Wylie City Council

NOTICE OF MEETING

Regular Meeting Agenda
May 26, 2020 – 6:00 pm
Wylie Municipal Complex
Council Chambers
300 Country Club Road, Building #100
Wylie, Texas 75098

Eric Hogue ................................................................. Mayor
David R. Duke ................................................................. Place 1
Matthew Porter ................................................................. Place 2
Jeff Forrester .............................................................. Mayor Pro Tem
Candy Arrington ................................................................. Place 4
Timothy T. Wallis, DVM ................................................ Place 5
David Dahl ................................................................. Place 6
Chris Holsted ................................................................. City Manager
Richard Abernathy ........................................................ City Attorney
Stephanie Storm .......................................................... 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 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.

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

CITIZENS COMMENTS ON NON-AGENDA ITEMS
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

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 May 12, 2020 Regular Meeting and Work Session. (S. Storm, City Secretary)

B. Consider, and act upon, a Preliminary Plat for District Commercial Addition, establishing 16 commercial lots and one open space lot on 16.201 acres, generally located on South State Highway 78 approximately 800’ south of Alanis Drive. (J. Haskins, Planning Manager)

C. Consider, and act upon, a Preliminary Plat for District Townhomes Addition, establishing 34 residential and four open space lots on 4.165 acres, generally located on South State Highway 78 approximately 1700’ south of Alanis Drive. (J. Haskins, Planning Manager)

D. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2020. (M. Beard, Finance Director)

E. Consider, and place on file, the City of Wylie Monthly Investment Report for April 30, 2020. (M. Beard, Finance Director)

F. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of April 30, 2020. (J. Greiner, WEDC Director)

G. Consider, and act upon, Ordinance No. 2020-32 to abandon a portion of Right-of-Way being 1,215 sq. ft. of unimproved alley within the J. Truitt Survey, Abstract No. 920, and to waive the requirement for an appraisal for said right-of-way adjacent to 202 N. 2nd Street. (R. Ollie, Asst. City Manager)

H. Consider, and act upon, Ordinance No. 2020-33 to abandon a portion of Right-of-Way being 3 – 20’ unimproved alleys within the F. De La Pina Survey, Abstract No. 688, and 2 – 70’ unimproved streets, within the J. Truitt Survey, Abstract No. 920, and to waive the requirement for an appraisal for said right-of-ways consisting of 1.88 acres or approximately 81,713 square feet. (R. Ollie, Asst. City Manager)

I. Consider, and act upon, Ordinance No. 2020-34 of the City of Wylie, Texas; amending Ordinance Nos. 2020-03 and 2014-19 and Chapter 2 (Administration), Article III (officers), Division 2 (Code of Ethics), Section 2-57 (Board of Ethics) of the City of Wylie Code of Ordinances, Ordinance No. 2005-07, as amended; amending Ordinance Nos. 2020-09 and 2012-29 and Chapter 2 (Administration), Article X (Public Arts Program), Division 2 (Public Arts Advisory Board), Section 2-342 (Number of Members; Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-05 and 2013-17 and Chapter 58 (Historic Preservation), Article III (Historic Review Commission), Section 58-53 (Number of Members; Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2013-23 and 2020-02 and Chapter 22 (Buildings and Building Regulations), Article II (Construction Code Board), Section 22-26 (Tenure of office) of the Code of Ordinances; amending Ordinance Nos. 2002-01 and 2015-37 and Chapter 18 (Animals), Article Iv (Animal Shelter Advisory Board), Section 18-123 (Number of Members; Qualified Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-06 and 1969-2 and Chapter 66 (Library), Article II (Public Library Department), Division 2 (Library Board), Section 66-41 (Membership; Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2008-02 and
2005-37 and Chapter 78 (Parks and Recreation), Article II (Parks and Recreation Board), Section 78-23 (Composition; Appointment and Terms of office of Members) of the Code of Ordinances; amending Ordinance Nos. 2020-10 and 2001-48, Article 8 (Development Review Process), Section 8.4 (Zoning Board of Adjustment); amending Ordinance Nos. 2020-07 and 1979-26 and Chapter 90 (Planning), Article II (Planning and Zoning Commission), Section 90-21 of the Code of Ordinances; Clarifying that the limit for consecutive service on the Boards and Commissions named in this Ordinance applies to commissioners and officers currently serving on those boards and commissions; modifying other provisions related to such boards and commissions; providing for repealing, savings and severability clauses; providing for an effective date. (R. Ollie, Asst. City Manager)

J. Consider, and act upon, Resolution No. 2020-28(R) of the City Council of the City of Wylie, Texas, to ratify emergency expenses for the purchase of engineering services, materials and road repair services for Hooper Road between Steel Road and Hensley Lane in the estimated amount of $426,176.00; and authorizing the City Manager to execute any necessary documents. (G. Hayes, Purchasing Manager)

K. Consider, and place on file, the Animal Shelter Advisory Board report to City Council regarding the meeting held on May 13, 2020. (A. Henderson, Police Chief)

REGULAR AGENDA

Interview of Board of Ethics Applicants:
- Alem Debebe
- Rich Frei
- Joseph Hama
- Reagan Elizabeth Sofia

Remove from 05-12-2020

1. Consider, and act upon, Ordinance No. 2020-30 to a change of zoning from Agricultural (AG) to Planned Development (PD), to allow for a mixed-use, age-restricted, senior master planned community on 24.5 acres, located at 1751 McMillen Road. (ZC 2020-02) (ZC 2020-02) (J. Haskins, Planning Manager)

Executive Summary
Zoning Case 2020-02 requires an Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date

2. Hold a Public Hearing, consider, and act upon a change of zoning from Agricultural (AG) to Planned Development (PD), to allow for a mixed-use community on 40.73 acres generally located on Country Club Road 1900’ south of Parker Road. (ZC2020-05) (J. Haskins, Planning Manager)

Executive Summary
The applicant is requesting to rezone 47.29 acres located at 2301 FM 1378. The property is currently zoned Agricultural and the applicant is requesting rezoning to Planned Development to allow for a mixed-use community. The planned development contains four sub-districts that are proposed to contain a mix of commercial, residential and open space uses
3. **Consider, and act upon, Ordinance No. 2020-35 amending Ordinance Nos. 2020-24, 2020-25, 2020-26, 2020-29, and 2020-31 Continuing or Renewing the Mayor’s Declaration of Local Disaster for a Public Health Emergency and establishing new orders to help abate the COVID-19 public health crisis.** *(C. Holsted, City Manager)*

**Executive Summary**
On March 22, March 27, April 2, April 28, and May 12 2020, the City Council adopted Ordinance No. 2020-24, Ordinance No. 2020-25, Ordinance No. 2020-26, Ordinance No. 2020-29, and Ordinance 2020-31 which continued the Mayor’s Amended Declaration of Local Disaster for Public Health Emergency to help abate the public health threat resulting from the novel Coronavirus (COVID-19); providing the consent of the City Council to the continuation of the Declaration until 11:59 p.m. on May 26, 2020.

**WORK SESSION**

- **Discuss the Coronavirus Aid, Relief, and Economic Security Act (CARES ACT) and the Collin County Municipal Direct Expense Funding Interlocal Cooperation Agreement.** *(C. Holsted, City Manager)*

4. **Discuss, consider, and take any action on, Resolution No. 2020-29(R) amending Resolution No. 2020-25(R), modifying certain standards applicable to the Small Business Assistance program to provide immediate, short-term financial aid to qualified small businesses in the City of Wylie.** *(C. Holsted, City Manager)*

**Executive Summary**
Staff received a request for an agenda item to discuss and consider modifications to the small business assistance program to provide immediate, short-term financial aid to qualified small businesses in the City of Wylie. The current program provides a grant up to $5,000 to a business with 26-50 employees, $5,000 to a business with 25 or fewer full-time equivalent employees, and up to $1,500 for a sole proprietorship.

**WORK SESSION**

- **Discuss May 2, 2020 (postponed to November 3, 2020) General and Special Election.** *(C. Holsted, City Manager)*

- **Discuss FY 20-21 4B Budget.** *(C. Holsted, City Manager)*

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

Texas Government Code Section:

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

**Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:**
**Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.** This chapter does not require a governmental body to conduct an open meeting:

1. to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations;

2. to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

- Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Project 2020-4a, Project 2020-4c, Project 2020-5a.

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

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

- Consider the sale or acquisition of properties located at: State Highway 78 & Brown, State Highway 78 & FM 544.

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

**RECONVENE INTO OPEN SESSION**

Take any action as a result from Executive Session.

**READING OF ORDINANCES**

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

**ADJOURNMENT**

**CERTIFICATION**

I certify that this Notice of Meeting was posted on May 22, 2020 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).

Stephanie Storm, City Secretary

Date Notice Removed
CALL TO ORDER

Mayor Eric Hogue called the regular meeting to order at 6:02 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Matthew Porter, Mayor pro tem Jeff Forrester, Councilwoman Candy Arrington, Councilman Timothy T. Wallis, and Councilman David Dahl.

Staff present included: City Manager Chris Holsted; Assistant City Manager Brent Parker; Assistant City Manager Renae Ollie; Assistant Police Chief Tommy Walters; Fire Chief Brandon Blythe; Public Information Officer Craig Kelly; Planning Manager Jasen Haskins; Building Official Bret McCullough; Public Works Director Tim Porter; Project Engineer Wes Lawson; Parks and Recreation Director Robert Diaz; Finance Director Melissa Beard; and City Secretary Stephanie Storm.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Hogue gave the invocation and Councilman Porter led the Pledge of Allegiance.

CITIZEN COMMENTS ON NON-AGENDA ITEMS

Lon Ricker, representing Team Up to Fight Hunger, addressed Council giving information on the Team Up to Fight Hunger program, a collaboration of Wylie, Sachse and Murphy community partners that have come together to promote and support local restaurants and workers while providing food to individuals and families in need through local nonprofits.

CONSENT AGENDA

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

A. Consider, and act upon, approval of the Minutes of April 28, 2020 Regular Meeting and Work Session of the Wylie City Council. (S. Storm, City Secretary)

B. Consider, and act upon, a Final Plat to create a single lot for R.T. Addition on 4.944 acres, located at 1945 E. FM 544 in the City of Wylie’s Extraterritorial Jurisdiction. (J. Haskins, Planning Manager)
C. Consider, and act upon, the reappointment of Mayor pro tem for a term beginning May 2020 and ending November 2020. (S. Storm, City Secretary)

D. Consider, and act upon, a recommendation to the City Council to amend a previously approved plan for the remodel of an existing residential structure, located at 301 W. Brown St. within the Downtown Historic District. (R. Ollie, Asst. City Manager)

E. Consider, and act upon, the award of a Professional Services Project Order (PSPO) #W2020-72-E for engineering and surveying services for the relocation of approximately 3,300 linear feet of existing 6”/8” water line along Parker Road/North Ballard Avenue to Grantham & Associates Inc. in the amount of $65,270.00 and authorizing the City Manager to execute any necessary documents. (G. Hayes, Purchasing Manager/T. Porter, Public Works Director)

F. Consider, and act upon, a request for substantial renovations in accordance with Ordinance No. 2013-17 for the remodel of an existing residential structure, located at 401 N. Keefer, Lot 75R, Block 12 of the Brown & Burns Addition within the Downtown Historic District. (R. Ollie, Asst. City Manager)

Councilman Porter requested Agenda Item C be pulled from Consent and considered individually. The consensus of Council was to consider Item C individually.

**Council Action**

A motion was made by Mayor pro tem Forrester, seconded by Councilman Duke, to approve Consent Agenda Items A, B, D, E and F as presented. A vote was taken and motion passed 7-0.

**REGULAR AGENDA**

C. Consider, and act upon, the reappointment of Mayor pro tem for a term beginning May 2020 and ending November 2020. (S. Storm, City Secretary)

**Council Action**

A motion was made by Councilman Porter, seconded by Councilwoman Arrington, to nominate Councilman Jeff Forrester for reappointment to Mayor pro tem for a term beginning May 2020 and ending November 2020. A vote was taken and motion passed 7-0.

1. Consider, and act upon, the appointment of a 2020 Board and Commissions City Council Interview Panel to conduct the May 2020 board applicant interviews. (S. Storm, City Secretary)

**Staff Comments**

City Secretary Storm addressed Council stating staff is accepting applications for Boards and Commissions until May 15. She said the three Council members appointed to the panel tonight will interview each qualified applicant and make recommendations to the Council at the first meeting in June. Interview meeting dates are scheduled for May 27 and May 28, with an alternate date of June 1, starting at 5:30 p.m. each night. The qualified Board of Ethics applicants will be interviewed by the full Council at the second meeting in May.

**Council Comments**

Mayor Hogue said the Mayor pro tem usually serves as the Chair and asked if any other Council members would like to serve on the panel. Councilmen Porter and Duke stated they would like to serve.
Council Action
A motion was made by Mayor Hogue, seconded by Councilwoman Arrington, to appoint Mayor pro tem Jeff Forrester, Councilman Porter, and Councilman Duke to serve on the 2020 Boards and Commissions City Council Interview Panel. A vote was taken and the motion passed 7-0.

2. Consider, and act upon, Resolution No. 2020-26(R) authorizing the City Manager to execute an Interlocal Agreement with Collin County for reimbursement of COVID-19 expenses. (C. Holsted, City Manager)

Staff Comments
City Manager Holsted addressed Council stating Collin County received a direct distribution of $171 million from the US Treasury pursuant to the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The Commissioners Court discussed this item at their meeting on May 11 and approved $50 million for funding to go to their direct cost program to be sent to the cities, with each city’s share being based on its Collin County population total. For the City of Wylie, the amount is $2,425,994.40 to reimburse specific eligible expenses related to COVID-19.

Council Comments
Forrester and Porter expressed that staff use some of the money to stock up on supplies for future use.

Council Action
A motion was made by Mayor pro tem Forrester, seconded by Councilman Porter, to approve Resolution No. 2020-26(R) authorizing the City Manager to execute an Interlocal Agreement with Collin County for reimbursement of COVID-19 expenses. A vote was taken and the motion passed 7-0.

3. Consider, and act upon, Resolution No. 2020-27(R) casting a nomination for a candidate for the Board of Directors of the Rockwall Central Appraisal District. (S. Storm, City Secretary)

Staff Comments
City Secretary Storm addressed Council stating a vacancy has occurred on the Rockwall Central Appraisal District Board of Directors. Per Texas Property Tax Code Sec. 6.03(l), “each taxing unit that is entitled to vote by this section may nominate, by resolution adopted by its governing body, a candidate to fill the vacancy.” Storm reported there is not a list of candidates for this portion of the Board of Directors election; therefore, Council can nominate an individual, and the Board of Directors will elect a member from the nominations received by majority vote at their next meeting.

Council Comments
Councilman Dahl stated Council has not nominated or cast votes in the past for individuals that they did not know.

Council Action
No motion was made by Council; therefore, no action was taken by Council.

4. Consider, and act upon, the reconsideration and/or clarification of Ordinance No. 2020-30 to a change of zoning from Agricultural (AG) to Planned Development (PD), to allow for a mixed-use, age-restricted, senior master planned community on 24.5 acres, located at 1751 McMillen Road. (ZC 2020-02) (J. Haskins, Planning Manager)
**Staff Comments**
Planning Manager Haskins addressed Council stating at the April 28, 2020 City Council meeting a Planned Development (PD) was approved for a mixed-use age-restricted master plan community. As part of the approval a motion was made that included three items: the inclusion of the zoning exhibit; completion of a Traffic Impact Analysis during platting; and tying concurrent development to the Certificates of Occupancy. The applicant has requested a reconsideration of the motion to allow the concurrent development standard to be based on the approval of a final foundation inspection due to the timing in constructing residential and commercial buildings.

**Council Comments**
Porter stated at the last Council meeting the applicant indicated it would not be an issue and now is requesting reconsideration. Porter asked whether a larger structure could be constructed, followed by the smaller structures. Bill Dahlstrom, representing the applicant, responded that, after they left the meeting, they realized the applicant is developing the entire tract of land at one time, all of the grading, streets, water, sewer, and drainage, so there is a significant outlay of capital in the infrastructure. Dahlstrom stated there is an eight-month to a year gap between the time it takes to complete the multi-care facility and the time it takes to build the first single-family home, if started at the same time. The applicant’s request is to have the ability to begin selling, or get the final Certificate of Occupancies (CO) and permits on the single-family and multiplex so they can start receiving some income for the amount of infrastructure that has been put in. Dahlstrom stated that they are requesting that, rather than being tied to the CO, it could be tied to the foundation for the multi-care building, which is still a significant investment and would allow them to begin the selling process. Forrester asked if there was a tool that could be utilized to ensure the projects go concurrently and allow the applicant to begin realizing a cash flow from sales of the single-family and multi-unit at the same time. Haskins responded tying a percentage of the homes being completed to the framing inspection or temporary CO is an option. Forrester responded he was more comfortable with bringing language to the agreement that would allow the City to maintain a performance agreement similar to what was just stated: to complete everything in a consistent manner but also a considerable amount of cash outflow to lay down the infrastructure for the entire development. Forrester stated he does not want to prevent the applicant from having the ability to finish but project, but wants to make sure we continue to move forward congruently. Dahlstrom responded they will work on that language with Haskins. Dahl stated the intent has been made and asked whether, if the City says they want to see continuous construction on the large building and not pause it so the applicant can make money on the other buildings, whether the Council is trying to support a worthwhile development that actually gets accomplished without including additional steps that staff must enforce. Dahl asked whether the council could just ask staff whether the project is moving forward and inspections being made. Hogue stated he wants to make sure that the entire development is built. Haskins reported he spoke with the applicant and he is agreeable to no more than 50% of the homes being built by the time they get a framing inspection and they have to have the commercial building done before they get the last CO on the last home. Holsted requested that, if stipulations are to be added, Council table the item to the next meeting so that staff can draft an ordinance with the changes.

**Council Action**
A motion was made by Mayor pro tem Forrester, seconded by Councilman Duke, to table Item #4 to the next City Council meeting on May 26. A vote was taken and the motion passed 7-0.

5. Consider, and act upon, the approval of Change Order No. 26 to contract #W2018-69-B Wylie Public Safety Building Remodel Project, in the amount of $59,235, with Pogue Construction Company and authorizing the City Manager to execute any necessary documents. (B. Parker, Asst. City Manager/G. Hayes, Purchasing Manager)
Staff Comments
Assistant City Manager Parker addressed Council giving a brief update and presentation on the Public Safety Building. Parker reported the change order is in the amount of $59,235 for the installation of technology items that were missed during the design phase or changed due to function.

Council Action
A motion was made by Mayor pro tem Forrester, seconded by Councilman Porter, to approve Change Order No. 26 to contract #W2018-69-B Wylie Public Safety Building Remodel Project, in the amount of $59,235, with Pogue Construction Company and authorizing the City Manager to execute any necessary documents. A vote was taken and the motion passed 7-0.

6. Consider, and act upon, Ordinance No. 2020-31 amending Ordinance Nos. 2020-24, 2020-25, 2020-26, and 2020-29 Continuing or Renewing the Mayor’s Declaration of Local Disaster for a Public Health Emergency and establishing new orders to help abate the COVID-19 public health crisis. (C. Holsted, City Manager/B. Blythe, Fire Chief)

Staff Comments
City Manager Holsted addressed Council stating in light of the most recent Governor’s Order the proposed Ordinance would expire May 26, 2020 at 11:59 p.m. and incorporates the current Governor’s Orders and any future Orders the Governor issues.

Council Action
A motion was made by Mayor pro tem Forrester, seconded by Councilwoman Arrington, to approve Ordinance No. 2020-31 amending Ordinance Nos. 2020-24, 2020-25, 2020-26, and 2020-29 Continuing or Renewing the Mayor’s Declaration of Local Disaster for a Public Health Emergency and establishing new orders to help abate the COVID-19 public health crisis. A vote was taken and the motion passed 7-0.

Mayor Hogue convened the Council into Work Session at 6:46 p.m.

WORK SESSION

* Discuss FY 20-21 Budget. (C. Holsted, City Manager)

City Manager Holsted addressed Council giving a presentation on the FY 20-21 budget regarding the following areas: assessed property valuations, total annual sales tax receipts, General Fund projected revenues, General Fund expenditures by function, debt service expenditures, General Fund expense adjustments, and revenue and expenses assumptions affecting the budget. Holsted gave an update on the Utility Fund regarding past due accounts and stated staff planned to resume water cut-offs in June for accounts that have over a $100 balance and do not make arrangements with the City.

Mayor Hogue convened the Council into Regular Session at 7:26 p.m.

Mayor Hogue recessed the Council into a break at 7:27 p.m.

Mayor Hogue convened the Council into Executive Session at 7:33 p.m.

EXECUTIVE SESSION

Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:
Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

- Consider the sale or acquisition of properties located at State Highway 78 & Brown.

RECONVENE INTO OPEN SESSION
Take any action as a result from Executive Session.

Mayor Hogue convened the Council into Open Session at 7:44 p.m.

READING OF ORDINANCE
City Secretary Storm read the caption to Ordinance No. 2020-31 into the official record.

ADJOURNMENT
A motion was made by Councilman Porter, seconded by Councilman Duke, to adjourn the meeting at 7:45 p.m. A vote was taken and motion passed 7-0.

______________________________
Eric Hogue, Mayor

ATTEST:

______________________________
Stephanie Storm, City Secretary
Consider, and act upon, a Preliminary Plat for District Commercial Addition, establishing 16 commercial lots and one open space lot on 16.201 acres, generally located on South State Highway 78 approximately 800’ south of Alanis Drive.

Motion to approve a Preliminary Plat for District Commercial Addition, establishing 16 commercial lots and one open space lot on 16.201 acres, generally located on South State Highway 78 approximately 800’ south of Alanis Drive.

OWNER: The District Lifestyle LLC          APPLICANT: Jones Carter

The applicant is proposing to create 16 commercial lots and one open space lots on 16.201 acres. This plat is Tracts 2-5 of the 20.433 acre planned development approved by City Council in April 2020.

The proposed development is accessed from State Highway 78. The private streets shall be owned and maintained by the Commercial Development Association (CDA). All public open space lots shall be dedicated to the City of Wylie and maintained by the CDA.

A plat for the townhome area (Tract 1) for this planned development is also on the agenda for consideration.

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

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

P&Z Commission Discussion
The Commission voted 7-0 to recommend approval.
### GENERAL NOTES:

1. Bearings are based on the Texas State Plane Coordinate System, NAD 83, North Central Zone 4202.
2. All floodplain information on this plat is for graphical depiction only, as scaled off of Firm Panel Map #48085C0535J, Revised Dated June 02, 2009 for Collin County, Texas. This property is in Zone X, Areas determined to be outside the 0.2% annual chance floodplain.
3. Set monuments are 5/8" iron rods with yellow plastic cap stamped "Jones Carter", unless noted otherwise.
4. 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.
5. Elevations are based on City of Wylie Monuments CM 2. Elevation = 550.24
6. Elevations are based on City of Wylie Monuments CM 3. Elevation = 520.31
7. Minimum floor finish elevations shall be least 2 feet above the SFHA WSE for the 100-year fully developed floodplain.

### DISTRICT COMMERCIAL ADDITION

**PLOT OF DISTRICT COMMERCIAL ADDITION**

16 COMMERCIAL LOTS AND 1 OPEN SPACE LOT

AN ADDITION TO THE CITY OF WYLIE, COLLIN COUNTY, TEXAS

BEING 16.201 ACRES

SITUATED IN THE RICHARD D. NEWMAN SURVEY, ABSTRACT NO. 660.

COLLIN COUNTY, TEXAS

APRIL 2020

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### TABLE

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### VICINITY MAP

PRELIMINARY PLAT OF

DISTRICT COMMERCIAL ADDITION

16 COMMERCIAL LOTS AND 1 OPEN SPACE LOT

AN ADDITION TO THE CITY OF WYLIE, COLLIN COUNTY, TEXAS

BEING 16.201 ACRES

SITUATED IN THE RICHARD D. NEWMAN SURVEY, ABSTRACT NO. 660.

COLLIN COUNTY, TEXAS

APRIL 2020

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### LEGEND

- Black dots represent property boundaries.
- Red dots represent existing structures.
- Blue dots represent proposed structures.

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### CONTACT

Texas Board of Professional Land Surveying Registration No. 100461-03
Texas Board of Professional Engineers Registration No. F-439
6509 Windcrest Drive, Suite 600
Plano, Texas 75024
972.488.3880
Contact: Emartinez, E-mail: emartinez@jonescarter.com
Consider, and act upon, a Preliminary Plat for District Townhomes Addition, establishing 34 residential and four open space lots on 4.165 acres, generally located on South State Highway 78 approximately 1700’ south of Alanis Drive.

Motion to approve a Preliminary Plat for District Townhomes Addition, establishing 34 residential and four open space lots on 4.165 acres, generally located on South State Highway 78 approximately 1700’ south of Alanis Drive.

The applicant is proposing to create 34 residential lots and four open space lots on 4.165 acres. This plat is Tract 1 of the 20.433 acre planned development approved by City Council in April 2020 and townhome development is an allowed use.

On-site streets and alleyways are private and shall be owned and maintained by the HOA. Open space lots shall be dedicated to the City of Wylie and accessible by the public, but maintained by the HOA.

A plat for the mixed-use area (Tracts 2-5) for this planned development is also on the agenda for consideration.

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

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

P&Z Commission Discussion
The Commission voted 7-0 to recommend approval.
**Subject**

Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2020.

**Recommendation**

Motion to accept and place on file, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2020.

**Discussion**

The Finance Department has prepared the attached reports for the City Council as required by the City Charter.
## CITY OF WYLIE
### MONTHLY FINANCIAL REPORT
#### April 30, 2020

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>TAXES</td>
<td>31,772,141</td>
<td>478,889</td>
<td>27,966,532</td>
<td>87.99%</td>
<td>A</td>
</tr>
<tr>
<td>FRANCHISE FEES</td>
<td>2,768,000</td>
<td>21,717</td>
<td>921,383</td>
<td>33.29%</td>
<td>B</td>
</tr>
<tr>
<td>LICENSES AND PERMITS</td>
<td>1,020,990</td>
<td>109,989</td>
<td>565,697</td>
<td>55.41%</td>
<td>C</td>
</tr>
<tr>
<td>INTERGOVERNMENTAL REV.</td>
<td>1,824,729</td>
<td>199,466</td>
<td>918,921</td>
<td>50.36%</td>
<td>D</td>
</tr>
<tr>
<td>SERVICE FEES</td>
<td>3,613,704</td>
<td>290,485</td>
<td>2,035,535</td>
<td>56.33%</td>
<td>E</td>
</tr>
<tr>
<td>FINES AND FORFEITURES</td>
<td>397,500</td>
<td>13,613</td>
<td>135,230</td>
<td>34.02%</td>
<td>F</td>
</tr>
<tr>
<td>INTEREST INCOME</td>
<td>209,000</td>
<td>3,801</td>
<td>68,084</td>
<td>32.58%</td>
<td>G</td>
</tr>
<tr>
<td>MISCELLANEOUS INCOME</td>
<td>191,229</td>
<td>16,164</td>
<td>89,049</td>
<td>46.57%</td>
<td>H</td>
</tr>
<tr>
<td>OTHER FINANCING SOURCES</td>
<td>2,730,030</td>
<td>0</td>
<td>2,730,030</td>
<td>100.00%</td>
<td>I</td>
</tr>
</tbody>
</table>

**REVENUES**

<table>
<thead>
<tr>
<th></th>
<th>44,527,323</th>
<th>1,124,124</th>
<th>35,420,461</th>
<th>79.55%</th>
</tr>
</thead>
<tbody>
<tr>
<td>USE OF FUND BALANCE</td>
<td>2,900,000</td>
<td>2,900,000</td>
<td>2,900,000</td>
<td>100.00%</td>
</tr>
<tr>
<td>USE OF CARRY-FORWARD FUNDS</td>
<td>115,271</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**TOTAL REVENUES**

|                                                      | 47,542,594 | 4,024,124 | 38,320,461 | 80.60% |

## GENERAL FUND EXPENDITURE SUMMARY

| CITY COUNCIL                                 | 92,331     | 6,221     | 39,764     | 43.07% |
| CITY MANAGER                                 | 1,193,778  | 81,261    | 634,188    | 53.12% |
| CITY SECRETARY                               | 382,921    | 24,920    | 188,892    | 49.33% |
| CITY ATTORNEY                                | 170,000    | 41,731    | 82,078     | 48.28% |
| FINANCE                                     | 1,208,300  | 61,130    | 665,020    | 55.04% |
| FACILITIES                                   | 916,637    | 41,711    | 350,473    | 38.23% |
| MUNICIPAL COURT                              | 562,090    | 31,447    | 232,752    | 41.41% |
| HUMAN RESOURCES                              | 669,684    | 40,323    | 324,795    | 48.50% |
| PURCHASING                                   | 192,611    | 13,723    | 100,348    | 52.10% |
| INFORMATION TECHNOLOGY                       | 2,023,633  | 68,424    | 999,304    | 49.38% |
| POLICE                                       | 10,817,411 | 1,031,237 | 6,090,913  | 56.31% |
| FIRE                                         | 8,897,391  | 706,232   | 4,707,938  | 54.19% |
| EMERGENCY COMMUNICATIONS                     | 1,897,821  | 187,434   | 1,033,092  | 54.44% |
| ANIMAL CONTROL                               | 631,684    | 40,397    | 298,069    | 47.19% |
| PLANNING                                     | 314,136    | 20,504    | 162,043    | 51.58% |
| BUILDING INSPECTION                          | 557,834    | 41,670    | 281,386    | 50.44% |
| CODE ENFORCEMENT                             | 258,856    | 15,917    | 122,086    | 47.16% |
| STREETS                                      | 3,888,066  | 243,728   | 1,258,430  | 32.53% |
| PARKS                                        | 2,596,775  | 216,852   | 1,150,146  | 44.29% |
| LIBRARY                                      | 2,157,053  | 172,950   | 5,246,379  | 68.57% |
| COMBINED SERVICES                            | 7,550,603  | 609,586   | 1,118,176  | 51.84% |

**EXPENSES**

**TOTAL EXPENDITURES**

|                                                      | 47,059,625 | 3,225,818 | 25,086,272 | 53.31% |

### Notes:
- A. Property Tax Collections for FY19-20 as of April 30, 2020 are 98.28%, in comparison to FY18-19 for the same time period of 99.05%. Sales tax is on a 2 month lag. Impact of COVID-19 will not be seen until June report.
- B. Franchise Fees: The majority of franchise fees are recognized in the third and fourth quarter with electric fees making up the majority.
- C. Intergovernmental Rev: The majority of intergovernmental revenues come from WISD reimbursements and Fire Services which are billed quarterly. Lucas and Fairview paid in full FY 2020 dispatcher reimbursement of $159k.
- D. Service Fees: Trash fees billed in October are applicable towards FY 2018-19 revenue with the remaining fees coming from other seasonal fees.
- E. Fines and Forfeitures are down 28% from April 2019 which is a continuation of the decreasing trend in fines.
- F. The Interest rate has gone from 2.39% in July 2019 when budget was prepared to .45% for April 2020.
- G. Use of Fund Balance: $1.2 million transfer to PSB Renovation/Expansion Fund and $1.7 million transfer to Fire Station Construction Fund.
- I. Due to one-time expenditures including annual lease payments, insurance, transfers to Capital Project Funds and payment of back taxes to WISD on 802 Kirby Road.
## CITY OF WYLIE
### MONTHLY FINANCIAL REPORT
#### April 30, 2020

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>UTILITY FUND REVENUES SUMMARY</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SERVICE FEES</td>
<td>20,707,808</td>
<td>1,601,761</td>
<td>9,983,042</td>
<td>48.21%</td>
<td>J</td>
</tr>
<tr>
<td>INTEREST INCOME</td>
<td>72,000</td>
<td>1,631</td>
<td>30,246</td>
<td>42.01%</td>
<td></td>
</tr>
<tr>
<td>MISCELLANEOUS INCOME</td>
<td>33,000</td>
<td>1,195</td>
<td>9,555</td>
<td>28.95%</td>
<td></td>
</tr>
<tr>
<td>OTHER FINANCING SOURCES</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td><strong>REVENUES</strong></td>
<td>20,812,808</td>
<td>1,604,588</td>
<td>10,022,843</td>
<td>48.16%</td>
<td></td>
</tr>
<tr>
<td>USE OF FUND BALANCE</td>
<td>1,251,150</td>
<td>NA</td>
<td>1,251,150</td>
<td>100.00%</td>
<td>K</td>
</tr>
<tr>
<td>USE OF CARRY-FORWARD FUNDS</td>
<td>540,580</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>L</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>22,604,538</td>
<td>NA</td>
<td>11,273,993</td>
<td>49.87%</td>
<td></td>
</tr>
</tbody>
</table>

| **UTILITY FUND EXPENDITURE SUMMARY** | | | | | |
| UTILITY ADMINISTRATION | 1,246,849               | 82,979                          | 545,969              | 43.79%                            |                  |
| UTILITIES - WATER     | 2,945,773               | 100,037                         | 770,371              | 26.15%                            |                  |
| UTILITIES - SEWER     | 1,432,669               | 71,212                          | 461,051              | 32.18%                            |                  |
| UTILITY BILLING       | 1,107,033               | 134,753                         | 562,229              | 50.79%                            |                  |
| COMBINED SERVICES     | 15,543,488              | 1,371,547                       | 9,751,806            | 62.74%                            | M                |
| **TOTAL EXPENDITURES** | 22,275,812              | 1,760,528                       | 12,091,426           | 54.28%                            |                  |

| **REVENUES OVER/(UNDER) EXPENDITURES** | 328,726 | -155,941 | -817,433 | -4.42% |

J. Most Utility Fund Revenue billed in October was applicable to FY 2018-19.
K. Use of Fund Balance: For Replacement/New Fleet & Equipment.
M. Annual transfer to the General Fund of $2.3 million. Other expenses are payments to NTMWD for water minimum and sewer treatment.
Subject

Consider, and place on file, the City of Wylie Monthly Investment Report for April 30, 2020.

Recommendation

Motion to accept and place on file, the City of Wylie Monthly Investment Report for April 30, 2020.

Discussion

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

## 2019-2020 Investment Report

**April 30, 2020**

### Money Market Accounts:
- MMA

### Certificates of Deposit:
- CCD

### Treasury Bills:
- T-Bills

### Treasury Notes:
- T-Notes

### Government Agency Notes:
- AN

<table>
<thead>
<tr>
<th>Invest. Number</th>
<th>Principal Amount</th>
<th>Type Of Security</th>
<th>Interest Rate</th>
<th>Issuer</th>
<th>Purchase Date</th>
<th>Maturity Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$15,380,279.68</td>
<td>MMA</td>
<td>0.4552%</td>
<td>Texpool</td>
<td>12/31/2006</td>
<td>NA</td>
</tr>
<tr>
<td>2</td>
<td>$15,929,649.61</td>
<td>MMA</td>
<td>0.4447%</td>
<td>TexStar</td>
<td>3/15/2011</td>
<td>NA</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$31,309,929.29</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **Weighted Average Coupon:** 0.4499%
- **Money Markets:** 
  - Money Markets: $31,309,929.29
  - Certificates of Deposits: $0.00

**Total**

- **Weighted Average Coupon:** 0.4499%
- **Weighted Average Maturity (Days):** 1.00
- **Money Markets:** $31,309,929.29
- **Certificates of Deposits:** $0.00
## Subject

Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of April 30, 2020.

## Recommendation

Motion to approve the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of April 30, 2020.

