee") is not to burden its current residents with the full financial cost of providing new fire stations, new fire equipment, and new emergency services equipment for new development and placing a substantial portion of the burden onto the developers creating the additional demands on emergency services. The Fire Fee will allow the City of Wylie to maintain its current level of fire and emergency services to both old and new development.

The Fire Fee Ordinance was adopted to promote the legitimate government interest of providing fire protection and emergency services to all Wylie citizens while maintaining its current level of service. The City of Wylie requires a one-time payment of the Fire Fee for building a new structure or increasing the square footage of an existing structure by more than 50%. Based on the updated Fire Development Fee Study 2016, the actual projected fee cost has been reduced. The Fire Fee Ordinance allows dedication of land for fire stations or payment of the Fire Development Fee in lieu of such dedication.

**ORDINANCE NO. 2016-14**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2007-12 AND ORDINANCE NO. 2009-30 AND UPDATING THE FIRE DEVELOPMENT FEES TO BE ASSESSED BY THE CITY OF WYLIE, TEXAS; MODIFYING CERTAIN REGULATIONS RELATING TO FIRE DEVELOPMENT FEES; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Wylie, Texas (“Wylie”) to update the fees assessed and collected for the construction of new fire stations and the purchasing of new firefighting equipment; and

WHEREAS, the City Council has determined that it is safer for citizens and visitors to Wylie to provide funding for the construction of new fire stations and new firefighting equipment necessitated by new development; and

WHEREAS, the City Council has determined that to the extent that new development creates demands for public Fire Department facilities and equipment, those demands should be satisfied by shifting the responsibility for financing such public facilities and equipment from the public to the development creating the demands; and

WHEREAS, the City Council has determined that the methodologies and analysis used by City staff in determining the amount to be imposed herein as a Fire Development Fee are reasonable and proportionate to the need created by the new development and to the benefit received by the new development; and

WHEREAS, the City Council has determined that the Fire Department’s capital infrastructure is designed to be mutually reinforcing for safety in that fire stations and firefighting equipment provide back-up and coverage throughout the Fire Department’s service area regardless of the physical location of a call for service within that area; and

WHEREAS, the City Council previously adopted an ordinance providing for the fire development fee, Ordinance No. 2007-12 on April 24, 2007; and

WHEREAS, the City Council amended Ordinance No. 2007-12 by adopting Ordinance No. 2009-30 on September 22, 2009, as part of a comprehensive settlement agreement with the Home Builders Association of Greater Dallas and DR Horton Texas, Ltd.; and

WHEREAS, the settlement agreement provided that Wylie would not increase the fire development fees for a five-year period, which has now expired; and

WHEREAS, the City Council has reviewed and accepted an updated fire development

fee study completed on June 28, 2016, and hereby adopts this Ordinance to amend certain portions of Ordinance No. 2007-12 and Ordinance No. 2009-30 as a result of the findings set forth in such study and to modify certain regulations relating to the fire development fees.

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

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

SECTION 2: Amendment to Ordinance No. 2007-12. Sections 5 (Account to be Established for Fire Department Fees and Expenditures) of Ordinance No. 2007-12 is hereby amended to read as follows:

“... ”

SECTION 5: Account to be Established for Fire Department Fees and Expenditures. All Fire Development Fees collected shall be placed in an account clearly separate from the City’s general fund.

Funds contained in the Fire Department Fee account shall be used to pay for property on which to build Fire Department facilities, the purchasing of new firefighting equipment, and the construction or expansion of fire stations, including but not limited to design, engineering, construction, and obtaining construction easements and right-of-way, and other costs reasonably associated therewith as may be approved by the City Council. The City shall determine the location of the Fire Stations and related facilities and when the construction will begin based upon factors such as, the amount of development that has occurred, the amount of and timing of development still expected to occur, the location of existing Fire Stations, information received regarding future plans for additional Fire Stations, including the amount of time necessary to construct said stations, and response times to incidents within the Fire Department service area.

...”

SECTION 3: Amendment to Ordinance No. 2009-30. Section 3 (Fire Development Fees Established) of Ordinance No. 2009-30 is hereby amended to read as follows<sup>1</sup>:

“... ”

SECTION 3: Fire Development Fees Established. Property owners shall be assessed a fire development fee (“Fire Development Fee”) at the time an application for a building permit for new construction is submitted or at the time an application for a building permit to increase the total square footage of an

existing structure by more than fifty percent (50%) is submitted in the following amounts:

| <u>Type of Use</u> | <u>Fee Amount</u>          |
|--------------------|----------------------------|
| Residential        | \$426.00 per Dwelling Unit |
| Non-residential    | \$0.20 per square foot     |

Mixed-use developments shall pay the residential fee amount for each dwelling unit in the development and pay the non-residential per square foot fee amount for all remaining square footage in the development for which the residential fee amount for each Dwelling Unit is not paid.

...”

**SECTION 4: Penalty.** Any person, firm, corporation or entity violating or refusing to comply with any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding two thousand dollars (\$2,000.00) for each offense if the offense relates to public health and sanitation, otherwise the fine shall be in an amount not exceeding five hundred dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it under local, state and federal law.

**SECTION 5: Savings/Repealing Clause.** Ordinance No. 2007-12 and Ordinance No. 2009-30 shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of such ordinances shall remain in full force and effect.

**SECTION 6: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

**SECTION 7: Effective Date.** This Ordinance shall become effective from and after its adoption and publication as required by the City Charter and by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 9th day of August, 2016.**

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Eric Hogue, Mayor

**ATTEST:**

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Carole Ehrlich, City Secretary

*Dates of Publication: August 17<sup>th</sup> in the Wylie News*

**ORDINANCE NO. 2007-12**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, ESTABLISHING FEES FOR THE PURPOSE OF ENABLING THE CITY TO CONSTRUCT NEW FIRE STATIONS; ESTABLISHING FEES FOR THE PURPOSE OF PURCHASING NEW FIRE FIGHTING EQUIPMENT; ESTABLISHING PROCEDURES TO ALLOCATE FEES COLLECTED; ESTABLISHING PROCEDURES FOR APPEALS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, the City Council of the City of Wylie, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Wylie, Texas ("Wylie") to establish fees for the construction of new fire stations and the purchasing of new firefighting equipment; and

**WHEREAS**, the City Council has determined that it is safer for citizens and visitors to the City of Wylie to provide funding for the construction of new fire stations and new firefighting equipment necessitated by new development; and

**WHEREAS**, the City Council has determined that to the extent that new development creates demands for public Fire Department facilities and equipment, those demands should be satisfied by shifting the responsibility for financing such public facilities and equipment from the public to the development creating the demands; and

**WHEREAS**, the City Council has determined that the methodologies and analysis used by City staff in determining the amount to be imposed herein as a Fire Development Fee are reasonable and proportionate to the need created by the new development and to the benefit received by the new development; and

**WHEREAS**, the City Council has determined that the Fire Department's capital infrastructure is designed to be mutually reinforcing for safety in that fire stations and firefighting equipment provide back-up and coverage throughout the Fire Department's service area regardless of the physical location of a call for service within that area.

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

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

**SECTION 2: Definitions.** For purposes of this Ordinance, the following terms are defined as follows:

**Dwelling Unit** - Any residential unit having one (1) or more rooms, either as a free standing building or a portion of a building, designed or intended to be used, for occupancy by one (1) family for living and sleeping quarters, including but not limited to a house, duplex, quad-plex, town home, manufactured home, mobile home or apartment unit, but excluding hotel or motel units.

**Fire Department** - The City of Wylie, Texas fire department.

**Fire Development Fee** - The fee established by Section 3 below.

**Property** - Any real property that is the subject of any development activity, subdivision or permit application.

SECTION 3: Fire Development Fees Established. Property owners shall be assessed a fire development fee ("Fire Development Fee") at the time an application for a building permit for new construction is submitted or at the time an application for a building permit to increase the total square footage of an existing structure by more than fifty percent (50%) is submitted in the following amounts:

| <u>Type of Use</u> | <u>Fee Amount</u>          |
|--------------------|----------------------------|
| Residential        | \$626.00 per Dwelling Unit |
| Non-residential    | \$0.3000 per square foot   |

Mixed-use developments shall pay the residential fee amount for each dwelling unit in the development and pay the non-residential per square foot fee amount for all remaining square footage in the development for which the residential fee amount for each Dwelling Unit is not paid.

Following any fiscal year in which an update of the Wylie Fire Department Development Fee Study is not conducted by the City, the Fire Development Fee amount set forth herein shall be increased effective on October 1<sup>st</sup> for the following fiscal year by an amount that reflects the percentage increase in inflationary costs reported in the Engineering News Record's construction cost index that was most recently published prior to the effective date of any increase (the "Index"), if the Index indicates an increase.

SECTION 4: Payment of Fire Development Fee. The Fire Development Fee assessed in accordance with Section 3 must be paid in full prior to the issuance of a building permit by the City for the Property.

SECTION 5: Account to be Established for Fire Department Fees and Expenditures. All Fire Development Fees collected shall be placed in an account clearly separate from the City's general fund.