## Discussion

The Wylie Economic Development Corporation (WEDC) Board of Directors approved the attached financials on May 20, 2020.
# Wylie Economic Development Corporation

## MONTHLY FINANCIAL REPORT

**April 30, 2020**

### REVENUE SUMMARY

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CLAIM ON CASH / Bal Sheet</td>
<td>$286,072.00</td>
<td>$2,621,600.16</td>
<td>$1,239,300.25</td>
<td>$1,709,099.75</td>
</tr>
<tr>
<td>SALES TAX</td>
<td>$2,948,400.00</td>
<td>$334.72</td>
<td>$3,217.59</td>
<td>$2,782.41</td>
</tr>
<tr>
<td>RENTAL INCOME</td>
<td>$155,040.00</td>
<td>$14,475.00</td>
<td>$87,802.00</td>
<td>$67,238.00</td>
</tr>
<tr>
<td>ALLOCATED INTEREST EARNINGS</td>
<td>$6,000.00</td>
<td>$3,217.59</td>
<td>$2,782.41</td>
<td>$1,239,300.25</td>
</tr>
<tr>
<td>BANK NOTE PROCEEDS</td>
<td>$996,500.00</td>
<td>$2,782.41</td>
<td>$511,725.00</td>
<td>$1,709,099.75</td>
</tr>
</tbody>
</table>

### EXPENDITURE SUMMARY

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>PERSONNEL</td>
<td>$440,285.00</td>
<td>$351,153.96</td>
<td>$107.62</td>
<td>$89,131.04</td>
</tr>
<tr>
<td>OPERATING EXPENSES</td>
<td>$162,871.00</td>
<td>$339,823.10</td>
<td>$2,318.24</td>
<td>$211,467.90</td>
</tr>
<tr>
<td>INCENTIVES</td>
<td>$137,600.00</td>
<td>$35,574.27</td>
<td>$166.50</td>
<td>$101,859.23</td>
</tr>
<tr>
<td>COMMUNITY DEVELOPMENT</td>
<td>$43,350.00</td>
<td>$12,255.26</td>
<td>$85.00</td>
<td>$6,524.20</td>
</tr>
<tr>
<td>TRAVEL &amp; TRAINING</td>
<td>$31,317.00</td>
<td>$12,957.80</td>
<td>$85.00</td>
<td>$6,524.20</td>
</tr>
<tr>
<td>AUDIT &amp; LEGAL</td>
<td>$35,000.00</td>
<td>$31,326.60</td>
<td>$2,113.00</td>
<td>$1,901.39</td>
</tr>
<tr>
<td>ENGINEERING &amp; ARCHITECTURAL</td>
<td>$2,267,432.00</td>
<td>$415,352.20</td>
<td>$1,852,079.80</td>
<td>$59,877.37</td>
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<tr>
<td>DEBT SERVICE</td>
<td>$1,456,906.00</td>
<td>$867,028.63</td>
<td>$599,877.37</td>
<td>$59,877.37</td>
</tr>
<tr>
<td>INFRASTRUCTURE PROJECTS</td>
<td>$573,000.00</td>
<td>$9,499.00</td>
<td>$593,501.00</td>
<td>$1.66</td>
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<tr>
<td>COMPUTER</td>
<td>$1,900.00</td>
<td>$887.96</td>
<td>$887.96</td>
<td>$887.96</td>
</tr>
<tr>
<td>FURNITURE &amp; FIXTURES</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
<td>$500.00</td>
</tr>
<tr>
<td>CONTRA CAPITAL</td>
<td>$2,267,432.00</td>
<td>$2,267,432.00</td>
<td>$2,267,432.00</td>
<td>$2,267,432.00</td>
</tr>
</tbody>
</table>

### REVENUES SUMMARY

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>$5,888,166.00</th>
<th>$218,705.29</th>
<th>$2,838,545.31</th>
<th>$3,049,620.69</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXPENDITURES</td>
<td>$5,805,628.00</td>
<td>$132,838.00</td>
<td>$1,415,455.34</td>
<td>$4,378,983.36</td>
</tr>
</tbody>
</table>

### REV OVER/(UNDER) EXPEN

| REV OVER/(UNDER) EXPEN | $82,538.00 | $85,867.29 | $1,423,089.97 | $(11,189.30) |

---

A. **SLSTX Rev earned in Feb, allocated in Apr, was $203,895.57, an increase of 11.72% over the same period in 2019.**

**Sales Tax received for 5 months of FY due to 2 month accrual to prior FY.**

B. **Remaining funds drawn on ANB loan 88193982 approved in FY 18-19 to fund Hwy 78 & Brown properties.**

C. **Operating Expenses include Supplies, Maint Materials, Rental, Communication, Insurance and Utilities.**
Wylie Economic Development Corporation
Statement of Net Position
As of April 30, 2020

### Assets

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and cash equivalents</td>
<td>$2,710,763.15</td>
</tr>
<tr>
<td>Receivables</td>
<td>$70,000.00</td>
</tr>
<tr>
<td>Inventories</td>
<td>$11,634,316.10</td>
</tr>
<tr>
<td>Prepaid Items</td>
<td>$-</td>
</tr>
</tbody>
</table>

**Total Assets** $14,415,079.25

### Deferred Outflows of Resources

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pensions</td>
<td>$134,955.55</td>
</tr>
</tbody>
</table>

**Total deferred outflows of resources** $134,955.55 $14,550,034.80

### Liabilities

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts Payable and other current liabilities</td>
<td>$5,226.33</td>
</tr>
<tr>
<td>Unearned Revenue</td>
<td>$40,200.00</td>
</tr>
<tr>
<td>Non current liabilities:</td>
<td></td>
</tr>
<tr>
<td>Due within one year</td>
<td>$395,888.72</td>
</tr>
<tr>
<td>Due in more than one year</td>
<td>$6,741,318.97</td>
</tr>
</tbody>
</table>

**Total Liabilities** $7,182,634.02

### Deferred Inflows of Resources

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pensions</td>
<td>$(1,490.41)</td>
</tr>
</tbody>
</table>

**Total deferred inflows of resources** $(1,490.41)

### Net Position

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net investment in capital assets</td>
<td>$-</td>
</tr>
<tr>
<td>Unrestricted</td>
<td>$7,368,891.19</td>
</tr>
</tbody>
</table>

**Total Net Position** $7,368,891.19 $14,550,034.80

**Note 1:** Includes incentives in the form of forgivable loans for $70,000

**Note 2:** Exco amortization; deposits from rental property

**Note 3:** Liabilities due within one year includes compensated absences of $93,673
## Balance Sheet

**AS OF: APRIL 30TH, 2020**

### Assets

<table>
<thead>
<tr>
<th>ACCOUNT#</th>
<th>TITLE</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000-10110</td>
<td>Claim on Cash and Cash Equiv.</td>
<td>2,708,763.15</td>
</tr>
<tr>
<td>1000-10115</td>
<td>Cash - WEDC - INWOOD</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-10135</td>
<td>ESCROW</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-10180</td>
<td>DEPOSITS</td>
<td>2,000.00</td>
</tr>
<tr>
<td>1000-10198</td>
<td>OTHER - MISC CLEARING</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-10341</td>
<td>TEXPOOL</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-10343</td>
<td>LOGIC</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-10481</td>
<td>INTEREST RECEIVABLE</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-11511</td>
<td>ACCTS REC - MISC</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-11517</td>
<td>ACCTS REC - SALES TAX</td>
<td>0.00</td>
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<tr>
<td>1000-12810</td>
<td>LEASE PAYMENTS RECEIVABLE</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-12996</td>
<td>LOAN RECEIVABLE</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-12997</td>
<td>ACCTS REC - JTM TECH</td>
<td>0.00</td>
</tr>
<tr>
<td>1000-12998</td>
<td>ACCTS REC - FORGIVEABLE LOANS</td>
<td>70,000.00</td>
</tr>
<tr>
<td>1000-14110</td>
<td>INVENTORY - MATERIAL/ SUPPLY</td>
<td>0.00</td>
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**Total Assets**: 15,134,768.05

### Liabilities

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<tr>
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<th>TITLE</th>
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<td>2000-20114</td>
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<td>2000-20121</td>
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<td>2000-20122</td>
<td>STUDENT LOAN LEVY PAYABLE</td>
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<td>ALIMONY PAYABLE</td>
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<td>ACCRUED WAGES PAYABLE</td>
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<td>MISC PAYROLL PAYABLE</td>
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## BALANCE SHEET

**AS OF: APRIL 30TH, 2020**

### 111-WYLIE ECONOMIC DEVEL CORP

<table>
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<th>ACCOUNT#</th>
<th>TITLE</th>
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<tbody>
<tr>
<td>2000-20201</td>
<td>AP PENDING</td>
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<tr>
<td>2000-20210</td>
<td>ACCOUNTS PAYABLE</td>
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<tr>
<td>2000-20530</td>
<td>PROPERTY TAXES PAYABLE</td>
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<tr>
<td>2000-20540</td>
<td>NOTES PAYABLE</td>
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<td>DUE TO GENERAL FUND</td>
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<td>2000-22270</td>
<td>DEFERRED INFLOW</td>
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<td>2000-22275</td>
<td>DEF INFLOW - LEASE PRINCIPAL</td>
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<td>2000-22280</td>
<td>DEFERRED INFLOW - LEASE INT</td>
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<tr>
<td>2000-22915</td>
<td>RENTAL DEPOSITS</td>
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**TOTAL LIABILITIES**  
765,115.13

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<tbody>
<tr>
<td>3000-34110</td>
<td>FUND BALANCE - RESERVED</td>
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<tr>
<td>3000-34590</td>
<td>FUND BALANCE - UNRESERV/UNDESIGN</td>
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**TOTAL BEGINNING EQUITY**  
12,946,562.95

**TOTAL REVENUE**  
2,838,545.31

**TOTAL EXPENSES**  
1,415,455.34

**REVENUE OVER/(UNDER) EXPENSES**  
1,423,089.97

**TOTAL EQUITY & OVER/(UNDER)**  
14,369,652.92

**TOTAL LIABILITIES, EQUITY & OVER/(UNDER)**  
15,134,768.05
### BALANCE SHEET

**AS OF: APRIL 30TH, 2020**

<table>
<thead>
<tr>
<th>ACCOUNT#</th>
<th>TITLE</th>
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<tr>
<td>922-GEN</td>
<td>LONG TERM DEBT (WEDC)</td>
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<table>
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<th>ACCOUNT#</th>
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<td>1000-18110</td>
<td>LOAN - WEDC</td>
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<tr>
<td>1000-18120</td>
<td>LOAN - BIRMINGHAM</td>
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<td>1000-18210</td>
<td>AMOUNT TO BE PROVIDED</td>
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<td>1000-18220</td>
<td>BIRMINGHAM LOAN</td>
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<td>1000-19055</td>
<td>DEF OUTFLOW TMRS CONTRIBUTIONS</td>
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<td>1000-19051</td>
<td>DEF OUTFLOW SDBF CONTRIBUTIONS</td>
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<tr>
<td>1000-19075</td>
<td>DEF OUTFLOW - INVESTMENT EXP</td>
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<td>1000-19100</td>
<td>DEF OUTFLOW - ACT EXP/ASSUMP</td>
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<tr>
<td>1000-19125</td>
<td>(GAIN)/LOSS ON ASSUMPTION CHG(</td>
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<td>1000-19126</td>
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**ASSETS**

- 133,465.14

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<td>INWOOD LOAN</td>
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<td>ANB LOAN/EDGE</td>
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<td>ANB LOAN/PEDDICORD WHITE</td>
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<td>ANB LOAN/RANDACK HUGHES</td>
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<td>ANB LOAN</td>
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<td>2000-28236</td>
<td>ANB CONSTRUCTION LOAN</td>
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<td>ANB LOAN/BUCHANAN</td>
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<td>ANB LOAN/JONES:HOBART PAYOFF</td>
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<td>HUGHES LOAN</td>
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<td>HOBART/COMMERCE LOAN</td>
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<td>NET PENSION LIABILITY</td>
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**TOTAL LIABILITIES**

- 7,137,207.69

**TOTAL ASSETS**

- 133,465.14
## BALANCE SHEET  
**AS OF: APRIL 30TH, 2020**

<table>
<thead>
<tr>
<th>ACCOUNT#</th>
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<tr>
<td>922-GEN LONG TERM DEBT (WEDC)</td>
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<td><strong>EQUITY</strong></td>
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<td><strong>TOTAL BEGINNING EQUITY</strong></td>
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<td>3000-34590</td>
<td>FUND BALANCE-UNRESERV/UNDESIG (6,117,522.11)</td>
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<td><strong>REVENUE OVER/(UNDER) EXPENSES</strong></td>
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<tr>
<th>MONTH</th>
<th>WEDC 2017</th>
<th>WEDC 2018</th>
<th>WEDC 2019</th>
<th>WEDC 2020</th>
<th>19 VS 20</th>
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<td>$214,867</td>
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<td>191,896</td>
<td>223,750</td>
<td>218,520</td>
<td>-5,229</td>
<td>-2.34%</td>
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<td>276,698</td>
<td>275,668</td>
<td>307,367</td>
<td>362,129</td>
<td>54,763</td>
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<td>208,222</td>
<td>228,091</td>
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<td>203,707</td>
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<td>JUNE</td>
<td>191,732</td>
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<td>249,590</td>
<td>283,603</td>
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<td>308,324</td>
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<td>$2,562,759</td>
<td>$2,920,137</td>
<td>$1,239,300</td>
<td>102,595</td>
<td>8.45%</td>
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<td><strong>AUDIT ADJ</strong></td>
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<tr>
<td><strong>TOTAL</strong></td>
<td>$2,627,376</td>
<td>$2,562,759</td>
<td>$2,920,137</td>
<td>$1,239,300</td>
<td>102,595</td>
<td>8.45%</td>
</tr>
</tbody>
</table>

**WEDC SALES TAX ANALYSIS**

![Graph showing sales tax revenue for each month from December to November.](image-url)
Consider, and act upon, Ordinance No. 2020-32 to abandon a portion of Right-of-Way being 1,215 sq. ft. of unimproved alley within the J. Truitt Survey, Abstract No. 920, and to waive the requirement for an appraisal for said right-of-way adjacent to 202 N. 2nd Street.

Motion to approve Ordinance No. 2020-32 to abandon a portion of Right-of-Way being 1,215 sq. ft. of unimproved alley within the J. Truitt Survey, Abstract No. 920, and to waive the requirement for an appraisal for said right-of-way adjacent to 202 N. 2nd Street.

Property Owner: First Baptist Church of Wylie

In accordance with Ordinance No. 2007-21, Section 2.12.A.5, First Baptist Church of Wylie, the owner of property located within the J. Truitt Survey, Abstract No. 920, Block 9, Lots 5 & 6, is requesting Council to waive the requirement for a certified appraisal of 1,215 square feet of public right-of-way. The subject alley and utility easement(s) are contained within ½ of a twenty-foot unimproved alley. The remaining portion of the alley is adjacent to property owned by the Wylie Economic Development Corporation and is the subject of a right-of-way abandonment request on the current agenda.

The purpose of the request is to allow the owner to expand and create a contiguous plat to enable additional parking for the church as well as for downtown use. The owner proposes that the Council accept a value of $2.50 per square foot. A cashier’s check in the amount $3,037.50 has been received. In accordance with section 2.12.B, if the Council denies the request, the funds will be fully refunded to the purchaser(s).

CONSIDERATION:

In its current condition, the subject public right-of-way cannot serve as adequate access by fire and other emergency vehicles or for trash collection. As currently platted as public right-of-way, the land provides no tax revenue to the City. Staff has reviewed the request and determined that easements can be created to accommodate active utilities for Atmos Gas, Oncor Electric and City of Wylie waste-water lines until such time as the property is redeveloped and new utility easements are created. If granted, the owner is required to replat combining the abandoned right-of-way into the adjacent platted lot(s) within six months.
ORDINANCE NO. 2020-32

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, ABANDONING A PORTION OF PUBLIC RIGHT-OF-WAY BEING 1,215 SQ. FT. OF UNIMPROVED ALLEY WITHIN THE J. TRUITT SURVEY, ABSTRACT NO. 920, AND TO WAIVE THE REQUIREMENT FOR AN APPRAISAL FOR SAID RIGHT-OF-WAY ADJACENT TO 202 N. 2ND STREET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property described herein is platted as public right-of-way surrounded by Lots 5 & 6 in the Railroad Addition, said right-of-way being approximately 1,215 square feet; and

WHEREAS, the Wylie Economic Development Corporation, principal owner of the property adjacent to said right-of-way has requested that the right-of-way be abandoned and offered for sale according to State law and Section 2.12 of the City of Wylie Subdivision Regulations; and

WHEREAS, the City of Wylie has determined that said right-of-way is no longer needed for public access purposes, provided that existing utilities located within said right-of-way are converted to easements through replatting or other legal instruments by the new owners acquiring said right-of-way;

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

SECTION 1: That the above described right-of-way and as shown in Exhibit A (Legal), and Exhibit B (Survey) attached are no longer necessary for public access purposes, provided that existing utilities shall be located within easements, and that said portion of right-of-way should be abandoned in favor of adjacent property owner(s).

SECTION 2: That this abandonment shall extend only to the public right-of-way, title and interest which the City of Wylie, Texas may have in and to said right-of-way, and shall be construed to extend only to such interest that the governing body of the City of Wylie may legally and lawfully abandon.

SECTION 3: That this ordinance shall be in full force and effect from and after its adoption by the City Council, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Wylie,

Texas, this 26th day of May 2020.

Ordinance No. 2020-32 Abandoning a portion of public right-of-way being 1,215 sq. ft. of unimproved alley within the J. Truitt Survey, Abstract No. 92
Ordinance No. 2020-32 Abandoning a portion of public right-of-way being 1,215 sq. ft. of unimproved alley within the J. Truitt Survey, Abstract No. 92

Eric Hogue, Mayor

ATTEST:

__________________________
Stephanie Storm, City Secretary
EXHIBIT NO. 2 - Joan Marie Tyler

Brown Street

Lot 10, Block 4
Railroad Addition
Wylie Economic Development Corp.
CC# 2019027000202110, DRCT
[300 N 2nd]

Lot 9, Block 4
Railroad Addition
Wylie Economic Development Corp.
CC# 2019027000202110, DRCT
[300 N 2nd]

Lot 8, Block 4
Railroad Addition
Joan Marie Tyler
CC# 20190713000725780, DRCT
[300 N 2nd]

Pt. of Lot 7, Block 4
Railroad Addition
RR Keymer
CC# [300 N 2nd]

Lot 6 & Pt. of Lot 7, Block 4
Railroad Addition
Wylie Economic Development Corp.
CC# 20190270002026650, DRCT
[300 N 2nd]

Wylie Economic Development Corporation
CC# 2019122800175610, DRCT
Formerly Part of Blocks 3 & 4
Railroad Addition

Legend

CRF  Capped Iron Rod Found
RCRS  Room Capped Iron Rod Set
DRCT  Deed Record Collin County Texas
IRF  Iron Rod Found
CM  Controlling Monument
FH  Fire hydrant
WV  Water Valve
GM  Gas Meter
PP  Power Pole
OH  Overhead Lines
CH  Chain Link Fence
WF  Wood Fence
FD  Frontier Pin Flag
AP  Atmos Pin Flag

S 89 43'51" E 10.00'
S 89 43'51" W 10.00'

E 650 S. Q. F.
650 S. Q. F.

Notes:
1) This survey has been performed without the benefit of a
Title Commitment. 2) Subject property is affected by any and
all notes, details, easements and other matters that are shown
on or as part of the recorded plat and/or as part of a title
commitment/survey request. 3) Source bearing is based on 2.395
acre tract as recorded in Volume 2485, Page 703 of the Collin
County Land Records. 4) Railroad Addition recorded in Volume 77,
Page 495 of the Collin County Plat Records.

Exhibit 'A' - Joan Marie Tyler
1/2 Alley Abandonment
650 Sq.Ft.
J. Truitt Survey, Abstract No. 920
City of Wylie, Collin County, Texas
July 27, 2019
Exhibit 'A'
Alley Abandonment
6,543 Sq.Ft./0.150 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, being a 20' unimproved alley running from the south right-of-way line of Brown Street in a southerly direction to the north right-of-way line of Jefferson Street, lying east of the east property line of Lots 6–10, Block 4 of Railroad Addition as recorded in Volume 77, Page 495 of the Collin County Plat Records, with said premises being more particularly described as follows:

BEGINNING at a CBG capped iron rod found in the south right-of-way line of Brown Street and marking the intersection of the northeast corner of Lot 10, Block 4 of said Railroad Addition with the south right-of-way line of Brown Street, and being in the west line of said 20' unimproved alley;

THENCE with the south right-of-way line of Brown Street and crossing through said 20' unimproved alley, North 89°59'41" East, 20.00 feet to a Roome capped iron rod set marking the northeast corner of said alley, and the northwest corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20181228001575610 of the Deed Records of Collin County, Texas;

THENCE departing said right-of-way line, with the east line of said alley and the west line of said Wylie Economic Development Corporation tract, South 00°00'19" East, 327.19 feet to a ½' iron rod found marking the southeast corner of said alley, the southwest corner of said Wylie Economic Development Corporation tract, and being in the north right-of-way line of Jefferson Street;

THENCE with the north right-of-way line of Jefferson Street, and crossing through said 20' unimproved alley, North 89°43'51" West, 20.00 feet to a Roome capped iron rod set marking the southeast corner of Lot 6, Block 4 of said Railroad Addition, from which a ½' iron rod found for reference bears South 01°09'49" West, 0.54 feet;

THENCE with the west line of said 20' unimproved alley, and the east line of said Lots 6–10, North 00°00'19" West, 327.10 feet to the place of beginning and containing 6,543 square feet or 0.150 acres of land.

Exhibit 'A'
Alley Abandonment
6,543 Sq.Ft. / 0.150 Acres
J. Truitt Survey, Abstract No. 920
City of Wylie, Collin County, Texas
July 19, 2019

Page 2 of 2
P:/AC/201902/AC852270.DWG
SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, being a 20' unimproved alley running from the south right-of-way line of Brown Street in a southerly direction to the north right-of-way line of Jefferson Street, lying east of the east property line of Lots 6-10, Block 3 of Railroad Addition as recorded in Volume 77, Page 495 of the Collin County Plat Records, west of the west line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Deed Records of Collin County, Texas; BEGINNING at a ½" iron rod found in the south right-of-way line of Brown Street and marking the intersection of the northeast corner of Lot 10, Block 3 of said Railroad Addition with the south right-of-way line of Brown Street, and being in the west line of said 20' unimproved alley;

THENCE with the south right-of-way line of Brown Street and crossing through said 20' unimproved alley, North 89°59'41" East, 20.00 feet to a Roome capped iron rod set marking the northeast corner of said alley, and the northwest corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Deed Records of Collin County, Texas;

THENCE departing said right-of-way line, with the east line of said alley and the west line of said Wylie Economic Development Corporation tract, South 00°02'52" East, 325.22 feet to a Roome capped iron rod set marking the southeast corner of said alley, the southwest corner of said Wylie Economic Development Corporation tract, and being in the north right-of-way line of Jefferson Street;

THENCE with the north right-of-way line of Jefferson Street, and crossing through said 20' unimproved alley, North 89°43'51" West, 20.00 feet to a ½" iron rod found marking the southeast corner of Lot 6, Block 3 of said Railroad Addition;

THENCE with the west line of said 20' unimproved alley, and the east line of said Lots 6-10, North 00°02'52" West, 325.22 feet to the place of beginning and containing 6,504 square feet or 0.149 acres of land.
EXHIBIT NO. 2

Legend
- RCIRF: Roome Capped Iron Rod Found
- RCRS: Roome Capped Iron Rod Set
- DROCT: Deed Record Collin County Texas
- IRF: Iron Rod Found
- CM: Controlling Monument
- FH: Fire Hydrant
- WV: Water Valve
- GM: Gas Meter
- PP: Power Pole
- SSNH: Sanitary Sewer Manhole
- OH: Overhead Lines
- K: Barbed Wire Fence
- W: Wood Fence

Hwy Economic Development Corp.
C/0 20190108000022950, DRCCT
Formerly Lots 1-9, Block 3
Railroad Addition

Roome Capped Iron Rod Found
Roome Capped Iron Rod Set
Deed Record Collin County Texas
Iron Rod Found
Controlling Monument
Fire Hydrant
Water Valve
Gas Meter
Power Pole
Sanitary Sewer Manhole
Overhead Lines
Barbed Wire Fence
Wood Fence

Exhibit 'C'
Fourth Street Abandonment
22,161 Sq.Ft. / 0.509 Acres
Francisco De La Pina Survey, Abstract No. 688
City of Wylie, Collin County, Texas
July 19, 2019
Page 1 of 2
P:AC/201902/AC852270.DWG

Notes: 1) This survey has been performed without the benefit of a Title Commitment. 2) Subject property is affected by any and all notes, details, easements, and other matters that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request. 3) Source bearing is based on a 3.395 acre tract as recorded in Volume 900, Page 703 of the Collin County Land Records. 4) Railroad Addition recorded in Volume 77, Page 495 of the Collin County Plat Records.
Exhibit 'C'
Fourth Street Abandonment
22,161 Sq.Ft. / 0.509 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the Francisco De La Pina Survey, Abstract No. 688, being a 70' unimproved roadway (Fourth Street) running from the south right-of-way line of Brown Street in a southerly direction to the north right-of-way line of Jefferson Street, lying east of the east property line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Collin County Plat Records, west of the west line of Lots 2-5, Block 2 of said Railroad Addition;

BEGINNING at a Roome capped iron rod found in the south right-of-way line of Brown Street and marking the intersection of the northeast corner of said Wylie Economic Development Corporation tract with the south right-of-way line of Brown Street, and being in the west line of said 70' unimproved roadway (Fourth Street);

THENCE with the south right-of-way line of Brown Street and crossing through said 70' unimproved roadway (Fourth Street), North 89°43'51" East, 70.00 feet to a Roome capped iron rod set marking the northeast corner of said Lot 5, Block 2 of said Railroad Addition;

THENCE departing said right-of-way line, with the east line of said 70' unimproved roadway (Fourth Street), and the west line of Lots 2-5, Block 2 of said Railroad Addition, South 00°02'52" East, 294.31 feet to a Roome capped iron rod set marking the southeast corner of said 70' unimproved roadway (Fourth Street), the southwest corner of said Lot 2, and being in the northwest line of an undeveloped Kansas City Southern Railway Co. 2.94 acre tract of land;

THENCE with the northwest line of said undeveloped Kansas City Southern Railway Co. 2.94 acre tract, and the southeast line of said premises, South 51°49'52" West, 49.71 feet to a Roome capped iron rod set marking a southwest corner of said premises, and being in the north right-of-way line of a 70' unimproved Jefferson Street;

THENCE with the south line of said premises, and the north right-of-way line of said 70' unimproved Jefferson Street, North 89°43'51" West, 30.89 feet to a Roome capped iron rod set marking the intersection of the west right-of-way line of unimproved 70' unimproved roadway Fourth Street) with the north right-of-way line of a 70' unimproved roadway (Jefferson Street), and being the southeast corner of the aforementioned Wylie Economic Development Corporation tract:

THENCE with the west line of said unimproved 70' unimproved roadway Fourth Street) and the east line of said Wylie Economic Development Corporation tract, North 00°02'52" West, 325.22 feet to the place of beginning and containing 22,161 square feet or 0.509 acres of land.

Exhibit 'C'
Fourth Street Abandonment
22,161 Sq.Ft. / 0.509 Acres
Francisco De La Pina Survey, Abstract No. 688
City of Wylie, Collin County, Texas
July 19, 2019

FE. BEMENDERFER JR.
PROFESSIONAL LAND SURVEYOR
4051

Roome Land Surveying
2000 Avenue G. Suite 810
Plano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roomesurveying.com / Firm No. 10013190
EXHIBIT NO. 2 - First Baptist Church

Jefferson Street
(70' Right-of-Way)

Second Street
(80' Right-of-Way)

Marble Street
(80' Right-of-Way)

Legend
- CRF: Capped Iron Rod Found
- CRRS: Roone Capped Iron Rod Set
- DRCT: Deed Record Collin County Texas
- IRF: Iron Rod Found
- CM: Controlling Monument
- SSCO: Sanitary Sewer Cleanout
- FHV: Fire Hydrant
- WV: Water Valve
- CM: Gas Meter
- PP: Power Pole
- OH: Overhead Lines
- CH: Chain Link Fence
- DF: Wood Fence
- AP: Atmos Pin Flag

Wylie Economic Development Corp
C&G 20110206001145580, DRCT [204 N. 2nd]

Lot 7 & 8 1/2 Lot 8, Block 9
Railroad Addition
Wiley Economic Development Corp
C&G 20110206001145580, DRCT [204 N. 2nd]

Lot 5 & 6, Block 9
Railroad Addition
Wiley Economic Development Corp
C&G 20110206001145580, DRCT [204 N. 2nd]

Lot 9 & N 1/2 Lot 8, Block 9
Railroad Addition
Wiley Economic Development Corp
C&G 20160420000427560, DRCT [208 N. 2nd]

Lot 5 & 6, Block 9
Railroad Addition
First Baptist
Church of Wylie
C&G 20110206001145580, DRCT [202 N. 2nd]

Notes:
1. This survey has been performed without the benefit of a Title Commitment.
2. Subject property is affected by any and all notes, easements and other matters that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request.
3. Source bearing is based on 2.395 acre tract as recorded in Volume 2468, Page 703 of the Collin County Land Records.

F. E. BEMENDERFER JR.,
PROFESSIONAL LAND SURVEYOR

Exhibit 'D' - First Baptist Church
1/2 Alley Abandonment
1,215 Sq.Ft.
J. Truitt Survey, Abstract No. 920
City of Wylie, Collin County, Texas
July 27, 2019
Exhibit 'D'
Alley Abandonment
5,958 Sq.Ft./0.137 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, being a 20' unimproved alley running from the south right-of-way line of Jefferson Street (a 70' unimproved roadway) in a southerly direction to the north right-of-way line of E. Marble Street (60' ROW), lying west of the west property line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Collin County Land Records, with said premises being more particularly described as follows:

BEGINNING at a Roome capped iron rod found in the south right-of-way line of Jefferson Street (a 70' unimproved roadway) and marking the intersection of the northwest corner of said Wylie Economic Development Corporation tract with the south right-of-way line of Jefferson Street, and being in the east line of said 20' unimproved alley;

THENCE departing said right-of-way line, with the east line of said alley and the west line of said Wylie Economic Development Corporation tract, South 00°00'19" East, 297.92 feet to a Roome capped iron rod set marking the southeast corner of said alley, the southwest corner of said Wylie Economic Development Corporation tract, and being in the north right-of-way line of E. Marble Street;

THENCE with the north right-of-way line of E. Marble Street, and crossing through said 20' unimproved alley, South 89°43'51" East, 20.00 feet to a Roome capped iron rod set marking the southeast corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20111026001149560 of the Collin County Land Records, from which a CIRF bears North 12°35'46" East, 1.63 feet;

THENCE with the west line of said 20' unimproved alley, the east line of said Wylie Economic Development Corporation tract (County Clerk No. 20111026001149560), and the east line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 201905100000523730 of the Collin County Land Records, North 00°00'19" West, 297.92 feet to a Roome capped iron rod set in the south right-of-way of the aforementioned Jefferson Street (a 70' unimproved roadway, and marking the northwest corner of said 20' unimproved alley;

THENCE with the south right-of-way line of Jefferson Street (a 70' unimproved roadway), and crossing through said 20' unimproved alley, North 89°59'41" East, 20.00 feet to the place of beginning and containing 5,958 square feet or 0.137 acres of land.

Exhibit 'D'
Alley Abandonment
5,958 Sq.Ft. / 0.137 Acres
J. Truitt Survey, Abstract No. 920
City of Wylie, Collin County, Texas
July 19, 2019
Page 2 of 2
P.: AC/201902/AC852270.DWG
Exhibit 'E'
Jefferson Street Abandonment
41,762 Sq.Ft. / 0.959 Acres
J. Truitt Survey, Abstract No. 920 &
Francisco De La Pina Survey, Abstract No. 688
City of Wylie, Collin County, Texas
July 19, 2019

Notes: 1) This survey has been performed without the benefit of a Title Commitment. 2) Subject property is affected by any and all notes, details, easements and other matters that are shown on or as part of the recorded plot and/or as part of a title commitment/survey request. 3) Source bearing is based on 2.395 acres (as recorded in Volume 2486, Page 703 of the Collin County Land Records. 4) Railroad Addition recorded in Volume 77, Page 495 of the Collin County Plats Records.
Exhibit 'E'
Jefferson Street Abandonment
41,762 Sq.Ft. / 0.959 Acres

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, part of the Francisco De La Pina Survey, Abstract No. 688, all of a 70' unimproved roadway (Jefferson Street), with said premises being more particularly described as follows:

BEGINNING at a Roome capped iron rod set marking the southeast intersection of the south right-of-way line of Jefferson Street (a 70' unimproved roadway) with the east right-of-way line of Second Street (80' ROW), and being the northwest corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190422000427560 of the Collin County Land Records;

THENCE with the east right-of-way line of Second Street and crossing through Jefferson Street, North 00°00'19" West, 70.00 feet to a Roome capped iron rod set marking the northeast intersection of the east right-of-way line of Second Street with the north right-of-way line of 70' unimproved roadway (Jefferson Street), and marking the southwest corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190227000205650 of the Collin County Land Records;

THENCE departing the east right-of-way line of Second Street, with the north right-of-way line of said 70' unimproved roadway (Jefferson Street), the south line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190227000205650, the south line of an unimproved 20' alley, the south line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20181228001575610, the south line of an unimproved 20' alley, the south line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300, and the south line of an unimproved 70' Fourth Street, South 89°43'51" East, 640.83 feet to a Roome capped iron rod set marking the southwest line of Jefferson Street, and being in the northwest line of a Kansas City Southern Railway Company 2.94 acre tract (property ID# 2614082 (no deed reference);

THENCE with the southeast line of said premises and the northwest line of said Kansas City Southern Railway Company 2.94 acre tract, South 51°49'52" West, 112.61 feet to a Roome capped iron rod set marking the southeast corner of said premises and being the northeast corner of the aforementioned Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Collin County Land Records;

THENCE with the south right-of-way line of said 70' unimproved roadway (Jefferson Street), the north line of said Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300, the north line of an unimproved 20' alley, and the north line of the aforementioned Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190422000427560, North 89°43'51" West, 552.30 feet to the place of beginning and containing containing 41,762 square feet or 0.959 acres of land.

Exhibit 'E'
Jefferson Street Abandonment
41,762 Sq.Ft. / 0.959 Acres
J. Truitt Survey, Abstract No. 920 &
Francisco De La Pina Survey, Abstract No. 688
City of Wylie, Collin County, Texas
July 19, 2019

Roome Land Surveying
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www.roomesurveying.com / Film No. 10613100
EXHIBIT NO. 2 - R R Kreymer

Brown Street

Lot 10, Block 4
Railroad Addition
Mykle Economic Development Corp.
CC# 20190227000202110, DRCCCT
[308 H. 2nd]

Lot 9, Block 4
Railroad Addition
Mykle Economic Development Corp.
CC# 20190227000202110, DRCCCT
[306 H. 2nd]

Lot 8, Block 4
Railroad Addition
Tyrus Joan Marie
CC# 20110713000726780, DRCCCT
[304 H. 2nd]

Pt. of Lot 7, Block 4
Railroad Addition
R R Kreymer
CC# [302 H. 2nd]

Lot 6 & Pt. of Lot 7, Block 4
Railroad Addition
Mykle Economic Development Corp.
CC# 20190227000202110, DRCCCT
[300 H. 2nd]

 legend

CRF
Capped Iron Rod Found

RCKRS
Rooms Capped Iron Rod Set

DRCCCT
Deed Record Collin County Texas

IRF
Iron Rod Found

CM
Controlling Monument

F
Fire Hydrant

W
Water Valve

GM
Gas Meter

PP
Power Pole

OH
Overhead Lines

Ch
Chain Link Fence

W
Wood Fence

F
Frontier Pin Flag

A
Atmos Pin Flag

F.E. BEMENDERFER JR. 4051
PROFESSIONAL LAND SURVEYOR

EXHIBIT 'A' - R R Kreymer
1/2 Alley Abandonment
405 Sq.Ft.
J. Truitt Survey, Abstract No. 920
City of Wylie, Collin County, Texas
July 27, 2019

Notes: 1) This survey has been performed without the benefit of a Title Commitment. 2) Subject property is affected by any and all notes, easements, easements and other matters that are shown on or as part of the recorded plat and/or as part of a Title commitment/survey request. 3) Source bearing is based on 3,95 acre tract as recorded in Volume 2486, Page 703 of the Collin County Land Records. 4) Railroad Addition recorded in Volume 77, Page 495 of the Collin County Plat Records.
MINIMUM SUBMITTAL REQUIREMENTS

- A completed copy of the attached Abandonment of Public ROW/Easement application.
- All exhibits processed (except for Exhibit No. 4, which will be processed by staff).
- Attach responses from all abutting property owners. (sample letter enclosed).
- A certified appraisal of the value of the land to be abandoned.
- A certified check to the City for the amount of the Appraisal.
- An executed Release of Claims from each abutting property owner.

ADDRESS/NAME OF ADDITION/SUBDIVISION: 202 N. 2nd St., Wylie, TX 75098

LEGAL DESCRIPTION: Railroad, BLK 9, LOT 6

APPLICANT (Primary Contact for the Project):
Name: Theresa Evett
E-Mail: theresa@fbwchurch.org
Street Address: 200 N. Ballard
City: Wylie, TX
State: TX
Zip Code: 75098
Phone Number: 972-442-2261
Fax Number: 972-442-4154

PROPERTY OWNER’S INFORMATION (if different from above):
Name: First Baptist Church of Wylie
E-Mail: Same
Street Address: 100 N. 1st
City: Wylie, TX
State: TX
Zip Code: 75098
Phone Number: Same
Fax Number: Same

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Signature of Owner, Agent or Applicant: [Signature]
Date: 2/28/2020
APPLICATION FOR
THE ABANDONMENT OF A
PUBLIC RIGHT-OF-WAY/EASEMENT

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF WYLIE:

The undersigned hereby makes application for the abandonment of that portion of the above right-of-way particularly described in Exhibit No. 1, attached. In support of this application, the undersigned represents and warrants the following:

1. Attached, marked Exhibit No. 1, is a metes and bounds description (dividing the area in half) of the area sought to be abandoned.

2. Attached, marked Exhibit No. 2, is a copy of a plat or detailed sketch of that portion of the public right-of-way/easement sought to be abandoned, and the surrounding area to the nearest streets in all directions, showing the abutting lots and block, and the subdivision in which the above described right-of-way/easement is situated, together with the record owners of such lots.

3. Attached, marked Exhibit No. 3, is the written consent of all public utilities to the abandonment.

4. Attached, marked Exhibit No. 4, is the consent of the City of Wylie staff to the abandonment.

5. Attached, marked Exhibit No. 5, is the written consent of all the abutting property owners, except the following: (if none, so state)

   N/A

6. Such public right-of-way/easement should be abandoned because:

   The abandonment enabled additional parking for church and downtown use.

7. Such public right-of-way/easement has been and is being used as follows:

   The easement is being used to provide additional parking for the church and downtown area.
8. Attached, marked Exhibit No. 6, is the certified appraisal of the value of the land to be abandoned.

9. Attached, marked Exhibit No. 7, is a Release of Claims executed by each abutting property owner.

I swear that all of the information contained in this application is true and correct to the best of my knowledge and belief.

Applicant's Signature: 

Applicant's Name: Theresa Evets

Applicant's Address: 200 N. Ballard
Wylie, TX 75098

Applicant's Phone Number: 972-442-2261

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Collin

Subscribed and sworn to before me, a Notary Public, this 78 day of February, 2022 by Esther Moulder

Esther Moulder
Notary Public in and for the State of Texas
Application for Abandonment of
a Public Right-of-Way/Easement

Located: 202 N. 2nd St., Railroad Block 9 Lot 6

EXHIBIT NO. 1

Attached is a copy of the metes and bounds description (dividing the area in half) of the
public right-of-way/easement situated in 202 N. 2nd St.
Addition/Subdivision to the City of Wylie, Collin County, Texas, sought to be abandoned.
EXHIBIT NO. 2 - First Baptist Church

Legend
- CIRF: Capped Iron Rod Found
- ROEM: Roofed Capped Iron Rod Set
- DC: Deed Record Collin County Texas
- IRF: Iron Rod Found
- CM: Controlling Monument
- S5CC: Sanitary Sewer Cleanout
- FF: Fire Hydrant
- WV: Water Valve
- SW: Sanitary Waste
- HW: Highway Lines
- WN: Wood Fence
- AP: Altar Pin Flag

Notes:
1. This survey has been performed without the benefit of a Title Commitment.
2. Subject property is offered for any and all sales, rentals, exchanges, and other matters.
3. Source data is based on 2,395 acre tract as recorded in Volume 2486, Page 703 of the Collin County Land Records.
4. Railroad Addition recorded in Volume 77, Page 405 of the Collin County Plot Records.
Exhibit 'D'
Alley Abandonment
5,958 Sq.Ft./0.137 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, being a 20' unimproved alley running from the south right-of-way line of Jefferson Street (a 70' unimproved roadway) in a southerly direction to the north right-of-way line of E. Marbie Street (60' ROW), lying west of the west property line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Collin County Land Records, with said premises being more particularly described as follows:

BEGINNING at a Roome capped iron rod found in the south right-of-way line of Jefferson Street (a 70' unimproved roadway) and marking the intersection of the northwest corner of said Wylie Economic Development Corporation tract with the south right-of-way line of Jefferson Street, and being in the east line of said 20' unimproved alley;

THENCE departing said right-of-way line, with the east line of said alley and the west line of said Wylie Economic Development Corporation tract, South 00'00'19" East, 297.92 feet to a Roome capped iron rod set marking the southeast corner of said alley, the southwest corner of said Wylie Economic Development Corporation tract, and being in the north right-of-way line of E. Marbie Street;

THENCE with the north right-of-way line of E. Marbie Street, and crossing through said 20' unimproved alley, South 89'43'51" East, 20.00 feet to a Roome capped iron rod set marking the southeast corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 2011110260011493660 of the Collin County Land Records, from which a CIRC bears north 12'35'46" East, 1.63 feet;

THENCE with the west line of said 20' unimproved alley, the east line of said Wylie Economic Development Corporation tract (County Clerk No. 2011110260011493660), and the east line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 201905100005237310 of the Collin County Land Records, North 00'00'19" West, 297.92 feet to a Roome capped iron rod set in the south right-of-way of the aforementioned Jefferson Street (a 70' unimproved roadway, and marking the northwest corner of said 20' unimproved alley;

THENCE with the south right-of-way line of Jefferson Street (a 70' unimproved roadway), and crossing through said 20' unimproved alley, North 89'58'41" East, 20.00 feet to the place of beginning and containing 5,958 square feet or 0.137 acres of land.
Application for Abandonment of a Public Right-of-Way/Easement

Located: 202 N. 2nd St., Railroad Block 9, Lot 6

EXHIBIT NO. 2

Attached is a copy of a plat or detailed sketch of the public right-of-way/easement sought to be abandoned in the above-mentioned application, showing the surrounding area to the nearest streets in all directions, abutting lots, the block or blocks in which the portion of the public right-of-way/easement sought to be vacated is situated, and the addition or subdivision in which the portion of the public right-of-way/easement sought to be abandoned is situated. Also, the names of record owners of the abutting lots are shown.

(If the property has not been platted, applicant has six months from date of City Council approval to complete all steps required for purchase of the abandonment and filing a plat or replat with County in accordance with the final plat requirements of the Subdivision Ordinance.)
CONSTRUCTION DOCUMENTS FOR
FIRST BAPTIST CHURCH
PARKING EXPANSION
CITY OF WYLIE, COLLIN COUNTY, TEXAS
ADDITIONAL 76 PARKING SPACES

VICINITY MAP
Application for Abandonment of a Public Right-of-Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street, bounded on the North by Brown Street and the South by E. Marble Street: 20' Unimproved Alley in Blocks 3, 4 and 9, and unimproved Fourth Street and Jefferson Street (see Vicinity Map).

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of Wylie, that portion of the public right-of-way/utility easement sought to be abandoned in the Application for Abandonment above referred to, do hereby consent to the abandonment of the described portion thereof.

Atmos Gas Company

BY: [Signature]
Title Sr. Project Specialist

(*) Atmos approval is contingent upon an easement being established for an active gas line.

Oncor Electric

BY: [Signature]
Title

Frontier Communications

BY: [Signature]
Title

City of Wylie Public Utilities

BY: [Signature]
Title
Application for Abandonment of
a Public Right-of-
Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street, bounded
on the North by Brown Street and the South by E. Marble Street; 20’ Unimproved Alley in Blocks
3, 4 and 9, and unimproved Fourth Street and Jefferson Street (see Vicinity Map).

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and
provisions of our respective franchises with the City of Wylie, that portion of the public
right-of-way/utility easement sought to be abandoned in the Application for
Abandonment above referred to, do hereby consent to the abandonment of the
described portion thereof.

Atmos Gas Company

BY: ____________________________
   Title __________________________

Oncor Electric

BY: ____________________________
   Title __________________________

Frontier Communications

BY: [Signature]
   Title [Signature]

City of Wylie Public Utilities

BY: ____________________________
   Title __________________________
Application for Abandonment of
a Public Right-of-
Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street, bounded
on the North by Brown Street and the South by E. Marble Street; 20' Unimproved Alley in Blocks
3, 4 and 9, and unimproved Fourth Street and Jefferson Street (see Vicinity Map).

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and
provisions of our respective franchises with the City of Wylie, that portion of the public
right-of-way/utility easement sought to be abandoned in the Application for
Abandonment above referred to, do hereby consent to the abandonment of the
described portion thereof.

Atmos Gas Company

BY: ______________________________
Title ______________________________
(*) Atmos approval is contingent upon an easement being established for an active gas line.

Oncor Electric

BY: ______________________________
Title ______________________________
(*) Oncor approval is contingent upon an easement being established for active powerlines.

Frontier Communications

BY: ______________________________
Title ______________________________

City of Wylie Public Utilities

BY: ______________________________
Title Public Works Director
(*) City of Wylie Public Utilities approval is contingent upon an easement being established
for an active waste-water line.
Application for Abandonment of a Public Right-of-Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street bounded on the North by Brown Street and the South by E. Marble Street: 20' Unimproved Alley in Blocks 3, 4, and 9, and unimproved Fourth Street and Jefferson Street (See vicinity map).

EXHIBIT NO. 4

The undersigned, City staff of the City of Wylie, certify that they have carefully considered the Application for Abandonment of the public right-of-way/easement referred to above pursuant to City ordinances and with respect to present and future needs of the City of Wylie and see no objection to the requested abandonment from the City’s standpoint.

City Engineer

Building Official

Planning Manager

Fire Marshal

See Exhibit No. 3

Director of Public Services
August 12, 2019

First Baptist Church
202 N. Second Street
Wylie, Texas 75098

RE: Abandonment of Right-of-Way Located at: The West 1/4 of an unimproved 20' alley adjacent to the East property line of said premises as addressed above.

To Whom It May Concern:

An abutting property owner of the above referenced public right-of-way has requested that the City abandon said right-of-way/easement. The City Council will consider this request in the near future. If abandoned, the half of the width of the right-of-way/easement will be offered for sale to the owners of abutting properties at the appraised fair market value, in accordance with Ordinance No. 2007-21, Section 2.12 of the Subdivision Regulations of the City of Wylie.

County records indicate that you are an owner of property abutting the subject portion of right-of-way/easement. Please complete the questions below and return this letter to the City of Wylie Planning Department, 300 Country Club Road, Building 100, Second Floor, Wylie, Texas 75098 at your earliest convenience.

I do (✓), I do not ( ), agree to the abandonment of the subject right-of-way/easement.

If abandoned by the City, I am (✓), I am not ( ), interested in purchase of, at fair market value, that portion of the right-of-way/easement abutting my property.

If you do not wish to purchase the offered land, it will be offered to the other abutting property owners. All of the abandoned right-of-way must be purchased by the abutting property owner(s) within six (6) months of City Council approval. Unless the entire area is sold, the right-of-way/easement will not be abandoned.

Signature of property owner or authorized agent
August 12, 2019

R R. Kreymer
302 N. Second Street
Wylie, Texas 75098

RE: Abandonment of Right-of-Way Located at: The West ½ of an unimproved 20’ alley adjacent to the East property line of said premises as addressed above.

To Whom It May Concern:

An abutting property owner of the above referenced public right-of-way has requested that the City abandon said right-of-way easement. The City Council will consider this request in the near future. If abandoned, the half of the width of the right-of-way easement will be offered for sale to the owners of abutting properties at the appraised fair market value, in accordance with Ordinance No. 2007-21, Section 2.12 of the Subdivision Regulations of the City of Wylie.

County records indicate that you are an owner of property abutting the subject portion of right-of-way easement. Please complete the questions below, and return this letter to the City of Wylie Planning Department, 300 Country Club Road. Building 100, Second Floor. Wylie, Texas 75098 at your earliest convenience.

I do ( ) I do not ( ). agree to the abandonment of the subject right-of-way easement.

If abandoned by the City, I am ( ) I am not ( ). interested in purchase of, at fair market value, that portion of the right-of-way easement abutting my property.

If you do not wish to purchase the offered land, it will be offered to the other abutting property owners. All of the abandoned right-of-way must be purchased by the abutting property owner(s) within six (6) months of City Council approval. Unless the entire area is sold, the right-of-way/easement will not be abandoned.

Signature of property owner or authorized agent
EXHIBIT 6

CERTIFIED APPRAISAL OF THE VALUE OF THE LAND

See attached.
February 28, 2020

City of Wylie

Re: Abandonment of Right-of-Way Located at The West ½ of an unimproved 20’ alley adjacent to the East property line of 202 N. 2nd Street, Block 9, Lot 6, Wylie, TX 75098

To Whom It May Concern:

First Baptist Church of Wylie (FBW) would like to petition the City of Wylie to waive its right to a certified appraisal on the 10’ x 20’ (1,215 sq. ft.) West ½ of the unimproved alley within the J. Truitt Survey, Abstract No. 920 that abuts our property located at 202 N. 2nd St., Block 9, Lot 6, Wylie, TX 75098.

Please consider FBW’s offer of $2.50 per sq. ft. or $3,037.50. Not only has the abandonment of the right-of-way enabled increased parking to the church, but also to the downtown area as the FBW parking lots are not exclusive or restricted to church members.

Thank you in advance for your consideration of this request and offer.

Sincerely,

Theresa Evetts
Executive Minister
EXHIBIT 7

RELEASE OF CLAIMS
RELEASE OF CLAIMS

In consideration of the abandonment of the West 1/2 of unimproved 20' alley of right-of-way which is a part of J. Truitt Survey Abstr. 490 and adjacent to Lots 6 of Block 9 of the Original Town of Wylie, Texas, according to the Plat thereof recorded in Volume 77, Page 494, of the Deed Records of Collin County, Texas, as more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes (the "Right-of-Way"), the receipt and sufficiency of which is hereby acknowledged, we, First Baptist Church of Wylie, release any and all claims against the City of Wylie, Texas, and its Council Members, officers, agents, employees and representatives, which we may possess at the time of the execution of this document, or which come to exist as a result of conduct occurring prior to our execution of this document, relating in any way to the Right-of-Way.

We are fully authorized and empowered to execute and enter into this Release upon the terms stated herein, and fully authorized and legally competent to execute this Release as the legal, valid and binding act and deed of the releasing party(ies). We represent and warrant that the claims released above are currently owned solely by us, First Baptist Church of Wylie, free and clear of all liens, encumbrances, pledges, assignments, claims and security interests of any kind or nature. We further represent and warrant that we have the right to compromise and settle the claims and any other claims that could have been asserted by us which relate in any way to the Right-of-Way.

We agree to indemnify and hold harmless the City of Wylie, Texas, and its Council Members, officers, agents, employees and representatives from any and all costs and damages arising from claims or encumbrances contrary to the representations and warranties contained in the preceding paragraph of this Release.

This Release shall be binding upon and inure to the benefit of the parties' respective legal heirs, successors and assigns.

Should any portion (word, clause, phrase, sentence, paragraph or section) of this Release be declared void or unenforceable, such portion shall be considered independent and severable from the remainder, the validity of which shall remain unaffected.

In witness whereof, we have executed this Release on the 28 day of February, 2020.

[Signature]
Theresa Fields
Executive Minister
ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF COLLIN §

Before me, the undersigned authority, on this day personally appeared

Theresa EVETS, known to me to be the person whose name is subscribed to the
foregoing instrument, and acknowledged to me that he executed the same for the purposes and
consideration therein expressed.

Given under my hand and seal of office on this the 38 day of February,

2020

Esther Moulder

Notary Public, State of Texas

My Commission Expires:

August 1, 2023

STATE OF TEXAS §

COUNTY OF COLLIN §

Before me, the undersigned authority, on this day personally appeared

, known to me to be the person whose name is subscribed to the
foregoing instrument, and acknowledged to me that she executed the same for the purposes and
consideration therein expressed.

Given under my hand and seal of office on this the ____ day of __________, 20__.

Notary Public, State of Texas

My Commission Expires:
This is to declare that on this date a survey was made on the ground, under my direction and supervision of the property located at 202 N. 2ND STREET, and being Lots 5 and 6 in Block 9, of RAILROAD ADDITION, an Addition to the City of Wylie, Texas, according to the Map thereof recorded in Volumes 77, Page 494, of the Map Records of Collin County, Texas.

There are no visible conflicts or protrusions, except as shown.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 4806509470 1, dated JUNE 3, 2008. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of the hereon named purchaser, mortgage company, and title company only and this survey is made pursuant to that one certain title commitment under the GP number shown hereon, provided by the title company named hereon and that on this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon. This survey is subject to any and all covenants and restrictions of record pertaining to the recorded plat.

DATE: 11/18/10
FIELD DATE: 11/18/10
JOB NO: 510-2325

GP NO. LT19135-19136000247
MAPSCO NO: 663-Y

LAWYERS TITLE COMPANY
Meeting Date: May 26, 2020  
Department: City Manager  
Prepared By: Renae’ Ollie  
Date Prepared: May 13, 2020  
Item Number: H  
Account Code:  
Exhibits: 6  

Subject

Consider, and act upon, Ordinance No. 2020-33 to abandon a portion of Right-of-Way being 3 – 20’ unimproved alleys within the F. De La Pina Survey, Abstract No. 688, and 2 – 70’ unimproved streets, within the J. Truitt Survey, Abstract No. 920, and to waive the requirement for an appraisal for said right-of-ways consisting of 1.88 acres or approximately 81,713 square feet.

Recommendation

Motion to approve Ordinance No. 2020-33 to abandon a portion of Right-of-Way being 3 – 20’ unimproved alleys within the F. De La Pina Survey, Abstract No. 688, and 2 – 70’ unimproved streets, within the J. Truitt Survey, Abstract No. 920, and to waive the requirement for an appraisal for said right-of-ways consisting of 1.88 acres or approximately 81,713 square feet.

Discussion

Owner: Wylie Economic Development Corporation  
Applicant: City of Wylie

In accordance with Ordinance No. 2007-21, Section 2.12.A.5, Wylie Economic Development Corporation, the owner of property located within the Railroad Addition, Block 4, Lots 1-10; Block 3, Lots 1-10; Block 2, Lots 2-5; Block 9, Lots 1-4; and Block 10, Lots 2-3, is requesting Council to waive the requirement for a certified appraisal of 81,713 square feet of public right-of-way. The subject alleys and utility easements are part of the J. Truitt Survey, Abstract No. 920, and the F. De La Pina Survey, Abstract No. 688, and is solely contained within the boundaries of the subject platted lot. The subject streets are part of the Francisco De La Pina Survey, Abstract No. 688 recorded under County Clerk No. 20190213000150300 of the Collin County Plat Records Lots 2-5, Block 2 of said Railroad Addition (Fourth Street) and J. Truitt Survey, Abstract 920 part of the Francisco De La Pina Survey Abstract 688.

The purpose of the request is to allow the owner to expand and create a contiguous plat for redevelopment. The owner proposes that Council accept a value of $1.00 per square foot. A cashier’s check in the amount $81,713 has been received. In accordance with section 2.12.B, if the Council denies the request, the funds will be fully refunded to the purchaser(s).

CONSIDERATION:

In its current condition, the subject public right-of-ways cannot serve as adequate access by fire and other emergency vehicles or for trash collection. As currently platted as public right-of-way, the land provides no tax revenue to the City.
Staff has reviewed the request and determined that easements can be created to accommodate active utilities for Atmos Gas, Oncor Electric and City of Wylie waste-water lines until such time as the property is redeveloped and new utility easements are created.

Right-of-Way abandonment requires only Council action and no review by any Board or Commission.
ORDINANCE NO. 2020-33

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS,
ABANDONING A PORTION OF PUBLIC RIGHT-OF-WAY
BEING 3 – 20' UNIMPROVED ALLEYS WITHIN THE F. DE
LA PINA SURVEY, ABSTRACT NO. 688, AND 2 – 70'
UNIMPROVED STREETS, WITHIN THE J. TRUITT
SURVEY, ABSTRACT NO. 920, AND TO WAIVE THE
REQUIREMENTS FOR AN APPRAISAL FOR SAID RIGHT-
OF-WAYS CONSISTING OF 1.88 ACRES OR
APPROXIMATELY 81,713 SQUARE FEET; AND
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property described herein is platted as public right-of-way surrounded by
Block 4, Lots 1-10; Block 3, Lots 1-10; Block 2, Lots 2-5; Block 9, Lots 1-4; and Block 10, Lots
2-3 in the Railroad Addition, said right-of-way being approximately 81,713 square feet; and

WHEREAS, the Wylie Economic Development Corporation, principal owner of the
property adjacent to said right-of-way has requested that the right-of-way be abandoned and
offered for sale according to State law and Section 2.12 of the City of Wylie Subdivision
Regulations; and

WHEREAS, the City of Wylie has determined that said right-of-way is no longer needed
for public access purposes, provided that existing utilities located within said right-of-way are
converted to easements through replatting or other legal instruments by the new owners acquiring
said right-of-way;

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

SECTION 1: That the above described right-of-way and as shown in Exhibits A - E (Legal
& Survey) attached are no longer necessary for public access purposes, provided that existing
utilities shall be located within easements, and that said portion of right-of-way should be
abandoned in favor of adjacent property owner(s).

SECTION 2: That this abandonment shall extend only to the public right-of-way, title and
interest which the City of Wylie, Texas may have in and to said right-of-way, and shall be
construed to extend only to such interest that the governing body of the City of Wylie may legally
and lawfully abandon.

SECTION 3: That this ordinance shall be in full force and effect from and after its adoption
by the City Council, as the law in such cases provides.
DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 26th day of May 2020.

________________________________
Eric Hogue, Mayor

ATTEST:

__________________________
Stephanie Storm, City Secretary
EXHIBIT "A"

Exhibit 'D'
Alley Abandonment
5,958 Sq.Ft./0.137 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, being a 20' unimproved alley running from the south right-of-way line of Jefferson Street (a 70' unimproved roadway) in a southerly direction to the north right-of-way line of E. Marbile Street (60' ROW), lying west of the west property line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 201902130001550300 of the Collin County Land Records, with said premises being more particularly described as follows:

BEGINNING at a Roome capped iron rod found in the south right-of-way line of Jefferson Street (a 70' unimproved roadway) and marking the intersection of the northwest corner of said Wylie Economic Development Corporation tract with the south right-of-way line of Jefferson Street, and being in the east line of said 20' unimproved alley;

THENCE departing said right-of-way line, with the east line of said alley and the west line of said Wylie Economic Development Corporation tract, South 00'00'19" East, 297.92 feet to a Roome capped iron rod set marking the southeast corner of said alley, the southwest corner of said Wylie Economic Development Corporation tract, and being in the north right-of-way line of E. Marbile Street;

THENCE with the north right-of-way line of E. Marbile Street, and crossing through said 20' unimproved alley, South 89°43'51" East, 20.00 feet to a Roome capped iron rod set marking the southeast corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20111026001149560 of the Collin County Land Records, from which a CIRF bears North 12°35'46" East, 1.63 feet;

THENCE with the west line of said 20' unimproved alley, the east line of said Wylie Economic Development Corporation tract (County Clerk No. 20111026001149560), and the east line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 201905100005237330 of the Collin County Land Records, North 00'00'19" West, 297.92 feet to a Roome capped iron rod set in the south right-of-way of the aforementioned Jefferson Street (a 70' unimproved roadway, and marking the northwest corner of said 20' unimproved alley;

THENCE with the south right-of-way line of Jefferson Street (a 70' unimproved roadway), and crossing through said 20' unimproved alley, North 89°56'41" East, 20.00 feet to the place of beginning and containing 5,958 square feet or 0.137 acres of land.

Roome
Land Surveying
2056 Avenue C, Suite 310
Plano, Texas 75024
Phone (972) 423-0727 / Fax (972) 423-7521
www.roomesurveying.com / Firm No. 10013100
EXHIBIT NO. 2 - First Baptist Church

Legend

- CIRF: Capped Iron Rod Found
- BCRS: Bounded Cardinal Rod Set
- DEED: Deed Record
- CM: Conkrobw Monument
- S: Sewer
- PH: Fire Hydrant
- MV: Water Valve
- CA: Sanitary Sewer Cleanout
- PP: Power Pole
- CH: Chain Link Fence
- W: Wood Fence
- AM: Airmark Pin Flag

Notes:
1) This survey has been performed without the benefit of a Title Commitment.
2) Subject property is affected by any and all notes, defects, easements and other matters that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request.
3) Source bearing is based on 2,395 acre tract as recorded in Volume 2486, Page 703 of the Collin County Land Records.
4) Railroad Addition recorded in Volume 77, Page 495 of the Collin County Plot Records.

J. Truitt Survey, Abstract No. 920
City of Wylie, Collin County, Texas
July 27, 2019

Roome Land Surveying
2000 Avenue G, Suite 910
Plano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7923
www.roomeSurveying.com / Firm No. 10012190
RELEASE OF CLAIMS

In consideration of the abandonment of the West 1/2 of unimproved 20′ alley which is a part of J. Truitt Survey Abstract 490 and adjacent to Lots 6 of Block 9 of the Original Town of Wylie, Texas, according to the Plat thereof recorded in Volume 77, Page 494, of the Deed Records of Collin County, Texas, as more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes (the “Right-of-Way”), the receipt and sufficiency of which is hereby acknowledged, we, First Baptist Church of Wylie, release any and all claims against the City of Wylie, Texas, and its Council Members, officers, agents, employees and representatives, which we may possess at the time of the execution of this document, or which come to exist as a result of conduct occurring prior to our execution of this document, relating in any way to the Right-of-Way.

We are fully authorized and empowered to execute and enter into this Release upon the terms stated herein, and fully authorized and legally competent to execute this Release as the legal, valid and binding act and deed of the releasing party(ies). We represent and warrant that the claims released above are currently owned solely by us, First Baptist Church of Wylie, free and clear of all liens, encumbrances, pledges, assignments, claims and security interests of any kind or nature. We further represent and warrant that we have the right to compromise and settle the claims and any other claims that could have been asserted by us which relate in any way to the Right-of-Way.

We agree to indemnify and hold harmless the City of Wylie, Texas, and its Council Members, officers, agents, employees and representatives from any and all costs and damages arising from claims or encumbrances contrary to the representations and warranties contained in the preceding paragraph of this Release.

This Release shall be binding upon and inure to the benefit of the parties’ respective legal heirs, successors and assigns.

Should any portion (word, clause, phrase, sentence, paragraph or section) of this Release be declared void or unenforceable, such portion shall be considered independent and severable from the remainder, the validity of which shall remain unaffected.

In witness whereof, we have executed this Release on the 28th day of February, 2020.

Theresa Ediss
Executive Minister
ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF Collin §

Before me, the undersigned authority, on this day personally appeared Theresa EVETS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 28 day of February, 2020

_____________________
Notary Public, State of Texas

My Commission Expires: August 3, 2023

STATE OF TEXAS §
COUNTY OF ___________

Before me, the undersigned authority, on this day personally appeared __________________, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the ____ day of ________________, 20__.

_____________________
Notary Public, State of Texas

My Commission Expires: ____________________________
ABANDONMENT OF PUBLIC ROW-OF-WAY/EASEMENT APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS

☐ A completed copy of the attached Abandonment of Public ROW/Easement application.
☐ All exhibits processed (except for Exhibit No. 4, which will be processed by staff).
☐ Attach responses from all abutting property owners. (sample letter enclosed).
☐ A certified appraisal of the value of the land to be abandoned.
☐ A certified check to the City for the amount of the Appraisal.
☐ An executed Release of Claims from each abutting property owner.

ADDRESS/NAME OF ADDITION/SUBDIVISION: **ROW as indicated on exhibit, located in Railroad (CWY) Blk 3**

LEGAL DESCRIPTION: **Railroad (CWY) Blk 3**

APPLICANT (Primary Contact for the Project):
Name ______Sam Satterwhite, Executive Director, WEDC____ E-Mail ______angel@wylieedc.com____

Street Address_250 S. Hwy 78, City_Wylie__ State_Texas__ Zip Code_75098____

Phone Number_972-442-7901___ Fax Number ______n/a________

PROPERTY OWNER’S INFORMATION (if different from above): 300, 302, 306 and 308 N. 2nd Street, 205 and 208 N. 2nd Street, 300, 410, 502 Brown, and 303 Marble owned by:

Name ______Wylie Economic Development Corporation____ E-Mail__Sam@wylieedc.com________

Street Address_250 S. Highway 78________

City_Wylie________ State_TX________ Zip Code_75098________

Phone Number_972-442-7901___ Fax Number ______n/a________

304 N. 2nd Street owned by:

Name ______Joan Tyler____ E-Mail________

Street Address_304 N. 2nd Street________

City_Wylie________ State_TX________ Zip Code_75098________

Phone Number____________________ Fax Number________________
202 N. 2nd Street owned by:

Name _______________ First Baptist Church Wylie ___________________ E-Mail ___________________

Street Address _______________ 202 N. 2nd Street ____________________________

City _______________ Wylie _______________ State _______________ TX _______________ Zip Code _______________ 75098 _______________

Phone Number: ___________________ Fax Number: ___________________

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Signature of Owner, Agent or Applicant ___________________ Date ___________________
APPLICATION FOR
THE ABANDONMENT OF A
PUBLIC RIGHT-OF-WAY/EASEMENT

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF WYLIE:

The undersigned hereby makes application for the abandonment of that portion of the above right-of-way particularly described in Exhibit No. 1, attached. In support of this application, the undersigned represents and warrants the following:

1. Attached, marked Exhibit No. 1, is a metes and bounds description (dividing the area in half) of the area sought to be abandoned.

2. Attached, marked Exhibit No. 2, is a copy of a plat or detailed sketch of that portion of the public right-of-way/easement sought to be abandoned, and the surrounding area to the nearest streets in all directions, showing the abutting lots and block, and the subdivision in which the above described right-of-way/easement is situated, together with the record owners of such lots.

3. Attached, marked Exhibit No. 3, is the written consent of all public utilities to the abandonment.

4. Attached, marked Exhibit No. 4, is the consent of the City of Wylie staff to the abandonment.

5. Attached, marked Exhibit No. 5, is the written consent of all the abutting property owners, except the following: (if none, so state)

   (none)

6. Such public right-of-way/easement should be abandoned because:

   Redevelopment

7. Such public right-of-way/easement has been and is being used as follows:

   Streets, Alleyways and Utility Easements.

8. Attached, marked Exhibit No. 6, is the certified appraisal of the value of the land to be abandoned.

9. Attached, marked Exhibit No. 7, is a Release of Claims executed by each abutting property owner.
I swear that all of the information contained in this application is true and correct to the best of my knowledge and belief.

Applicant's Signature: ________________________

Applicant's Name: __________________________

Applicant's Address: _________________________

Applicant's Phone Number: ____________________

ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF ________ §

Subscribed and sworn to before me, a Notary Public, this _____ day of ________________, 20____, by _________________________________.

_____________________
Notary Public in and for the State of Texas
Application for Abandonment of
Public Right-of-Way/Easement

Located: ___ Railroad Addition East of 202-208 Second Street & 300-308 Second Street
bounded on the North by Brown Street and the South by E. Marble Street: 20' Unimproved
Alley in Blocks 3, 4, and 9, and unimproved Fourth Street and Jefferson Street (See vicinity
map).

EXHIBIT NO. 1

Attached is a copy of the metes and bounds description (dividing the area in half) of the
public right-of-way/easement situated in Railroad (CWTY) Blk 3 ___ Addition/Subdivision
to the City of Wylie, Collin County, Texas, sought to be abandoned.

See attached overall survey. Exhibit 2 contains a more detailed view of the ROW
sought to be abandoned.
**Exhibit 'E'**

**Jefferson Street Abandonment**

41,762 Sq. Ft. / 0.959 Acres

J. Truitt Survey, Abstract No. 920 & Francisco De La Pina Survey, Abstract No. 688

City of Wylie, Collin County, Texas

July 19, 2019

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Notes:
1. This survey has been performed without the benefit of a Title Commitment.
2. Subject property is affected by any and all notes, details, easements and other matters that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request.
3. Source bearing is based on 2.395 acre tract as recorded in Volume 2486, Page 703 of the Collin County Land Records.

---

**Legend**

- **CBF** Capped Iron Rod Found
- **RSCR** Roome Capped Iron Rod Set
- **DRCC** Deed Record Collin County Texas
- **RP** Iron Rod Found
- **CM** Controlling Monument
- **SSCD** Sanitary Sewer Cleanout
- **FH** Water Valve
- **GM** Gas Meter
- **PP** Power Pole
- **LO** Overhead Lines
- **WL** Chain Link Fence
- **WF** Wood Fence
- **AF** Atmo Pin Flag

---

Roome

Land Surveying

2000 Avenue G, Suite 810

Plano, Texas 75074

Phone (972) 423-4372 / Fax (972) 423-7523

www.roomesurveying.com / Firm No. 10013100
Exhibit 'E''
Jefferson Street Abandonment
41,762 Sq.Ft. / 0.959 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, part of the Francisco De La Pina Survey, Abstract No. 688, all of a 70' unimproved roadway (Jefferson Street), with said premises being more particularly described as follows:

BEGINNING at a Roome capped iron rod set marking the southeast intersection of the south right-of-way line of Jefferson Street (a 70' unimproved roadway) with the east right-of-way line of Second Street (80' ROW), and being the northwest corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190422000427560 of the Collin County Land Records;

THENCE with the east right-of-way line of Second Street and crossing through Jefferson Street, North 00°00'19" West, 70.00 feet to a Roome capped iron rod set marking the northeast intersection of the east right-of-way line of Second Street with the north right-of-way line of 70' unimproved roadway (Jefferson Street), and marking the southwest corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190227000205650 of the Collin County Land Records;

THENCE departing the east right-of-way line of Second Street, with the north right-of-way line of said 70' unimproved roadway (Jefferson Street), the south line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190227000205650, the south line of an unimproved 20' alley, the south line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20181228001575610, the south line of an unimproved 20' alley, the south line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300, and the south line of an unimproved 70' Fourth Street, South 89'43'51" East, 640.83 feet to a Roome capped iron rod set marking the southwest line of Fourth Street, and being in the northwest line of a Kansas City Southern Railway Company 2.94 acre tract (property ID# 2614082 (no deed reference);

THENCE with the southeast line of said premises and the northwest line of said Kansas City Southern Railway Company 2.94 acre tract, South 51'49'52" West, 112.61 feet to a Roome capped iron rod set marking the southeast corner of said premises and being the northeast corner of the aforementioned Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Collin County Land Records;

THENCE with the south right-of-way line of said 70' unimproved roadway (Jefferson Street), the north line of said Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300, the north line of an unimproved 20' alley, and the north line of the aforementioned Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190422000427560, North 89'43'51" West, 552.30 feet to the place of beginning and containing containing 41,762 square feet or 0.959 acres of land.

Exhibit 'E'
Jefferson Street Abandonment
41,762 Sq.Ft. / 0.959 Ac.
J. Truitt Survey, Abstract No. 920 &
Francisco De La Pina Survey, Abstract No. 688
City of Wylie, Collin County, Texas
July 19, 2019

Roome Land Surveying
2000 Avenue G, Suite 810
Plano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roomesurveying.com / Film No 10013100
Notes: 1) This survey has been performed without the benefit of a Title Commitment. 2) Subject property is affected by any and all notes, easements, and other matters that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request. 3) Source bearing is based on 2.395 acre tract as recorded in Volume 2486, Page 703 of the Collin County Land Records. 4) Railroad Addition recorded in Volume 77, Page 495 of the Collin County Plat Records.
Exhibit 'A' - Joan Marie Tyler
1/2 Alley Abandonment
650 Sq.Ft.
J. Truitt Survey, Abstract No. 920
City of Wylie, Collin County, Texas
July 27, 2019

Notes: 1) This survey has been performed without the benefit of a Title Commitment. 2) Subject property is affected by any and all notes, easements and other matters that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request. 3) Source bearing is based on 2,395 acre tract as recorded in Volume 2485, Page 703 of the Collin County Land Records. 4) Railroad Addion recorded in Volume 77, Page 495 of the Collin County Plat Records.
Exhibit 'A'
Alley Abandonment
6,543 Sq.Ft. / 0.150 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, being a 20' unimproved alley running from the south right-of-way line of Brown Street in a southerly direction to the north right-of-way line of Jefferson Street, lying east of the east property line of Lots 6-10, Block 4 of Railroad Addition as recorded in Volume 77, Page 495 of the Collin County Plat Records, with said premises being more particularly described as follows:

BEGINNING at a CBC capped iron rod found in the south right-of-way line of Brown Street and marking the intersection of the northeast corner of Lot 10, Block 4 of said Railroad Addition with the south right-of-way line of Brown Street, and being in the west line of said 20' unimproved alley;

THENCE with the south right-of-way line of Brown Street and crossing through said 20' unimproved alley, North 89°59'41" East, 20.00 feet to a Roome capped iron rod set marking the northeast corner of said alley, and the northwest corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20181228001575610 of the Deed Records of Collin County, Texas;

THENCE departing said right-of-way line, with the east line of said alley and the west line of said Wylie Economic Development Corporation tract, South 00°00'19" East, 327.19 feet to a ½" iron rod found marking the southeast corner of said alley, the southwest corner of said Wylie Economic Development Corporation tract, and being in the north right-of-way line of Jefferson Street;

THENCE with the north right-of-way line of Jefferson Street, and crossing through said 20' unimproved alley, North 89°43'51" West, 20.00 feet to a Roome capped iron rod set marking the southeast corner of Lot 6, Block 4 of said Railroad Addition, from which a ½" iron rod found for reference bears South 01°09'49" West, 0.94 feet;

THENCE with the west line of said 20' unimproved alley, and the east line of said lots 6-10, North 00°00'19" West, 327.10 feet to the place of beginning and containing 6,543 square feet or 0.150 acres of land.

Exhibit 'A'
Alley Abandonment
6,543 Sq.Ft. / 0.150 Acres
J. Truitt Survey, Abstract No. 920
City of Wylie, Collin County, Texas
July 19, 2019

F. E. BEMENDERFER JR.
STATE OF TEXAS
PROFESSIONAL LAND SURVEYOR
4051

Roome Land Surveying
2000 Avenue G, Suite 610
Pleasanton, Texas 78074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roome_surveying.com / FPL No. 10013100
Brown Street

Fourth Street

Notes:
1) This survey has been performed without the benefit of a Title Commitment.
2) Subject property is affected by any and all notes, sever, easements and other matters not shown on or as part of the recorded plat and/or as part of a title commitment/survey request.
3) Source bearing is based on 2,395 acres tract as recorded in Volume 2,425, Page 163 of the Collin County Land Records.
4) Railroad Addition recorded in Volume 77, Page 453 of the Collin County Plot Records.