Funds contained in the Fire Department Fee account shall be used to pay for property on which to build Fire Department facilities, the purchasing of new firefighting equipment, and the construction or expansion of fire stations and fire training facilities, including but not limited to design, engineering, construction, and obtaining construction easements and right-of-way, and other costs reasonably associated therewith as may be approved by the City Council. The City shall determine the location of the Fire Stations and related facilities and when the construction will begin based upon factors such as, the amount of development that has occurred, the amount of and timing of development still expected to occur, the location of existing Fire Stations, information received regarding future plans for additional Fire Stations, including the amount of time necessary to construct said stations, and response times to incidents within the Fire Department service area.

#### SECTION 6: Credits.

1. A property owner who dedicates land, which is accepted by the City, for a Fire Department facility may be eligible for a credit for such contribution against the Fire Development Fee, as set forth in this Section 6.
2. The City Engineer shall determine:
  - A. The value of the owner's contribution;
  - B. Whether the contribution meets capital improvement needs for which the Fire Development Fee has been imposed; and
  - C. Whether the contribution will substitute or otherwise reduce the need for improvements anticipated to be provided with Fire Development Fee funds.

In no event shall the credit exceed the amount of the Fire Development Fee assessed pursuant to this Ordinance.

3. Any application for credit must be submitted on forms provided by the City before a building permit is issued for the Property. The application shall contain a declaration under oath of those facts which qualify the property owner for the credit, accompanied by the relevant documentary evidence.

#### SECTION 7: Appeal Procedures.

1. Applicability. A request for an appeal to the manner of the application of this Ordinance to Property may be filed by the owner, or the owner's authorized agent, of the Property pursuant to this Section. However, the appeal process provided by this Section shall not be available for criminal violations of this Ordinance.
2. Appeal to City Manager. A Property owner may appeal decisions made by the City staff pursuant to this Ordinance by filing a written appeal with the City Manager within ten (10) business days of being notified of the decision of the City staff. An appeal filed pursuant to this Section shall specifically state the basis for the aggrieved party's challenge to the City staff's decision and the basis for such assertion. All information that the requestor desires to

be considered by the City Manager, or his/her designee, in reviewing the appeal should be submitted with the written appeal.

3. Issuance of Decision by City Manager. Decisions of the City Manager shall be issued within fourteen (14) business days of receipt of the written appeal.
4. Appeal to City Council. A Property owner may appeal a decision of the City Manager regarding an appeal to the City Council by filing a written appeal with the City Manager within ten (10) business days of the date of the City Manager's decision is issued. If reasonably possible, and to the extent allowed by law, an appeal to the City Council will be placed on the City Council's next regularly scheduled meeting for determination. A decision made by the City Council is final.
5. Factors to be Considered by City Manager and City Council. The following factors, among others, may be considered by the City Manager or his/her designee, and the City Council in hearing an appeal:
  - A. Whether literal enforcement of this Ordinance would result in materially different treatment of the Property owner compared to similarly situated property owners in the City or extreme non-financial hardship;
  - B. Information considered by the City staff in making an assessment of the amount of Fire Development Fee;
  - C. Whether the Property owner is a political subdivision of the State of Texas funded by tax dollars; and/or
  - D. Any other information deemed relevant to the request or necessary to make a decision by the City Manager, or his/her designee, or the City Council.

SECTION 8: Penalty Provision. Any person, firm, corporation, or business entity violating this Ordinance, as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not to exceed the sum of FIVE HUNDRED DOLLARS (\$500.00), unless the violation relates to fire safety, zoning or public health and sanitation, including dumping and refuse, in which the fine shall not exceed the sum of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Wylie from filing suit to enjoin the violation. Wylie retains all legal right and remedies available to it pursuant to local, state, and federal law.

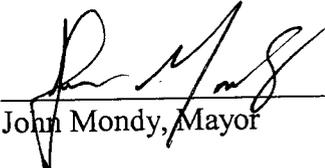
SECTION 9: Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

SECTION 10: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is

expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Wylie hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 11: Effective Date. This Ordinance shall become effective upon its passage and publication as required by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS**, on this 24<sup>th</sup> day of April, 2007.

  
\_\_\_\_\_  
John Mondy, Mayor

**ATTESTED TO  
AND CORRECTLY RECORDED:**

  
\_\_\_\_\_  
Carole Ehrlich, City Secretary



Date of publication in *The Wylie News* – May 2, 2007

STATE OF TEXAS  
COUNTY OF COLLIN

Carol  
132.82

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of *The Wylie News*, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, who being by me duly sworn, deposed and says that the foregoing attached

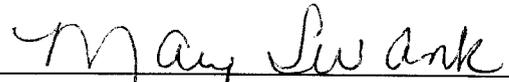
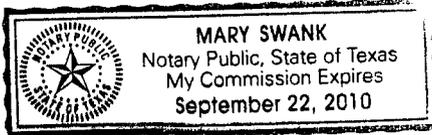
City of Wylie  
Ordinance No. 2007-11 and Ordinance No. 2007-12  
was published in said newspaper on the following dates, to-wit:  
May 2, 2007



Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 3<sup>rd</sup> day of May, 2007

to certify which witness my hand and seal of office.



Notary Public in and for  
The State of Texas

My commission expires 9-22-2010



**ORDINANCE  
NO. 2007-12**

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, ESTABLISHING FEES FOR THE PURPOSE OF ENABLING THE CITY TO CONSTRUCT NEW FIRE STATIONS; ESTABLISHING FEES FOR THE PURPOSE OF PURCHASING NEW FIRE FIGHTING EQUIPMENT; ESTABLISHING PROCEDURES TO ALLOCATE FEES COLLECTED; ESTABLISHING PROCEDURES FOR APPEALS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

John Mondy, Mayor

ATTEST:

Carole Ehrlich,

City Secretary

50-1t-339-58li

**ORDINANCE NO. 2009-30**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2007-12 , SECTION 3 (FIRE DEVELOPMENT FEES ESTABLISHED); AMENDING THE FIRE DEVELOPMENT FEES; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Wylie, Texas (“Wylie”) to amend Ordinance No. 2007-12, Section 3 (Fire Development Fees Established) as set forth below.

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

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

SECTION 2: Amendment to Ordinance No. 2007-12, Section 3 (Fire Development Fees Established). Ordinance No. 2007-12 is hereby amended to replace Section 3 (Fire Development Fees Established) originally adopted by Ordinance No. 2007-12 as follows:

“SECTION 3: Fire Development Fees Established. Property owners shall be assessed a fire development fee (“Fire Development Fee”) at the time an application for a building permit for new construction is submitted or at the time an application for a building permit to increase the total square footage of an existing structure by more than fifty percent (50%) is submitted in the following amounts:

| <u>Type of Use</u> | <u>Fee Amount</u>          |
|--------------------|----------------------------|
| Residential        | \$450.00 per Dwelling Unit |
| Non-residential    | \$0.22 per square foot     |

Mixed-use developments shall pay the residential fee amount for each dwelling unit in the development and pay the non-residential per square foot fee amount for all remaining square footage in the development for which the residential fee amount for each Dwelling Unit is not paid.

Following any fiscal year in which an update of the Wylie Fire Department Development Fee Study is not conducted by the City, the Fire Development Fee amount set forth herein shall be increased effective on October 1<sup>st</sup> for the following

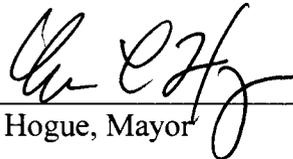
fiscal year by an amount that reflects the percentage increase in inflationary costs reported in the Engineering News Record's construction cost index that was most recently published prior to the effective date of any increase (the "Index"), if the Index indicates an increase."

**SECTION 3: Savings/Repealing Clause.** Ordinance No. 2007-12 shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

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

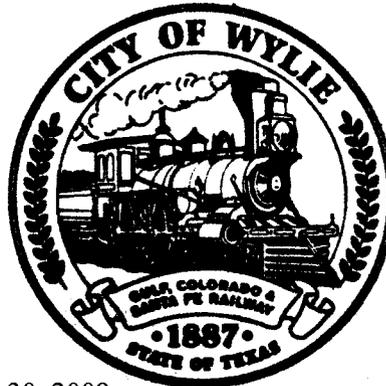
**SECTION 6: Effective Date.** This Ordinance shall become effective from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 22<sup>nd</sup> day of September, 2009.**

  
Eric Hogue, Mayor

**ATTESTED TO  
AND CORRECTLY RECORDED:**

  
Carole Ehrlich, City Secretary



Date of publication in *The Wylie News* – September 30, 2009

STATE OF TEXAS  
COUNTY OF COLLIN

\$75.88

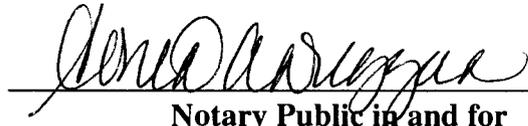
Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of *The Wylie News*, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, who being by me duly sworn, deposed and says that the foregoing attached

City of Wylie - Ordinance No. 2009-30  
was published in said newspaper on the following dates, to-wit:  
September 30, 2009



Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 30 day of Sept, 2009  
to certify which witness my hand and seal of office.



Notary Public in and for  
The State of Texas

My commission expires 9/2/12



September 30 – October 1, 2009

30

**ORDINANCE NO. 1**

**2009-30**

AN ORDINANCE OF  
THE CITY OF  
WYLIE, TEXAS,  
AMENDING ORDINANCE NO. 2007-12,  
SECTION 3 (FIRE DEVELOPMENT  
FEES ESTABLISHED); AMENDING  
THE FIRE DEVELOPMENT  
FEES; PROVIDING  
FOR REPEALING,  
SAVINGS, AND SEVERABILITY CLAUSES;  
PROVIDING FOR  
AN EFFECTIVE  
DATE OF THIS  
ORDINANCE.