Jefferson Street

Alley Abandonment
6,504 Sq.Ft. / 0.149 Acres
City of Wybie, Collin County, Texas
July 19, 2019

EXHIBIT NO. 2

Legend

Exhibit 'B'
Roome Capped Iron Rod Found
RCRS Roome Capped Iron Rod Set
DCCT Deed Record Collin County, Texas
RF Iron Rod Found
GM Controlling Monument
FH Fire Hydrant
W Water Valve
PM Gas Meter
PF Power Pole
SMH Sanitary Sewer Manhole
Oh Overhead Lines
R Barbwire Fence
W Wood Fence
Exhibit 'B'
Alley Abandonment
6,504 Sq.Ft./0.149 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, being a 20' unimproved alley running from the south right-of-way line of Brown Street in a southerly direction to the north right-of-way line of Jefferson Street, lying east of the east property line of Lots 6–10, Block 3 of Railroad Addition as recorded in Volume 77, Page 495 of the Collin County Plat Records, west of the west line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Deed Records of Collin County, Texas; BEGINNING at a ½" iron rod found in the south right-of-way line of Brown Street and marking the intersection of the northeast corner of Lot 10, Block 3 of said Railroad Addition with the south right-of-way line of Brown Street, and being in the west line of said 20' unimproved alley;

THENCE with the south right-of-way line of Brown Street and crossing through said 20' unimproved alley, North 89°59'41" East, 20.00 feet to a Roome capped iron rod set marking the northeast corner of said alley, and the northwest corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Deed Records of Collin County, Texas;

THENCE departing said right-of-way line, with the east line of said alley and the west line of said Wylie Economic Development Corporation tract, South 00°02'52" East, 325.22 feet to a Roome capped iron rod set marking the southeast corner of said alley, the southwest corner of said Wylie Economic Development Corporation tract, and being in the north right-of-way line of Jefferson Street;

THENCE with the north right-of-way line of Jefferson Street, and crossing through said 20' unimproved alley, North 89°43'51" West, 20.00 feet to a ½" iron rod found marking the southeast corner of Lot 6, Block 3 of said Railroad Addition;

THENCE with the west line of said 20' unimproved alley, and the east line of said Lots 6–10, North 00°02'52" West, 325.22 feet to the place of beginning and containing 6,504 square feet or 0.149 acres of land.
Exhibit 'C'
Fourth Street Abandonment
22,161 Sq.Ft./0.509 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the Francisco De La Pina Survey, Abstract No. 688, being a 70' unimproved roadway (Fourth Street) running from the south right-of-way line of Brown Street in a southerly direction to the north right-of-way line of Jefferson Street, lying east of the east property line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Collin County Plat Records, west of the west line of Lots 2-5, Block 2 of said Railroad Addition;

BEGINNING at a Roome capped iron rod found in the south right-of-way line of Brown Street and marking the intersection of the northeast corner of said Wylie Economic Development Corporation tract with the south right-of-way line of Brown Street, and being in the west line of said 70' unimproved roadway (Fourth Street);

THENCE with the south right-of-way line of Brown Street and crossing through said 70' unimproved roadway (Fourth Street), North 89°43'51" East, 70.00 feet to a Roome capped iron rod set marking the northeast corner of said Lot 5, Block 2 of said Railroad Addition;

THENCE departing said right-of-way line, with the east line of said 70' unimproved roadway (Fourth Street), and the west line of Lots 2-5, Block 2 of said Railroad Addition, South 00°02'52" East, 294.31 feet to a Roome capped iron rod set marking the southeast corner of said 70' unimproved roadway (Fourth Street), the southwest corner of said Lot 2, and being in the northwest line of an undeveloped Kansas City Southern Railway Co. 2.94 acre tract of land;

THENCE with the northwest line of said undeveloped Kansas City Southern Railway Co. 2.94 acre tract, and the southeast line of said premises, South 51°49'52" West, 49.71 feet to a Roome capped iron rod set marking a southwest corner of said premises, and being in the north right-of-way line of a 70' unimproved Jefferson Street;

THENCE with the south line of said premises, and the north right-of-way line of said 70' unimproved Jefferson Street, North 89°43'51" West, 30.89 feet to a Roome capped iron rod set marking the intersection of the west right-of-way line of unimproved 70' unimproved roadway Fourth Street) with the north right-of-way line of a 70' unimproved roadway (Jefferson Street), and being the southeast corner of the aforementioned Wylie Economic Development Corporation tract;

THENCE with the west line of said unimproved 70' unimproved roadway Fourth Street) and the east line of said Wylie Economic Development Corporation tract, North 00°02'52" West, 325.22 feet to the place of beginning and containing 22,161 square feet or 0.509 acres of land.

Exhibit 'C'
Fourth Street Abandonment
22,161 Sq.Ft. / 0.509 Acres
Francisco De La Pina Survey, Abstract No. 688
City of Wylie, Collin County, Texas
July 19, 2019

Roome Land Surveying
2000 Avenue G, Suite 810
Plano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roomelssurveying.com / Firm No. 10013100
Exhibit ‘D’
Alley Abandonment
5,958 Sq.Ft./0.137 Ac.

SITUATED in the State of Texas, County of Collin and City of Wylie, being part of the J. Truitt Survey, Abstract No. 920, being a 20’ unimproved alley running from the south right-of-way line of Jefferson Street (a 70’ unimproved roadway) in a southerly direction to the north right-of-way line of E. Marble Street (60’ ROW), lying west of the west property line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190213000150300 of the Collin County Land Records, with said premises being more particularly described as follows:

BEGINNING at a Roome capped iron rod found in the south right-of-way line of Jefferson Street (a 70’ unimproved roadway) and marking the intersection of the northwest corner of said Wylie Economic Development Corporation tract with the south right-of-way line of Jefferson Street, and being in the east line of said 20’ unimproved alley;

THENCE departing said right-of-way line, with the east line of said alley and the west line of said Wylie Economic Development Corporation tract, South 00°00’19” East, 297.92 feet to a Roome capped iron rod set marking the southeast corner of said alley, the southwest corner of said Wylie Economic Development Corporation tract, and being in the north right-of-way line of E. Marble Street;

THENCE with the north right-of-way line of E. Marble Street, and crossing through said 20’ unimproved alley, South 89°43’51” East, 20.00 feet to a Roome capped iron rod set marking the southeast corner of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20111026001149560 of the Collin County Land Records, from which a CIRF bears North 12°35’46” East, 1.63 feet;

THENCE with the west line of said 20’ unimproved alley, the east line of said Wylie Economic Development Corporation tract (County Clerk No. 20111026001149560), and the east line of a Wylie Economic Development Corporation tract as recorded under County Clerk No. 20190510000523730 of the Collin County Land Records, North 00°00’19” West, 297.92 feet to a Roome capped iron rod set in the south right-of-way of the aforementioned Jefferson Street (a 70’ unimproved roadway, and marking the northwest corner of said 20’ unimproved alley;

THENCE with the south right-of-way line of Jefferson Street (a 70’ unimproved roadway), and crossing through said 20’ unimproved alley, North 89°59’41” East, 20.00 feet to the place of beginning and containing 5,958 square feet or 0.137 acres of land.

Exhibit ‘D’
Alley Abandonment
5,958 Sq.Ft./0.137 Acres
J. Truitt Survey, Abstract No. 920
City of Wylie, Collin County, Texas
July 19, 2019
Application for Abandonment of
a Public Right-of-
Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street bounded on
the North by Brown Street and the South by E. Marble Street: 20’ Unimproved Alley in Blocks
3, 4, and 9, and unimproved Fourth Street and Jefferson Street (See vicinity map).

EXHIBIT NO. 2

Attached is a copy of a plat or detailed sketch of the public right-of-way/easement
sought to be abandoned in the above-mentioned application, showing the surrounding
area to the nearest streets in all directions, abutting lots, the block or blocks in which the
portion of the public right-of-way/easement sought to be vacated is situated, and the
addition or subdivision in which the portion of the public right-of-way/easement sought
to be abandoned is situated. Also, the names of record owners of the abutting lots are
shown.

(If the property has not been platted, applicant has six months from date of City Council
approval to complete all steps required for purchase of the abandonment and filing a
plat or replat with County in accordance with the final plat requirements of the
Subdivision Ordinance.)
Application for Abandonment of
a Public Right-of-
Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street bounded on
the North by Brown Street and the South by E. Marble Street: 20' Unimproved Alley in Blocks
3, 4, and 9, and unimproved Fourth Street and Jefferson Street (See vicinity map).

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and
provisions of our respective franchises with the City of Wylie, that portion of the public
right-of-way/utility easement sought to be abandoned in the Application for
Abandonment above referred to, do hereby consent to the abandonment of the
described portion thereof.

ATMOS GAS COMPANY

BY: _____________________________
Title __________________________

FRONTIER TELEPHONE COMPANY

BY: _____________________________
Title __________________________

ONCOR (CENTER POINTE) ELECTRIC COMPANY

BY: _____________________________
Title __________________________

CITY OF WYLIE, WATER AND SEWER UTILITIES

BY: _____________________________
Title __________________________
Application for Abandonment of a Public Right-of-Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street, bounded on the North by Brown Street and the South by E. Marble Street; 20' Unimproved Alley in Blocks 3, 4 and 9, and unimproved Fourth Street and Jefferson Street (see Vicinity Map).

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of Wylie, that portion of the public right-of-way/utility easement sought to be abandoned in the Application for Abandonment above referred to, do hereby consent to the abandonment of the described portion thereof.

Atmos Gas Company

BY: [signature]
Title Sr. Project Specialist

(*) Atmos approval is contingent upon an easement being established for an active gas line.

Oncor Electric

BY: [signature]
Title [signature]

Frontier Communications

BY: [signature]
Title [signature]

City of Wylie Public Utilities

BY: [signature]
Title [signature]
Application for Abandonment of
a Public Right-of-
Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street, bounded
on the North by Brown Street and the South by E. Marble Street; 20' Unimproved Alley in Blocks
3, 4 and 9, and unimproved Fourth Street and Jefferson Street (see Vicinity Map).

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and
provisions of our respective franchises with the City of Wylie, that portion of the public
right-of-way/utility easement sought to be abandoned in the Application for
Abandonment above referred to, do hereby consent to the abandonment of the
described portion thereof.

Atmos Gas Company

BY: _______________________________________
Title _______________________________________

Oncor Electric

BY: _______________________________________
Title _______________________________________

Frontier Communications

BY: [Signature]
Title [Handwritten: Supv. Network Eng.]

City of Wylie Public Utilities

BY: _______________________________________
Title _______________________________________
Application for Abandonment of
a Public Right-of-
Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street, bounded
on the North by Brown Street and the South by E. Marble Street: 20’ Unimproved Alley in Blocks
3, 4 and 9, and unimproved Fourth Street and Jefferson Street (see Vicinity Map).

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and
provisions of our respective franchises with the City of Wylie, that portion of the public
right-of-way/utility easement sought to be abandoned in the Application for
Abandonment above referred to, do hereby consent to the abandonment of the
described portion thereof.

Atmos Gas Company

BY: __________________________

Title _________________________

(*) Atmos approval is contingent upon an easement being established for an active gas line.

Oncor Electric

BY: __________________________

Title _________________________

(*) Oncor approval is contingent upon an easement being established for active powerlines.

Frontier Communications

BY: __________________________

Title _________________________

City of Wylie Public Utilities

BY: ____________________________

Title Public Works Director

(*) City of Wylie Public Utilities approval is contingent upon an easement being established
for an active waste-water line.
Application for Abandonment of a Public Right-of-Way/Easement

Located: Railroad Addition East of 202-208 Second Street & 300-308 Second Street bounded on the North by Brown Street and the South by E. Marble Street; 20’ Unimproved Alley in Blocks 3, 4, and 9, and unimproved Fourth Street and Jefferson Street (See vicinity map).

EXHIBIT NO. 4

The undersigned, City staff of the City of Wylie, certify that they have carefully considered the Application for Abandonment of the public right-of-way/easement referred to above pursuant to City ordinances and with respect to present and future needs of the City of Wylie and see no objection to the requested abandonment from the City’s standpoint.

City Engineer

Building Official

Planning Manager

Fire Marshal

Director of Public Services
August 12, 2019

R R. Kreymer
302 N. Second Street
Wylie, Texas 75098

RE: Abandonment of Right-of-Way Located at: The West ½ of an unimproved 20’ alley adjacent to the East property line of said premises as addressed above.

To Whom It May Concern:

An abutting property owner of the above referenced public right-of-way has requested that the City abandon said right-of-way/easement. The City Council will consider this request in the near future. If abandoned, the half of the width of the right-of-way/easement will be offered for sale to the owners of abutting properties at the appraised fair market value, in accordance with Ordinance No. 2007-21, Section 2.12 of the Subdivision Regulations of the City of Wylie.

County records indicate that you are an owner of property abutting the subject portion of right-of-way/easement. Please complete the questions below, and return this letter to the City of Wylie Planning Department, 300 Country Club Road, Building 100, Second Floor, Wylie, Texas 75098 at your earliest convenience.

I do ( ), I do not ( ), agree to the abandonment of the subject right-of-way/easement.

If abandoned by the City, I am ( ). I am not ( ), interested in purchase of, at fair market value, that portion of the right-of-way/easement abutting my property.

If you do not wish to purchase the offered land, it will be offered to the other abutting property owners. All of the abandoned right-of-way must be purchased by the abutting property owner(s) within six (6) months of City Council approval. Unless the entire area is sold, the right-of-way/easement will not be abandoned.

[Signature]
Signature of property owner or authorized agent
August 12, 2019

First Baptist Church
202 N. Second Street
Wylie, Texas 75098

RE: Abandonment of Right-of-Way Located at: The West ¼ of an unimproved 20’ alley adjacent to the East property line of said premises as addressed above.

To Whom It May Concern:

An abutting property owner of the above referenced public right-of-way has requested that the City abandon said right-of-way/easement. The City Council will consider this request in the near future. If abandoned, the half of the width of the right-of-way/easement will be offered for sale to the owners of abutting properties at the appraised fair market value, in accordance with Ordinance No. 2007-21, Section 2.12 of the Subdivision Regulations of the City of Wylie.

County records indicate that you are an owner of property abutting the subject portion of right-of-way/easement. Please complete the questions below and return this letter to the City of Wylie Planning Department, 300 Country Club Road, Building 100, Second Floor, Wylie, Texas 75098 at your earliest convenience.

I do (✓), I do not ( ), agree to the abandonment of the subject right-of-way/easement.

If abandoned by the City, I am (✓), I am not ( ), interested in purchase of, at fair market value, that portion of the right-of-way/easement abutting my property.

If you do not wish to purchase the offered land, it will be offered to the other abutting property owners. All of the abandoned right-of-way must be purchased by the abutting property owner(s) within six (6) months of City Council approval. Unless the entire area is sold, the right-of-way/easement will not be abandoned.

Signature of property owner or authorized agent
U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

WYLIE, TX 75098

Certified Mail Fee $3.50

\textbf{TOTAL POSTAGE AND FEES} $6.85

\textbf{SUSTENTER: COMPLETE THIS SECTION}

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

\textbf{Joan Marie Tyler}

304 N. 2nd St.
Wylie, TX 75098

2. Service Type

\textbf{COMPLETE THIS SECTION ON DELIVERY}

A. Signature

\textbf{X Joan Tyler}

\textbf{Agent} \textbf{Addressse}

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? \textbf{Yes} If YES, enter delivery address below:

3. Service Type

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PPN 7530-02-000-9033

Domestic Return Receipt
Tracking Number: 70172620000051640157

Your item arrived at the Post Office at 8:59 am on September 9, 2019 in WYLIE, TX 75098.

In-Transit
September 9, 2019 at 8:59 am
Arrived at Unit
WYLIE, TX 75098

Get Updates ✓

Text & Email Updates ✓

Tracking History

September 9, 2019, 8:59 am
Arrived at Unit
WYLIE, TX 75098
Your item arrived at the Post Office at 8:59 am on September 9, 2019 in WYLIE, TX 75098.

September 8, 2019
In Transit to Next Facility
September 7, 2019, 8:54 pm
Departed USPS Regional Facility
COPPELL TX DISTRIBUTION CENTER

September 4, 2019, 9:07 am
Unclaimed/Being Returned to Sender
WYLIE, TX 75098

August 14, 2019, 12:49 pm
Notice Left (No Authorized Recipient Available)
WYLIE, TX 75098

August 14, 2019, 9:06 am
Out for Delivery
WYLIE, TX 75098

August 14, 2019, 8:20 am
Arrived at Unit
WYLIE, TX 75098

August 12, 2019, 7:13 pm
Arrived at USPS Regional Facility
COPPELL TX DISTRIBUTION CENTER

August 12, 2019, 5:37 pm
Departed Post Office
WYLIE, TX 75098

August 12, 2019, 4:41 pm
USPS in possession of item
WYLIE, TX 75098

Product Information
Consider, and act upon, Ordinance No. 2020-34 of the City of Wylie, Texas; amending Ordinance Nos. 2020-03 and 2014-19 and Chapter 2 (Administration), Article III (officers), Division 2 (Code of Ethics), Section 2-57 (Board of Ethics) of the City of Wylie Code of Ordinances, Ordinance No. 2005-07, as amended; amending Ordinance Nos. 2020-09 and 2012-29 and Chapter 2 (Administration), Article X (Public Arts Program), Division 2 (Public Arts Advisory Board), Section 2-342 (Number of Members; Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-05 and 2013-17 and Chapter 58 (Historic Preservation), Article III (Historic Review Commission), Section 58-53 (Number of Members; Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-02 and 2013-23 and Chapter 22 (Buildings and Building Regulations), Article II (Construction Code Board), Section 22-26 (Tenure of office) of the Code of Ordinances; amending Ordinance Nos. 2020-01 and 2015-37 and Chapter 18 (Animals), Article Iv (Animal Shelter Advisory Board), Section 18-123 (Number of Members; Qualified Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-06 and 1969-2 and Chapter 66 (Library), Article II (Public Library Department), Division 2 (Library Board), Section 66-41 (Membership; Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-08 and 2005-37 and Chapter 78 (Parks and Recreation), Article II (Parks and Recreation Board), Section 78-23 (Composition; Appointment and Terms of office of Members) of the Code of Ordinances; amending Ordinance Nos. 2020-10 and 2001-48, Article 8 (Development Review Process), Section 8.4 (Zoning Board of Adjustment); amending Ordinance Nos. 2020-07 and 1979-26 and Chapter 90 (Planning), Article II (Planning and Zoning Commission), Section 90-21 of the Code of Ordinances; Clarifying that the limit for consecutive service on the Boards and Commissions named in this Ordinance applies to commissioners and officers currently serving on those boards and commissions; modifying other provisions related to such boards and commissions; providing for repealing, savings and severability clauses; providing for an effective date.

Motion to approve Ordinance No. 2020-34 of the City of Wylie, Texas; amending Ordinance Nos. 2020-03 and 2014-19 and Chapter 2 (Administration), Article III (officers), Division 2 (Code of Ethics), Section 2-57 (Board of Ethics) of the City of Wylie Code of Ordinances, Ordinance No. 2005-07, as amended; amending Ordinance Nos. 2020-09 and 2012-29 and Chapter 2 (Administration), Article X (Public Arts Program), Division 2 (Public Arts Advisory Board), Section 2-342 (Number of Members; Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-05 and 2013-17 and Chapter 58 (Historic Preservation), Article III (Historic Review Commission), Section 58-53 (Number of Members; Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-02 and 2013-23 and Chapter 22 (Buildings and Building Regulations), Article II (Construction Code Board), Section 22-26 (Tenure of office) of the Code of Ordinances; amending Ordinance Nos. 2020-01 and 2015-37 and Chapter 18 (Animals), Article Iv (Animal Shelter Advisory Board), Section 18-123 (Number of Members; Qualified Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-06 and 1969-2 and Chapter 66 (Library), Article II (Public Library Department), Division 2 (Library Board), Section 66-41 (Membership; Appointment; Terms) of the Code of Ordinances; amending Ordinance Nos. 2020-08 and 2005-37 and Chapter 78 (Parks and Recreation), Article II (Parks and Recreation Board), Section 78-23 (Composition; Appointment and Terms of office of Members) of the Code of Ordinances;
amending Ordinance Nos. 2020-10 and 2001-48, Article 8 (Development Review Process), Section 8.4 (Zoning Board of Adjustment); amending Ordinance Nos. 2020-07 and 1979-26 and Chapter 90 (Planning), Article II (Planning and Zoning Commission), Section 90-21 of the Code of Ordinances; Clarifying that the limit for consecutive service on the Boards and Commissions named in this Ordinance applies to commissioners and officers currently serving on those boards and commissions; modifying other provisions related to such boards and commissions; providing for repealing, savings and severability clauses; providing for an effective date.

**Discussion**

Ordinances for Boards and Commissions was adopted on January 14, 2020 placing term limits of no more than 3 consecutive terms for board members. The previously adopted ordinances did not clearly state if the term limits applied to future members or current members. At a work session held on April 28, 2020, the direction of Council was that the intent was to be retroactive.

The subject ordinance establishes term limitations and other provisions set forth and shall apply retroactively to members serving on the boards and commissions referenced herein as of the effective date of this Ordinance.
ORDINANCE NO. 2020-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NOS. 2020-03 AND 2014-19 AND CHAPTER 2 (ADMINISTRATION), ARTICLE III (OFFICERS), DIVISION 2 (CODE OF ETHICS), SECTION 2-57 (BOARD OF ETHICS) OF THE CITY OF WYLIE CODE OF ORDINANCES, ORDINANCE NO. 2005-07, AS AMENDED; AMENDING ORDINANCE NOS. 2020-09 AND 2012-29 AND CHAPTER 2 (ADMINISTRATION), ARTICLE X (PUBLIC ARTS PROGRAM), DIVISION 2 (PUBLIC ARTS ADVISORY BOARD), SECTION 2-342 (NUMBER OF MEMBERS; APPOINTMENT; TERMS) OF THE CODE OF ORDINANCES; AMENDING ORDINANCE NOS. 2020-05 AND 2013-17 AND CHAPTER 58 (HISTORIC PRESERVATION), ARTICLE III (HISTORIC REVIEW COMMISSION), SECTION 58-53 (NUMBER OF MEMBERS; APPOINTMENT; TERMS) OF THE CODE OF ORDINANCES; AMENDING ORDINANCE NOS. 2020-02 AND 2013-23 AND CHAPTER 22 (BUILDINGS AND BUILDING REGULATIONS), ARTICLE II (CONSTRUCTION CODE BOARD), SECTION 22-26 (TENURE OF OFFICE) OF THE CODE OF ORDINANCES; AMENDING ORDINANCE NOS. 2020-01 AND 2015-37 AND CHAPTER 18 (ANIMALS), ARTICLE IV (ANIMAL SHELTER ADVISORY BOARD), SECTION 18-123 (NUMBER OF MEMBERS; QUALIFIED APPOINTMENT; TERMS) OF THE CODE OF ORDINANCES; AMENDING ORDINANCE NOS. 2020-06 AND 1969-2 AND CHAPTER 66 (LIBRARY), ARTICLE II (PUBLIC LIBRARY DEPARTMENT), DIVISION 2 (LIBRARY BOARD), SECTION 66-41 (MEMBERSHIP; APPOINTMENT; TERMS) OF THE CODE OF ORDINANCES; AMENDING ORDINANCE NOS. 2020-08 AND 2005-37 AND CHAPTER 78 (PARKS AND RECREATION), ARTICLE II (PARKS AND RECREATION BOARD), SECTION 78-23 (COMPOSITION; APPOINTMENT AND TERMS OF OFFICE OF MEMBERS) OF THE CODE OF ORDINANCES; AMENDING ORDINANCE NOS. 2020-10 AND 2001-48, ARTICLE 8 (DEVELOPMENT REVIEW PROCESS), SECTION 8.4 (ZONING BOARD OF ADJUSTMENT); AMENDING ORDINANCE NOS. 2020-07 AND 1979-26 AND CHAPTER 90 (PLANNING), ARTICLE II (PLANNING AND ZONING COMMISSION), SECTION 90-21 OF THE CODE OF ORDINANCES; CLARIFYING THAT THE LIMIT FOR CONSECUTIVE SERVICE ON THE BOARDS AND COMMISSIONS NAMED IN THIS ORDINANCE APPLIES TO COMMISSIONERS AND OFFICERS CURRENTLY SERVING ON THOSE BOARDS AND COMMISSIONS; MODIFYING OTHER PROVISIONS RELATED TO SUCH BOARDS AND COMMISSIONS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.
WHEREAS, in January 2020, the City Council of the City of Wylie, Texas (“City Council”) adopted various ordinances that, among other things, established a limitation on consecutive terms of service by members of certain boards and commissions of the City of Wylie, Texas (“City”), but the ordinances did not state whether the new limitation applied to members currently serving on the boards and commissions or not; and

WHEREAS, it is the intent of the City Council that this new limitation apply to boards and commissions members serving on the Planning and Zoning Commission, Historic Review Commission, Construction Code Board, Animal Shelter Advisory Board, Library Board, Parks and Recreation Board, Public Arts Advisory Board, Zoning Board of Adjustment and Board of Ethics as of the effective date of Ordinance Nos. 2020-01, 2020-02, 2020-03, 2020-05, 2020-06, 2020-07, 2020-08, 2020-09, 2020-10, as well as those boards and commissions members appointed in the future such that a board or commission members who has served on the same board or commission for three consecutive terms as of the effective date of such ordinances shall be ineligible for reappointment to another term on his or her respective board or commission without waiting one year before reapplying, except as otherwise provided herein; and

WHEREAS, the City Council has investigated and determined that other amendments are necessary and advisable, as set forth herein; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Wylie to amend each Ordinance referenced above and the Wylie Code of Ordinances, Ordinance No. 2005-07, as amended (“Code of Ordinances”), as set forth below.

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

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

SECTION 2: Amendment of Section 90-21 of the Wylie Code of Ordinances and Ordinance Nos. 2020-07 and 1979-26. Section 90-21 of the Wylie Code of Ordinances and Ordinance Nos. 2020-07 and 1979-26 are amended to read as follows:

“CHAPTER 90 (PLANNING)

...”

ARTICLE II (PLANNING AND ZONING COMMISSION)

Sec. 90-21 Appointments; Vacancies; Removal

(a) The appointment of commissioners to the Planning and Zoning Commission shall be subject to all applicable requirements of Article VIII
and Article IX, Section 2, of the City Charter.

(b) No commissioner shall serve on the Commission for more than three consecutive, two-year terms or six consecutive years, whichever is less, unless extended by the affirmative vote of at least three-fourths of the full membership of the City Council.

(c) Except for a commissioner whose tenure has been extended by the City Council as provided above, a commissioner who has served three consecutive, two-year terms or six consecutive years, whichever is less, on the Commission may be reappointed to serve on the Commission after being off the Commission for at least one year, and upon reappointment, the commissioner is eligible to serve another three consecutive terms or six consecutive years, whichever is less. Such commissioner is eligible, however, for appointment to a different board or commission without waiting.

(d) If any commissioner is absent from three consecutive meetings, his position shall be declared vacant and the vacancy shall be filled for the remainder of the unexpired term by the City Council within 30 days after the vacancy occurs.

(e) The City Council may remove a commissioner with or without cause by an affirmative vote of a majority of the full membership of the City Council.

…”

SECTION 3: Amendment of Section 2-342 of the Wylie Code of Ordinances and Ordinance Nos. 2020-09 and 2012-29. Section 2-342 of the Wylie Code of Ordinances and Ordinance Nos. 2020-09 and 2012-29 are amended to read as follows:

“CHAPTER 2 (ADMINISTRATION)

…

ARTICLE X (PUBLIC ARTS PROGRAM)

…

DIVISION 2 (PUBLIC ARTS ADVISORY BOARD)

…”
Sec 2-342  Number of Members; Appointment; Terms

(a) The board shall consist of seven members to be appointed by the City Council for a term of two years each.

(b) No member shall serve on the board for more than three consecutive, two-year terms or six consecutive years, whichever is less, unless extended by the affirmative vote of at least three-fourths of the full membership of the City Council.

(c) Except for a board member whose tenure has been extended by the City Council as provided above, a member who has served three consecutive, two-year terms or six consecutive years, whichever is less, on the board may be reappointed to serve on the board after being off the board for at least one year, and upon reappointment, the member is eligible to serve another three consecutive terms or six consecutive years, whichever is less. Such member is eligible, however, for appointment to a different board or commission without waiting.

(d) In addition to the seven board members, the city manager (or his designee) shall serve as an ex officio member of the board, but shall have no right to vote on any matter before the board.

…”

SECTION 4: Amendment of Section 58-53 of the Wylie Code of Ordinances and Ordinance Nos. 2020-05 and 2013-17. Section 58-53 of the Wylie Code of Ordinances and Ordinance Nos. 2020-05 and 2013-17 are amended to read as follows:

“CHAPTER 58 (HISTORIC PRESERVATION)

…

ARTICLE III (HISTORIC REVIEW COMMISSION)

…

Sec. 58-53  Number of Members; Appointment Terms

(a) The Commission shall consist of seven members to be appointed by the City Council for a term of two years each. The City Council shall, to the extent reasonably possible, endeavor to appoint at least four citizens at large and the remaining three from the following categories:
Member in good standing with the Downtown Merchants Association;

Member in good standing with the Wylie Historic Society;

Historian; and/or

Owner of, or resident or tenant in, a landmark property.

(b) No member shall serve on the Commission for more than three consecutive, two-year terms or six consecutive years, whichever is less, unless extended by the affirmative vote of at least three-fourths of the full membership of the City Council.

(c) Except for a Commission member whose tenure has been extended by the City Council as provided above, a member who has served three consecutive, two-year terms or six consecutive years, whichever is less, on the Commission may be reappointed to serve on the Commission after being off the Commission for at least one year, and upon reappointment, the member is eligible to serve another three consecutive terms or six consecutive years, whichever is less. Such member is eligible, however, for appointment to a different board or commission without waiting.

..."
full membership of the City Council.

(c) Except for a board member or alternate member whose tenure has been extended by the City Council as provided above, a member or alternate member who has served three consecutive, two-year terms or six consecutive years, whichever is less, on the board may be reappointed to serve on the board after being off the board for at least one year, and upon reappointment, the member or alternate member is eligible to serve another three consecutive terms or six consecutive years, whichever is less. Such member or alternate member is eligible, however, for appointment to a different board or commission without waiting.

(d) If any member or alternate member is absent from three consecutive meetings, his position shall be declared vacant and the vacancy shall be filled for the remainder of the unexpired term by the City Council within 30 days after the vacancy occurs.

...”

SECTION 6: Amendment of Section 18-123 of the Wylie Code of Ordinances and Ordinance Nos. 2020-01 and 2015-37. Section 18-123 of the Wylie Code of Ordinances and Ordinance Nos. 2020-01 and 2015-37 are amended to read as follows:

“CHAPTER 18 (ANIMALS)

...

ARTICLE IV (ANIMAL SHELTER ADVISORY BOARD)

...

Sec. 18-123 Number of Members; Qualified Appointment; Terms

(a) The Board shall consist of five members. The Board shall consist of one licensed veterinarian, one member of the City Council of the City of Wylie, Texas, the Animal Shelter Manager of the City of Wylie, Texas (whose duties include the daily operation of the Wylie animal shelter), one representative from an animal welfare organization and one resident of the City of Wylie, Texas, with all Board members to be appointed by the City Council for a term of two years each, except for the Animal Shelter Manager who shall be a permanent member of the Board.

(b) Except for the Animal Shelter Manager, no member shall serve on the Board for more than three consecutive, two-year terms or six consecutive years,
whichever is less, unless extended by the affirmative vote of at least three-fourths of the full membership of the City Council.

(c) Except for a Board member whose tenure has been extended by the City Council as provided above, a member who has served three consecutive, two-year terms or six consecutive years, whichever is less, on the Board may be reappointed to serve on the Board after being off the Board for at least one year, and upon reappointment, the member is eligible to serve another three consecutive terms or six consecutive years, whichever is less. Such member is eligible, however, for appointment to a different board or commission without waiting.

…”

SECTION 7: Amendment of Section 66-41 of the Wylie Code of Ordinances and Ordinance Nos. 2020-06 and 1969-2. Section 66-41 of the Wylie Code of Ordinances and Ordinance Nos. 2020-06 and 1969-2 are amended to read as follows:

“CHAPTER 66 (LIBRARY)

…

ARTICLE II (PUBLIC LIBRARY DEPARTMENT)

…

DIVISION 2 (LIBRARY BOARD)

Sec. 66-41 Membership; Appointment; Terms; Absences

(a) The membership and terms of office of the library board shall be as provided for in Section 2(C) of Article VIII of the City Charter.

(b) The City Council may remove a board member with or without cause by an affirmative vote of a majority of the full membership of the City Council.

(c) The mayor or his nominee shall be an ex officio member of the board but shall not be entitled to a vote on the board.

(d) No member shall serve on the board for more than three consecutive, two-year terms or six consecutive years, whichever is less, unless extended by the affirmative vote of at least three-fourths of the full membership of the City Council.
(e) Except for a board member whose tenure has been extended by the City Council as provided above, a member who has served three consecutive, two-year terms or six consecutive years, whichever is less, on the board may be reappointed to serve on the board after being off the board for at least one year, and upon reappointment, the member is eligible to serve another three consecutive terms or six consecutive years, whichever is less. Such member is eligible, however, for appointment to a different board or commission without waiting.

(f) If any member is absent from three consecutive meetings, his position shall be declared vacant and the vacancy shall be filled for the remainder of the unexpired term by the City Council within 30 days after the vacancy occurs.

SECTION 8: Amendment of Section 78-23 of the Wylie Code of Ordinances and Ordinance Nos. 2020-08 and 2005-37. Section 78-23 of the Wylie Code of Ordinances and Ordinance Nos. 2020-08 and 2005-37 are amended to read as follows:

“CHAPTER 78 (PARKS AND RECREATION)

ARTICLE II. PARKS AND RECREATION BOARD

Sec. 78-23 Compositions; Appointment and Terms of Office; Absences

(a) The membership and terms of office of the parks and recreation board shall be as provided for in Section 2(B) of Article VIII of the City Charter.

(b) No member shall serve on the board for more than three consecutive, two-year terms or six consecutive years, whichever is less, unless extended by the affirmative vote of at least three-fourths of the full membership of the City Council.

(c) Except for a board member whose tenure has been extended by the City Council as provided above, a member who has served three consecutive, two-year terms or six consecutive years, whichever is less, on the board may be reappointed to serve on the board after being off the board for at least one year, and upon reappointment, the member is eligible to serve another three consecutive terms or six consecutive years, whichever is less. Such member is eligible, however, for appointment to a different board or commission without waiting.
commission without waiting.

(d) If any member is absent from three consecutive meetings, his position shall be declared vacant and the vacancy shall be filled for the remainder of the unexpired term by the City Council within 30 days after the vacancy occurs.

“...”

SECTI0N 9: Amendment of Ordinance Nos. 2020-10 and 2001-48. Section 8.4 of Ordinance Nos. 2020-10 and 2001-48 are amended to read as follows:

“ARTICLE 8 (DEVELOPMENT REVIEW PROCEDURES)

...

SECTION 8.4 ZONING BOARD OF ADJUSTMENT

...

1. Membership. The Board shall consist of five members and two alternates to be appointed by the City Council for a term of two years each.

a. No member shall serve on the board for more than three consecutive, two-year terms or six consecutive years, whichever is less, unless extended by the affirmative vote of at least three-fourths of the full membership of the City Council.

b. Except for a board member whose tenure has been extended by the City Council as provided above, a member who has served three consecutive, two-year terms or six consecutive years, whichever is less, on the board may be reappointed to serve on the board after being off the board for at least one year, and upon reappointment, the member is eligible to serve another three consecutive terms or six consecutive years, whichever is less. Such member is eligible, however, for appointment to a different board or commission without waiting.

c. The City Council may remove a board member for cause, as found by the City Council, on a written charge after a public hearing.

d. Vacancies shall be filled by the City Council for the unexpired term.

e. The Board shall elect its own chairperson, who shall serve for a period of two years or until his or her successor is
f. The Council may appoint up to two alternate members of the Board who shall serve in the absence of one or more regular members when requested to do so by the Mayor or City Manager. These alternate members, when appointed, shall serve for the same period as regular members, be subject to the same term limits, any vacancies shall be filled in the same manner, and they shall be subject to removal as regular members.

SECTION 10: Amendment of Section 2-57 of the Wylie Code of Ordinances and Ordinance Nos. 2020-03 and 2014-19. Section 2-57 of the Wylie Code of Ordinances and Ordinance Nos. 202-03 and 2014-19 are amended to read as follows:

“CHAPTER 2 (ADMINISTRATION)

...

ARTICLE III (OFFICERS)

...

DIVISION 2 (CODE OF ETHICS)

...

Sec. 2-57 Board of Ethics

...

(c) Terms of Appointment. No member shall serve on the Board of Ethics for more than two consecutive years. A member who has served for two consecutive years on the Board of Ethics may be reappointed to serve on the Board of Ethics after being off the Board of Ethics for at least one year, and upon reappointment, the member is eligible to serve another two consecutive years. Such member is eligible, however, for appointment to a different board or commission without waiting.

...”

SECTION 11: Repealing/Saving. Each Ordinance referenced in this Ordinance and the Code of Ordinances shall remain in full force and effect, save and except as amended by this or
any other Ordinance. All provisions of any other ordinances in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 12: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Wylie 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 are declared unconstitutional and/or invalid.

SECTION 13: Effective Date; Application to Current Boards and Commissions Members. This Ordinance shall become effective from and after its adoption. The term limitations and other provisions set forth in Sections 2 through 10 shall apply retroactively to members serving on the boards and commissions referenced herein as of the effective date of this Ordinance, including those board and commission members whose appointments were made prior to the adoption of this Ordinance.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 26th day of May 2020.

__________________________________________
Eric Hogue, Mayor

ATTESTED TO AND CORRECTLY RECORDED BY:

____________________________
Stephanie Storm, City Secretary
Meeting Date: May 26, 2020  
Department: Purchasing  
Prepared By: Glenna Hayes  
Date Prepared: May 19, 2020

Item Number: J  
Account Code: 100-5411-54210/611-5711-56570  
Budgeted Amount: $0.00  
Exhibits: Resolution

Subject

Consider, and act upon, Resolution No. 2020-28(R) of the City Council of the City of Wylie, Texas, to ratify emergency expenses for the purchase of engineering services, materials and road repair services for Hooper Road between Steel Road and Hensley Lane in the estimated amount of $426,176.00; and authorizing the City Manager to execute any necessary documents.

Recommendation

A motion to approve Resolution No. 2020-28(R) to ratify emergency expenses for the purchase of engineering services, materials and road repair services for Hooper Road between Steel Road and Hensley Lane in the estimated amount of $426,176.00; and authorizing the City Manager to execute any necessary documents.

Discussion

On February 3, 2020, as part of citywide visual inspection, City staff identified the stormwater drainage culvert pipe that runs underneath Hooper Road between Steel Road and Hensley Lane had collapsed and deteriorated areas. Stormwater runoff during and after heavy winter storms created additional erosion issues, threatening the integrity of the road. The City’s Engineering and Public Works staff determined that emergency repairs were needed, and that the road should be closed until repairs were completed to ensure public safety.

From February 10, 2020 to March 17, 2020, the City worked with Kimley-Horn & Associates on engineering/design plans for the emergency repair solution (W2020-68-E, $7,000.00). Due to the long lead-times, staff pre-ordered the necessary stormwater box culverts from Thompson Pipe Group ($64,896), and began the search for a qualified vendor to perform the necessary repairs. Staff met with Moss Utilities (W2020-80-E, $354,280.00) on May 5, 2020, to go over pricing, submittal of performance and payment bonds, insurance, and the preconstruction details. Repairs were temporarily delayed due to COVID-19 staffing issues, and work is scheduled to begin the 1st week of June 2020.

Staff recommends the ratification of emergency expenses including engineering, pipe and construction, for the repair of Hooper Road between Steel Road and Hensley Lane in the estimated amount of $426,176.00. (W2020-80-E)
RESOLUTION NO. 2020-28(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, TO RATIFY EMERGENCY EXPENSES FOR THE PURCHASE OF ENGINEERING SERVICES, MATERIALS AND ROAD REPAIR SERVICES FOR HOOPER ROAD BETWEEN STEEL ROAD AND HENSLEY LANE IN THE AMOUNT OF $426,176.00.