Eric Hogue,  
Mayor

ATTEST:

Carole Ehrlich,  
City Secretary

20-1t-339-28



# Fire Development Fee Study

## City of Wylie, Texas

**duncan** associates

June 2016

## Table of Contents

|                                |    |
|--------------------------------|----|
| INTRODUCTION AND SUMMARY ..... | 1  |
| Changes from 2007 Study .....  | 1  |
| Summary of Findings .....      | 2  |
| BEST PRACTICES .....           | 3  |
| SERVICE AREA & LAND USE .....  | 5  |
| Service Area .....             | 5  |
| Existing Land Use .....        | 6  |
| FEE CALCULATION .....          | 8  |
| Replacement Costs .....        | 8  |
| Net Replacement Cost .....     | 11 |
| Updated Fees .....             | 11 |

## List of Tables

|   |    |
|---|----|
| Table 1. Current Fire Development Fees .....                    | 1  |
| Table 2. Comparison of Original, Current and Updated Fees ..... | 2  |
| Table 4. Dwelling Unit Distribution by Housing Type .....       | 6  |
| Table 5. Dwelling Units by Housing Type, 2010 .....             | 6  |
| Table 6. Residential Building Permits, 2010-2015 .....          | 7  |
| Table 7. Dwelling Units by Housing Type, 2016 .....             | 7  |
| Table 8. Building Square Footage Distribution by Land Use ..... | 7  |
| Table 9. Fire Station Building Replacement Cost .....           | 8  |
| Table 10. Fire Station Land Replacement Cost .....              | 8  |
| Table 11. Fire Vehicle Replacement Cost .....                   | 9  |
| Table 12. Fire Vehicle Equipment Cost .....                     | 10 |
| Table 13. Total Fire Rescue Replacement Cost .....              | 10 |
| Table 14. Net Fire Rescue Replacement Cost .....                | 11 |
| Table 15. Updated Fire Development Fees .....                   | 11 |

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## INTRODUCTION AND SUMMARY

The Wylie Fire Department provides fire rescue service within the city limits, and under contract to the Town of St. Paul. The Department currently staffs three fire stations 24/7, with four-person Quint fire companies, and has acquired a site for a fourth station. Within the City's extra-territorial jurisdiction (ETJ), the Fire Department provides emergency response pursuant to mutual aid agreement to unincorporated areas of Collin, Dallas and Rockwall Counties. The Department also provides marine fire rescue services on Lake Lavon within Collin County, as well as ambulances that provide back up for the contracted emergency medical service (EMS) provider.

The City of Wylie has imposed a fire development fee on new development since 2007. The fees are based on a study prepared in 2007.<sup>1</sup> The fees were reduced in 2009 as part of a settlement agreement resolving a legal challenge to the fees.<sup>2</sup> Current development fees are shown in Table 1. The purpose of this study is to update these fees based on current data and best practices.

**Table 1. Current Fire Development Fees**

| Land Use       | Unit          | Fee per Unit |
|----------------|---------------|--------------|
| Residential    | Dwelling Unit | \$450        |
| Nonresidential | Square Foot   | \$0.22       |

Source: Wylie, Texas Code of Ordinances, Appendix C, XI.  
(A).

### Changes from 2007 Study

The methodology used in this update is generally consistent with the one used in the 2007 study. The fees are based on the existing level of service, which is based on existing replacement cost of existing facilities and equipment and the amount of existing development served by those facilities. The land use categories are residential and nonresidential, and costs are allocated between the land use types based on the relative amounts of building square footage. The fees are assessed per dwelling unit for residential and per square foot for nonresidential.

This update provides a revenue credit for outstanding debt on existing fire apparatus. Basic development fee principles indicate that new development should not have to pay the full cost of the new facilities required to serve it, while also paying taxes to retire debt on existing facilities.

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<sup>1</sup> BBC Research & Consulting, *Wylie Fire Department Development Fee Study – Final Report*, March 29, 2007.

<sup>2</sup> Compromise Settlement Agreement and Mutual Release of Claims between the City of Wylie, the Home Builders Association of Greater Dallas and DR Horton, Texas, Ltd., September 22, 2009.

**Summary of Findings**

The updated fire development fees are compared to the fees originally adopted in 2007, and to the reduced fees that came into place in 2009 based on the legal settlement. The legal settlement reduced the fees by just under 30% in 2009. This update calculates fees that are about 5% lower than current fees that have been in place since 2009.

**Table 2. Comparison of Original, Current and Updated Fees**

| Land Use Type                           | Development Unit | Fire Development Fee/Unit |                 |         |
|---|------------------|---------------------------|-----------------|---------|
|   |                  | 2007 Ordinance            | 2009 Settlement | Updated |
| Residential                             | Dwelling Unit    | \$626                     | \$450           | \$426   |
| Nonresidential                          | Square Foot      | \$0.30                    | \$0.22          | \$0.20  |
| <b>Percent Change from Previous Fee</b> |                  |                           |                 |         |
| Residential                             | Dwelling Unit    | n/a                       | -28%            | -5%     |
| Nonresidential                          | Square Foot      | n/a                       | -27%            | -9%     |

Source: 2007 fees from City of Wylie Ordinance No. 2007-12; 2009 fees from Table 1; updated fees from Table 14.

The City has future capital needs that warrant retaining the fee for the foreseeable future. The Fire Department anticipates that it will need to construct and equip two additional fire stations by build-out of the city. It estimates future capital costs to be in excess of \$8 million.

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## BEST PRACTICES

Development fees are a way for local governments to require new developments to pay a proportionate share of the infrastructure costs they impose on the community. In contrast to traditional “negotiated” developer exactions, development fees are charges that are assessed on new development using a standard formula based on objective characteristics, such as the number of dwelling units constructed. The fees are one-time, up-front charges, with the payment usually made at the time of building permit issuance. Essentially, development fees require that each new development project pay its pro-rata share of the cost of new capital facilities required to serve that development.

The authority to impose development fees is based on local government’s broad “police power” to regulate land development in order to protect the health, safety and welfare of the community. The courts have developed guidelines for legally-valid development fees, based on “rational nexus” and “rough proportionality” standards. These standards essentially require that the fees must be proportional to the need for additional infrastructure created by the new development, and must be spent in such a way as to provide that same type of infrastructure to benefit new development.

One of the most fundamental principles of development fees, rooted in both case law and norms of equity, is that development fees should not charge new development for a higher level of service than is provided to existing development. While development fees can be based on a higher level of service than the one existing at the time of the adoption of the fees, two things are required if this is done. First, another source of funding other than development fees must be identified and committed to fund the capacity deficiency created by the higher level of service. Second, sound development fee practice also requires that the development fees should be reduced to ensure that new development does not pay twice for the same level of service, once through development fees and again through general taxes that are used to remedy the capacity deficiency for existing development, by providing a credit for the portion of the cost of deficiencies that will be paid by new development. In order to avoid these complications, the best practice is to base the development fees on the actual existing level of service, rather than on a higher desired level of service.

A corollary principle is that new development should not have to pay more than its proportionate share when multiple sources of payment are considered. As noted above, if development fees are based on a higher-than-existing level of service, the fees should be reduced by a credit that accounts for the contribution of new development toward remedying the existing deficiencies. This study is based on the existing level of service. Consequently, no deficiency credits are warranted.

A similar situation arises when the existing level of service has not been fully paid for. Outstanding debt on existing facilities that are counted in the existing level of service will be retired, in part, by revenues generated from new development. Given that new development will pay development fees to provide the existing level of service for itself, the fact that new development may also be paying for the facilities that provide that level of service for existing development could amount to paying for more than its proportionate share. Consequently, development fees should be reduced to account for future payments that will retire outstanding debt on existing facilities. Credit should also be provided for outstanding grants for capacity improvements that can reasonably be anticipated in the future.