WHEREAS, due to unforeseen acts of nature, the integrity of the stormwater drainage culvert pipe that runs underneath Hooper Road between Steel Road and Hensley Lane has been compromised, and must undergo an emergency repair; and

WHEREAS, deterioration of the stormwater drainage culvert pipe compromised the structural integrity of Hooper Road resulting in its closure between Steel Road and Hensley Lane; and

WHEREAS, without repair, Hooper Road, between Steel Road and Hensley Lane, would remain permanently closed; and

WHEREAS, the City entered into an agreement with Kimley Horn & Associates for the engineering/design services required for the structural repair of Hooper Road, between Steel Road and Hensley Lane in the amount of $7,000.00; and

WHEREAS, do to long-lead times and cost savings, the City purchased stormwater box culverts directly from Thompson Pipe Group in the amount of $64,896.00; and

WHEREAS, Moss Utilities LLC specializes in the replacement and repair of stormwater drainage /culvert pipe services in the amount of $354,280.00

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

SECTION 1: The Mayor of the City of Wylie, Texas, is hereby authorized to ratify on behalf of the City Council of the City of Wylie, Texas, emergency repairs in the estimated amount of $426,176.00 as described above; and

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

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas on this the 26th day of May, 2020.

______________________________
ERIC HOGUE, Mayor

ATTEST TO:

____________________________
STEPHANIE STORM, City Secretary
Consider, and place on file, the Animal Shelter Advisory Board report to City Council regarding the meeting held on May 13, 2020.

Consider, and place on file, the Animal Shelter Advisory Board report to City Council regarding the meeting held on May 13, 2020.

The ASAB met on May 13, 2020. The attached minutes and statistical reports were considered, approved and placed on file. This report is being submitted as required by city ordinance.
Minutes
Regular Meeting
February 12, 2020 – 6:00 p.m.
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Bldg. 100
Wylie, TX 75098

CALL TO ORDER

Brad Boozer called to order the Animal Shelter Advisory Board meeting at 6:09 pm. Board members present: Brad Boozer, David Dahl, Shelia Patton, Dr. Brad Abraham and Amber Porter. Quorum is present.
Staff Liaison Mike Atkison is absent.

INVOCATION

The invocation was given by David Dahl.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

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.

REGULAR AGENDA

1. Consider and act upon, approval of the Animal Shelter Advisory Board minutes of October 9, 2019. (Brad Boozer, ASAB Chair)

Board Action

A motion was made by Brad Abraham to accept the Animal Shelter Advisory Board minutes of October 9, 2019 as presented. Amber Porter seconded to accept the Animal Shelter Advisory Board minutes of October 9, 2019 as presented. A vote was taken and the motion passed unanimously.
2. Consider and place on file fourth quarter statistical information for shelter operations. (Brad Boozer, ASAB Chair)

**Board Action**

A motion was made by David Dahl to accept and place on file fourth quarter statistical information for shelter operations. Dr. Brad Abraham seconded the motion to accept and place on file fourth quarter statistical information for shelter operations. A vote was taken and the motion passed unanimously.

3. Consider and place on file 2019 statistical information for shelter operations. (Brad Boozer, ASAB Chair)

**Board Action**

A motion was made by Amber Porter to accept and place on file 2019 statistical information for shelter operations. David Dahl seconded the motion to accept and place on file 2019 statistical information for shelter operations. A vote was taken and the motion passed unanimously.

**DISCUSSION ITEMS**

- Discussion regarding shelter events and status fourth quarter. (S. Patton, ASAB Board Member)

Shelia Patton reports six sterilization transports for public access from Wylie Animal Control for residents to low cost animal care providers. Three low cost vaccination clinics held at the City of Wylie Animal Control during evening hours to provide residents access to low cost vaccinations, heartworm testing and preventative medication. Residents can comply with registration of pets as two staff members as well as veterinarian and vet assistant are on site. Volunteers and service workers have logged 181 hours. Pet of the week twice monthly with Wylie News is ongoing. Sixty animals received services through the pre-adoption sterilization program. Thirteen additional vet visits for sick or injured animals have taken place. Staff have completed four established tours. Veterinarian inspection was good in all areas. This item was not added to the agenda items. Patton reports the approved kennel door project is in the finance department stages of contract agreements and hopes to be able to update progress at the next meeting.

Patton reports that looking at the future growth of the facility is still a 2020 objective. We are entering the time to request an expanded level of services for budgeting purposes. It has been suggested that a video live feed system for adopters to have a less intrusive and better experience during visits would be a good idea. The system would assist with safety to observe from a safe distance visitors, check for escaped animals from areas and assist to ensure followance of health and safety code guidelines and requirements.
The consensus of the board and feedback has been to suggest that the board chair submit a letter to council supporting the live feed video and further elaborate on the benefits to staff, visitors and facility operations.

ADJOURNMENT

Motion was made by Brad Boozer and seconded by Shelia Patton to adjourn the meeting. With no further business before the board, the consensus of the board was to adjourn at 6:49 pm.

Brad Boozer, ASAB Chair

ATTEST:

Shelia Patton, ASAB member
# Animal Shelter Advisory Board Report

**January thru March 2020**

### Impounds

<table>
<thead>
<tr>
<th>Type</th>
<th>Dogs</th>
<th>Cats</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impounds</td>
<td>120</td>
<td>27</td>
<td>76</td>
<td>223</td>
</tr>
<tr>
<td>Owner Surrender</td>
<td>11</td>
<td>4</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Stray</td>
<td>85</td>
<td>6</td>
<td>15</td>
<td>106</td>
</tr>
<tr>
<td>Quarantine</td>
<td>13</td>
<td>1</td>
<td>0</td>
<td>14</td>
</tr>
<tr>
<td>Safe Keeping</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>DOA</td>
<td>9</td>
<td>13</td>
<td>38</td>
<td>60</td>
</tr>
<tr>
<td>Trapped by resident</td>
<td>0</td>
<td>3</td>
<td>23</td>
<td>26</td>
</tr>
<tr>
<td>Born at Shelter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Dispositions

<table>
<thead>
<tr>
<th>Disposition</th>
<th>Dogs</th>
<th>Cats</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Return to Owner</td>
<td>89</td>
<td>3</td>
<td>0</td>
<td>92</td>
</tr>
<tr>
<td>Adopted</td>
<td>14</td>
<td>9</td>
<td>0</td>
<td>23</td>
</tr>
<tr>
<td>Rescued</td>
<td>5</td>
<td>2</td>
<td>4</td>
<td>11</td>
</tr>
<tr>
<td>Euthanized</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0</td>
<td>29</td>
<td>29</td>
</tr>
</tbody>
</table>

### Euthanasia Reason

<table>
<thead>
<tr>
<th>Reason</th>
<th>Dogs</th>
<th>Cats</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Behavioral</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Medical</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Policy- H.R.R.C</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Wild Animal</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Euthanasia for dogs: 0.85%
Euthanasia for cats: 14.29%
Euthanasia for dogs & cats: total 2.24%

Dogs at facility at end of report: 9
Dogs at facility at beginning of report: 7
Cats at facility at end of report: 0
Cats at facility at beginning of report: 2

Euthanasia Rate for Facility January 1, 2020 thru March 31, 2020: 2.24%
# Board of Ethics Application

## Personal Information

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name *</th>
<th>DOB*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alem</td>
<td>Debebe</td>
<td></td>
</tr>
</tbody>
</table>

Please provide your full legal first and last name.

**Registered Voter**

- [ ] Yes
- [x] No

**Voter Registration**

- County*:
  - [ ] Collin

## Board/Commission Service

- Do you currently serve on a board/commission?
  - [ ] No
  - [x] Yes

Please indicate briefly why you would like to serve as a Board of Ethics member:

I am a legal professional by education. I have a masters degree in Law and served in multiple capacity in both legal and administrative assignments for over 18 years. During all these crucial assignments and education, more than anything I came to realize the purpose and importance of Ethics in every sphere of influence. If I get the opportunity to serve as a member of the Board of Ethics I believe I will contribute a unique and diverse point of view which will definitely facilitate and fulfill the vision and mission of the City of Wylie Board of Ethics Commission.

## Contact Information

<table>
<thead>
<tr>
<th>Phone No.*</th>
<th>Alt. Phone No.</th>
<th>E-mail*</th>
</tr>
</thead>
<tbody>
<tr>
<td>ex: 123-456-7890</td>
<td>ex: 123-456-7890</td>
<td></td>
</tr>
</tbody>
</table>

## Employment Information

- Occupation: Security Officer

## Code of Ethics Acknowledgement

- [ ]

How long have you been a Wylie resident?

- 6 months

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

I have reviewed Ordinance No. 2014-19, City of Wylie Code of Ethics, above as required in Section 10(A) of the Ordinance.

If appointed, I agree to serve a two year term to the Board of Ethics. I am aware of the meeting dates and times of the Board of Ethics. I am aware that I may not serve on any other council appointed board or commission during my term on the Board of Ethics. I understand that I will be required to attend training on the Open Meetings Act and Public Information Act within 30 days of taking my Oath of Office. I agree to contact the City Secretary’s Office in the event there is a change in my contact information.

My signature indicates that I have read, understand, and agree to all conditions and that all of the above information is correct.

Signature *

[Signature]

Date *

01/29/2020
Personal Information

First Name*  Last Name*  DOB*
Rich  Frei
Please provide your full legal first and last name.

Registered Voter*  Are you a registered voter?
☐ Yes
☐ No

Voter Registration  What County are you registered in?
County*  Collin

Board/Commission Service

*  Do you currently serve on a board/commission?
☐ No
☐ Yes

*  Please indicate briefly why you would like serve as a Board of Ethics member:
I would like the opportunity to invest time in the community in a meaningful way while serving the greater good of Wylie.

Contact Information

Phone No.*  Alt. Phone No.  E-mail*
ex: 123-456-7890  ex: 123-456-7890

Address*

*  How long have you been a Wylie resident?
9 years
You must be a Wylie resident to serve on this board.

Employment Information

Occupation  Teacher

Code of Ethics Acknowledgement

Please read the below ordinance

Acknowledgment & Signature

I have reviewed Ordinance No. 2014-19, City of Wylie Code of Ethics, above as required in Section 10(A) of the Ordinance.

If appointed, I agree to serve a two year term to the Board of Ethics. I am aware of the meeting dates and times of the Board of Ethics. I am aware that I may not serve on any other council appointed board or commission during my term on the Board of Ethics. I understand that I will be required to attend training on the Open Meetings Act and Public
Information Act within 30 days of taking my Oath of Office. I agree to contact the City Secretary's Office in the event there is a change in my contact information.

My signature indicates that I have read, understand, and agree to all conditions and that all of the above information is correct.

Signature *

Date* 05/12/2020
Personal Information

First Name*  
Joseph  
Please provide your full legal first and last name.

Last Name*  
Hama

DOB*  

Registered Voter*  
Are you a registered voter?  

☐ Yes  
☐ No

Voter Registration  
What County are you registered in?  
Collin

Board/Commission Service

*  
Do you currently serve on a board/commission?  

☐ No  
☐ Yes

*  
Please indicate briefly why you would like serve as a Board of Ethics member:  
A way to serve and contribute to my community.

Contact Information

Phone No.*  
ex: 123-123-1234

Alt. Phone No.  
ex: 123-456-7890

E-mail*  

Address*  
Wylie, TX 75098

*  
How long have you been a Wylie resident?  
4 yrs  
You must be a Wylie resident to serve on this board.

Employment Information

Occupation  
Clergy

Code of Ethics Acknowledgement

Please read the below ordinance

Acknowledgment & Signature

I have reviewed Ordinance No. 2014-19, City of Wylie Code of Ethics, above as required in Section 10(A) of the Ordinance.

If appointed, I agree to serve a two year term to the Board of Ethics. I am aware of the meeting dates and times of the Board of Ethics. I am aware that I may not serve on any other council appointed board or commission during my term on the Board of Ethics. I understand that I will be required to attend training on the Open Meetings Act and Public Information Act within 30 days of taking my Oath of Office. I agree to contact the City Secretary’s Office in the event
there is a change in my contact information.

My signature indicates that I have read, understand, and agree to all conditions and that all of the above information is correct.

Signature *

Date * 05/12/2020
Board of Ethics Application

Personal Information

First Name*  Last Name*  DOB*
Reagan Elizabeth  Sofia  [Redacted]
Please provide your full legal first and last name.

Registered Voter*  Are you a registered voter?
☐ Yes
☐ No

Voter Registration  What County are you registered in?
County*  Collin

Board/Commission Service

Do you currently serve on a board/commission?
☐ No
☐ Yes

Please indicate briefly why you would like serve as a Board of Ethics member:
Would love to be more involved!

Contact Information

Phone No.*  Alt. Phone No.  E-mail*
x: 123-456-7890  x: 123-456-7890

Address*

How long have you been a Wylie resident?
2 years
You must be a Wylie resident to serve on this board.

Employment Information

Occupation  Online higher education

Code of Ethics Acknowledgement

Please read the below ordinance

Acknowledgment & Signature

I have reviewed Ordinance No. 2014-19, City of Wylie Code of Ethics, above as required in Section 10(A) of the Ordinance.

If appointed, I agree to serve a two year term to the Board of Ethics. I am aware of the meeting dates and times of the Board of Ethics. I am aware that I may not serve on any other council appointed board or commission during my term on the Board of Ethics. I understand that I will be required to attend training on the Open Meetings Act and Public Information Act within 30 days of taking my Oath of Office. I agree to contact the City Secretary's Office in the event there is a change in my contact information.
My signature indicates that I have read, understand, and agree to all conditions and that all of the above information is correct.

Signature *

Date * 05/12/2020
Subject

Tabled from 05-12-2020
Remove from table and consider

Consider, and act upon, Ordinance No. 2020-30 to a change of zoning from Agricultural (AG) to Planned Development (PD), to allow for a mixed-use, age-restricted, senior master planned community on 24.5 acres, located at 1751 McMillen Road. (ZC 2020-02)

Recommendation

Tabled from 05-12-2020
Remove from table and consider

A motion to approve Ordinance No. 2020-30 to a change of zoning from Agricultural (AG) to Planned Development (PD), to allow for a mixed-use, age-restricted, senior master planned community on 24.5 acres, located at 1751 McMillen Road. (ZC 2020-02)

Discussion

Zoning Case 2020-02 requires an Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

The subject ordinance allows for the rezoning of 24.5 acres of property located at 1751 McMillen Road from Agricultural (AG) to Planned Development (PD). Exhibit A (Legal Description), Exhibit B (PD Conditions), and Exhibit C (Zoning Exhibits) are included and made a part of this Ordinance.

Per the motion and further discussion as requested by the applicant that approved the zoning change, language has been added to Section G of the PD Conditions that address; concurrent development of the residential and commercial subdistricts using City Final Inspections and Certificates of Occupancy as the standard of comparison, the requirement of a Traffic Impact Analysis at platting, and the inclusion of the zoning exhibit defining the development allowed.

The above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance, as amended by the granting of this zoning classification and the PD ordinance specific to this property.
ORDINANCE NO. 2020-30

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF WYLIE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY, ZONING CASE NUMBER 2020-02, FROM AGRICULTURAL (AG) TO PLANNED DEVELOPMENT (PD), TO ALLOW FOR A MIXED USE AGE RESTRICTED MASTER PLANNED COMMUNITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

SECTION 2: That Planned Development Conditions and a Zoning Exhibit are an integral component of the development of the property and are attached as Exhibits B and C, respectively.

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

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

SECTION 5: Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.
SECTION 6: Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7: This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

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

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 26th day of May 2020.

______________________________
Eric Hogue, Mayor

ATTEST:

______________________________
Stephanie Storm, City Secretary

DATE OF PUBLICATION: June 3, 2020, in the Wylie News

Ordinance No. 2020-30 - change the zoning on the hereinafter described property, zoning case number 2020-02, from agricultural (ag) to planned development (pd)
EXHIBIT A

Being a tract of land situated in the William Patterson Survey, Abstract No. 716, Collin County, Texas, same being that tract of land conveyed to Katheryn Skinner, a single woman, by deed recorded in County Clerk File No. 20070514000648930, Real Property Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner, said corner being the Northeast corner of Wylie United Methodist Church, an Addition to Collin County, Texas, according to the Map or Plat thereof recorded in Volume R, Page 213, Map or Plat Records of Collin County, Texas and lying along the West line of FM Road 1378 (50-foot right-of-way);

THENCE South 89 degrees 30 minutes 53 seconds West, along the North line of said Wylie United Methodist Church Addition, a distance of 620.19 feet to a 5/8 inch iron rod found for corner, said corner being the Northwest corner of said Wylie United Methodist Church Addition;

THENCE South 00 degrees 22 minutes 04 seconds East, along the West line of said Wylie United Methodist Church Addition, a distance of 1021.28 feet to a pk nail found for corner, said corner being the Southwest corner of said Wylie United Methodist Church Addition, and lying along the North line of McMillen Estates, an Addition to Collin County, Texas, according to the Map or Plat thereof recorded in Volume I, Page 719, Map or Plat Records of Collin County, Texas, and lying along the centerline of McMillen Road (public right-of-way);

THENCE South 88 degrees 54 minutes 20 seconds West, along the centerline of said McMillen Road, a distance of 739.64 feet to a 1/2 inch iron rod found for corner, said corner being the Southeast corner of a tract of land conveyed to D-Dreams, Inc., a Texas Limited Liability Company, by deed recorded in County Clerk File No. 20070131000142850, Real Property Records of Collin County, Texas;

THENCE North 00 degrees 03 minutes 00 seconds East, along the East line of said D-Dreams tract, a distance of 1100.59 feet to a 1/2 inch iron rod found for corner, said corner being the Southwest corner of a tract of land conveyed to Matthew M. Butschek and Catherine V.M. Butschek, husband and wife, by deed recorded in County Clerk File No. 97-001745, Real Property Records of Collin County, Texas;

THENCE North 86 degrees 14 minutes 11 seconds East, along the South line of said Butschek tract (97-001745), a distance of 208.03 feet to a 1/2 inch iron rod found for corner;

THENCE North 00 degrees 31 minutes 31 seconds West, along the East line of said Butschek tract (97-0001745), a distance of 172.53 feet to a point for corner;

THENCE North 89 degrees 11 minutes 22 seconds East, along the South line of Butschek tract (97-0001745), a distance of 1146.89 feet to a point for corner, said corner being the Southeast corner of that tract of land conveyed to Matthew M. Butschek and Catherine V. M. Butschek, husband and wife by deed recorded in County Clerk File No. 97-0001744 and lying along the West line of said City of Wylie tract and said FM Road 1378;

THENCE South 00 degrees 08 minutes 09 seconds West, along the West line of said City of Wylie tract / FM Road 1378, a distance of 262.35 feet to the POINT OF BEGINNING and containing 1,067,190 square feet or 24.50 acres of land.
Exhibit B
MEADOW PONDS PLANNED DEVELOPMENT STANDARDS
(Zoning Case 2020-02)

A. Purpose
The purpose of this planned development district is to allow an age restricted mixed-use development on an approximate 24.5 acre parcel located on Tract 27 of the Williams Patterson Survey, West of FM 1378 and North of McMillen Road. This community will contain retail, personal service, health club, outdoor recreation, multifamily, assisted living, and single family uses. The regulations in this Planned Development (PD) District will encourage high-quality site planning and design in accordance with the City of Wylie’s Comprehensive Plan.

B. District Regulations
1. General.
   a. Subdistricts established: This PD shall be developed in three subdistricts as follows:
      i. Subdistrict 1: Single Family Subdistrict
      ii. Subdistrict 2: Multiplex Subdistrict
      iii. Subdistrict 3: Multiple-Care Subdistrict
      iv. The zoning exhibit (Exhibit C) shall serve as a subdivision concept plan for purposes of Zoning and Land Design, Street, and Sidewalk requirements. Separate plat submittals for all subdistricts shall be required. A separate site plan submittal for Subdistrict 3 shall be required.

2. Development of the Property shall generally conform to the following regulations:
   a. Single Family Subdistrict
      i. Except as otherwise provided herein, development of the Single Family Subdistrict shall comply with the Single Family-10 District regulations of the 2019 City of Wylie Zoning Ordinance.
      ii. Permitted Uses: Uses permitted in the Single Family-10 are permitted in the Single Family Subdistrict. Residential uses are restricted to a head of household aged 55 and older.
      iii. Development Standards: Following are the yard, lot and space requirements for the Single Family Subdistrict, including density, height, lot and unit size.

<table>
<thead>
<tr>
<th>Single Family Subdistrict</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Size</strong></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Area (sq. ft.)</td>
<td>4,000</td>
</tr>
<tr>
<td>Minimum Lot Width (feet)</td>
<td>40</td>
</tr>
<tr>
<td>Minimum Lot Width of corner Lots- excepting the corner clip at the intersection (feet)</td>
<td>50</td>
</tr>
<tr>
<td>Minimum Lot Depth (feet)</td>
<td>100</td>
</tr>
<tr>
<td>Lot Depth of Double Front Lots (feet)</td>
<td>NA</td>
</tr>
</tbody>
</table>

Dwelling Regulations
Minimum Square Footage | 1,100  
Design Standards Level of Achievement | See Section B.2.d below  

| Yard Requirements – Main Structures |  
|------------------------------------|--------  
| Minimum Front Yard (feet) except between house façade and front street easement line | 10  
| Minimum Front Yard (feet) between garage façade and front street easement line | 20  
| Minimum Side Yard (feet) | 5  
| Minimum Side Yard of Corner Lots (feet) | 5  
| Minimum Side Yard of allowable nonresidential use (feet) | NA  
| Minimum Rear Yard (feet) | 5  
| Minimum Rear Yard Double Front Lots (feet) | NA  
| Maximum Lot Coverage | 80%  

| Height of Structures |  
|---------------------|--------  
| Main Structure (feet) | 30  
| Accessory Structure (feet) | 14  

### b. Multiplex Subdistrict

i. Except as otherwise provided herein, development of the Multiplex Subdistrict shall comply with the Multifamily District regulations of the 2019 City of Wylie Zoning Ordinance.

ii. Permitted Uses:
   a. Except as otherwise provided herein, uses permitted in the Multifamily District are permitted in the Multiplex Subdistrict.
   b. Residential uses are restricted to a head of household aged 55 and older.

iii. Development Standards: The following are the yard, lot and space requirements for triplex uses in the Multiplex Subdistrict, including density, height, lot and unit size.

| Multiplex Subdistrict |  
|-----------------------|--------  
| Lot Size |  
| Minimum Lot Area (sq. ft.) | 5 acres  
| Minimum Lot Width (feet) | 190  
| Minimum Lot width of corner Lots (feet) | NA  
| Minimum Lot Depth (feet) | 135  
| Minimum Lot Depth of Double Front Lots (feet) | NA  
| Dwelling Regulations |  
| Minimum Square Footage | Studio- 470 sf  
| | 1 BR- 675 sf  
| | 2 BR- 875 sf  
| Maximum Density | 45Total units  

24881861v.7
Building Separation between detached buildings (feet) | 10
Design Standards Level of Achievement | See Section B.2.d below

Yard Requirements - Main Structures

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Front Yard (feet) except between house façade and front street easement line</td>
<td>10</td>
</tr>
<tr>
<td>Minimum Front Yard (feet) between garage façade and front street easement line</td>
<td>20</td>
</tr>
<tr>
<td>Minimum Side Yard of Corner Lots (feet)</td>
<td>5</td>
</tr>
<tr>
<td>Minimum Side Yard (feet)</td>
<td>none</td>
</tr>
<tr>
<td>Minimum Rear Yard (feet)</td>
<td>5 from any interior lot line</td>
</tr>
<tr>
<td>Minimum Rear Yard Double Front Lots (feet)</td>
<td>none</td>
</tr>
</tbody>
</table>

Height of Structures

<table>
<thead>
<tr>
<th>Structure Type</th>
<th>Maximum Height (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Structure</td>
<td>30</td>
</tr>
<tr>
<td>Accessory Structure</td>
<td>14</td>
</tr>
</tbody>
</table>

Multiple-Care Subdistrict

i. Except as otherwise provided herein, development of the Multiple-Care Subdistrict shall comply with the Multifamily District regulations.

ii. Permitted Uses:
   a. Except as otherwise provided herein, uses permitted in the Multifamily District are permitted in the Multiple-Care Subdistrict.
   b. The following uses are permitted primary uses in the Multiple-Care Subdistrict:
      - Residential uses restricted to head of household aged 55 and older
      - Assisted Living Apartment
      - Nursing, Convalescent Home or Hospice (including memory care)
   c. The following uses are permitted accessory uses in the Multiple-Care Subdistrict:
      - Civic Center
      - Cultural Arts Facility
      - Financial Institution(without drive-thru)
      - Medical Clinic
      - Commercial Amusement or Recreation (Low-Density Inside)
      - Health Club
      - Theater
      - Cleaners
      - General Merchandise Store
      - Grocery Store
      - Personal Service Use
      - Restaurant without Drive-in or Drive-through Service
      - Post Office
iii. Development Standards: The following are the yard, lot and space requirements for triplex uses in the Multiple-Care Subdistrict, including density, height, lot and unit size.

<table>
<thead>
<tr>
<th>Lot Size</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area (sq. ft.)</td>
<td>43,560</td>
</tr>
<tr>
<td>Minimum Lot Width (feet)</td>
<td>110</td>
</tr>
<tr>
<td>Minimum Lot width of corner Lots (feet)</td>
<td>NA</td>
</tr>
<tr>
<td>Minimum Lot Depth (feet)</td>
<td>90</td>
</tr>
<tr>
<td>Minimum Lot Depth of Double Front Lots (feet)</td>
<td>NA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dwelling Regulations</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Separation between detached buildings (feet)</td>
<td>10</td>
</tr>
<tr>
<td>Minimum Dwelling Unit Square Footage</td>
<td>Studio- 470 sf</td>
</tr>
<tr>
<td></td>
<td>1 BR- 600 sf</td>
</tr>
<tr>
<td></td>
<td>2 BR- 875 sf</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>160 Total units</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Yard Requirements</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Front Yard (feet)</td>
<td>10</td>
</tr>
<tr>
<td>Minimum Side Yard of Corner Lots (feet)</td>
<td>5</td>
</tr>
<tr>
<td>Minimum Side Yard (feet)</td>
<td>none</td>
</tr>
<tr>
<td>Minimum Rear Yard (feet)</td>
<td>15 from any interior lot line</td>
</tr>
<tr>
<td>Minimum Rear Yard Double Front Lots (feet)</td>
<td>none</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Height of Structures</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Structure (feet)</td>
<td>60</td>
</tr>
<tr>
<td>Accessory Structure (feet)</td>
<td>14</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Architectural Requirements</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(For the Multiple-Care Subdistrict)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ELEMENT</th>
<th>BASE STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Bulk and Articulation</td>
<td>Minimum 25% of street façade offset minimum 2 ft, minimum 60% total area on 1st floor of all 2-story</td>
</tr>
<tr>
<td>House Numbers</td>
<td>• Stone plaque with number beside main entry</td>
</tr>
</tbody>
</table>
### Architectural Requirements  
(For the Single Family Subdistrict)

<table>
<thead>
<tr>
<th>ELEMENT</th>
<th>BASE STANDARD (ALL DEVELOPMENT MUST COMPLY FULLY WITH ALL LISTED BELOW)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Bulk and Articulation</strong></td>
<td>At least 20 percent of the façade shall be offset a minimum of 1-foot either protruding from or recessed back from the remainder of the façade.</td>
</tr>
</tbody>
</table>
| **House Numbers**              | • Stone plaque with number beside main entry  
                                   • Lighted wall front plaque |
| **Exterior Façade Materials**  | • Masonry or fiber cement lap siding and panels  
                                   • Masonry or fiber cement fascia, soffits and under hangs includes porches  
                                   • Faux wood front door with and without glass inserts  
                                   • Operable and fixed vinyl windows  
                                   • Faux cedar metal garage doors  
                                   • 30-year architectural shingles  
                                   • Other materials permitted by the Zoning Ordinance |
| **Exterior Facades-Porches**    | Porches are not required |
| **Exterior Facades-Chimneys**   | Chimney flues for fireplace chimneys are to be within a chimney enclosed with masonry matching exterior walls of the residential unit and capped. |
| **Roofs and Roof Pitching**     | All single-family residential units shall have architectural-grade overlap shingles, tile, or standing seam metal. Wood shingles are not permitted. Plumbing vents, attic vents, and other rooftop accessories are to be painted to match the roof shingle color. |
Minimum roof pitch shall be 4:12.

Repetition of floor plan and elevation
To avoid repetitious feel, a minimum of five (5) platted residential lots must be skipped on the same side and three (3) lots must be skipped on the opposite side of a street before rebuilding the same single-family residential unit with an identical (or nearly identical) street elevation design. The same floor plan shall not be repeated on neighboring, side by side lots or directly across the street. Identical or nearly identical floor plan means that the layout, size and function of the rooms are essentially the same. Identical or nearly identical street elevation design means little or no variation in the articulation of the façade, height or width of façade, placement of the primary entrances, porches, number and placement of windows, and other major architectural features. It does not mean similar colors, materials, or small details.

Garage Entry
To maximize the useable rear yards, garage doors can be located on the primary street elevation of a single-family residential unit. The primary street would be the addressed street front. Garages may face the street on a corner lot side yard. To provide ample parking and storage, each garage shall be a minimum of 400 square feet.

Fencing
No front yard fences are allowed.
Side and rear yard fences shall be permitted to a height of 8 feet maximum and constructed of wood or wrought iron.

Landscaping
Each residential dwelling unit shall have sodded front, side, and rear yard with a minimum of 1 ornamental tree and 5 shrubs in front yard.
All landscaped areas must be kept in a healthy and growing condition. Any plant materials that dies during a time of year where it is not feasible to replant shall be replaced as soon as possible.
Each residential dwelling unit shall have an automated, subsurface irrigation system.

<table>
<thead>
<tr>
<th>Architectural Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>(For the Multiplex Subdistrict)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ELEMENT</th>
<th>BASE STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Bulk and Articulation</td>
<td>At least 20 percent of the façade shall be offset a minimum of 1-foot either protruding from or recessed back from the remainder of the façade.</td>
</tr>
<tr>
<td>House Numbers</td>
<td>• Stone plaque with number beside main entry</td>
</tr>
<tr>
<td>Exterior Façade Materials</td>
<td>• Lighted wall front plaque</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td></td>
<td>• Masonry or fiber cement lap siding and panels</td>
</tr>
<tr>
<td></td>
<td>• Masonry or fiber cement fascia, soffits and under hangs includes porches</td>
</tr>
<tr>
<td></td>
<td>• Faux wood front door with and without glass inserts</td>
</tr>
<tr>
<td></td>
<td>• Operable and fixed vinyl windows</td>
</tr>
<tr>
<td></td>
<td>• Faux cedar metal garage doors</td>
</tr>
<tr>
<td></td>
<td>• 30-year architectural shingles</td>
</tr>
<tr>
<td></td>
<td>• Other materials permitted by the Zoning Ordinance</td>
</tr>
<tr>
<td>Exterior Facades-Porches</td>
<td>Porches are not required</td>
</tr>
<tr>
<td>Exterior Facades-Chimneys</td>
<td>Chimney flues for fireplace chimneys are to be within a chimney enclosed with masonry matching exterior walls of the residential unit and capped.</td>
</tr>
<tr>
<td>Roofs and Roof Pitching</td>
<td>All single-family residential units shall have architectural-grade overlap shingles, tile, or standing seam metal. Wood shingles are not permitted. Plumbing vents, attic vents, and other rooftop accessories are to be painted to match the roof shingle color.</td>
</tr>
<tr>
<td></td>
<td>No minimum roof pitch is required.</td>
</tr>
<tr>
<td>Repetition of floor plan and elevation</td>
<td>Repetition of floor plan and elevations is not required for the Multiplex Subdistrict.</td>
</tr>
<tr>
<td>Garage Entry</td>
<td>To maximize the useable rear yards, garage doors can be located on the primary street elevation of a single-family residential unit. The primary street would be the addressed street front. Garages may face the street on a corner lot side yard. To provide ample parking and storage, each garage shall be a minimum of 200 square feet.</td>
</tr>
<tr>
<td>Fencing</td>
<td>No front yard fences are allowed.</td>
</tr>
<tr>
<td></td>
<td>Side and rear yard fences shall be permitted to a height of 8 feet maximum and constructed of wood or wrought iron.</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Each residential dwelling building shall have sodded front, side, and rear yard with a minimum of 1 ornamental tree and 3 shrubs in front yard.</td>
</tr>
<tr>
<td></td>
<td>All landscaped areas must be kept in a healthy and growing condition. Any plant materials that dies during a time of year where it is not feasible to replant shall be replaced as soon as possible.</td>
</tr>
</tbody>
</table>
Each residential dwelling unit shall have an automated, subsurface irrigation system.

e. Land Design Requirements. Development of the Property shall comply with the Land Design Requirements in the following table which replace the Land Design Requirements in the Zoning Ordinance:

<table>
<thead>
<tr>
<th>ELEMENT</th>
<th>a. BASE STANDARD (ALL DEVELOPMENT MUST COMPLY FULLY WITH ALL LISTED BELOW)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Open Space Easements</td>
<td>30 ft wide buffer with 8 ft wide trail throughout Property</td>
</tr>
<tr>
<td></td>
<td>Trail amenities to be provided such as benches, fitness station, or picnic tables</td>
</tr>
<tr>
<td>Perimeter Screen Along Thoroughfares</td>
<td>40 ft wide buffer, w/6 ft wrought iron between brick or stone columns (50 ft o.c.) or landscaped earthen berm (3:1 slope)</td>
</tr>
<tr>
<td></td>
<td>Increase buffer width by 10%, slip street/parkway with no residential lots backing or siding on thoroughfare</td>
</tr>
<tr>
<td>Perimeter Walkways and Landscape</td>
<td>a. Mixture of large/canopy and small/ornamental trees 50 ft. o.c.</td>
</tr>
<tr>
<td></td>
<td>b. 8 ft walk/trail.</td>
</tr>
<tr>
<td></td>
<td>c. Provide benches at nodes when adjacent to open space.</td>
</tr>
<tr>
<td>Lighting and Furnishings along open space easements and trails</td>
<td>Solar-controlled lighting on 10-12 ft decorative poles every 100 ft, common throughout.</td>
</tr>
<tr>
<td></td>
<td>Benches with backs every 1/2 mile or portion thereof when adjacent to open space.</td>
</tr>
<tr>
<td></td>
<td>Decorative paving and cross-walks at street connectors.</td>
</tr>
<tr>
<td></td>
<td>Exercise apparatus every ¼ mile</td>
</tr>
<tr>
<td></td>
<td>a. Trees 30 ft o.c. maximum, with down lighting and ground-level lights.</td>
</tr>
</tbody>
</table>
f. Street and Sidewalk Requirements. Development of the Property shall comply with the Street and Sidewalk Requirements in the following table which replace the Street and Sidewalk Requirements in the Zoning Ordinance:

<table>
<thead>
<tr>
<th>ELEMENT</th>
<th>BASE STANDARD DEPARTMENT MUST COMPLY BELOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curvilinear Streets</td>
<td>NA</td>
</tr>
<tr>
<td>Entry Features and Medians</td>
<td>Architectural features on stone screen wall or stone monument (no brick)</td>
</tr>
<tr>
<td></td>
<td>Tubular steel accent panels, or water feature, or 2 or more different type/color of stone (can be synthetic or cultured).</td>
</tr>
<tr>
<td>Signage at Entries</td>
<td>Incorporated into screen wall or monument sign within median and illuminated by means other than street lights.</td>
</tr>
<tr>
<td>Street Name Signs</td>
<td>Including block numbers, incorporated with street lighting coordinated throughout. Unique neighborhood design, or back-lighted.</td>
</tr>
<tr>
<td>Pedestrian Crosswalks</td>
<td>10 ft or wider, connected system of decorative pavers.</td>
</tr>
<tr>
<td>Sidewalk Locations</td>
<td>5 ft concrete, both sides of street, meandering continuous pathway.</td>
</tr>
<tr>
<td>Mail Boxes</td>
<td>Paired at lot line on SF-10 Lots or lower. Number plaque, brick same as resident. Stone, same house exterior trim.</td>
</tr>
<tr>
<td>Sidewalk Lighting</td>
<td>Low-illumination with solar controls, on decorative poles every 250’ to 350’ apart (intersections &amp; mid-block alternating sides).</td>
</tr>
<tr>
<td>Perimeter Alleys</td>
<td>NA</td>
</tr>
</tbody>
</table>

g. General Provisions
   i. The Multifamily residential proximity slope (Section 7.1) does not apply to development within the Property as it would pertain to other development within the property.
ii. On-street parking shall be prohibited and so marked with signage.

iii. Properties may be addressed using the private drives on which they front.

iv. Parking for the Multiple-care facility shall be provided at a minimum of 165 spaces to serve a maximum of 160 residential units and the allowed commercial uses within the sub-district.

v. A minimum of: (i) building permit shall be issued by the City of Wylie Building Official for the primary structure within the Multiple Care District (as diagrammed on the Zoning Exhibit); and (ii) an approved final foundation inspection shall be completed by a City of Wylie building inspector on the primary structure of the Multi Care District before a Final Inspection or Certificate of Occupancy will be allowed for any residential unit in Sub-districts 1 or 2, Single family and Multiplex, respectively; and (iii) an approved final framing inspection shall be completed by a City of Wylie building inspector on the primary structure of the Multi Care District before a Final Inspection or Certificate of Occupancy will be allowed for any residential unit over 50% of planned units in Sub-districts 1 or 2, Single family and Multiplex, respectively; and (iv) an approved Temporary Certificate of Occupancy by the City of Wylie Building Official on the primary structure of the Multi Care District before a Final Inspection or Certificate of Occupancy will be allowed for any residential unit over 95% of planned units Sub-districts 1 or 2, Single family and Multiplex, respectively.

vi. A completed Traffic Impact Analysis, as outlined by The City of Wylie Subdivision Regulations (9/19) Section 3.1.B.3, shall be submitted with the preliminary plat; and be reviewed by City of Wylie Engineering before the preliminary plat can be approved for construction.

vii. The planned development zoning exhibit shall be included as a development condition. If, in the opinion of the City Planner, a site plan (Sub-district 2 & 3) or plat (Sub-district 1, 2, or 3) does not generally conform to the zoning exhibit approved by the City, the applicant shall either seek approval of a revised zoning exhibit through re-zoning or submit a revised site plan.
Hold a Public Hearing, consider, and act upon, a change of zoning from Agricultural (AG) to Planned Development (PD), to allow for a mixed-use community on 47.29 acres generally located on Country Club Road 1900’ south of Parker Road. (ZC2020-05)

Motion to approve a change of zoning from Agricultural (AG) to Planned Development (PD), to allow for a mixed-use community on 47.29 acres generally located on Country Club Road 1900’ south of Parker Road. (ZC2020-05)

The applicant is requesting to rezone 47.29 acres located at 2301 FM 1378.