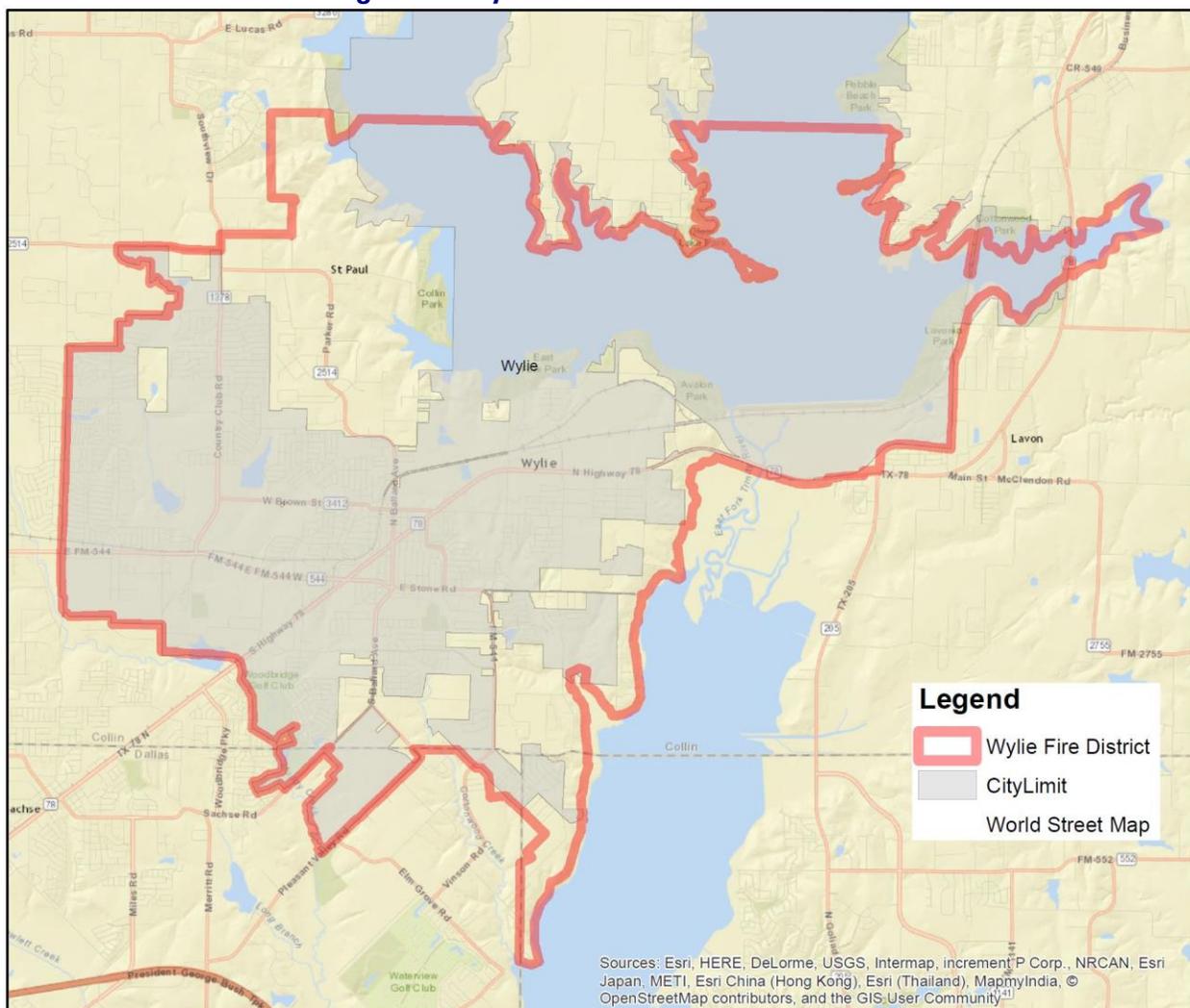
Finally, credit needs to be provided for other types of developer contributions toward the same improvements for which the development fees are being charged. Developers who dedicate land for or construct fire rescue facilities should be eligible for credits against their fire development fees. Unlike revenue credits for outstanding debt and grants discussed above, which are factored into the fee schedule, credits for developer contributions are addressed on a case-by-case basis.

# SERVICE AREA & LAND USE

## Service Area

The area currently provided fire rescue services by the Wylie Fire Department encompasses most of the incorporated city, excluding a small number of properties on the opposite side of Lake Lavon from the city proper. In addition, the City provides fire rescue services on a contract basis to the Town of St. Paul. The Fire Department also provides mutual aid to Collin, Dallas and Rockwall Counties for nearby unincorporated areas pursuant to mutual aid agreements, as well as the portion of Lake Lavon within Collin County. The area served by the Fire Department is illustrated in Figure 1.

**Figure 1. Wylie Fire Rescue Service Area**



Source: City of Wylie, Wylie Fire Department, May 11, 2016.

The City collects fire development fees only from new development occurring within its current municipal boundaries. These properties get their primary fire rescue services from Wylie Fire Department. The exceptions are some small incorporated areas on the opposite of Lake Lavon. These are areas close to the lake, and they receive direct service from Wylie Fire Department when they are using the lake. In addition, the City serves them indirectly through mutual aid agreements. For the purpose of determining the existing level of service, the service area will be defined as the incorporated area of the City of Wylie.

### Existing Land Use

In order to determine the existing level of service, it is necessary to estimate existing residential and nonresidential development within the City of Wylie. This is determined on the basis of data from the U.S. Census Bureau and property tax appraisal records, as described in this section.

The starting point for residential land use is the U.S. Census. The first step is to estimate the distribution of dwelling units by housing type. The best available data are from the U.S. Census Bureau’s American Community Survey, which consists of an annual 1% sample of dwelling units. These data are aggregated into 5% samples, consisting of the last five annual surveys. As shown in Table 3, the Census data indicate that 90% of dwelling units in Wylie are single-family detached homes.

**Table 3. Dwelling Unit Distribution by Housing Type**

| Housing Type                       | Number        | Percent       |
|------------------------------------|---------------|---------------|
| Single-Family Detached/Mobile Home | 13,005        | 90.0%         |
| Multi-Family                       | 1,444         | 10.0%         |
| <b>Total Dwelling Units</b>        | <b>14,449</b> | <b>100.0%</b> |

Source: U.S. Census Bureau, American Community Survey 2014 5-year estimates based on 5% sample.

The 2010 census enumerated 13,840 housing units in the City of Wylie. Applying the housing distribution from the previous table in the estimate of dwelling units by housing type for 2010, as shown in Table 4.

**Table 4. Dwelling Units by Housing Type, 2010**

| Housing Type                       | Percent       | Number        |
|------------------------------------|---------------|---------------|
| Single-Family Detached/Mobile Home | 90.0%         | 12,456        |
| Multi-Family                       | 10.0%         | 1,384         |
| <b>Total Dwelling Units</b>        | <b>100.0%</b> | <b>13,840</b> |

Source: Percentage distribution of units by housing type from Table 3; total units from 2010 U.S. Census, SF-1 100% count; units by type based on percentages.

To estimate the current number of dwelling units, the number of units permitted in the last six years needs to be added to the 2010 estimates. The building permit data are summarized in Table 5.

**Table 5. Residential Building Permits, 2010-2015**

| Housing Type  | 2010       | 2011       | 2012       | 2013       | 2014       | 2015       | 6-Year Total |
|---------------|------------|------------|------------|------------|------------|------------|--------------|
| Single-Family | 267        | 217        | 240        | 240        | 251        | 553        | 1,768        |
| Multi-Family  | 4          | 0          | 0          | 0          | 0          | 0          | 4            |
| <b>Total</b>  | <b>271</b> | <b>217</b> | <b>240</b> | <b>240</b> | <b>251</b> | <b>553</b> | <b>1,772</b> |

Source: U.S. Census Bureau Building Permits data, <http://censtats.census.gov/bldg/bldgprmt.shtml>.

Combining the data from the last two tables results in the current estimate of dwelling units by housing type, as shown in Table 6.

**Table 6. Dwelling Units by Housing Type, 2016**

| Housing Type           | 2010 Units    | 2010-15 Permits | 2016 Units    |
|------------------------|---------------|-----------------|---------------|
| Single-Family Detached | 12,456        | 1,768           | 14,224        |
| Multi-Family           | 1,384         | 4               | 1,388         |
| <b>Total</b>           | <b>13,840</b> | <b>1,772</b>    | <b>15,612</b> |

Source: 2010 units from Table 4; new units from Table 5.

The fire development fee costs are distributed between residential and nonresidential land uses based on building square footage. Residential and nonresidential building square footage is available from county property appraisal district data. These data indicate that 57.3% of fire rescue capital costs are attributable to residential development, with the remaining 42.7% attributable to nonresidential development, as shown in Table 7.

**Table 7. Building Square Footage Distribution by Land Use**

| Land Use               | Dwelling Units | Sq. Ft./ Unit | Total Sq. Feet    | Percent       |
|------------------------|----------------|---------------|-------------------|---------------|
| Single-Family Detached | 14,224         | 2,222         | 31,605,728        | n/a           |
| Multi-Family           | 1,388          | 1,405         | 1,949,967         | n/a           |
| Subtotal, Residential  | 15,612         |               | 33,555,695        | 57.3%         |
| Nonresidential         |                |               | 25,037,168        | 42.7%         |
| <b>Total</b>           |                |               | <b>58,592,863</b> | <b>100.0%</b> |

Source: Dwelling units from Table 6; average square feet per dwelling unit and nonresidential square footage from property tax appraisal district data provided by City of Wylie on June 14, 2016.

## FEE CALCULATION

This section calculates updated fire development fees. The updated fire development fees are based on the existing level of service. This is measured as the net replacement cost of existing improvements per service unit (residential dwelling unit or nonresidential square foot).

### Replacement Costs

As shown in Table 8, the total replacement cost of the City of Wylie's existing fire stations, based on the City's insured values, is \$5.15 million.