The property is currently zoned Agricultural and the applicant is requesting rezoning to Planned Development to allow for a mixed-use community. The planned development contains four sub-districts that are proposed to contain a mix of commercial, residential and open space uses.

The retail subdistrict, on approximately two acres, is proposed to develop between 10,000-12,000 square feet of commercial space. Permitted uses shall comply with the Community Retail District Regulations of the 2019 City of Wylie Zoning Ordinance. Parking for this sub district will be shared and provided at a ratio of one space for every 250 square feet of building area, regardless of use.

The multifamily subdistrict, on just over 13 acres, is proposed to develop as apartments with a maximum density of 24 dwelling units per gross acre, instead of the 15 per acre allowed by the Zoning Ordinance. This subdistrict provides parking at the standard two spaces per unit (see P&Z discussion below) with 100 of those spaces being garage parking spaces.

The single-family subdistrict, on 10-1/2 acres, is proposed to develop a maximum of 70 single family residential lots. The applicant is proposing a minimum lot size of 6,000 sq. ft with dwellings that are a minimum of 1,600 sq. ft with more than 75% of the homes being over 2,000 sq. ft. The proposed setbacks are 20’ for the front, 5’ for the sides and 15’ for the rear; all below typical standards.
The open space subdistrict measures 17 acres or approximately ⅓ of the total acreage of the development. The proposal provides an 8’ wide pedestrian trail with the capability of a connection to a City of Wylie Pedestrian trail that is planned west of the subject property. The developer is proposing to dedicate this area as parkland which has the recommendation of the Parks Board. The zoning exhibit provides for public parking at the trail head (see P&Z discussion below).

A Traffic Impact Analysis was conducted and the TIA concluded that the proposed development does not have a disproportionate effect on the existing vehicle traffic operations and that the proposed site driveways provide the appropriate level of access for the development.

If approved, this development will require the review and approval of the appropriate plats and site plans. All development within this subject property will generally adhere to design requirements of the planned development requirements and the zoning exhibit.

Notifications/Responses: Fourteen notifications were mailed to property owners. Responses received: one in favor and four in opposition, all property owners outside city limits.

**P&Z Commission Discussion**

The Commissioners expressed concerns regarding; the amount of parking within the multifamily subdistrict (originally presented at 1.7 spaces per unit and changed to two after the meeting), parking at the trailhead as the trail is a public space (agreed to at the meeting), dwelling size on the single family lot (originally only set a minimum dwelling size of 1,600 and agreed to add a percentage at a larger size), and the overall density of the development.

Public comments expressed concerns about the density of the development, added traffic, and screening along the northeast side of the development (agreed to add living screen in this area).

The Commissioners voted to recommend approval 4-3.
Locator Map

ZC 2020-05 Monroe Lake

Subject Property
LEGAL DESCRIPTION
47.2995 ACRES

BEING a tract of land out of the William Patterson Survey, Abstract No. 716 in the City of Wylie, Collin County, Texas, being part of the tract of land described as Tracts One, Two and Three in deed to Alfred Fall Monroe recorded in Volume 454, Page 205 of the Deed Records of Collin County, Texas and being more particularly described as follows;

BEGINNING at a 5/8” iron rod set with a plastic cap stamped KHA in the west right-of-way line of Country Club Road (F.M. 1187, a variable width ROW) for the southwest corner of a tract of land described in deed to the City of Wylie recorded in Instrument No. 20090707000845190 of the Official Public Records of Collin County, Texas and being the northeast corner of Lot 1, Block A of the Rita Smith Elementary School, an addition to the City of Wylie according to the plat thereof recorded in Volume 2007, Page 459 of the Map Records of Collin County, Texas;

THENCE with the north line of said Lot 1 and along a fence, South 86°27'02" West, a distance of 2126.71 feet to a 5/8” iron rod set with a plastic cap stamped KHA for corner in the east line of Lot 20, Block B of Creekside Estates, Phase VII, an addition to the City of Wylie according to the plat thereof recorded in Volume 2015, Page 45 of the Map Records of Collin County, Texas;

THENCE with said east line, North 2°30'53" East, a distance of 256.19 feet to a 5/8” iron rod found for the northeast corner of said Lot 20;

THENCE with the north line of Lot 20 and the north line of Kingsbridge, Phase 1, an addition to the City of Wylie according to the plat thereof recorded in Volume 2015, Page 461 of the Map Records of Collin County, Texas, South 89°05'40" West, a distance of 522.22 feet to a 1/2” iron rod found for corner;

THENCE with the east line of said Kingsbridge, Phase 1 and the east line of Kingsbridge, an addition to the City of Wylie according to the plat thereof recorded in Volume 2015, Page 126 of the Map Records of Collin County, Texas, North 0°54'32" West, a distance of 307.51 feet to a point from which a 1/2” iron rod found bears South 51°46' West, 1.2 feet;

THENCE continuing with the east line of said Kingsbridge, North 1°17'28" West, a distance of 411.45 feet to a point for the southwest corner of a tract of land described in deed to Michael Rains recorded in Instrument No. 97-0085360 of the Land Records of Collin County, Texas;

THENCE with the south line of said Rains tract, the south line of a tract of land described in deed to Kenneth Pogue recorded in Instrument No. 20120403000387990 of the Official Public Records of Collin County, Texas, the south line of a tract of land described in deed to Client Hankey recorded in Instrument No. 20170417000474670 of the Official Public Records of Collin County, Texas, the south line of a tract of land described in deed to Keith Spurgin recorded in Instrument No. 20121008001274120 of the Official Public Records of Collin County, Texas, the south line of a tract of land described in deed to James Monroe recorded in Instrument No. 20160921001265760 of the Official Public Records of Collin County, Texas, the south line of a tract of land described in deed to Michael Lundeen recorded in Instrument No. 93-0018605 of the Land Records of Collin County, Texas and the south line of a tract of land described in deed
to John Minick recorded in Volume 1693, Page 320 of the Land Records of Collin County, Texas, North 89°43'05" East, a distance of 1211.87 feet to a point for corner in the west line of a tract of land described in deed to Garland Brewster recorded in Instrument No. 20130710000965740 of the Official Public Records of Collin County, Texas from which a 1/2" iron rod found bears North 1°38" West, 1.3 feet;

**THENCE** with said west line, South 1°38'05" East, a distance of 175.13 feet to a point for corner in a creek;

**THENCE** with the south line of said Brewster tract, the south line of a tract of land described in deed to John Potischnik recorded in Volume 1268, Page 426 of the Land Records of Collin County, Texas, the south line of a tract of land described in deed to Bradley Webb recorded in Volume 5833, Page 2043 of the Land Records of Collin County, Texas and with the south line of a tract of land described in deed to Bata Family Limited Partnership recorded in Instrument No. 20130820001181280 of the Official Public Records of Collin County, Texas, North 88°43'44" East, a distance of 1419.54 feet to a TXDOT aluminum monument found in the west right-of-way line of said Country Club Road;

**THENCE** with said west right-of-way line, the following courses and distances to wit:

- South 1°02'43" East, a distance of 486.39 feet to a 5/8" iron rod set with a plastic cap stamped KHA for corner;
- South 0°45'16" East, a distance of 210.94 feet to the **POINT OF BEGINNING** and containing 47.2995 acres or 2,060,365 square feet of land.

Exhibit B
PROPOSED MONROE LAKE WYLIE PLANNED DEVELOPMENT CONDITIONS
Zoning Case 2020-05

A. Purpose.
The purpose of this planned development district is to allow a mixed-use development on an approximate 47.3 acre parcel located at 2301 FM 1378, adjacent to Country Club Rd. This community will contain retail, personal service, multifamily and single family uses and a major open space amenity. The regulations in this Planned Development (PD) District will allow for an innovative development project that can assist in the implementation of the Comprehensive Plan and other development goals and objectives.

B. District Regulations

1. General.
   a. Subdistricts established: This PD shall be developed in four subdistricts as follows:
      i. Subdistrict 1: Retail Subdistrict
      ii. Subdistrict 2: Multifamily Subdistrict
      iii. Subdistrict 3: Single Family Subdistrict
      iv. Subdistrict 4: Open Space Subdistrict
      v. The zoning exhibit (Exhibit C) shall serve as a subdivision concept plan for purposes of Zoning and Land Design, Street and Sidewalk requirements. Separate plat submittals for all subdistricts shall be required. A separate site plan submittal for Subdistrict 1 & 2 shall be required.

2. Development of the Property shall generally conform to the following regulations:
   a. Retail Subdistrict:
      i. Except as otherwise provided herein, development of the Retail Subdistrict shall comply with the Community Retail District regulations of the 2019 City of Wylie Zoning Ordinance.
      ii. Permitted Uses: Uses permitted in the Community Retail District are permitted in the Retail Subdistrict.
      iii. Parking: One space per 250 square feet of building floor area, regardless of use.
      iv. Development Standards: Following are the yard, lot and space requirements for the Retail District, including density, height, lot and unit size.

<table>
<thead>
<tr>
<th>Retail Subdistrict</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Height</td>
<td></td>
</tr>
<tr>
<td>Height of Main Structure (feet)</td>
<td>36</td>
</tr>
<tr>
<td>Number of Stories</td>
<td>2</td>
</tr>
<tr>
<td>Residential Proximity</td>
<td>NA</td>
</tr>
<tr>
<td>Building Placement and Coverage</td>
<td></td>
</tr>
<tr>
<td>Front Yard Setback (feet)</td>
<td>25</td>
</tr>
<tr>
<td>Side Yard Setback (feet)</td>
<td>10</td>
</tr>
<tr>
<td>Rear Yard Setback (feet)</td>
<td>10</td>
</tr>
</tbody>
</table>
### Lot Coverage

<table>
<thead>
<tr>
<th>Buffering and Screening</th>
<th>45%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonresidential Use Adjacent to Single Family</td>
<td>NA</td>
</tr>
<tr>
<td>Nonresidential Use Adjacent to Multifamily</td>
<td>Double Side &amp; Rear Setback – 5’ required landscaping w/screening</td>
</tr>
<tr>
<td>Service and Loading Areas</td>
<td>Not visible from public street or adjacent residential uses</td>
</tr>
</tbody>
</table>

### Multifamily Subdistrict

b. **Multifamily Subdistrict**

i. Except as otherwise provided herein, development of the Retail Subdistrict shall comply with the Multifamily District regulations of the 2019 City of Wylie Zoning Ordinance.

ii. Permitted Uses: Uses permitted in the Community Retail District are permitted in the Multifamily Subdistrict.

iii. Parking: 2 spaces per unit.

iv. Parking on the public right-of-way may be counted towards satisfying the requirement for on-site parking.

v. Development Standards: Following are the yard, lot and space requirements for the Multifamily District, including density, height, lot and unit size.

#### Multifamily Subdistrict

<table>
<thead>
<tr>
<th>Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area (sq. ft.)</td>
</tr>
<tr>
<td>Lot Width (feet)</td>
</tr>
<tr>
<td>Lot width of corner Lots (feet)</td>
</tr>
<tr>
<td>Lot Depth (feet)</td>
</tr>
<tr>
<td>Lot Depth of Double Front Lots (feet)</td>
</tr>
</tbody>
</table>

**Dwelling Regulations**

<table>
<thead>
<tr>
<th>Minimum Square Footage</th>
<th>EF- 690 sf</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 BR- 720 sf</td>
</tr>
<tr>
<td></td>
<td>2 BR- 950 sf</td>
</tr>
<tr>
<td></td>
<td>3 BR – 1,200 sf</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Maximum Density</th>
<th>24 Dwelling Units/Gross Acre</th>
</tr>
</thead>
</table>

**Building Separation between detached buildings (feet)**

<table>
<thead>
<tr>
<th>Design Standards Level of Achievement</th>
<th>See Section B.2.(d), (e), and (f) below</th>
</tr>
</thead>
</table>

**Yard Requirements - Main Structures**

| Front Yard (feet) | 30 from any public street frontage |
| Side Yard (feet)  | 20 from any interior lot line |
| Side Yard of Corner Lots (feet) | NA |
| Side Yard of allowable nonresidential use (feet) | NA |
| Rear Yard (feet)  | 20 from any interior lot line |
| Rear Yard Double Front Lots (feet) | NA |

**Height of Structures**

| Main Structure (feet) | 40 |
c. **Single Family Subdistrict**
   
   i. Except as otherwise provided herein, development of the Single Family Subdistrict shall comply with the Single Family-10 District regulations of the 2019 City of Wylie Zoning Ordinance.
   
   ii. Permitted Uses: Uses permitted in the Community Retail District are permitted in the Single Family Subdistrict.
   
   iii. Parking: 2 Spaces per unit.
   
   iv. The minimum home size shall be 1,600 square feet with at least 75% of the homes being a minimum of 2,000 square feet.
   
   v. Development Standards: Following are the yard, lot and space requirements for the Single Family District, including density, height, lot and unit size.

<table>
<thead>
<tr>
<th>Single Family Subdistrict</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Size</strong></td>
</tr>
<tr>
<td>Lot Area (sq. ft.)</td>
</tr>
<tr>
<td>Lot Width (feet)</td>
</tr>
<tr>
<td>Lot Width of corner Lots - excepting the corner clip at the intersection (feet)</td>
</tr>
<tr>
<td>Lot Depth (feet)</td>
</tr>
<tr>
<td>Lot Depth of Double Front Lots (feet)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Dwelling Regulations</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Square Footage</td>
</tr>
<tr>
<td>Design Standards Level of Achievement</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Yard Requirements – Main Structures</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard (feet)</td>
</tr>
<tr>
<td>Side Yard (feet)</td>
</tr>
<tr>
<td>Side Yard of Corner Lots (feet)</td>
</tr>
<tr>
<td>Side Yard of allowable nonresidential use (feet)</td>
</tr>
<tr>
<td>Rear Yard (feet)</td>
</tr>
<tr>
<td>Rear Yard Double Front Lots (feet)</td>
</tr>
<tr>
<td>Lot Coverage</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Height of Structures</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Structure (feet)</td>
</tr>
<tr>
<td>Accessory Structure (feet)</td>
</tr>
</tbody>
</table>

d. **Land Design Requirements.** Development of the Property shall comply with the Land Design Requirements in the following table which replace the Land Design Requirements in the Zoning Ordinance:

<table>
<thead>
<tr>
<th>Land Design Requirements (For all Residential Districts unless specified otherwise)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
</tr>
<tr>
<td>All Development must comply fully with all listed below</td>
</tr>
</tbody>
</table>

3
Public Open Space Easements
- 30 ft wide buffer with 8 ft wide trail to rear of houses beside open space and perpendicular 30' wide access from street.
- Partial single-loaded street along open space.

Perimeter Screen Along Thoroughfares
N/A

Perimeter Walkways and Landscape
N/A

Lighting and Furnishings along open space easements and trails
None.

e. **Street and Sidewalk Requirements.** Development of the Property shall comply with the Street and Sidewalk Requirements in the following table which replace the Street and Sidewalk Requirements in the Zoning Ordinance:

<table>
<thead>
<tr>
<th>Element</th>
<th>All Development must comply fully with all listed below</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curvilinear Streets</td>
<td>N/A</td>
</tr>
<tr>
<td>Entry Features and Medians</td>
<td>N/A</td>
</tr>
<tr>
<td>Signage at Entries</td>
<td>None.</td>
</tr>
<tr>
<td>Street Name Signs</td>
<td>a. Including block numbers, incorporated with street lighting coordinated throughout.</td>
</tr>
<tr>
<td>Pedestrian Crosswalks</td>
<td>10 ft or wider, decorative pavers.</td>
</tr>
<tr>
<td>Sidewalk Locations</td>
<td>5 ft concrete, both sides of street, meandering continuous pathway</td>
</tr>
<tr>
<td>Mail Boxes</td>
<td>a. Paired at lot line; number plaque, brick same as resident, if allowed by USPS.</td>
</tr>
<tr>
<td></td>
<td>b. Stone, same house exterior trim.</td>
</tr>
<tr>
<td>Sidewalk Lighting</td>
<td>None.</td>
</tr>
<tr>
<td>Perimeter Alleys</td>
<td>N/A</td>
</tr>
</tbody>
</table>

f. **Architectural Requirements.** Development of the Property shall comply with the Architectural Requirements in the following table which replace the Architectural Requirements in Section the Zoning Ordinance:

<table>
<thead>
<tr>
<th>Element</th>
<th>All Development must comply fully with all listed below</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Bulk and Articulation</td>
<td>Minimum 25% of street façade offset minimum 1 ft.</td>
</tr>
<tr>
<td>House Numbers</td>
<td>a. Stone plaque with number beside main entry.</td>
</tr>
<tr>
<td></td>
<td>b. Lighted front wall plaque.</td>
</tr>
<tr>
<td>Exterior Façade Material</td>
<td>a. Masonry or fiber cement lap siding and panels.</td>
</tr>
<tr>
<td></td>
<td>b. Masonry or fiber cement fascia, soffits and under hangs includes porches.</td>
</tr>
<tr>
<td></td>
<td>c. Faux wood front door with and without glass inserts.</td>
</tr>
<tr>
<td></td>
<td>d. Operable and fixed vinyl windows.</td>
</tr>
<tr>
<td></td>
<td>e. Faux cedar metal garage doors.</td>
</tr>
<tr>
<td></td>
<td>f. 30-year architectural shingles.</td>
</tr>
<tr>
<td></td>
<td>g. Other materials permitted by the Zoning Ordinance.</td>
</tr>
<tr>
<td>Porch</td>
<td>40 square feet covered front entry, or 100 sq ft covered back or side entry.</td>
</tr>
<tr>
<td>Chimneys</td>
<td>a. Chimney enclosed with masonry matching exterior walls and capped.</td>
</tr>
<tr>
<td>Section</td>
<td>Details</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>b. 40% stone to match house accent material.</td>
<td></td>
</tr>
<tr>
<td><strong>Roof Pitch</strong></td>
<td>a. For single family, 8:12 minimum roof pitch; with articulation, dormers or hip/gable.</td>
</tr>
<tr>
<td></td>
<td>b. For multiple family, 4:12 minimum roof pitch, with articulation, dormers or hip/gable.</td>
</tr>
<tr>
<td><strong>Roof Materials</strong></td>
<td>Architectural-grade overlap shingles, tile or standing seam metal, no wood shingles, Paint rooftop accessories to match.</td>
</tr>
<tr>
<td><strong>Roof Eaves</strong></td>
<td>No wood fascia or soffit.</td>
</tr>
<tr>
<td>Repetition of floor plan and elevation</td>
<td>7 lots skipped on same side of street before repeating similar floor plan and elevation, 4 lots skipped opposite side of street, and no identical or flipped floor plans side by side or directly across street.</td>
</tr>
<tr>
<td><strong>Garage entry</strong></td>
<td>For single family, a minimum square footage requirement of 360 sq ft.</td>
</tr>
<tr>
<td><strong>Dwelling Size</strong></td>
<td>Minimum dwelling size exclusive of garages and breezeways.</td>
</tr>
<tr>
<td><strong>Fencing</strong></td>
<td>Side/Rear: wood or wrought iron.</td>
</tr>
<tr>
<td><strong>Landscaping</strong></td>
<td>a. Established front lawn and minimum 2 trees and 5 shrubs in front yard.</td>
</tr>
<tr>
<td></td>
<td>b. Automated, subsurface irrigation system.</td>
</tr>
<tr>
<td><strong>Outdoor Lighting</strong></td>
<td>Front entry and drive/garage illuminated by standard porch light.</td>
</tr>
<tr>
<td><strong>Conservation/Sustainability</strong></td>
<td>Complies with Energy component of Building Code.</td>
</tr>
</tbody>
</table>

**g. Open Space Subdistrict**

i. Permitted Uses: Uses permitted in the Open Space Subdistrict District include the following
   a. Agricultural activities
   b. Community Park, Recreation Center, (Public or Private)
   c. Neighborhood Park or Playground
   d. Open Space (Public or Private)
   e. Trails, pedestrian, bicycle or nature trails
   f. Structures, installations and facilities installed, operated and maintained by public agencies for flood control purposes or water or sewage treatment

**C. Park Dedication**

1. In lieu of providing $355,400 in parkland dedications fees, the developer shall dedicate a minimum of 17 (9.6 floodplain, 4 lake, 3.4 non floodplain) acres of parkland as shown on the Monroe Wylie Zoning Exhibit, construct a minimum 8' concrete wide walking trail that connects the eastern portion of the dedication to the western portion of the dedication (as shown in Monroe Wylie Zoning Exhibit), and complete all permitting of items (including fees) associated with impoundment and securing the lake to be used as part of the park as required by the City of Dallas, State of Texas, the Texas Commission on Environmental Quality, and/or any other regulatory or legal entities due to the change in ownership of the lake and/or use of the lake as a park.

2. Construction of the trail, all approved parkland amenities, and all permitting shall be completed and approved by their associated regulatory authorities prior to final acceptance of the subdivision by the City of Wylie Engineering Department.

3. The parkland dedication will be owned and maintained by the City of Wylie.
ZC 2020-05 Monroe Lake

200 Foot Notification Buffer
Subject Property

0 185 370 740 1,110 1,480 1,850 Feet
PUBLIC COMMENT FORM  
(Please type or use black ink)

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

☑️ I am FOR the requested zoning as explained on the attached public notice for Zoning Case #2020-05.  
☐️ I am AGAINST the requested zoning as explained on the attached public notice for Zoning Case #2020-05.

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

Date, Location & Time of Planning & Zoning Commission meeting:
Tuesday, May 5, 2020, 6:00 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of City Council meeting:
Tuesday, May 26, 2020, 6:00 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: WILLIAM J. OAHLSROM  
(please print)

Address: 2323 ROSS AVE, STE 600  
DALLAS, TX 75201

Signature: [Signature]

Date: April 26, 2020

COMMENTS:

/ I REPRESENT THE OWNER AND APPLICANT

__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________  
__________________________________________
PUBLICATION FORM

(Please type or use black ink)

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

___ I am FOR the requested zoning as explained on the attached public notice for Zoning Case #2020-05

___ X I am AGAINST the requested zoning as explained on the attached public notice for Zoning Case #2020-05

Please, feel free to contact the planning and zoning department at 972.516.6320 with questions or concerns.

Date, Location, Time of Planning and Zoning Commission Meeting: Tuesday, May 5th, 6:00PM
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location, Time of City Council meeting: Tuesday, May 26th, 6:00PM
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Mason Page and Natalie Page

Address: 6918 Dove Creek Dr. Wylie, TX 75098

Signature: [Signature]

Date: 5/1/2020

COMMENTS: We are residents (homeowners) of 6918 Dove Creek Dr. Wylie, TX 75098 in a “community” that is adjacent to the land requesting the zoning change in case number 2020-05 off of Country Club Road. We strongly oppose this requested zoning change for the reasons detailed below:

1. The proposed development exceeds current maximum density for both the Multifamily and Single Family aspects of the City’s current zoning/density per acre. We purchased our home last year and moved from a home in Allen that was in a neighborhood similar to what the developer is proposing in this zoning request. We specifically chose Wylie and this location for its “small town/country” feel and the zoning that was in place in the land around us. The housing community behind our property all has homes on sites 1+ acres. The homes in our community, Dove Creek, are on 1.5+ acres. We moved from a small lot line community based on the zoning that was in place for the surrounding land. Adding 300+ apartment units, retail, and 70# homes on 47 acres (17 of which are “green space”) seems incongruent with the community/zoning plan/vision that the city of Wylie currently has in place. We are not opposed to some
development on this piece of land, but the developer seems to be asking for the world with this request as he this change not only is drastic (Agriculture to Mixed-Use) but also goes against and exceeds the city’s zoning requirements when it comes to maximum density for BOTH the Multifamily AND single family residential units per acre.

2. **This project, specifically the Multi-family units, will likely cause overcrowding at Smith Elementary.** We have one daughter currently in first grade at Smith and another daughter who will attend Kindergarten there in the Fall. Currently, there are 5 first grade classes, with 20-24 children per class. Smith is already at capacity, and inevitably the amount of homes and apartments the developer is proposing in this small area will put a strain on our beloved elementary school and Wylie ISD. Again, the reason we moved from Allen was because of the crowding within the schools due to overbuilding that the City of Allen allowed.

3. **Using an unproven developer in this current economic climate can leave the city with an eyesore and headache down the road.** Upon researching the developer, John Monroe, I couldn’t find anything in regards to other mixed-use projects he has successfully developed. In times of economic uncertainty like this, building retail buildings that likely he does not have commitments from for future tenants is risky both from the side of the developer (does he have the financial resources to see the development through to completion and beyond as he waits for retail tenants) and the city – will there be a need for more small retail shops when many are struggling to pay current rents due to covid-19 closures. The same reasoning applies to our argument against how many homes/apartments the developer is proposing. We have seen many boutique neighborhoods in Collin County pop up over the past few years being developed by unknown/small developers. Inevitably what we have seen happen is that due to lack of interest and/or lack of funding by the developer the “neighborhood” ends up being half completed with the developer struggling to make new home sales. As mortgage requirements are becoming, and likely will stay more stringent (now 20% down payments with “excellent” credit are becoming the norm for approval), it seems the high density, smaller homes the developer is proposing would likely be difficult to sell, leaving the city with a development that likely has a few spec homes, vacant retail buildings, and high-density, low-rent apartments.

In summary, we ARE OPPOSED to this zoning change from Agriculture to Mixed Use. In our opinion, a change to single family on larger lot sizes would be more appropriate and congruent with the current zoning for the surrounding area.
I am AGAINST the requested zoning as explained on the attached public notice for Zoning Case #2020-05.

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

Date, Location & Time of Planning & Zoning Commission meeting: Tuesday, May 5, 2020, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of City Council meeting: Tuesday, May 26, 2020, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: John E Minick
Address: 6962 Dove Creek Dr
Wylie, TX 75098
Signature: John E Minick
Date: 04/28/2020

COMMENTS:
My property is adjacent to this property and I strongly object to the zoning. I also question why the people affected by it, like myself, never got this notice.
PUBLIC COMMENT FORM
(Please type or use black ink)

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

__ I am FOR the requested zoning as explained on the attached public notice for Zoning Case #2020-05.
X I am AGAINST the requested zoning as explained on the attached public notice for Zoning Case #2020-05.

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

Date, Location & Time of Planning & Zoning Commission meeting: Tuesday, May 5, 2020, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of City Council meeting: Tuesday, May 26, 2020, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Clint and Kelly Hankey
(please print)

Address: 1941 Le Dave Creek Drive
Wylie, TX 75098

Signature:

Date: April 30, 2020

COMMENTS:

Please see attached comments.

______________________________________________

______________________________________________

______________________________________________

______________________________________________

______________________________________________

______________________________________________
Comments of Clint and Kelly Hankey Regarding Case Number 2020-05

We are homeowners of 6946 Dove Creek Drive, which directly abuts the land that is the subject of the proposed zoning change requested by case number 2020-05 regarding 2301 Country Club in Wylie, Texas. We vehemently oppose the proposed zoning change for several reasons, many of which are provided below.

1. **Applicant’s dwelling requirements for the Multifamily Subdistrict inappropriately squeezes in more units than is permissible.**

The applicant’s proposed zoning change does not comply with the minimum requirements of the Multifamily District regulations within the 2019 City of Wylie Zoning Ordinance (“City Ordinance”). The failure to comply with these requirements will result in overcrowding and overpopulation in the relevant area. While the City Ordinance requires a minimum square footage for efficiency units and one, two, and three-bedroom units, the applicant proposes significantly smaller square footage for the efficiency, one-bedroom, and two-bedroom units. Moreover, the City Ordinance imposes a maximum density of 15 units per gross acre while the applicant proposes a maximum density of 24 units per gross acre—nine units more than the City Ordinance permits. Ostensibly, the applicant intends to construct more units at smaller sizes than the City Ordinance permits for additional profit.

To illustrate this issue, provided below are the City Ordinance’s Dwelling Regulations for the Multifamily District compared to the applicant’s proposed dwelling requirements. The applicant’s non-conforming provisions are highlighted below.

### City Ordinance – Multifamily District

<table>
<thead>
<tr>
<th>Dwelling Regulations</th>
<th>City Ordinance</th>
<th>Applicant’s Multifamily Subdistrict Dwelling Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Square Footage</td>
<td>EF - 750 sf, 1 BR- 900 sf, 2 BR- 1,000 sf, 3 BR – 1,200 sf</td>
<td>EF - 690 sf, 1 BR- 720 sf, 2 BR- 950 sf, 3 BR – 1,200 sf</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>15 Dwelling Units/Gross Acre</td>
<td>24 Dwelling Units/Gross Acre</td>
</tr>
<tr>
<td>Building Separation between detached buildings (feet)</td>
<td>20 or height of building, whichever is greater.</td>
<td>20</td>
</tr>
<tr>
<td>Design Standards Level of Achievement</td>
<td>See Section 3.4 Residential Design Standards</td>
<td>See Section B.2,(d), (e), and (f) below</td>
</tr>
</tbody>
</table>
2. Applicant’s dwelling requirements for Single-Family-10 Subdistrict includes more houses, and smaller houses, than is permissible.

Similar to the foregoing, the applicant’s development standards for the Single Family Subdistrict do not comply with the Single Family-10 requirements of the City Ordinance. Among other things, the applicant seeks a lot area per house of 6,000 square feet compared to the City Ordinance, which requires 10,000 square feet. Presumably, the applicant’s goal of restricting the lot size to nearly one-half of what the ordinance requires is to effectively double the number of houses that it can build. Among other things, this will result in overcrowding in the area and unmanageable traffic coming into and out of the property.

Provided below is the applicable City Ordinance compared to the applicant’s Single Family Subdistrict Development Standards, with the non-conforming provisions highlighted.

<table>
<thead>
<tr>
<th>City Ordinance</th>
<th>Applicant’s Single Family Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Size</strong></td>
<td><strong>Single Family Subdistrict</strong></td>
</tr>
<tr>
<td>Lot Area (sq. ft)</td>
<td>Lot Area (sq. ft) = 6,000</td>
</tr>
<tr>
<td>Lot Width (feet)</td>
<td>Lot Width (feet) = 50</td>
</tr>
<tr>
<td>Lot Depth (feet)</td>
<td>Lot Depth (feet) = 110</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>Lot Coverage = NA</td>
</tr>
<tr>
<td><strong>Yard Requirements – Main Structures</strong></td>
<td><strong>Yard Requirements – Main Structures</strong></td>
</tr>
<tr>
<td>Front Yard (feet)</td>
<td>Front Yard (feet) = 20</td>
</tr>
<tr>
<td>Side Yard (feet)</td>
<td>Side Yard (feet) = 5</td>
</tr>
<tr>
<td>Side Yard of Corner Lots (feet)</td>
<td>Side Yard of Corner Lots (feet) = 10</td>
</tr>
<tr>
<td>Side Yard of allowable nonresidential use (feet)</td>
<td>Side Yard of allowable nonresidential use (feet) = 30</td>
</tr>
<tr>
<td>Rear Yard (feet)</td>
<td>Rear Yard (feet) = 15</td>
</tr>
<tr>
<td>Rear Yard Double Front Lots (feet)</td>
<td>Rear Yard Double Front Lots (feet) = NA</td>
</tr>
<tr>
<td><strong>Height of Structures</strong></td>
<td><strong>Height of Structures</strong></td>
</tr>
<tr>
<td>Main Structure (feet)</td>
<td>Main Structure (feet) = 40</td>
</tr>
<tr>
<td>Accessory Structure (feet)</td>
<td>Accessory Structure (feet) = 14</td>
</tr>
</tbody>
</table>

3. Applicant’s land design requirements, street and sidewalk requirements, and architectural requirements are not consistent with the City Ordinance.

The Applicant’s proposed zoning conditions also are not consistent with the City Ordinance regarding the land design, street and sidewalk requirements, and architectural requirements. Among other things, the City Ordinance specifies that the minimum base standard for all residential districts with regard to lighting and furnishing along open space easement and trials have (1) solar-controlled lighting on 10 to 12 foot decorative poles every 100 feet that are common throughout, (2) benches with backs every one-half mile or portion
thereof when adjacent to open space, and (3) decorative paving and cross-walks at street connectors. The applicant’s land design requirements for lighting and furnishings along open spaces is “none.”

Similarly, the City Ordinance’s minimum base standards for all residential districts for street and sidewalks requires that street name signs be incorporated into a screen wall or monument sign and illuminated by means other than street lights. The applicant’s proposed requirements for street name signs is again, “none.” The applicant further proposes that it will not have any sidewalk lighting despite the City Ordinance’s minimal base standard requiring low-illumination lighting with solar controls on decorative poles every 250’ to 350’ apart. These are only a few ways that the applicant’s proposal fails to comport with the City Ordinance.

4. Proposed multifamily and single family development will result in Rita Smith Elementary exceeding its capacity

We have two children, ages eight and three. Our eight-year old happily attends Rita Smith Elementary and our three-year old will start there in a few years. The applicant’s proposal to add multifamily and single-family units on the property will harm the City’s current residents with children who attend Rita Smith Elementary by overcrowding the school. Rita Smith Elementary is already at or over its existing capacity and simply cannot accommodate the many school-aged children who would occupy the proposed multifamily and single family properties.¹

While the City requested and obtained its voters’ approval for $193.7 million dollars to fund school improvements in a May 2019 bond package, not one dollar of those funds were contemplated for use at Rita Smith Elementary.² Further, in its Frequently Asked Questions regarding that bond package, in response to the question “Is Wylie Really Growing that Much?” the City provided, in part, the following:

> Fortunately, we are able to predict growth a little more accurately than in years past. We utilize two demographers who study available land and housing trends to help us determine where the growth will occur. The challenge is when a development like Inspiration decides to reduce lot sizes to build more homes or when additional property is sold to developers which was previously unavailable.³

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¹ See Wylie ISD, Bond 2019, Frequently Asked Questions, available at [https://www.wylieisd.net/Page/14115](https://www.wylieisd.net/Page/14115) (last accessed April 29, 2020) (stating, in part, “Nearly every campus is approaching or is at capacity.”).


As the City itself noted as justification for the 2019 bond package, when developers reduce lot sizes, as the applicant intends to do, or when undeveloped land is later developed, as the applicant also intends to do, the City has to expand its existing campuses to accommodate more students. If the Planning and Zoning Commission and City Counsel approve the applicant’s proposed zoning change, it will overcrowd existing classrooms at Rita Smith Elementary, which will eventually require the City to come up with more money in the future to expand Rita Smith Elementary.

5. More retail space in Wylie is unnecessary given the current COVID-19 climate.

If the applicant’s proposal was heard six months ago, well before the COVID-19 pandemic, the need for more retail space for small businesses may have been reasonable. That is no longer the case. The applicant proposes the zoning change in part to construct two, one-story retail buildings. With a massive number of business facing unheard-of challenges to survive the market downturn and closures that have resulted in record-setting unemployment throughout the country, it is questionable, at best, that the applicant will be able to get new businesses in these retail spaces. Unless the applicant has commitments from specific businesses in-hand and those businesses have the financial statements to support that they will still be around once construction of these retail spaces are complete, it would be imprudent to change the zoning to permit the construction of retail spaces at this time.

6. The proposed zoning change would be to the detriment to the animals and birds that live in the area and would negatively impact the floodplain.

The nearly fifty acres of land that the applicant proposes to rezone is home to many animals, birds, trees, plants, and other creatures. While we recognize that the land is private property, destruction of much of the land for development will displace wildlife and impact the floodplain that makes up a good portion of the acreage. Preserving the existing agricultural zoning will ensure that the many beautiful birds and animals within these acres will continue to thrive, while also carrying out a goal of the City’s 2012 Comprehensive Land Use Plan to ensure that floodplains are preserved.
PUBLIC COMMENT FORM  
(Please type or use black ink)

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

I am FOR the requested zoning as explained on the attached public notice for Zoning Case #2020-05.  

I am AGAINST the requested zoning as explained on the attached public notice for Zoning Case #2020-05.

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

Date, Location & Time of  
Planning & Zoning  
Commission meeting:  
Tuesday, May 5, 2020, 6:00 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of  
City Council meeting:  
Tuesday, May 26, 2020, 6:00 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:  
A. F. Burns, JR  
(please print)

Address:  
6970 Dove Creek  
Wylie, TX 75098

Signature:  
A F Burns J

Date:  
4-30-20

COMMENTS:

This proposal will add to an already congested area. Inbound and outbound traffic from the housing development will be extremely dangerous.
PUBLICATION FORM
(Please type or use black ink)

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

I am FOR the requested zoning as explained on the attached public notice for Zoning Case #2020-05.

I am AGAINST the requested zoning as explained on the attached public notice for Zoning Case #2020-05.