**Table 8. Fire Station Building Replacement Cost**

| Building Description | Address               | Acres         | Building Sq. Feet | Year Built | Insured Value      |                  |                    |
|----------------------|-----------------------|---------------|-------------------|------------|--------------------|------------------|--------------------|
|                      |                       |               |                   |            | Building           | Contents         | Total              |
| Fire Engine House #1 | 1401 S Ballard        | 1.502         | 6,440             | 1984       | \$563,016          | \$135,000        | \$698,016          |
| Fire Station #2      | 555 Country Club Rd   | 7.505         | 5,640             | 1998       | \$594,591          | \$100,000        | \$694,591          |
| Fire Station #3      | 210 N W.A. Allen Blvd | 2.560         | 18,095            | 2009       | \$3,564,981        | \$188,000        | \$3,752,981        |
| Fire Station #4      |                       | 6.445         | n/a               | n/a        | n/a                | n/a              | n/a                |
| <b>Total</b>         |                       | <b>18.012</b> | <b>30,175</b>     |            | <b>\$4,722,587</b> | <b>\$423,000</b> | <b>\$5,145,587</b> |

Source: City of Wylie Fire Department, May 13, 2016.

The City's most recent land purchase, which is a site for Station 4, cost \$70,647 per acre, as shown in Table 9. This is a reasonable value for estimating the replacement value of the City's existing fire station land.

**Table 9. Fire Station Land Replacement Cost**

|   |                    |
|---|--------------------|
| Land Cost for Station 4                 | \$455,321          |
| ÷ Acres                                 | 6.445              |
| Cost per Acre                           | \$70,647           |
| x Existing Acres                        | 18.012             |
| <b>Existing Fire Station Land Value</b> | <b>\$1,272,494</b> |

Source: Land acquisition cost for Station 4 from Wylie Fire Department, June 3, 2016; acres for Station 4 and total acres from Table 8.

Based on the City's insured values, existing Fire Department vehicles have an estimated replacement cost of about \$4 million, as summarized in Table 10 on the following page.

**Table 10. Fire Vehicle Replacement Cost**

| Year         | Model/Description                 | Insured Value      |
|--------------|-----------------------------------|--------------------|
| 1947         | Fire Truck-Antique                | n/a                |
| 1992         | Fire Truck                        | \$179,000          |
| 2000         | Fire Truck                        | \$410,229          |
| 2003         | E350 Ambulance                    | \$80,000           |
| 2003         | E350 Ambulance                    | \$80,000           |
| 2003         | Skid Steer Loader S185            | n/a                |
| 2004         | C2500                             | \$25,700           |
| 2004         | Hover 142 Reserve Unit            | n/a                |
| 2004         | Suburban C2500                    | \$27,563           |
| 2005         | 24' Enclosed Trailer              | n/a                |
| 2005         | 6500 Fire Truck                   | \$80,000           |
| 2006         | F550 Fire Truck                   | \$34,000           |
| 2006         | F550 Fire Truck                   | \$34,000           |
| 2006         | Fire Truck                        | \$567,700          |
| 2007         | 16' Flatbed Trailer               | n/a                |
| 2007         | 700 EFI                           | n/a                |
| 2007         | Fire Truck                        | \$628,000          |
| 2008         | 4500 Ambulance                    | \$153,600          |
| 2012         | C2500                             | \$70,317           |
| 2012         | C2500                             | \$49,596           |
| 2013         | 18' Double Tier Open Boat Trailer | n/a                |
| 2013         | 25' Guardian Boat                 | n/a                |
| 2013         | 25' Open Aluminum Trailer         | n/a                |
| 2013         | Hovercraft Boat                   | n/a                |
| 2013         | 14' Inflatable                    | n/a                |
| 2013         | Quint 143                         | \$536,000          |
| 2013         | Quint 141                         | \$836,000          |
| 2013         | Silverado 2500 Gas                | \$46,470           |
| 2013         | Silverado 2500 Diesel             | \$61,415           |
| 2015         | Suburban LS (Fire Chief)          | \$46,600           |
| 2016         | 3/4 Ton 4x4 with Cover            | n/a                |
| <b>Total</b> |                                   | <b>\$3,946,190</b> |

Source: City of Wylie Fire Department, May 13, 2016.

The City’s primary fire rescue apparatus is the quintuple combination pumper, or quint. A quint is a fire service apparatus that serves the dual purpose of an engine and a ladder truck. The Fire Department has four fully-equipped quints, one of which is a ready reserve vehicle. Each quint contains equipment with a cost of over \$200,000, as summarized in Table 11.

**Table 11. Fire Vehicle Equipment Cost**

|                                       |                  |
|---------------------------------------|------------------|
| Hydraulic Tools                       | \$29,672         |
| Hose                                  | \$9,042          |
| Airbags                               | \$5,975          |
| Self Contained Breathing Apparatus    | \$38,073         |
| Thermal Imaging Equipment             | \$11,200         |
| Gas Detection Equipment               | \$6,105          |
| Flashlights                           | \$660            |
| Nozzles                               | \$4,945          |
| Saws                                  | \$4,472          |
| Extinguishers                         | \$519            |
| Emergency Medical Equipment           | \$30,450         |
| Adapters                              | \$22,345         |
| Brackets                              | \$3,822          |
| Miscellaneous Tools                   | \$45,573         |
| Other                                 | \$5,181          |
| <b>Total Equipment Cost per Quint</b> | <b>\$218,034</b> |
| x Number of Quints                    | 4                |
| <b>Total Equipment Cost</b>           | <b>\$872,136</b> |

Source: Wylie Fire Department, May 18, 2016.

A final investment that existing development has made in the City’s fire rescue capital facilities is represented by the \$1.7 million fire development fee account balance. The City has been accumulating these fees in order to help pay for the construction of the fourth fire station. It is important to account for this investment due to the “lumpiness” of the expansion of fire rescue facilities. This is especially an issue with small cities, which cannot spend development fee funds to build a new fire station every year or so.

The total replacement value of the City’s existing fire rescue facilities and equipment is about \$12.9 million, as shown in Table 12.

**Table 12. Total Fire Rescue Replacement Cost**

|  |                     |
|--|---------------------|
| Fire Station/Building Costs            | \$5,145,587         |
| Land Costs                             | \$1,272,494         |
| Vehicle Costs                          | \$3,946,190         |
| Vehicle Equipment Costs                | \$872,136           |
| Development Fee Account Balance        | \$1,692,342         |
| <b>Total Existing Replacement Cost</b> | <b>\$12,928,749</b> |

Source: Building cost from Table 8; land cost from Table 9; vehicle cost from Table 10; equipment cost from Table 11; fund balance from City of Wylie Fire Department, June 16, 2016.

## Net Replacement Cost

As described in the Best Practices section, revenue credits should be provided for revenue generated by new development and used to remedy existing deficiencies, or to retire outstanding debt on existing facilities that are providing the current level of service for existing development. There are no existing deficiencies, because the fees are based on the actual existing level of service. The City does have some debt on existing fire apparatus, and the updated fire development fees should give credit for future tax revenues that will be generated by new development used to pay outstanding debt on existing facilities and equipment. Credit could also be provided for anticipated grant funding, but the City has not received any grants in the last five years and does not anticipate such funding in the future.

A straight-forward method that ensures that new development is not required to pay for existing facilities through taxes used for debt retirement, as well as for new facilities through development fees, is to calculate the fee based on the net cost, or total replacement cost less outstanding debt. This puts new development on the same footing as existing development in terms of the share of capital costs funded through debt. As shown in Table 13, subtracting the outstanding debt from the total replacement cost leaves a net replacement cost of about \$12 million.

**Table 13. Net Fire Rescue Replacement Cost**

|  |                     |
|--|---------------------|
| ÷ Replacement Value of Existing Facilities/Equipment | \$12,928,749        |
| – Outstanding Debt for 2 Quints                      | -\$1,325,000        |
| <b>Net Existing Replacement Value</b>                | <b>\$11,603,749</b> |

Source: Replacement value from Table 12; outstanding debt from Wylie Fire Department, June 9, 2016.

## Updated Fees

The net replacement cost shown above is allocated between residential and nonresidential development based on respective shares of total building square footage. The net cost attributable to each land use type is divided by existing development units (number of dwellings and nonresidential square footage) to determine the net cost per development unit to maintain the existing level of service, as shown in Table 14.

**Table 14. Updated Fire Development Fees**

| Land Use Type  | Unit       | Cost Share    | Net Cost Allocation | Existing Units | Net Cost/Unit |
|----------------|------------|---------------|---------------------|----------------|---------------|
| Residential    | Dwelling   | 57.3%         | \$6,648,948         | 15,612         | \$426         |
| Nonresidential | Square Ft. | 42.7%         | \$4,954,801         | 25,037,168     | \$0.20        |
| <b>Total</b>   |            | <b>100.0%</b> | <b>\$11,603,749</b> | <b>n/a</b>     | <b>n/a</b>    |

Source: Cost shares and existing units from Table 7; total net cost from Table 13.



# Wylie City Council

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## AGENDA REPORT

|                |                       |                  |  |
|----------------|-----------------------|------------------|--|
| Meeting Date:  | <u>August 9, 2016</u> | Item Number:     | <u>5</u><br><i>(City Secretary's Use Only)</i> |
| Department:    | <u>Engineering</u>    | Account Code:    | <u>N/A</u>                                     |
| Prepared By:   | <u>Engineering</u>    | Budgeted Amount: | <u>N/A</u>                                     |
| Date Prepared: | <u>July 29, 2016</u>  | Exhibits:        | <u>Ordinance</u>                               |

### Subject

Consider and act upon, Ordinance No. 2016-15 amending Article VI (stopping, standing, and parking) of Chapter 110 (traffic and vehicles) of the Wylie Code of Ordinances, creating section 101-189 Resident Only Parking Permit Areas; permitting parking in certain areas by permit only during those times set forth in the ordinance; establishing an offence; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

### Recommendation

A motion to approve Ordinance No. 2016-15 amending Article VI (stopping, standing, and parking) of Chapter 110 (traffic and vehicles) of the Wylie Code of Ordinances, creating section 101-189 Resident Only Parking Permit Areas; permitting parking in certain areas by permit only during those times set forth in the ordinance; establishing an offence; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

### Discussion

In March, a meeting was held with the residents on Palmdale Drive to discuss the issues with students from WEHS parking along the roadway. As a follow up to that meeting, a council work session was held on April 26<sup>th</sup> to discuss parking restrictions for portions of Cimarron Estates. Council directed staff to develop an ordinance restricting parking in portions of the Cimarron Estates Subdivision from 7:00 a.m. to 5:00 p.m. during school days.

Approval of the attached ordinance would establish a resident only parking permit area along Palmdale, Jamestown and Glendale in the Cimarron Development from 7:00 a.m. to 5:00 p.m. on weekdays while school is in session. There is no charge for the permit, however, residents would be required to submit a residential parking permit application. Two guest permits would also be given to each resident.

**ORDINANCE NO. 2016-15**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ARTICLE VI (STOPPING, STANDING, AND PARKING) OF CHAPTER 110 (TRAFFIC AND VEHICLES) OF THE WYLIE CODE OF ORDINANCES, CREATING SECTION 110-189 RESIDENT ONLY PARKING PERMIT AREAS; PERMITTING PARKING IN CERTAIN AREAS BY PERMIT ONLY DURING THOSE TIMES SET FORTH IN THIS ORDINANCE; ESTABLISHING AN OFFENSE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”) has investigated and determined that it is in the best interest of the City of Wylie, Texas (“Wylie”) to establish resident only parking permit areas (the “Permit Area”); and

WHEREAS, The City Council wishes to alleviate chronic levels of non-resident parking along streets with adjacent residential properties by establishing the Permit Area; and

WHEREAS, the City Council further finds that it is a reasonable exercise of its police power to prohibit the stopping, standing, or parking of a vehicle in the Permit Area; and

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

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

SECTION 2: Article VI (Stopping, Standing, and Parking) of Chapter 110 (Traffic and Vehicles) of the Wylie Code of Ordinances is amended by adding Section 110-189 (Resident Only Parking Permit Areas) to read as follows:

**Section 110-189. – Resident only parking permit areas**

(a) *Definitions.* As used in this section, the following terms shall have the meanings ascribed in this subsection, unless the context of their usage clearly indicates another meaning:

*City Engineer* means the City Engineer of the City of Wylie, or their designee.

*Designated Permit Area* means a contiguous area of a single family residential use containing not less than ten single-family residential lots, upon which the city council imposes a requirement for a parking permit under this section. Where

there are less than ten single family residential lots on the entire length of the street, then the entire length of the street may be considered for a designated permit area.

*Guest Permit* means a permit issued by the city pursuant to this section to a guest of a resident located within a designated permit area for display on a vehicle owned or used by a guest which is parked or left standing within the designate permit area.

*Resident* means a person whose place of residence or property is located in the city as to render him or her eligible for procurement of a parking permit under this section.

*Resident Permit* means a permit issued by the city pursuant to this section to a resident or property owner within a designated permit area for display on a vehicle owned or used by such resident or property owner which is parked or left standing within the designated permit area

(b) Parking Regulations within a Designated Permit Area

- a. Except as provided in subsection (b), no vehicle shall be parked in a Designated Permit Area between the hours of 7:00 a.m. and 5:00 p.m. on weekdays, Monday through Friday, without displaying a valid resident permit or guest permit.
- b. Non-permitted vehicles may be parked for no more than two (2) contiguous hours in the same location.

(c) Exemptions

- a. A motor vehicle that is owned by or operated under contract to a utility when used in the construction, operation, removal or repair of utility property or facilities or engaged in authorized work in the designated permit area by the City.
- b. A motor vehicle that is identified as owned by or operated under contract to a federal, state or local governmental agency and being used in the course of official government business.
- c. Motor vehicles that are stopped temporarily for loading or unloading passengers or goods.
- d. Motor vehicles that are used in transporting individuals, equipment, and goods necessary for making improvements and repairs, providing labor, and performing other services at a location within the designated permit area.
- e. The designated permit area shall not be effective on weekdays that Wylie East High School is not in session.

(d) Resident permits

- a. All residents of a designate permit area who register with the city engineer, or his/her designee, shall be issued, free of charge, one resident permit for each motor vehicle owned and kept by the resident at the premises located within the designated permit area. The residential parking permits must be placed in the lower left-hand corner of the rear window of the motor vehicle.
- b. Each permit issued to a resident will be assigned to a specific vehicle, and will only be valid for the particular vehicle to which it is assigned. No permit may be transferred to any other individual or used for a different vehicle other than the one to which the permit is assigned.
- c. Two temporary guest permits will automatically be issued, free of charge, for each residential lot situated within the designated permit area.
- d. All residents applying for a permit or permits must use the application developed by the city engineer.
- e. The city engineer shall, upon receiving a completed application, issue a resident permit to any individual that is eligible for the permit. An individual is eligible to obtain a permit of the individual:
  - i. Owns a motor vehicle; and
  - ii. Resides within the designated permit area.

(e) Designated Permit Area

- a. Palmdale Drive from East Brown Street to Glendale Drive
- b. Jamestown Drive from Anson Parkway to Palmdale Drive
- c. Glendale Drive from Anson Parkway to Palmdale Drive

**SECTION 3: ENFORCEMENT:** No person shall stop, stand or park a motor vehicle in a designated permit area for a period greater than two hours between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday, without displaying a valid parking permit. The Police Chief, or his/her authorized representatives, is authorized to issue citations and/or remove or cause to be removed any material or vehicle obstructing the area in which stopping, standing, or parking is prohibited at the expense of the owner of such material or vehicle. The City shall not be responsible or liable for any damage to any vehicle or personal property removed from the area where stopping, standing, or parking is prohibited and shall not be responsible for any damage resulting from the failure to exercise the authority granted under this Ordinance.

**SECTION 4: SAVINGS/REPEALING CLAUSE.** 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 5: SEVERABILITY.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Wylie hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 6: PENALTY PROVISION.** Any person violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not more than Five Hundred Dollars (\$500.00). Each continuing day's violation or separate act under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 7: AMENDMENTS.** For clarity in reading amendments to the Wylie Code of Ordinances, any language intended to be added to the code may be underscored in the amending ordinance, and any language intended to be deleted from the code may be placed in brackets and stricken through. These markings, when used, and the deleted portions shall be removed when amendments are printed in the code. The amended provisions as set forth in this Ordinance have also been renumbered for ease of reading.

**SECTION 8: EFFECTIVE DATE.** This Ordinance shall be effective upon its passage and publication as required by law.

**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, this 9<sup>th</sup> day of August, 2016.

---

ERIC HOGUE, Mayor

**ATTESTED AND CORRECTLY  
RECORDED:**

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CAROLE EHRLICH, City Secretary

Date of publication in *The Wylie News* - August 17, 2016

Ordinance No. 2016-15  
Amending Article VI (Stopping, Standing, And Parking) Of Chapter 110  
(Traffic And Vehicles) Of The Wylie Code Of Ordinances



## RESIDENTIAL PARKING PERMIT APPLICATION

Name: \_\_\_\_\_ Address/Zip: \_\_\_\_\_

Phone#: \_\_\_\_\_ DL#/State: \_\_\_\_\_ Signature: \_\_\_\_\_

Form of Verification: Driver's License      \*Lease      Utility Bill      Insurance      Other: \_\_\_\_\_

\*All applicants renting property must provide a copy of their current lease for review by staff.

License Plate# \_\_\_\_\_ State: \_\_\_\_\_

License Plate# \_\_\_\_\_ State: \_\_\_\_\_

Vehicle Make: \_\_\_\_\_

Vehicle Make: \_\_\_\_\_

Model: \_\_\_\_\_ Color: \_\_\_\_\_

Model: \_\_\_\_\_ Color: \_\_\_\_\_

Permit # \_\_\_\_\_

Permit # \_\_\_\_\_

### OFFICE USE ONLY

Employee Issuing Permit: \_\_\_\_\_

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



# Wylie City Council

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## AGENDA REPORT

Meeting Date: August 9, 2016  
Department: Engineering  
Prepared By: Engineering  
Date Prepared: July 29, 2016

Item Number: 6  
*(City Secretary's Use Only)*  
Account Code: N/A  
Budgeted Amount: N/A  
Exhibits: Ordinance

### Subject

Consider and act upon, Ordinance No. 2016-16 amending Ordinance 2007-36 and Article IV (Speed) of Section 110-133 (School Zones) of the Wylie Code of Ordinances, establishing a school zone for certain streets; establishing prima facie maximum speed limits during school hours in such zone; removing the school zone for certain street(s); providing for installation of signs and markings; regulating vehicular and pedestrian traffic; providing for a penalty for the violation of this ordinance, providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

### Recommendation

A motion to approve Ordinance No. 2016-16 amending Ordinance 2007-36 and Article IV (Speed) of Section 110-133 (School Zones) of the Wylie Code of Ordinances, establishing a school zone for certain streets; establishing prima facie maximum speed limits during school hours in such zone; removing the school zone for certain street(s); providing for installation of signs and markings; regulating vehicular and pedestrian traffic; providing for a penalty for the violation of this ordinance, providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

### Discussion

The area west of Wylie High School has developed into a large retail center. As a result, students are crossing Woodbridge Parkway as they travel from the school to the development. Vehicular and pedestrian volumes were collected in this area, and between the hours of 8:15am and 2:30pm, 641 pedestrians crossed the roadway (see attached).