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

Date, Location & Time of Planning & Zoning Commission meeting: Tuesday, May 5, 2020, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of City Council meeting: Tuesday, May 26, 2020, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: DIXIE L. BURNS
(please print)

Address: 6970 DOVE CREEK DR.
WYLIE, TX 75098

Signature: DIXIE L. BURNS

Date: 4-30-2020

COMMENTS:

With the key corner CVS, school, Church traffic and corner retail, additional residential would increase already difficult traffic in this area!
Monroe Lake

City Council Hearing

May 26, 2020
“General Urban Sector”
– Some high density residential development may occur within this Urban Zone provided that it is a mixed-use type setting.

“Natural/Open Space Sector”
– Land to be dedicated to Wylie Park Department
Development Proposal

A mixed-use development consisting of single family, multi-family, retail, and open space

- Retail – 1 story building (13,500 square feet)
- Multi-family – 313 apartment units proposed (3 story apartment buildings)
- Single family- 70 single family homes proposed
- Open space – 17 total acres of parkland to be dedicated to Wylie Park Department

Conditions include architectural standards and hold the development subject to a site plan
Park Dedication

Requirement for Single Family development

– Dedication fee: $105,000 ($1,500 x 70 lots); or
– Land dedication: 3.5 acres of non-floodplain land; or
– A combination of dedication fees and land dedication.

Our proposal

– Dedication of 3.4 acres of non-floodplain land to Wylie Park Department.
– Dedication of 9.6 acres of floodplain land to Wylie Park Department.
– Dedication of 4 acres of lake to Wylie Park Department.
– Naming rights of the park in memory of the Monroe’s father: “Al Monroe Park”

Land valued at $916,290 per Collin County 2019 Tax Records
Park Dedication

Requirement for Multi-Family Development

– Dedication fee of $250,400 (313 units at $800 per unit)

Our proposal

– Build an **8-foot wide concrete trail** of approximately **2,000 linear feet** connecting from the Monroe Planned Development to the Wylie trail system (as shown on Monroe Wylie Trail Aerial Exhibit).
– Build a pedestrian bridge over the water line.
– Quoted cost: $255,185.
Park Dedication
Site Plan
Aerial Views
Aerial Views
Concept Imagery
Questions?
Meeting Date: May 26, 2020  
Department: City Manager  
Prepared By: City Secretary  
Date Prepared: May 6, 2020  
Item Number: 3  
(City Secretary’s Use Only)  
Account Code:  
Exhibits: Ordinances

Subject
Consider, and act upon, Ordinance No. 2020-35 amending Ordinance Nos. 2020-24, 2020-25, 2020-26, 2020-29, and 2020-31; Continuing or Renewing the Mayor’s Declaration of Local Disaster for a Public Health Emergency and establishing new orders to help abate the COVID-19 public health crisis.

Recommendation
Motion to approve Ordinance No. 2020-35 amending Ordinance Nos. 2020-24, 2020-25, 2020-26, 2020-29, and 2020-31; Continuing or Renewing the Mayor’s Declaration of Local Disaster for a Public Health Emergency and establishing new orders to help abate the COVID-19 public health crisis.

Discussion
On March 22, March 27, April 2, April 28, and May 12, 2020, the City Council adopted Ordinance No. 2020-24, Ordinance No. 2020-25, Ordinance No. 2020-26, Ordinance No. 2020-29, and Ordinance 2020-31 which continued the Mayor’s Amended Declaration of Local Disaster for Public Health Emergency to help abate the public health threat resulting from the novel Coronavirus (COVID-19); providing the consent of the City Council to the continuation of the Declaration until 11:59 p.m. on May 26, 2020.
ORDINANCE NO. 2020-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NOS. 2020-24, 2020-25, 2020-26, 2020-29, AND 2020-31 AND CONTINUING AND EXTENDING THE MAYOR’S AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY DUE TO THE NOVEL CORONAVIRUS (COVID-19); PROVIDING THE CONSENT OF THE CITY COUNCIL TO THE CONTINUATION OF THE DECLARATION UNTIL 11:59 P.M. ON JUNE 9, 2020; PRESCRIBING ORDERS TO HELP ABATE THE PUBLIC HEALTH EMERGENCY; PROVIDING AUTHORITY FOR THE CITY COUNCIL TO TERMINATE THE DISASTER DECLARATION; AND PROVIDING AN ENFORCEMENT CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, was detected in Wuhan, China; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, COVID-19 spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the region could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas, and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, the President’s Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a statewide public health disaster; and

WHEREAS, on March 16, 2020, Collin County declared a local disaster for public health emergency and issued an accompanying order; and
WHEREAS, on March 16, 2020, Mayor Eric Hogue issued a declaration of local disaster for public health emergency for the City of Wylie for a period of seven (7) days; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order GA 08, mandating the avoidance of social gatherings in groups of more than 10 people, the avoidance of eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors, the avoidance of visiting nursing homes or retirement or long-term care facilities unless to provide critical assistance, and closing schools throughout the State of Texas for a period of time; and

WHEREAS, on March 19, 2020, Mayor Eric Hogue issued an amended declaration of local disaster for public health emergency, expanding the original declaration; and

WHEREAS, on March 22, 2020, the City Council adopted Ordinance No. 2020-24, which continued and extended the Mayor’s amended declaration of local disaster for public health emergency to help abate the public health threat resulting from the COVID-19 pandemic; and

WHEREAS, on March 27, 2020, the City Council adopted Ordinance No. 2020-25, which amended Section 8 (Enforcement Clause) of Ordinance No. 2020-24; and

WHEREAS, on March 31, 2020, the Governor issued Executive Order No. GA 14 relating to statewide continuity of essential services and activities during the COVID-19 disaster; and

WHEREAS, on April 2, 2020, the City Council adopted Ordinance No. 2020-26, which amended Ordinance No. 2020-24 and Ordinance No. 2020-25; and

WHEREAS, on April 27, 2020, the Governor issued Executive Order No. GA 18 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, on April 28, 2020, the City Council adopted Ordinance No. 2020-29, which amended Ordinance No. 2020-24, Ordinance No. 2020-25, and Ordinance No. 2020-26; and

WHEREAS, on May 5, 2020, the Governor issued Executive Order No. GA 21 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, on May 12, 2020, the City Council adopted Ordinance No. 2020-31, which amended Ordinance No. 2020-24, Ordinance No. 2020-25, Ordinance No. 2020-26, and Ordinance No. 2020-29; and

WHEREAS, on May 18, 2020, the Governor issued Executive Order No. GA 23 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and
WHEREAS, the conditions necessitating declaration of local state of disaster continue to exist and are anticipated to continue to exist at least until June 9, 2020; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, since May 12, 2020, the City Council and City staff have continued to evaluate the community spread of COVID-19 and have reviewed updated guidance and orders from the United States President, the CDC, the Governor of the State of Texas, Collin County Judge, Dallas County, Rockwall County and others, and the City Council has concluded that it is necessary to amend Ordinance Nos. 2020-31, 2020-29, 2020-26, 2020-25, and 2020-24 to extend the duration of the orders and regulations set forth in such Ordinances; and

WHEREAS, the City Council finds that it is in the best interest of the City of Wylie, Texas, and its citizens to amend Ordinance Nos. 2020-31, 2020-29, 2020-26, 2020-25, and 2020-24 as set forth below to help abate the public health threat and to promote the public health, safety and welfare.

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

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

SECTION 2. Pursuant to Section 418.018 of the Government Code, the declaration of local disaster is hereby continued. Pursuant to Sections 121.003 and 122.006 of the Texas Health and Safety Code, Section 418.108 of the Texas Government Code, Chapter 81 of the Texas Health and Safety Code and such other powers the City of Wylie may have under the City Charter and other laws, the City Council hereby adopts and approves the orders specified in this Ordinance, which shall apply throughout the City of Wylie and shall be in effect from the date of this Ordinance until 11:59 p.m. on June 9, 2020, provided, however, that the declaration and such orders may be terminated before the expiration on 11:59 p.m. on June 9, 2020 by subsequent order of the City Council, and may be continued or renewed beyond 11:59 p.m. on June 9, 2020 only with the consent of the City Council of the City of Wylie.

SECTION 3. The City Council hereby finds that while in a state of disaster, there is a public purpose in maintaining the City workforce and ensuring continuity in staffing while continuing the City’s services but recognizing that certain facilities and/or operations may need to be temporarily closed or suspended and/or certain personnel may encounter disaster-related events that prevent them from working at full capacity intermittently during the public health emergency. The City Council hereby authorizes the City Manager to make any staffing and compensation-related decisions necessary to adapt to the rapidly changing environment created by the public health emergency to meet the objectives stated herein and authorizes the expenditure of City funds
to accommodate the same. Any expenditure of funds beyond that approved in the FY 19-20 budget
must come to the City Council for ratification at a City Council meeting, though the expenditure
may be made prior to City Council ratification due to the public health emergency.

SECTION 4. The City Council hereby finds that for the duration of this disaster declaration,
immediate procurement directly related to the disaster may be necessary to preserve and protect
public health and safety. Accordingly, the City Council hereby authorizes the City Manager to
purchase goods or services as necessary for ratification by the City Council at a later date as long
as the procurement is in compliance with state law requirements.

SECTION 5. The City Council hereby finds that a public necessity exists during the duration of
this disaster to determine whether it is difficult for a quorum of the members of decision-making
boards of the City to meet in person based on public health and safety concerns related to the
pandemic. The City Council authorizes any member of Council, staff, and decision-making boards
who is sick, or unable to attend the meeting in person, to conduct their public meetings via
telephone conference pursuant to Texas Government Code Section 551.125(b) and/or the Order of
the Governor of the State of Texas temporarily suspending certain provisions of the Texas Open
Meetings Act, guidance received from the Texas Attorney General’s Office and/or other law or
order.

SECTION 6. The City Council hereby authorizes the City Manager to temporarily waive any City
Code regulations that are difficult or impossible to comply with during the term of this declaration
of disaster as long as it is not inconsistent with state law.

SECTION 7. Pursuant to Section 122.006 of the Texas Health and Safety Code, the City of Wylie
is authorized to adopt rules to protect the health of persons in the City of Wylie, including
quarantine rules to protect its residents against communicable disease and provide for the
establishment of quarantine stations, emergency hospitals, and other hospitals.

SECTION 8. The City Council hereby finds and declares that this declaration authorizes the use
of all lawfully available enforcement measures. A failure to comply with the City’s Emergency
Management Plan, or a rule, order or Ordinance adopted under the Plan, including this Ordinance,
is punishable as authorized in Section 418.173 of the Texas Government Code. This Ordinance
incorporates Executive Order GA 23, as it exists or may be amended and any other Executive
Orders regarding COVID-19 that are issued by the Governor on or after the effective date of this
Ordinance. In addition, a person who violates any provision of this declaration, upon conviction,
is punishable by a fine of not more than $1,000. A violation of any provision of this Ordinance
shall constitute a separate violation for each calendar day in which it occurs.

SECTION 9. Pursuant to Section 418.018(c) of the Government Code, the declaration shall be
given prompt and general publicity and shall be filed promptly with the City Secretary.
SECTION 10. Pursuant to Texas Government Code §418.108(d), the City of Wylie Emergency Management Plan shall remain active through the duration of this disaster declaration.

SECTION 11. The City of Wylie will activate the Emergency Operations Center and will operate on an as needed basis throughout the duration of this Ordinance.

SECTION 12. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical time frame, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in City of Wylie for the next 15 days.

SECTION 13. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household shall not go to work, school, or any other community function.

SECTION 14. All City employees shall remain at home if sick.

SECTION 15. All persons or groups using Parks and Recreation facilities shall follow to the extent possible the minimum recommended health protocols issued by the Texas Department of State Health Services that are applicable to such use or activity. These protocols are available at https://www.dshs.texas.gov/coronavirus/opentexas.aspx.

SECTION 16. The following Parks and Recreation facilities/activities remain closed or cancelled until further order of the City Council: Wylie Senior Recreation Center, Brown House, locker rooms, indoor youth play areas, and park pavilion reservations. Youth leagues may resume practices on May 31, 2020 and games may begin on June 15, 2020. The Wylie Recreation Center will continue to remain open under conditions outlined by the current Governor’s order and to accommodate current budget and operational limitations.

SECTION 17. The City Council strongly encourages compliance with the following Recommendations, including social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched services. This Ordinance does not mandate sheltering in place. All critical infrastructure will remain operational, domestic travel will remain unrestricted, and government entities and businesses will continue providing essential services. For offices and workplaces that remain open, employees should practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this Ordinance will expire.
SECTION 18. The City of Wylie must promptly provide copies of this Ordinance by posting on the City of Wylie website. If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Ordinance.

SECTION 19. All provisions of the Code of Ordinances of the City of Wylie, codified or uncodified, in conflict with the provisions of this Ordinance are hereby temporarily superseded by this Ordinance for the duration of this declaration. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council 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 20. Ordinance Nos. 2020-31, 2020-29, 2020-26, 2020-25 and 2020-24 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 21. This Ordinance shall take effect immediately from and after its passage. This Ordinance shall be effective until 11:59 p.m. on June 9, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.


_______________________________
Eric Hogue, Mayor

ATTEST:

_______________________________
Stephanie Storm, City Secretary
ORDINANCE NO. 2020-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, CONTINUING AND EXTENDING THE MAYOR'S AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY DUE TO THE NOVEL CORONAVIRUS (COVID-19); PROVIDING THE CONSENT OF THE CITY COUNCIL TO THE CONTINUATION OF THE DECLARATION UNTIL 11:59 P.M. ON APRIL 3, 2020; PRESCRIBING ORDERS TO HELP ABATE THE PUBLIC HEALTH EMERGENCY; PROVIDING AUTHORITY FOR THE CITY COUNCIL TO TERMINATE THE DISASTER DECLARATION; AND PROVIDING AN ENFORCEMENT CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, in December 2019, a novel coronavirus, now designated SARS-CoV-2 which causes the disease COVID-19, was detected in Wuhan, China; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, COVID-19 spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the region could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas, and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a statewide public health disaster; and

WHEREAS, on March 16, 2020, Collin County declared a local disaster for public health emergency and issued an accompanying order; and
WHEREAS, on March 16, 2020, Mayor Eric Hogue issued a declaration of local disaster for public health emergency for the City of Wylie for a period of seven (7) days; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order GA 08, mandating the avoidance of social gatherings in groups of more than 10 people, the avoidance of eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors, the avoidance of visiting nursing homes or retirement or long-term care facilities unless to provide critical assistance, and closing schools throughout the State of Texas for a period of time; and

WHEREAS, on March 19, 2020, Mayor Eric Hogue issued an amended declaration of local disaster for public health emergency, expanding the original declaration; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, the conditions necessitating declaration of local state of disaster continue to exist and are anticipated to continue to exist for at least sixty (60) days; and

WHEREAS, Section 418.108(b) of the Texas Government Code provides that a declaration of local disaster may not be continued for a period of more than seven days without the consent of the governing body of the political subdivision; and

WHEREAS, the City Council has determined that the declaration of local disaster, as amended, should be continued to help abate the public health threat.

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

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

SECTION 2. Pursuant to Section 418.018 of the Government Code, the declaration of local disaster is hereby continued. Pursuant to Sections 121.003 and 122.006 of the Texas Health and Safety Code, Section 418.108 of the Texas Government Code, Chapter 81 of the Texas Health and Safety Code and such other powers the City of Wylie may have under the City Charter and other laws, the City Council hereby adopts and approves the orders specified in Exhibit “A,” which shall apply throughout the City of Wylie and shall be in effect until 11:59 p.m. on April 3, 2020 from the date of this Ordinance, provided, however, that the declaration may be terminated before the expiration on 11:59 p.m. on April 3, 2020 by subsequent order of the City Council, and may be continued or renewed beyond 11:59 p.m. on April 3, 2020 only with the consent of the City Council of the City of Wylie.
SECTION 3. The City Council hereby finds that while in a state of disaster, there is a public purpose in maintaining the City workforce and ensuring continuity in staffing while continuing the City's services but recognizing that certain facilities and/or operations may need to be temporarily closed or suspended and/or certain personnel may encounter disaster-related events that prevent them from working at full capacity intermittently during the public health emergency. The City Council hereby authorizes the City Manager to make any staffing and compensation-related decisions necessary to adapt to the rapidly changing environment created by the public health emergency to meet the objectives stated herein and authorizes the expenditure of City funds to accommodate the same. Any expenditure of funds beyond that approved in the FY 19-20 budget must come to the City Council for ratification at a City Council meeting, though the expenditure may be made prior to City Council ratification due to the public health emergency.

SECTION 4. The City Council hereby finds that for the duration of this disaster declaration, immediate procurement directly related to the disaster may be necessary to preserve and protect public health and safety. Accordingly, the City Council hereby authorizes the City Manager to purchase goods or services as necessary for ratification by the City Council at a later date as long as the procurement is in compliance with state law requirements.

SECTION 5. The City Council hereby finds that a public necessity exists to authorize the City Council during the duration of this disaster to determine whether it is difficult for a quorum of the members of decision-making boards of the City to meet in person based on public health and safety concerns related to the pandemic. If such a determination is made, decision-making boards will be authorized to conduct their public meetings via telephone conference pursuant to Texas Government Code Section 551.125(b) and/or the Order of the Governor of the State of Texas temporarily suspending certain provisions of the Texas Open Meetings Act, guidance received from the Texas Attorney General’s Office and/or other law or order.

SECTION 6. The City Council hereby authorizes the City Manager to temporarily waive any City Code regulations that are difficult or impossible to comply with during the term of this declaration of disaster as long as it is not inconsistent with state law.

SECTION 7. The City Council hereby finds and declares that this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, and fining those who do not comply with the City’s rules, pursuant to Section 122.006 of the Texas Health and Safety Code.

SECTION 8. The City Council hereby finds and declares that this declaration authorizes the use of all lawfully available enforcement measures. A failure to comply with the City’s Emergency Management Plan, or a rule, order or ordinance adopted under the Plan, including this Ordinance, is punishable as authorized in Section 418.173 of the Texas Government Code. This local disaster declaration expressly incorporates Executive Order GA-08. In addition, a person who violates any provision of this declaration, upon conviction, is punishable by a fine of not more
than $1,000 or 180 days in jail. A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs.

SECTION 9. Pursuant to Section 418.018(c) of the Government Code, the declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION 10. All provisions of the Code of Ordinances of the City of Wylie, codified or uncodified, in conflict with the provisions of this Ordinance are hereby temporarily superseded by this Ordinance for the duration of this declaration. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council 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 11. This Ordinance shall take effect immediately from and after its passage. This Declaration shall be effective until 11:59 p.m. on April 3, 2020, or until it is rescinded, either superseded, or amended pursuant to applicable law.


Eric Hogue, Mayor

ATTEST:

Tina Link, Deputy City Secretary
EXHIBIT “A”

COVID-19 EMERGENCY PUBLIC HEALTH DECLARATION ORDERS
FOR THE CITY OF WYLIE

The following orders shall apply throughout the City of Wylie:

1. Pursuant to Texas Government Code §418.108(d), the City of Wylie Emergency Management Plan shall remain active through the duration of this disaster declaration.

2. Pursuant to Texas Government Code §418.020(d), the City of Wylie is authorized to: (1) temporarily or permanently acquire by lease, purchase, or other means sites required for installation of temporary housing units or emergency shelters for disaster victims; and (2) enter into arrangements necessary to prepare or equip the sites to use the housing units or shelters, including arrangements for the purchase of temporary housing units or shelters and the payment of transportation charges.

3. Pursuant to Section 122.006 of the Texas Health and Safety Code, the City of Wylie is authorized to adopt rules to protect the health of persons in the City of Wylie, including quarantine rules to protect its residents against communicable disease and provide for the establishment of quarantine stations, emergency hospitals, and other hospitals.

4. All public, private, and commercial labs within the City of Wylie are encouraged to report the number of COVID-19 tests conducted on a daily basis to the City of Wylie.

5. In accordance with the Guidelines from the President, the Governor and the CDC, every person in Wylie shall avoid social gatherings in groups of more than 10 people.

6. Public or private Recreational Gatherings and Community Gatherings are prohibited anywhere in the City of Wylie.

7. Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.

8. Bars, lounges, taverns, private clubs, arcades, bowling alleys, theaters, gyms, fitness centers, gymnastics or martial arts studios, massage parlors, nail salons, hair salons, barber shops, beauty salons, hair removal services, spas, tattoo and piercing parlors, and all other non-medical, personal care services that cannot be provided while maintaining appropriate social distance shall close.

9. All elective medical, surgical, and dental procedures are prohibited anywhere in the City of Wylie. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.
10. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.

11. In addition, the Office of the Mayor and the Collin County and Dallas County Departments of Health and Human Services ("Health Authority") strongly urge high-risk individuals to cancel, reschedule, and not attend all gatherings until further notice. These attached Recommendations are based on the social distancing practices attached to this Order as well as the “Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission” issued by the United States Centers for Disease Control and Prevention ("CDC"). The Office of the Mayor and the Health Authority urge people to not attend non-essential gatherings during the duration of this Order to help slow down the spread of the COVID-19 virus.

12. Definitions:

a. For purposes of this Order, a “Community Gathering” is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space. An outdoor “Community Gathering” under this Order is limited to events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within six feet of one another for extended periods. For clarity, community gatherings include, but are not limited to, weddings, religious services, funerals, and other gatherings.

b. This Order does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as school classrooms, residential buildings, or hotels, so long as 50 people are not present in any single space at the same time. This Order also does not prohibit the use of enclosed spaces where 50 or more people may be present at different times during the day, so long as 50 or more people are not present in the space at the same time. For example, residential buildings may continue to operate their common facilities, such as laundry facilities, so long as 50 or more people are not present at the same time. For any gathering covered by this subsection, the Office of Mayor and the Health Authority strongly encourage compliance with the attached Recommendations, including
social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched services.

c. This Order does not apply to the following critical facilities, so long as visitors are generally not within six feet of one another for extended periods:
   i. government buildings providing essential services;
   ii. schools or institutes of higher learning;
   iii. banks, financial institutions, and credit unions;
   iv. office buildings, so long as employers take all steps reasonably possible to implement social distancing protocols;
   v. grocery stores and pharmacies; and
   vi. hospitals and medical offices and facilities, including cafes and restaurants located within these facilities.

For purposes of this Order, “grocery stores” includes warehouse stores, big-box stores, bodegas, gas stations, and farmers’ markets that sell food products and household staples.

In the settings described, the Office of Mayor and the Health Authority strongly encourage compliance with the attached Recommendations, including social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched services.

13. Our community’s critical infrastructure, which includes communications, emergency services, energy, transportation systems, and water and wastewater systems, are instructed by this order to continue operating and encouraged to implement screening precautions to protect employees.

14. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in City of Wylie for the next 60 days.

1. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in City of Wylie are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.

15. Due to the public health emergency, the Office of Mayor hereby advises the Dallas, Rockwall, and Collin County Justices of the Peace to suspend eviction hearings and writs of possession for at least the next 60 days to prevent renters from being displaced.

16. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.
17. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to City of Wylie Emergency Management 72 hours before students return to a classroom setting.

18. Additionally, the Office of Mayor and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six or more employees in the City of Wylie can use their paid sick leave when they are sick or to care for sick family members.

19. The City of Wylie must promptly provide copies of this Order by posting on the City of Wylie website. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

20. The City of Wylie will activate the Emergency Operations Center and will operate during normal business hours.

21. All Parks and Recreation facilities are closed. Parks and trails shall remain open.

22. The Smith Public Library is closed.

23. All City Board and Commission meetings, with the exception of Wylie City Council, Planning and Zoning and any other meeting required by law, will be postponed for the duration of this disaster declaration.

24. All youth sports leagues will be suspended.

25. All citizens are encouraged to watch City Council meetings online and submit comments of public interest, and on agenda items, by going to wylietexas.gov/boards and completing the Citizen Comment form.

26. The Office of the Mayor and the Health Authority strongly encourage compliance with the following Recommendations, including social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched services. This Order does not prohibit people from visiting a variety of places, including grocery stores, gas stations, parks, and banks, so long as the necessary precautions are maintained to reduce the transmission of COVID-19. This Order does not mandate sheltering in place. All critical infrastructure will remain operational, domestic travel will remain unrestricted, and government entities and businesses will continue providing essential services. For offices and workplaces that remain open, employees should practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this Order will expire.
City of Wylie Social Distancing Recommendations

1) Vulnerable Populations: Limit Outings
- Vulnerable populations include people who are:
  - 60 years old and older.
  - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don’t go to gatherings unless it is essential. If you can telecommute, you should. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure
- Suspend nonessential employee travel.
- Minimize the number of employees working within six feet of one another, including minimizing or canceling large in-person meetings and conferences.
- Urge employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor’s note for employees who are sick.
- Consider use of telecommuting options.
- Some people need to be at work to provide essential services of great benefit to the community. They can take steps in their workplace to minimize risk.

3) Cancel Non-essential Events
- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren’t cancelled, we recommend:
  - Having hand washing capabilities, hand sanitizers and tissues available.
  - Frequently cleaning high touch surface areas like counter tops and hand rails.
  - Finding ways to create physical space to minimize close contact as much as possible.

4) Schools: Safety First
- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child’s doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for potential closures.

5) Transit: Cleaning and Protection
- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
6) Health Care Settings: Avoid as possible, protect the vulnerable
- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part
The best way for all City of Wylie residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:
- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the possible disruption caused by an outbreak. Preparedness actions include:
- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage a school closure.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.
STATE OF TEXAS  
COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C & S Media, dba The Wylie News, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:

City of Wylie  
Legal Notice – Ordinance No. 2020-24  
was published in said newspaper on the following date(s), to-wit:  

[Signature]
Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 26th day of March, 2020 to certify which witness my hand and seal of office.

[Signature]
SONIA A. DUGGAN
Notary Public, State of Texas  
Comm. Expires 08-18-2020  
Notary ID 130783749

[Signature]
Notary Public in and for  
The State of Texas

My commission expires 08/18/2020
ORDINANCE
NO. 2020-24

An Ordinance of the City Council of the City of Wylie, Texas, continuing and extending the Mayor’s amended Declaration of Local Disaster for Public Health Emergency due to the novel Coronavirus (COVID-19); providing the consent of the City Council to the continuation of the Declaration until 11:59 p.m. on April 3, 2020 prescribing Orders to help abate the Public Health Emergency; providing authority for the City Council to terminate the Disaster Declaration; and providing an enforcement clause, severability clause and an effective date.
ORDINANCE NO. 2020-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2020-24, WHICH CONTINUED AND EXTENDED THE MAYOR’S AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY DUE TO THE NOVEL CORONAVIRUS (COVID-19); MODIFYING SECTION 8 (ENFORCEMENT CLAUSE); AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, on March 22, 2020, the City Council adopted Ordinance No. 2020-24, which continued and extended the Mayor’s Amended Declaration of Local Disaster for Public Health Emergency to help abate the public health threat resulting from the novel coronavirus (COVID-19) pandemic;

WHEREAS, the City Council has determined that it is in the best interest of the City of Wylie, Texas, and its citizens to amend Section 8 (Enforcement Clause) of Ordinance No. 2020-24 as set forth below to promote the public health, safety and welfare.

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

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

SECTION 2. Section 8 (Enforcement Clause) of Ordinance No. 2020-24 is hereby amended as follows:

“The City Council hereby finds and declares that this declaration authorizes the use of all lawfully available enforcement measures. A failure to comply with the City’s Emergency Management Plan, or a rule, order or ordinance adopted under the Plan, including this Ordinance, is punishable as authorized in Section 418.173 of the Texas Government Code. This local disaster declaration expressly incorporates Executive Order GA-08. In addition, a person who violates any provision of this declaration, upon conviction, is punishable by a fine of not more than $1,000, or 180 days in jail. A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs.”

SECTION 3. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly

1 Deletions are evidenced by strikethrough.
provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 4. This Ordinance shall take effect immediately from and after its passage.


Eric Hogue, Mayor

ATTEST:

Stephanie Storm, City Secretary

Ordinance No. 2020-25 - Amending Ordinance No. 2020-24, Section 8
STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C & S Media, dba The Wylie News, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:

City of Wylie
Legal Notice – Ordinance No. 2020-25
was published in said newspaper on the following date(s), to-wit:
April 1, 2020.

Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 2nd day of April, 2020 to certify which witness my hand and seal of office.

Notary Public in and for
The State of Texas

My commission expires 08/18/2020
An ordinance of the city council of the city of Wylie, Texas, amending Ordinance No. 2020-24, which continued and extended the Mayor’s Amended Declaration of Local Disaster for Public Health Emergency due to the novel coronavirus (COVID-19); modifying section 8 (enforcement clause); and providing a severability clause and an effective date.
ORDINANCE NO. 2020-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NOS. 2020-24 AND 2020-25 AND CONTINUING AND EXTENDING THE MAYOR'S AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY DUE TO THE NOVEL CORONAVIRUS (COVID-19); PROVIDING THE CONSENT OF THE CITY COUNCIL TO THE CONTINUATION OF THE DECLARATION UNTIL 11:59 P.M. ON APRIL 30, 2020; PRESCRIBING ORDERS TO HELP ABATE THE PUBLIC HEALTH EMERGENCY; PROVIDING AUTHORITY FOR THE CITY COUNCIL TO TERMINATE THE DISASTER DECLARATION; AND PROVIDING AN ENFORCEMENT CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, was detected in Wuhan, China; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, COVID-19 spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the region could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas, and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a statewide public health disaster; and

WHEREAS, on March 16, 2020, Collin County declared a local disaster for public health emergency and issued an accompanying order; and

Ordinance No. 2020-26 – Amended Ordinance Nos. 2020-24 and 2020-25
WHEREAS, on March 16, 2020, Mayor Eric Hogue issued a declaration of local disaster for public health emergency for the City of Wylie for a period of seven (7) days; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order GA 08, mandating the avoidance of social gatherings in groups of more than 10 people, the avoidance of eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors, the avoidance of visiting nursing homes or retirement or long-term care facilities unless to provide critical assistance, and closing schools throughout the State of Texas for a period of time; and

WHEREAS, on March 19, 2020, Mayor Eric Hogue issued an amended declaration of local disaster for public health emergency, expanding the original declaration; and

WHEREAS, on March 22, 2020, the City Council adopted Ordinance No. 2020-24, which continued and extended the Mayor's amended declaration of local disaster for public health emergency to help abate the public health threat resulting from the COVID-19 pandemic; and

WHEREAS, on March 27, 2020, the City Council adopted Ordinance No. 2020-25, which amended Section 8 (Enforcement Clause) of Ordinance No. 2020-24; and

WHEREAS, on March 31, 2020, the Governor issued Executive Order No. GA 14 relating to statewide continuity of essential services and activities during the COVID-19 disaster; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, the conditions necessitating declaration of local state of disaster continue to exist and are anticipated to continue to exist at least until April 30, 2020; and

WHEREAS, since March 27, 2020, the City Council and City staff have continued to evaluate the community spread of COVID-19 and have reviewed updated guidance and orders from the United States President, the CDC, the Governor of the State of Texas, Collin County Judge, Dallas County, Rockwall County and others, and the City Council has concluded that it is necessary to amend Ordinance Nos. 2020-24 and 2020-25 to extend the duration of the orders and regulations set forth in such Ordinances; and

WHEREAS, the City Council finds that it is in the best interest of the City of Wylie, Texas, and its citizens to amend Ordinance Nos. 2020-24 and 2020-25 as set forth below to help abate the public health threat and to promote the public health, safety and welfare.

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

Ordinance No. 2020-26 – Amended Ordinance Nos. 2020-24 and 2020-25
SECTION 1. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Pursuant to Section 418.018 of the Government Code, the declaration of local disaster is hereby continued. Pursuant to Sections 121.003 and 122.006 of the Texas Health and Safety Code, Section 418.108 of the Texas Government Code, Chapter 81 of the Texas Health and Safety Code and such other powers the City of Wylie may have under the City Charter and other laws, the City Council hereby adopts and approves the orders specified in this Ordinance, which shall apply throughout the City of Wylie and shall be in effect from the date of this Ordinance until 11:59 p.m. on April 30, 2020, provided, however, that the declaration and such orders may be terminated before the expiration on 11:59 p.m. on April 30, 2020 by subsequent order of the City Council, and may be continued or renewed beyond 11:59 p.m. on April 30, 2020 only with the consent of the City Council of the City of Wylie.

SECTION 3. The City Council hereby finds that while in a state of disaster, there is a public purpose in maintaining the City workforce and ensuring continuity in staffing while continuing the City’s services but recognizing that certain facilities and/or operations may need to be temporarily closed or suspended and/or certain personnel may encounter disaster-related events that prevent them from working at full capacity intermittently during the public health emergency. The City Council hereby authorizes the City Manager to make any staffing and compensation-related decisions necessary to adapt to the rapidly changing environment created by the public health emergency to meet the objectives stated herein and authorizes the expenditure of City funds to accommodate the same. Any expenditure of funds beyond that approved in the FY 19-20 budget must come to the City Council for ratification at a City Council meeting, though the expenditure may be made prior to City Council ratification due to the public health emergency.

SECTION 4. The City Council hereby finds that for the duration of this disaster declaration, immediate procurement directly related to the disaster may be necessary to preserve and protect public health and safety. Accordingly, the City Council hereby authorizes the City Manager to purchase goods or services as necessary for ratification by the City Council at a later date as long as the procurement is in compliance with state law requirements.

SECTION 5. The City Council hereby finds that a public necessity exists during the duration of this disaster to determine whether it is difficult for a quorum of the members of decision-making boards of the City to meet in person based on public health and safety concerns related to the pandemic. The City Council authorizes any member of Council, staff, and decision-making boards who is sick, or unable to attend the meeting in person, to conduct their public meetings via telephone conference pursuant to Texas Government Code Section 551.125(b) and/or the Order of the Governor of the State of Texas temporarily suspending...
certain provisions of the Texas Open Meetings Act, guidance received from the Texas Attorney General’s Office and/or other law or order.

**SECTION 6.** The City Council hereby authorizes the City Manager to temporarily waive any City Code regulations that are difficult or impossible to comply with during the term of this declaration of disaster as long as it is not inconsistent with state law.

**SECTION 7.** Pursuant to Section 122.006 of the Texas Health and Safety Code, the City of Wylie is authorized to adopt rules to protect the health of persons in the City of Wylie, including quarantine rules to protect its residents against communicable disease and provide for the establishment of quarantine stations, emergency hospitals, and other hospitals.

**SECTION 8.** The City Council hereby finds and declares that this declaration authorizes the use of all lawfully available enforcement measures. A failure to comply with the City’s Emergency Management Plan, or a rule, order or Ordinance adopted under the Plan, including this Ordinance, is punishable as authorized in Section 418.173 of the Texas Government Code. This Ordinance incorporates Executive Order GA 14, as it exists or may be amended and any successor order thereto. In addition, a person who violates any provision of this declaration, upon conviction, is punishable by a fine of not more than $1,000. A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs.

**SECTION 9.** Pursuant to Section 418.018(c) of the Government Code, the declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

**SECTION 10.** Pursuant to Texas Government Code §418.108(d), the City of Wylie Emergency Management Plan shall remain active through the duration of this disaster declaration.

**SECTION 11.** The City of Wylie will activate the Emergency Operations Center and will operate during normal business hours through the duration of this Ordinance.

**SECTION 12.** Pursuant to Texas Government Code Section 418.020(d), the City of Wylie is authorized to: (1) temporarily or permanently acquire by lease, purchase, or other means sites required for installation of temporary housing units or emergency shelters for disaster victims; and (2) enter into arrangements necessary to prepare or equip the sites to use the housing units or shelters, including arrangements for the purchase of temporary housing units or shelters and the payment of transportation charges.

**SECTION 13.** In accordance with guidance from DSHS Commissioner Dr. Hellerstedt, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in Texas shall, except where necessary to provide or obtain essential services, minimize social gatherings and minimize in-person contact with people who are not in the same household.

Ordinance No. 2020-26 – Amended Ordinance Nos. 2020-24 and 2020-25
SECTION 14. "Essential services" shall consist of everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, as it exists or may be amended and any successor version thereto, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM).

SECTION 15. This Ordinance does not prohibit people from accessing essential services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.

SECTION 16. In providing or obtaining essential services, people and businesses should follow the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, implementing social distancing, and working from home if possible. In particular, all services should be provided through remote telework from home unless they are essential services that cannot be provided through remote telework.

SECTION 17. In accordance with guidance from the White House, Centers for Disease Control and Prevention (“CDC”), and Texas Department of State Health Services (“Texas DSHS”), providers of essential services must follow certain mitigation strategies to slow the spread of the virus.

SECTION 18. If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, and by implementing social distancing to prevent the spread of COVID-19.

SECTION 19. In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurants, food courts or restaurant patios, or visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons; provided, however, that the use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of this Ordinance.

SECTION 20. In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission.
SECTION 21. In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance and shall not recommence before May 4, 2020.

SECTION 22. In accordance with Governor Abbott’s Executive Order GA 09, all elective medical, surgical, and dental procedures are prohibited anywhere in the City of Wylie. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response. PROVIDED, however, that this prohibition shall not apply to any procedure that, if performed in accordance with the commonly accepted standard of clinical practice, would not deplete the hospital capacity or the personal protective equipment needed to cope with the COVID-19 disaster.

SECTION 23. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical time frame, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in City of Wylie for the next 30 days.

SECTION 24. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until April 30, 2020. All sales of bath or toilet tissue occurring in City of Wylie are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.

SECTION 25. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.

SECTION 26. All employees shall remain at home if sick.

SECTION 27. All Parks facilities and Recreation facilities are closed. Parks and trails shall remain open.

SECTION 28. The Smith Public Library is closed.

SECTION 29. All City Board and Commission meetings, with the exception of Wylie City Council, Planning and Zoning and any other meeting required by law, will be postponed for the duration of this disaster declaration.
SECTION 30. All youth sports leagues will be suspended.

SECTION 31. Childcare facilities providing services or community service providers offering childcare services that enable employees exempted in this Order may operate under the following mandatory conditions:

i. Childcare must be carried out in stable groups of 10 or fewer.

ii. Children shall not change from one group to another.

iii. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.

iv. Childcare providers shall remain solely with one group of children.