The attached memo from Tom Walton recommends a school zone and a pedestrian crossing be added to Woodbridge Parkway. Approval of the attached ordinance will establish a 20 mph school zone on Woodbridge Parkway from FM 544 to a point just south of the school. The school zone will be in effect from 8:15 - 9:00, 12:40 -1:40 and 4:20 – 4:50. We will continue to monitor the area to determine if any adjustments need to be made.

**ORDINANCE NO. 2016-16**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2007-36 AND ARTICLE IV (SPEED) OF SECTION 110-133 (SCHOOL ZONES), OF THE WYLIE CODE OF ORDINANCES, ESTABLISHING A SCHOOL ZONE FOR CERTAIN STREETS; ESTABLISHING PRIMA FACIE MAXIMUM SPEED LIMITS DURING SCHOOL HOURS IN SUCH ZONE; PROVIDING FOR INSTALLATION OF SIGNS AND MARKINGS; REGULATING VEHICULAR AND PEDESTRIAN TRAFFIC; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, §545.356 of the Texas Transportation Code provides that whenever the governing body of the municipality shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or prudent under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City of Wylie, Texas (“Wylie” or “City”), taking into consideration, among other things, whether the highway is a two-lane, undivided highway, as well as the usual traffic thereon, said governing body may determine and declare reasonable and prudent maximum prima facie speed limits thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway; and

**WHEREAS**, §541.302 of the Texas Transportation Code defines a “school crossing zone” as a reduced speed zone designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school during the time the reduced speed limit applies; and

**WHEREAS**, the City Council of the City of Wylie, Texas (“City Council”) finds it necessary to amend Ordinance No. 2007-36 and Article IV (Speed) of Section 110-133 (School Zones) of the Wylie Code of Ordinances, to coordinate with the change in school attendance times and to establish maximum speed limits within the areas and at the locations named and designated in the body of this Ordinance, all within the corporate limits of the City, and in the immediate vicinity of school areas, during periods of time, which shall be set by the City’s Engineer, when the schools are in session and school children are going to and from schools and playgrounds; and

**WHEREAS**, the City Council finds that it is necessary for the protection and safety of pedestrians crossing streets in school areas to establish maximum speed limits and to prohibit the overtaking and passing of motor vehicles within the school zone; and

**WHEREAS**, the City Council has investigated and determined that it would be advantageous and beneficial to the citizens of the City to amend Ordinance No. 2007-36 and

Article IV (Speed) of Section 110-133 (School Zones) of the Wylie Code of Ordinances as set forth below.

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

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

SECTION 2: Amendment to Ordinance No. 2007-36 and Article IV (Speed) of Section 110-133 (School Zones) of the Wylie Code of Ordinances. Ordinance No. 2007-36 and Article IV (Speed) of Section 110-133 (School Zones) of the Wylie Code of Ordinances, are hereby amended to read as follows:

**“Sec. 110-133. School Zones**

- a) *Vehicle speed and operation generally:* It shall be unlawful for any person to operate or drive any vehicle at a speed greater than the speed designated or posted, or to overtake or pass any other vehicle in any school zone as may be marked or designated within the City during the hours indicated upon signs erected in such zone, or whenever children are present in such zones, or when such zones have an alternating flashing light in operation.
  
- b) *Speed limits:* The following prima facie maximum speed limits hereinafter indicated for motor vehicles are hereby determined and declared to be reasonable and safe. Such maximum speed limits are hereby fixed at the rate of speed indicated for motor vehicles traveling upon the main street or highway, or parts of the main street or highway, and no motor vehicle shall be operated along or upon such portions of the named streets or highways within the corporate limits of the City in excess of the speeds set forth as follows:

- (1) *Twenty Miles per hour, during specified times on school days on the following streets:*

**AKIN ELEMENTARY SCHOOL**

- a. On Springwood Lane from the point of its intersection with Lanwood Drive to the point of its intersection with W.A. Allen Boulevard.
- b. On Lanwood Drive from the point of its intersection with Foxwood Lane south to the point of its intersection with Heatherwood Lane.
- c. On Heatherwood Lane from the point of its intersection with W.A. Allen Boulevard west to a point 250 feet west of its intersection with Castlewood Drive.

- d. On W.A. Allen Boulevard from a point 100 feet north of its intersection with Surrey Circle south to its intersection with Stone Road.
- e. On Foxwood Lane from its intersection with Castlewood Drive to its intersection with Lanwood Drive.
- f. On Stone Road from its intersection with Stonehedge Drive to a point 400 feet west of its intersection with W.A. Allen Boulevard.

#### BIRMINGHAM ELEMENTARY SCHOOL

- a. On Brown Street from a point 150 feet west of its intersection with Rustic Trail to a point 360 feet west of its intersection with Westgate Way.
- b. On Westgate Way from a point 1260 feet north of its intersection with Brown Street to a point 1170 feet south of its intersection with Brown Street.

#### BURNETT JR HIGH SCHOOL

- a. On Pirate Drive from its intersection with Hilltop Street to its intersection with Ballard Street.
- b. On Hilltop Street from its intersection with Pirate Drive to its intersection with Stone Road.
- c. On Stone Road from its intersection with 2<sup>nd</sup> Street to its intersection with Dogwood Drive.

#### COOPER JR HIGH SCHOOL/DRAPER INTERMEDIATE

- a. On Hooper Road from its intersection with New Hensley Lane south to its intersection with Old Hensley Lane.
- b. On the southbound lanes of Woodbridge Parkway 500 feet north of its intersection with New Hensley Lane south to its intersection with New Hensley Lane.
- c. On the northbound lanes of Woodbridge Parkway from its intersection with New Hensley Lane to the north property line of the Broad Stone Apartments.
- d. On New Hensley Lane from its intersection with Woodbridge Parkway east to a point 400 feet east of the east property line of Cooper Jr. High School.

#### DODD ELEMENTARY SCHOOL

- a. On Cheyenne Road from its intersection with Park Boulevard to a point 150 feet south of its intersection with Barbour Drive.
- b. On Tuscalosa Drive from its intersection with Cheyenne Road to a point 200 feet east of the intersection.

- c. On Park Boulevard from a point 400 feet east of its intersection with Country Club to a point 150 feet east of its intersection with Mobile Lane.

#### GROVES ELEMENTARY SCHOOL

- a. On McCreary Road from a point 800 feet south of its intersection with Riverway Lane north to a point 800 feet north of its intersection with Riverway Lane.
- b. On Riverway Lane from its intersection with McCreary Road east to a point 150 feet west of the intersection with Meandering Drive.
- c. On Appalachian Drive from its intersection with Riverway Lane to a point 150 feet south of the intersection.
- d. On Springtide Drive from its intersection with Riverway Lane to a point 150 feet north of the intersection.

#### HARRISON INTERMEDIATE SCHOOL

- a. On Ballard from its intersection with Stone Road south to a point 200 feet north of its intersection with Stoneybrook Drive.

#### HARTMAN ELEMENTARY SCHOOL

- a. On Birmingham Street from its intersection with Williams Street to its intersection with W. Stone Road.
- b. On Kirby Street from a point 200 feet east of its intersection with Memorial Drive to its intersection with S. Ballard Avenue.

#### MCMILLAN JR HIGH SCHOOL/DAVIS INTERMEDIATE

- a. On Park Boulevard from the intersection with Westgate Way, west to a point 150 west of its intersection with Mobile Lane.
- b. On Westgate Way from its intersection with Park Boulevard south 150 feet.

#### WATKINS ELEMENTARY SCHOOL

- a. On Elm Road from its intersection with FM 544 west to a point 400 feet west of its intersection with Timber Falls Drive.
- b. On Timber Falls Drive from its intersection with Elm Road, south 200 feet.

#### WYLIE EAST HIGH SCHOOL

- a. On Wylie East Drive from a point 1000 feet north of its intersection with Brown Street to a point 100 feet south of the Brown Street intersection.
- b. On Brown, from its intersection with Wylie East Drive to a point 100 feet west of the intersection.

WYLIE HIGH SCHOOL

- a. On Woodbridge Parkway from a point 200 feet south of its intersection with FM 544 to a point 100 feet south of the third median opening south of FM 544.

(2) *Thirty Miles per hour, during specified times on school days on the following streets:*

SMITH ELEMENTARY

- a. On Country Club Drive from a point 200 feet north of its intersection with Lakeway Drive to a point 200 feet south of its intersection with Boxwood Lane.

As a result of the frequent changes to elementary and secondary public and private school start and end times, the appropriate hours of enforcement for school zone maximum speed limits shall be set by the City’s Engineer. The maximum speed limits in a school zone shall be set in accordance with the Texas Department of Transportation recommendations, unless set forth and posted otherwise as determined by the City’s Engineer. The speed limits contained in this section shall not be effective until signs giving notice of such regulations are posted upon or at the entrances to those portions of the street or highway affected as may be most appropriate in accordance with the Uniform Manual on Traffic Control Devices, as amended, promulgated by the state department of transportation. The City Manager or his duly authorized representative is authorized and directed to cause to be erected such appropriate signs.”

SECTION 3: Penalty Provision. Any person, firm, corporation or entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Five Hundred Dollars (\$500.00), unless the violation relates to fire safety, zoning or public health and sanitation, including dumping and refuse, in which the fine shall not exceed the sum of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation or separate act under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4: Savings/Repealing Clause. 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 5: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Wylie hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

**SECTION 6: Effective Date.** This Ordinance shall become effective from and after its adoption and publication as required by the Wylie City Charter and by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS** on this 9th day of August, 2016.

---

Eric Hogue, Mayor

**ATTESTED TO AND  
CORRECTLY RECORDED BY:**

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Carole Ehrlich, City Secretary

Date(s) of publication in *The Wylie News* – August 17, 2016

# MEMO

**TO :** Chris Holsted, City Engineer, City of Wylie

**FROM :** Tom Walton, Consulting Traffic Engineer

**DATE :** 03/25/16

**SUBJECT :** Wylie High School Pedestrian Crossing

The investigation of the situation and needed improvements for a pedestrian crossing on Woodbridge Pkwy west of Wylie High School will involve the following steps:

- Determine pedestrian and vehicle volume and speed information.
- Determine need and establish new School Zone by ordinance
- Install signing and pavement markings for School Zone including flashers
- Install pedestrian walking and waiting facilities approaching and at the crossing location.
- Install signing and pavement markings for crossing including flashers.
- Implement School Zone and Crossing.
- Monitor and determine effectiveness of new improvements.

## Existing Conditions:

The vehicular and pedestrian volume counts on Woodbridge Pkwy just south of the FM 544 intersection were completed during the week of March 14th 2016. The East and Westbound pedestrian traffic was monitored from 8:15am to 9:00am and from 11:45am to 2:30pm. The vehicular traffic volumes both northbound and southbound on Woodbridge Pkwy were counted for the entire day and the volumes for the same hours as the pedestrian counts will be used in the study. The results of the volume counts are as follows:

|               | Pedestrian volume | Vehicular volume |
|---------------|-------------------|------------------|
| 8:15am-9:00am | 170               | 1230             |
| 11:30-12:00   | 76                | 230              |
| 12:00-1:00pm  | 167               | 714              |
| 1:00-2:00pm   | 177               | 743              |
| 2:00-2:30pm   | 51                | 359              |

The operating speed of traffic on Woodbridge Pkwy was also measured along with the volume. The 85<sup>th</sup> percentile speed of traffic is 38.5 Mph.

South of its intersection with FM544, Woodbridge Pkwy is a four lane divided road with a grass median bordered by a concrete curb and gutter. The median varies in width from 15 ft. just north of the first median opening south of FM544 to 39 ft. just north of the second median opening south of FM 544. There is a right turn lane for southbound traffic approaching the driveway opposite the second median opening. Just north of the second median opening the northbound pavement is 25 ft. wide while the southbound pavement is 36 ft. wide including the right turn lane. There are no vertical or horizontal obstructions to visibility along the entire length of Woodbridge Pkwy along the west side of the high school.

The pedestrian crossings that were monitored are located in the vicinity of the second median opening south of FM 544. The majority of the crossings happen on the north side of the median opening entering and leaving the school property between the second and third driveways on the east side of the street.

### **SCHOOL Zones**

The primary purpose of a school speed reduction zone is to provide protection for pedestrian children crossing a street in the vicinity of a school. Enforcement of the zone is provided by an ordinance that specifies location and area of coverage of the zone, the required speed limit and the times of effectiveness of the regulation. The need for a zone diminishes with an increase in the age of the children crossing. Many times school zones are not used for high schools. An exception is when there are a significant number of children crossing a major roadway with large vehicular volume and high operating speed.

Based upon the pedestrian and vehicular volumes given above there is a need for school speed zone protection on the section of Woodbridge Pkwy along the west side of the Wylie High School. The times when the regulation needs to be effective are from 8:15am to 9:15am and again from 11:15 am to 2:45 pm. The zone should extend along both directions of Woodbridge Pkwy from a point 200 ft. south of its intersection with FM 544 to a point 100ft south of the third median opening south of FM 544. An amendment to the existing school zone ordinance should be approved by the City Council to establish the new 20 MPH school zone on Woodbridge.

### **Crossing site paving improvements**

At the present time there are no pedestrian facilities along the east side of Woodbridge Pkwy in the area west of the high school.

A designated pedestrian crossing should be clearly visible, attractive and accessible. There should be areas behind the curbs on both the east and west sides of the street to accommodate a number of pedestrians waiting for a gap in traffic on the street. There should also be a similar area in the median. This will allow those crossing to deal with traffic in each direction separately.

A 6 ft. wide sidewalk should be built along the east side of Woodbridge Pkwy. It should extend from the west end of the existing walk along the south side of the parking lot in front of the school southward to the north side of the third drive south of FM 544. The walk should be at least 6 ft. back from the curb on the street. An 8 ft. wide concrete pad should be built between the sidewalk and the curb on the east side of the street opposite the median nose on the north side of the second median opening south of FM 544. A similar concrete pad 8 ft. wide by 6 ft. deep should be built behind the curb on the west side of the street. In the median of the street, an 8ft. wide concrete pad should be built along the north side of the pavestone area at the nose of median just north of the second median opening. The pad should extend from curb to curb across the median.

### **Pavement Markings**

The pavement markings needed to establish the proposed school zone and the pedestrian crossing are as follows:

- Install a 12 inch wide white stripe across both the southbound and northbound lanes of Woodbridge Pkwy at a point 200 ft. south of its intersection with FM 544.
- Install a 12 inch wide white stripe across both the northbound and southbound lanes of Woodbridge Pkwy 100 ft. south of the median nose on the south side of the third median opening south of FM 544.
- Install a Continental Crosswalk across the northbound lanes of Woodbridge Pkwy from the 8ft. concrete pad in the median to the 8ft. wide concrete pad on the east side of the road. The crosswalk is made up of 8ft. long by 24 inch wide white stripes running parallel to the direction of traffic flow and spaced 24 inches apart.
- Install a Continental Crosswalk across the southbound lanes of Woodbridge Pkwy from the 8ft. wide concrete pad in the median to the 8 ft. wide concrete pad on the west side of the road.

### **Traffic Signs and Flashers**

Due to the relatively high volumes of both vehicular and pedestrian traffic during the crossing periods and the speed of traffic by the site it will be best to have flashing lights to warn traffic that the school zone regulation is in effect and to enhance the effectiveness of the crossing. The signs and flashers needed to establish the school zone and crosswalk shall be as follows:

School Zone:

- Install a 20MPH school zone assembly (S4-3, R2-1) with a When Flashing sign (S4-4) below it and a flashing yellow light above and below it on the west side of

Woodbridge Pkwy 200 ft. south of its intersection with FM 544. Sign facing north.

- Install a 20MPH school zone assembly (S4-3, R2-1) with a When Flashing sign (S4-4) below it and a flashing yellow light above and below it on the east side of Woodbridge Pkwy 100 ft. south of the median nose on the south side of the third median opening south of FM 544. Sign facing south.
- Install a 20 MPH school zone assembly (S4-3, R2-1) on the west side of Woodbridge Pkwy 200 ft. south of the first drive south of FM 544. Sign facing north.
- Install a 20 MPH school zone assembly (S4-3, R2-1) on the east side of Woodbridge Pkwy 200 ft. north of the fourth drive south of FM 544. Sign facing south.
- Install an End School Zone sign (S5-2) on the east side of Woodbridge Pkwy 200 ft. south of its intersection with FM 544. Sign facing south.
- Install an End School Zone sign (S5-2) on the west side of Woodbridge Pkwy 100 ft. south of the median nose on the south side of the third median opening south of FM 544. Sign facing north.

#### Pedestrian Crossing:

- Install a School Advance Warning assembly sign (S1-1, W16-9p) on the west side of Woodbridge Pkwy 200 ft. north of the second driveway south of FM 544. Sign facing north.
- Install a School Advance Warning assembly sign (S1-1, W16-9p) on the east side of Woodbridge Pkwy 300 ft. south of the third driveway south of FM 544. Sign facing south.
- Install a School Crosswalk Warning assembly sign (S1-1, W16-7p) with a rectangular rapid flashing beacon and a push button to activate on the pole on the west side of Woodbridge Pkwy just north of the new concrete waiting pad at the west end of the new crosswalk on the north side of the second driveway south of FM 544. Sign facing north.
- Install a School Crosswalk Warning assembly sign (S1-1, W16-7p) with a rectangular rapid flashing beacon and a push button to activate on the pole on the east side of Woodbridge Pkwy just north of the new concrete waiting pad at the east end of the new crosswalk on the north side of the third driveway south of FM 544. Sign facing south.

The push buttons on the crossing sign poles will activate the rapid flashers in both directions.

#### **Implement and Monitor:**

Prior to implementing the crossing, an information process for both the school staff and students as to the correct use of the crossing should be established. The

effectiveness should be monitored every month to determine if any additional improvements such as crossing guards should be considered.