SECTION 32. The City Council strongly encourages compliance with the following Recommendations, including social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched services. This Ordinance does not mandate sheltering in place. All critical infrastructure will remain operational, domestic travel will remain unrestricted, and government entities and businesses will continue providing essential services. For offices and workplaces that remain open, employees should practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this Ordinance will expire.

SECTION 33. The City of Wylie must promptly provide copies of this Ordinance by posting on the City of Wylie website. If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Ordinance.

SECTION 34. All provisions of the Code of Ordinances of the City of Wylie, codified or uncodified, in conflict with the provisions of this Ordinance are hereby temporarily superseded by this Ordinance for the duration of this declaration. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council 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 35. Ordinance Nos. 2020-24 and 2020-25 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 36. This Ordinance shall take effect immediately from and after its passage. This Ordinance shall be effective until 11:59 p.m. on April 30, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.


Duly signed: Eric Hogue, Mayor

ATTEST:

Stephanie Storm, City Secretary

Ordinance No. 2020-26 – Amended Ordinance Nos. 2020-24 and 2020-25
City of Wylie Social Distancing Recommendations

1) Vulnerable Populations: Limit Outings
   - Vulnerable populations include people who are:
     o 60 years old and older.
     o People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
   - For vulnerable populations, don’t go to gatherings unless it is essential. If you can telecommute, you should. Avoid people who are sick.

2) Workplace, Businesses and Construction: Minimize Exposure
   - Suspend nonessential employee travel.
   - Minimize the number of employees working within six feet of one another, including minimizing or canceling large in-person meetings and conferences.
   - Urge employees to stay home when they are sick and maximize flexibility in sick leave benefits.
   - Do not require a doctor’s note for employees who are sick.
   - Consider use of telecommuting options.
   - For purposes of this Ordinance, “grocery stores” includes warehouse stores, big-box stores, bodegas, gas stations, and farmers’ markets that sell food products and household staples.
     o “Grocery stores” must attempt to limit their occupancy loading to one (1) person per 1,000 square feet.
   - Construction for public works, residential, commercial, and schools. Protecting construction workers from the spread of COVID-19 is extremely important for their safety and for public health, all construction sites should follow the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including, but not limited to, the following:
     o All workers and contractors (hereafter referred to as “workers”) must take their temperature at their residence. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
     o To the greatest extent possible, implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker or contractor has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
     o To the greatest extent possible, limit crossover of subcontractors;
     o Gatherings during meals or breaks are prohibited;
     o Workers must keep a 6-foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
Workers must not use a common water cooler. Employers shall provide individual water bottles or instruct workers to bring their own;

Employers must allow non-essential personnel to work from home when possible;

Employers must provide soap and water and hand sanitizer in the workplace, including all restrooms. Ensure that adequate supplies are maintained;

Employers must provide one (1) working flushing toilet for every fifteen (15) workers on site or one (1) outdoor portable toilet for every 10 workers on site;

There shall be no adverse action taken against an employee who has been quarantined, or advised to self-quarantine, due to possible exposure to coronavirus; and

Employers must designate a COVID-19 safety monitor on each site who has the authority to enforce these rules; A general contractor and non-compliant subcontractor can be removed from the essential business list.

Some people need to be at work to provide essential services of great benefit to the community. They can take steps in their workplace to minimize risk.

3) Cancel Non-essential Events
   - Cancel non-essential events.
   - Do not attend any events or gatherings if sick.
   - For events that aren’t cancelled, we recommend:
     o Having hand washing capabilities, hand sanitizers and tissues available.
     o Frequently cleaning high touch surface areas like counter tops and hand rails.
     o Finding ways to create physical space to minimize close contact as much as possible.

4) Schools: Safety First
   - Do not have your child attend school if sick.
   - If you have a child with chronic health conditions, consult the child’s doctor about school attendance.
   - Schools should equip all classrooms with hand sanitizers and tissues.
   - Recommend rescheduling or cancelling events that are not essential.
   - Explore remote teaching and online options to continue learning.
   - Schools should develop a plan for citywide school closures, and families should prepare for potential closures.

5) Transit: Cleaning and Protection
   - Increase cleaning of vehicles and high touch surface areas.
   - Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part
The best way for all City of Wylie residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the possible disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage a school closure.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.
STATE OF TEXAS  
COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C & S Media, dba The Wylie News, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:

City of Wylie  
Legal Notice – Ordinance No. 2020-26  
was published in said newspaper on the following date(s), to-wit:  
April 8, 2020.

Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 9th day of April, 2020 to certify which witness my hand and seal of office.

SONIA A. DUGGAN  
Notary Public, State of Texas  
Comm. Expires 08-18-2020  
Notary ID 130783749

My commission expires 08/18/2020
CITY OF WYLIE

Ordinance
No. 2020-26

An ordinance of the city council of the city of Wylie, Texas, amending Ordinance Nos. 2020-24 and 2020-25 and continuing and extending the mayor’s amended declaration of local disaster for public health emergency due to the novel coronavirus (covid-19); providing the consent of the city council to the continuation of the declaration until 11:59 p.m. on April 30, 2020; prescribing orders to help abate the public health emergency; providing authority for the city council to terminate the disaster declaration; and providing an enforcement clause, severability clause and an effective date.
ORDINANCE NO. 2020-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NOS. 2020-24, 2020-25, AND 2020-26 AND CONTINUING AND EXTENDING THE MAYOR’S AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY DUE TO THE NOVEL CORONAVIRUS (COVID-19); PROVIDING THE CONSENT OF THE CITY COUNCIL TO THE CONTINUATION OF THE DECLARATION UNTIL 11:59 P.M. ON MAY 15, 2020; PRESCRIBING ORDERS TO HELP ABATE THE PUBLIC HEALTH EMERGENCY; PROVIDING AUTHORITY FOR THE CITY COUNCIL TO TERMINATE THE DISASTER DECLARATION; AND PROVIDING AN ENFORCEMENT CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, in December 2019, a novel coronavirus, now designated SARS-Co V2 which causes the disease COVID-19, was detected in Wuhan, China; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, COVID-19 spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the region could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas, and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, the President’s Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a statewide public health disaster; and

WHEREAS, on March 16, 2020, Collin County declared a local disaster for public health emergency and issued an accompanying order; and

Ordinance No. 2020-29 - Amending Ordinance Nos. 2020-24, 2020-25, And 2020-26 and Continuing and Extending the Mayor’s Amended Declaration of Local Disaster for Public Health Emergency
WHEREAS, on March 16, 2020, Mayor Eric Hogue issued a declaration of local disaster for public health emergency for the City of Wylie for a period of seven (7) days; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order GA 08, mandating the avoidance of social gatherings in groups of more than 10 people, the avoidance of eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors, the avoidance of visiting nursing homes or retirement or long-term care facilities unless to provide critical assistance, and closing schools throughout the State of Texas for a period of time; and

WHEREAS, on March 19, 2020, Mayor Eric Hogue issued an amended declaration of local disaster for public health emergency, expanding the original declaration; and

WHEREAS, on March 22, 2020, the City Council adopted Ordinance No. 2020-24, which continued and extended the Mayor’s amended declaration of local disaster for public health emergency to help abate the public health threat resulting from the COVID-19 pandemic; and

WHEREAS, on March 27, 2020, the City Council adopted Ordinance No. 2020-25, which amended Section 8 (Enforcement Clause) of Ordinance No. 2020-24; and

WHEREAS, on March 31, 2020, the Governor issued Executive Order No. GA 14 relating to statewide continuity of essential services and activities during the COVID-19 disaster; and

WHEREAS, on April 2, 2020, the City Council adopted Ordinance No. 2020-26, which amended Ordinance No. 2020-24 and Ordinance No. 2020-25; and

WHEREAS, on April 27, 2020, the Governor issued Executive Order No. GA 18 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, the conditions necessitating declaration of local state of disaster continue to exist and are anticipated to continue to exist at least until May 15, 2020; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, since April 2, 2020, the City Council and City staff have continued to evaluate the community spread of COVID-19 and have reviewed updated guidance and orders from the United States President, the CDC, the Governor of the State of Texas, Collin County Judge, Dallas County, Rockwall County and others, and the City Council has concluded that it is necessary to amend Ordinance Nos. 2020-26, 2020-25 and 2020-24 to extend the duration of the orders and regulations set forth in such Ordinances; and

Ordinance No. 2020-29 - Amending Ordinance Nos. 2020-24, 2020-25, And 2020-26 and Continuing and Extending the Mayor’s Amended Declaration of Local Disaster for Public Health Emergency
WHEREAS, the City Council finds that it is in the best interest of the City of Wylie, Texas, and its citizens to amend Ordinance Nos. 2020-26, 2020-25 and 2020-24 as set forth below to help abate the public health threat and to promote the public health, safety and welfare.

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

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

SECTION 2. Pursuant to Section 418.018 of the Government Code, the declaration of local disaster is hereby continued. Pursuant to Sections 121.003 and 122.006 of the Texas Health and Safety Code, Section 418.108 of the Texas Government Code, Chapter 81 of the Texas Health and Safety Code and such other powers the City of Wylie may have under the City Charter and other laws, the City Council hereby adopts and approves the orders specified in this Ordinance, which shall apply throughout the City of Wylie and shall be in effect from the date of this Ordinance until 11:59 p.m. on May 15, 2020, provided, however, that the declaration and such orders may be terminated before the expiration on 11:59 p.m. on May 15, 2020 by subsequent order of the City Council, and may be continued or renewed beyond 11:59 p.m. on May 30, 2020 only with the consent of the City Council of the City of Wylie.

SECTION 3. The City Council hereby finds that while in a state of disaster, there is a public purpose in maintaining the City workforce and ensuring continuity in staffing while continuing the City’s services but recognizing that certain facilities and/or operations may need to be temporarily closed or suspended and/or certain personnel may encounter disaster-related events that prevent them from working at full capacity intermittently during the public health emergency. The City Council hereby authorizes the City Manager to make any staffing and compensation-related decisions necessary to adapt to the rapidly changing environment created by the public health emergency to meet the objectives stated herein and authorizes the expenditure of City funds to accommodate the same. Any expenditure of funds beyond that approved in the FY 19-20 budget must come to the City Council for ratification at a City Council meeting, though the expenditure may be made prior to City Council ratification due to the public health emergency.

SECTION 4. The City Council hereby finds that for the duration of this disaster declaration, immediate procurement directly related to the disaster may be necessary to preserve and protect public health and safety. Accordingly, the City Council hereby authorizes the City Manager to purchase goods or services as necessary for ratification by the City Council at a later date as long as the procurement is in compliance with state law requirements.

SECTION 5. The City Council hereby finds that a public necessity exists during the duration of this disaster to determine whether it is difficult for a quorum of the members of decision-making boards of the City to meet in person based on public health and safety concerns related to the pandemic. The City Council authorizes any member of Council, staff, and decision-making boards
who is sick, or unable to attend the meeting in person, to conduct their public meetings via telephone conference pursuant to Texas Government Code Section 551.125(b) and/or the Order of the Governor of the State of Texas temporarily suspending certain provisions of the Texas Open Meetings Act, guidance received from the Texas Attorney General’s Office and/or other law or order.

SECTION 6. The City Council hereby authorizes the City Manager to temporarily waive any City Code regulations that are difficult or impossible to comply with during the term of this declaration of disaster as long as it is not inconsistent with state law.

SECTION 7. Pursuant to Section 122.006 of the Texas Health and Safety Code, the City of Wylie is authorized to adopt rules to protect the health of persons in the City of Wylie, including quarantine rules to protect its residents against communicable disease and provide for the establishment of quarantine stations, emergency hospitals, and other hospitals.

SECTION 8. The City Council hereby finds and declares that this declaration authorizes the use of all lawfully available enforcement measures. A failure to comply with the City’s Emergency Management Plan, or a rule, order or Ordinance adopted under the Plan, including this Ordinance, is punishable as authorized in Section 418.173 of the Texas Government Code. This Ordinance incorporates Executive Order GA 18, as it exists or may be amended and any successor order thereto. In addition, a person who violates any provision of this declaration, upon conviction, is punishable by a fine of not more than $1,000. A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs.

SECTION 9. Pursuant to Section 418.018(c) of the Government Code, the declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION 10. Pursuant to Texas Government Code §418.108(d), the City of Wylie Emergency Management Plan shall remain active through the duration of this disaster declaration.

SECTION 11. The City of Wylie will activate the Emergency Operations Center and will operate on an as needed basis throughout the duration of this Ordinance.

SECTION 12. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical time frame, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in City of Wylie for the next 15 days.

Ordinance No. 2020-29 - Amending Ordinance Nos. 2020-24, 2020-25, And 2020-26 and Continuing and Extending the Mayor’s Amended Declaration of Local Disaster for Public Health Emergency
SECTION 13. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household shall not go to work, school, or any other community function.

SECTION 14. All City employees shall remain at home if sick.

SECTION 15. Parks and Recreation facilities reopening on May 1, 2020: Parks open space and trails, playgrounds, basketball/volleyball courts, disc golf course, tennis courts, skate park, park restrooms/portable restroom, park pavilions, and park drinking fountains. All persons using such facilities shall comply with the minimum recommended health protocols issued by the Texas Department of State Health Services that are applicable to such use or activity. These protocols are available at https://www.dshs.texas.gov/coronavirus/opentexas.aspx.

SECTION 16. Parks and Recreation facilities remaining closed or cancelled until further order of the City Council or Governor: Wylie Recreation Center, Wylie Senior Recreation Center, Brown House, park pavilion and athletic reservations, and youth sports leagues.

SECTION 17. The City Council strongly encourages compliance with the following Recommendations, including social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched services. This Ordinance does not mandate sheltering in place. All critical infrastructure will remain operational, domestic travel will remain unrestricted, and government entities and businesses will continue providing essential services. For offices and workplaces that remain open, employees should practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this Ordinance will expire.

SECTION 18. The City of Wylie must promptly provide copies of this Ordinance by posting on the City of Wylie website. If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Ordinance.

SECTION 19. All provisions of the Code of Ordinances of the City of Wylie, codified or uncodified, in conflict with the provisions of this Ordinance are hereby temporarily superseded by this Ordinance for the duration of this declaration. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council 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.

Ordinance No. 2020-29 - Amending Ordinance Nos. 2020-24, 2020-25, And 2020-26 and Continuing and Extending the Mayor’s Amended Declaration of Local Disaster for Public Health Emergency
SECTION 20. Ordinance Nos. 2020-26, 2020-25 and 2020-24 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 21. This Ordinance shall take effect immediately from and after its passage. This Ordinance shall be effective until 11:59 p.m. on May 15, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.


[Signature]
Eric Hogue, Mayor

ATTEST:
[Signature]
Stephanie Storm, City Secretary

Ordinance No. 2020-29 - Amending Ordinance Nos. 2020-24, 2020-25, And 2020-26 and Continuing and Extending the Mayor’s Amended Declaration of Local Disaster for Public Health Emergency
ORDINANCE NO. 2020-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NOS. 2020-24, 2020-25, 2020-26, AND 2020-29 AND CONTINUING AND EXTENDING THE MAYOR’S AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY DUE TO THE NOVEL CORONAVIRUS (COVID-19); PROVIDING THE CONSENT OF THE CITY COUNCIL TO THE CONTINUATION OF THE DECLARATION UNTIL 11:59 P.M. ON MAY 26, 2020; PRESCRIBING ORDERS TO HELP ABATE THE PUBLIC HEALTH EMERGENCY; PROVIDING AUTHORITY FOR THE CITY COUNCIL TO TERMINATE THE DISASTER DECLARATION; AND PROVIDING AN ENFORCEMENT CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, in December 2019, a novel coronavirus, now designated SARS-Co V2 which causes the disease COVID-19, was detected in Wuhan, China; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, COVID-19 spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the region could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas, and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, the President’s Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a statewide public health disaster; and

WHEREAS, on March 16, 2020, Collin County declared a local disaster for public health emergency and issued an accompanying order; and
WHEREAS, on March 16, 2020, Mayor Eric Hogue issued a declaration of local disaster for public health emergency for the City of Wylie for a period of seven (7) days; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order GA 08, mandating the avoidance of social gatherings in groups of more than 10 people, the avoidance of eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors, the avoidance of visiting nursing homes or retirement or long-term care facilities unless to provide critical assistance, and closing schools throughout the State of Texas for a period of time; and

WHEREAS, on March 19, 2020, Mayor Eric Hogue issued an amended declaration of local disaster for public health emergency, expanding the original declaration; and

WHEREAS, on March 22, 2020, the City Council adopted Ordinance No. 2020-24, which continued and extended the Mayor’s amended declaration of local disaster for public health emergency to help abate the public health threat resulting from the COVID-19 pandemic; and

WHEREAS, on March 27, 2020, the City Council adopted Ordinance No. 2020-25, which amended Section 8 (Enforcement Clause) of Ordinance No. 2020-24; and

WHEREAS, on March 31, 2020, the Governor issued Executive Order No. GA 14 relating to statewide continuity of essential services and activities during the COVID-19 disaster; and

WHEREAS, on April 2, 2020, the City Council adopted Ordinance No. 2020-26, which amended Ordinance No. 2020-24 and Ordinance No. 2020-25; and

WHEREAS, on April 27, 2020, the Governor issued Executive Order No. GA 18 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, on April 28, 2020, the City Council adopted Ordinance No. 2020-29, which amended Ordinance No. 2020-24, Ordinance No. 2020-25, and Ordinance No. 2020-26; and

WHEREAS, on May 5, 2020, the Governor issued Executive Order No. GA 21 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, the conditions necessitating declaration of local state of disaster continue to exist and are anticipated to continue to exist at least until May 26, 2020; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

Ordinance No. 2020-31 – Amending Ord. Nos. 2020-24, 25, 26, and 29; Extending Declaration of Disaster
WHEREAS, since April 2, 2020, the City Council and City staff have continued to evaluate the community spread of COVID-19 and have reviewed updated guidance and orders from the United States President, the CDC, the Governor of the State of Texas, Collin County Judge, Dallas County, Rockwall County and others, and the City Council has concluded that it is necessary to amend Ordinance Nos. 2020-29, 2020-26, 2020-25, and 2020-24 to extend the duration of the orders and regulations set forth in such Ordinances; and

WHEREAS, the City Council finds that it is in the best interest of the City of Wylie, Texas, and its citizens to amend Ordinance Nos. 2020-29, 2020-26, 2020-25, and 2020-24 as set forth below to help abate the public health threat and to promote the public health, safety and welfare.

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

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

SECTION 2. Pursuant to Section 418.018 of the Government Code, the declaration of local disaster is hereby continued. Pursuant to Sections 121.003 and 122.006 of the Texas Health and Safety Code, Section 418.108 of the Texas Government Code, Chapter 81 of the Texas Health and Safety Code and such other powers the City of Wylie may have under the City Charter and other laws, the City Council hereby adopts and approves the orders specified in this Ordinance, which shall apply throughout the City of Wylie and shall be in effect from the date of this Ordinance until 11:59 p.m. on May 26, 2020, provided, however, that the declaration and such orders may be terminated before the expiration on 11:59 p.m. on May 26, 2020 by subsequent order of the City Council, and may be continued or renewed beyond 11:59 p.m. on May 26, 2020 only with the consent of the City Council of the City of Wylie.

SECTION 3. The City Council hereby finds that while in a state of disaster, there is a public purpose in maintaining the City workforce and ensuring continuity in staffing while continuing the City’s services but recognizing that certain facilities and/or operations may need to be temporarily closed or suspended and/or certain personnel may encounter disaster-related events that prevent them from working at full capacity intermittently during the public health emergency. The City Council hereby authorizes the City Manager to make any staffing and compensation-related decisions necessary to adapt to the rapidly changing environment created by the public health emergency to meet the objectives stated herein and authorizes the expenditure of City funds to accommodate the same. Any expenditure of funds beyond that approved in the FY 19-20 budget must come to the City Council for ratification at a City Council meeting, though the expenditure may be made prior to City Council ratification due to the public health emergency.

SECTION 4. The City Council hereby finds that for the duration of this disaster declaration, immediate procurement directly related to the disaster may be necessary to preserve and protect public health and safety. Accordingly, the City Council hereby authorizes the City Manager to
purchase goods or services as necessary for ratification by the City Council at a later date as long as the procurement is in compliance with state law requirements.

**SECTION 5.** The City Council hereby finds that a public necessity exists during the duration of this disaster to determine whether it is difficult for a quorum of the members of decision-making boards of the City to meet in person based on public health and safety concerns related to the pandemic. The City Council authorizes any member of Council, staff, and decision-making boards who is sick, or unable to attend the meeting in person, to conduct their public meetings via telephone conference pursuant to Texas Government Code Section 551.125(b) and/or the Order of the Governor of the State of Texas temporarily suspending certain provisions of the Texas Open Meetings Act, guidance received from the Texas Attorney General’s Office and/or other law or order.

**SECTION 6.** The City Council hereby authorizes the City Manager to temporarily waive any City Code regulations that are difficult or impossible to comply with during the term of this declaration of disaster as long as it is not inconsistent with state law.

**SECTION 7.** Pursuant to Section 122.006 of the Texas Health and Safety Code, the City of Wylie is authorized to adopt rules to protect the health of persons in the City of Wylie, including quarantine rules to protect its residents against communicable disease and provide for the establishment of quarantine stations, emergency hospitals, and other hospitals.

**SECTION 8.** The City Council hereby finds and declares that this declaration authorizes the use of all lawfully available enforcement measures. A failure to comply with the City’s Emergency Management Plan, or a rule, order or Ordinance adopted under the Plan, including this Ordinance, is punishable as authorized in Section 418.173 of the Texas Government Code. This Ordinance incorporates Executive Order GA 21, as it exists or may be amended and any other Executive Orders regarding COVID-19 that are issued by the Governor on or after the effective date of this Ordinance. In addition, a person who violates any provision of this declaration, upon conviction, is punishable by a fine of not more than $1,000. A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs.

**SECTION 9.** Pursuant to Section 418.018(c) of the Government Code, the declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

**SECTION 10.** Pursuant to Texas Government Code §418.108(d), the City of Wylie Emergency Management Plan shall remain active through the duration of this disaster declaration.

**SECTION 11.** The City of Wylie will activate the Emergency Operations Center and will operate on an as needed basis throughout the duration of this Ordinance.
SECTION 12. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical time frame, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in City of Wylie for the next 15 days.

SECTION 13. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household shall not go to work, school, or any other community function.

SECTION 14. All City employees shall remain at home if sick.

SECTION 15. All persons using Parks and Recreation facilities shall comply with the minimum recommended health protocols issued by the Texas Department of State Health Services that are applicable to such use or activity. These protocols are available at https://www.dshs.texas.gov/coronavirus/opentexas.aspx.

SECTION 16. Parks and Recreation facilities/activities remaining closed or cancelled until further order of the City Council: Wylie Senior Recreation Center, Brown House, park pavilion and athletic reservations, and youth sports leagues. The Wylie Recreation Center shall reopen on May 18, 2020 under conditions outlined by the current Governor’s order and to accommodate current budget and operational limitations.

SECTION 17. The City Council strongly encourages compliance with the following Recommendations, including social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched services. This Ordinance does not mandate sheltering in place. All critical infrastructure will remain operational, domestic travel will remain unrestricted, and government entities and businesses will continue providing essential services. For offices and workplaces that remain open, employees should practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this Ordinance will expire.

SECTION 18. The City of Wylie must promptly provide copies of this Ordinance by posting on the City of Wylie website. If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Ordinance.

Ordinance No. 2020-31 – Amending Ord. Nos. 2020-24, 25, 26, and 29; Extending Declaration of Disaster
SECTION 19. All provisions of the Code of Ordinances of the City of Wylie, codified or uncodified, in conflict with the provisions of this Ordinance are hereby temporarily superseded by this Ordinance for the duration of this declaration. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council 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 20. Ordinance Nos. 2020-29, 2020-26, 2020-25 and 2020-24 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 21. This Ordinance shall take effect immediately from and after its passage. This Ordinance shall be effective until 11:59 p.m. on May 26, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.

Duly passed and approved by the City Council of the City of Wylie, Texas, on this the 12th day of May 2020.

___
Eric Hogue, Mayor

ATTEST:

___
Stephanie Storm, City Secretary

Ordinance No. 2020-31 – Amending Ord. Nos. 2020-24, 25, 26, and 29; Extending Declaration of Disaster
### Subject

Hold a work session to discuss the Coronavirus Aid, Relief, and Economic Security Act (CARES ACT) and the Collin County Municipal Direct Expense Funding Interlocal Cooperation Agreement.

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<th>Recommendation</th>
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| Council recently approved an inter-local agreement with Collin County enabling the City to receive $2,425,994.40 in funding under the County’s Emergency Program for Direct Cost Expended by Municipalities to address and respond to COVID-19. The municipal funds must be used for eligible expenditures made between March 1, 2020 and 11:59 p.m., December 30, 2020.

The City may use its municipal funds for reimbursement of COVID-19 expenditures already paid and incurred, and for expenditures to assist with ongoing response to COVID-19 as detailed in the CARES ACT. Examples of eligible COVID-19 post March 1, 2020 expenditures include, but are not limited to, past and ongoing sanitation, COVID-19 testing, past or ongoing acquisitions of PPE for employees, overtime related to COVID-19, employee time dedicated to fielding and answering COVID-19 call rather than handling their normal work, preparing for the future re-emergence of COVID-19 by purchasing and stocking PPE and sanitation supplies, and other expenditures recoverable by municipalities as described in the U.S. Department of the Treasury’s Coronavirus Relief Fund Guidance for State, Territorial, Local and Tribal Governments. |
**COVID-19 CARES ACT**

**Funding**

- Collin County: $2,425,994
- Dallas County: $48,000
- Rockwall County: 

  **TOTAL**: $2,473,994

**Expenses**

- To Date: $113,267
- Overtime: $250,000
- Business Assistance: $301,000
- COVID-19 Testing: $45,000

**Projected Future Expenses**

- Technology: $300,000
- Sanitization: $220,000
- PPE: $40,000
- EMS Equipment: $195,000
- Facilities: $120,000

  **TOTAL**: $1,584,267

**Funds Available (rounded)**: $890,000
INTERLOCAL COOPERATION AGREEMENT
[MUNICIPAL DIRECT EXPENSE FUNDING]

As provided for by Chapter 791 of the Texas Government Code, this Interlocal Cooperation Agreement ("Agreement") is entered into by and between Collin County, Texas (hereinafter "County") and the City of Wylie, Texas (hereinafter "City") under the County’s Emergency Program for Direct Costs Expended by Municipalities located in Collin County to address and respond to COVID-19.

1. Program Description. The County has received federal funding under the Coronavirus Aid, Relief, and Economic Security Act (hereinafter “CARES ACT”) to address and respond to the effects of the COVID-19 emergency. Assisting municipalities within the County in recovering their costs directly incurred in responding to the COVID-19 emergency is a legitimate and lawful use of the CARES ACT funding.

2. Incorporation of Program. The Order of the Collin County, Texas Commissioners Court establishing a COVID-19 Emergency Program for Direct Costs Expended by Municipalities located in Collin County to Address and Respond to COVID-19 (hereinafter “Direct Costs Program”) is attached hereto and incorporated by reference herein.

3. Grant and Funding to City. Subject to the terms and conditions of this Agreement, the County agrees to grant and transfer to the City the sum of $2,425,994.40 of its CARES ACT funding ("Municipal Funds"). The City agrees to deposit these Municipal Funds into a separate, segregated account created solely for holding and dispersing these Municipal Funds. The account must be an interest-bearing account and similarly insured and protected as the City’s other funds.

4. Use of Municipal Funds. The City may use its Municipal Funds for reimbursing itself for COVID-19 expenditures already paid and incurred, and for expenditures to assist it with its ongoing responses to COVID-19 as detailed in the CARES ACT, the Direct Costs Program and this Agreement. Municipal Funds may be used for all expenditures that municipalities are eligible to recover under the CARES ACT as described under said Act and the U.S. Department of the Treasury’s Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments as applies to municipalities. Payments for the performance of governmental functions or services shall be made from current revenues available to the paying party.

5. City’s Obligations relating to its Use of the Municipal Funds. The City agrees to:

a) only use the Municipal Funds in compliance with this Agreement and for eligible expenditures related to the COVID-19 emergency;

b) reimburse and return to the Municipal Funds account within thirty days any portion of the Municipal Funds that the County, the U.S. Department of Treasury, or their designee, deems were not used for COVID-19 purposes, or not used pursuant to the terms of this Agreement, or if the City’s Municipal Funds account is already closed out, the reimbursement and return of the ineligible expenditure shall be made to the County;

c) document and justify that each expenditure from its Municipal Funds was an eligible expenditure under this Agreement and the CARES ACT. All documentation shall be delivered to the County no later than January 15, 2021, and shall be kept by the City for a minimum of four years from the close of the Direct Costs Program;
d) allow inspection of all documentation and records related to its expenditure of its Municipal Funds by the County or the U.S. Department of Treasury upon reasonable request;

e) use the Municipal Funds only for eligible expenditures made between March 1, 2020 and 11:59 p.m., December 30, 2020;

f) return and re-pay within thirty days to the County any Municipal Funds not expended by 11:59 p.m., December 30, 2020;

g) acknowledge and recognize that the source of these Municipal Funds is Collin County and its CARES ACT allocation for any public programs or initiatives using these Municipal Funds;

h) coordinate with the County any public programs or initiatives so that no duplication of services, initiatives or programs occurs; and

i) impose similar terms and conditions upon any sub-recipient of its Municipal Funds.

6. Reports. The City shall provide periodic reports relating to the use of the Municipal Funds as requested or required by the County.

7. Eligibility Issues. If the City is not sure that an expenditure will qualify, it should seek an opinion from its City Attorney prior to making the expenditure.

8. Nature of Funding. The CARES ACT funding is being received from the County to the City as a sub-recipient. As a sub-recipient of CARES ACT funding the City acknowledges that its use of the funds is subject to the same terms and conditions as the County’s use of such funds. The City hereby agrees to comply with all terms and conditions of the CARES ACT funding, and to hold the County harmless against any repayments, penalties, or interest incurred as a result of the City’s failure to comply with all terms and conditions of the CARES ACT funding. Funds spent in non-compliance with the CARES ACT are subject to recapture by the County for return to the Direct Costs Program or for return to the U.S. Treasury Department.

9. Attorney’s Fees and Costs. In accordance with the Program, the County shall be entitled to recover its reasonable and necessary attorney’s fees and costs against the City if it is required to undertake litigation to enforce the terms of this Agreement to the extent allowed by law.

10. Law and Venue. The laws of the State of Texas shall govern this Agreement, except where clearly superseded by federal law. Venue of any dispute shall be in a court of competent jurisdiction in Collin County, Texas.

11. No Assignment. The City may not assign this Agreement.

12. Entire Agreement. This Agreement supersedes and constitutes a merger of all prior oral and/or written agreements and understandings of the parties on the subject matter of this Agreement and is binding on the parties and their legal representatives, receivers, executors, successors, agents and assigns.

13. Amendment. Any Amendment of this Agreement must be by written instrument dated and signed by both parties.
14. **Severability.** No partial invalidity of this Agreement shall affect the remainder unless the public purpose to be served hereby is so greatly diminished thereby as to frustrate the object of this Agreement.

15. **Waiver.** No waiver by either party of any provision of this Agreement shall be effective unless in writing, and such waiver shall not be construed as or implied to be a subsequent waiver of that provision or any other provision.

16. **Signature Authority.** The signatories hereto have the authority and have been given any approvals necessary to bind by this Agreement the respective parties for which they sign.

COLLIN COUNTY, TEXAS

By: ____________________________
    Chris Hill, County Judge

Date

Attest:

County Clerk

CITY OF WYLIE, TEXAS

By: ____________________________
    Chris Holsted, City Manager

Date 5-13-20

Attest:

Stephanie Stone
City Secretary
The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated $150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.1

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

**Necessary expenditures incurred due to the public health emergency**

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

**Costs not accounted for in the budget most recently approved as of March 27, 2020**

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget or (b) the cost

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1 See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.
is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

**Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020**

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

**Nonexclusive examples of eligible expenditures**

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
   - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
   - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
   - Costs of providing COVID-19 testing, including serological testing.
   - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.

2. Public health expenses such as:
   - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
   - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
   - Expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency.
   - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
   - Expenses for quarantining individuals.

3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
   • Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
   • Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
   • Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
   • Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
   • COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
   • Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.

5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
   • Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
   • Expenditures related to a State, territorial, local, or Tribal government payroll support program.
   • Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund’s eligibility criteria.

Nonexclusive examples of ineligible expenditures

The following is a list of examples of costs that would not be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

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2 In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

3 See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.
Meeting Date: May 26, 2020
Item Number: 4

Department: City Manager
Account Code: 100-5181-56040

Prepared By: Chris Holsted
Exhibits: Resolution
Date Prepared: May 18, 2020

Subject
Discuss, consider, and take any action on, Resolution No. 2020-29(R) amending Resolution No. 2020-25(R), modifying certain standards applicable to the Small Business Assistance program to provide immediate, short-term financial aid to qualified small businesses in the City of Wylie.

Recommendation
Motion to approve Resolution No. 2020-29(R) amending Resolution No. 2020-25(R) amending Resolution No. 2020-25(R), modifying certain standards applicable to the Small Business Assistance program to provide immediate, short-term financial aid to qualified small businesses in the City of Wylie.

Discussion
Staff received a request for an agenda item to discuss and consider modifications to the small business assistance program to provide immediate, short-term financial aid to qualified small businesses in the City of Wylie. The current program provides a grant up to $5,000 to a business with 26-50 employees, $5,000 to a business with 25 or fewer full-time equivalent employees, and up to $1,500 for a sole proprietorship. The current status of the program is shown below.

Applications Received - 63
- Large Business - 1
- Other Business - 35
- Sole proprietorship - 27

Applications Denied - 19
- Large Business - 1 (Received PPP or EIDL)
- Other Business - 12 (Received PPP or EIDL, location)
- Sole proprietorship - 6 (Received PPP or EIDL, location)

Funds Awarded - 35 - $101,500
- Large Business - 0
- Other Business - 14
- Sole proprietorship - 21
RESOLUTION NO. 2020-29(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING RESOLUTION NO. 2020-25(R), MODIFYING CERTAIN STANDARDS APPLICABLE TO THE SMALL BUSINESS ASSISTANCE PROGRAM TO PROVIDE IMMEDIATE, SHORT-TERM FINANCIAL AID TO QUALIFIED SMALL BUSINESSES IN THE CITY OF WYLIE; PROVIDING UPDATED PROGRAM AND APPLICATION ELIGIBILITY CRITERIA AND OTHER REQUIREMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 28, 2020, the City Council of the City of Wylie, Texas adopted Resolution No. 2020-25(R), establishing a Small Business Assistance Program to provide limited financial assistance to small businesses located within the city limits that have suffered economic losses because of the COVID-19 pandemic in accordance with Chapter 380 of the Texas Local Government Code; and

WHEREAS, the City Council finds that it is necessary to amend certain elements of the program, as set forth below.

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

SECTION 1. The City Council hereby amends Sections ___ of Resolution No. 2020-25(R) as follows:

SECTION 4. That the City shall appropriate the sum of $301,000 in the General Fund Combined Services budget to establish the small business assistance program consisting of a maximum of $51,000 for sole proprietorships, $50,000 for large businesses and $200,000 for other businesses.

SECTION 5. That each qualified business is eligible to receive a one-time grant as follows:

Sole Proprietorship – up to $1,500 each

A sole proprietorship is defined as an unincorporated business owned by a single person who is personally responsible for all debts of the business.

1 Deletions are evidenced by strikethrough and additions are underlined.
Large Business (26-50 employees) – up to $5,000 each

Other Businesses (25 or fewer employees) – up to $5,000 each”

SECTION 2. The City Council hereby amends Exhibit “A” to Resolution No. 2020-25(R) as follows:

“EXHIBIT A

ELIGIBILITY CRITERIA:

Each qualified small business:

1. The primary location of the business must be within the City of Wylie city limits.
2. Must have been in continuous operation for a period of at least six months prior to the application date.
3. Must be in good standing with the City of Wylie with respect to taxes, fees, utility payments and other financial obligations to the City.
4. Must have a current or anticipated revenue decline beginning March 1, 2020 resulting from COVID-19 impacts.
5. Must be a local, independent business responsible for all revenues and expenses.
6. Must have sustained a financial loss as a result of the COVID-19 pandemic.

EXCLUSIONS:

1. Non-profit organizations are specifically excluded from and ineligible to receive grants under the program.
2. A business is ineligible if it has received assistance from the Paycheck Protection Program or an Economic Injury Disaster Loan.
3. An eligible franchise must be responsible on a local level for all revenue and expenses of the business.
4. A business is ineligible if it has 51 or more employees.

2 Deletions are evidenced by strikethrough and additions are underlined.
DESCRIPTION OF GRANT:

Each qualified applicant is eligible for a grant of up to $1,500 for a sole proprietorship, up to $5,000 for businesses with 26-50 employees, and up to $5,000 for businesses with up to 25 employees. Applicants must show proof of a financial loss as a result of the COVID-19 pandemic. A business may only apply for one category.

APPLICATION PROCESS:

Applicants may apply online at www.wylietexas.gov. **Applications will be reviewed and grant funding will be approved on a first-come, first-served basis.** Grants will be awarded until approved funding is exhausted or the grant program is ended by the City Council, whichever occurs first. Applications will be accepted during a 14-day open period beginning on May 6, 2020. The City Council reserves the right to modify, amend or terminate the program and/or the program requirements at any time. The City Manager is authorized to take any and all actions he deems necessary to administer the program consistent with the program requirements as approved by the City Council. Continued funding of this grant program is not guaranteed.

REQUIRED DOCUMENTATION:

1. Completed application form. The eligible business must be the applicant, but the application form must be signed by an authorized agent of the eligible business.

2. Documents sufficient to evidence a business loss, or other evidence of gross revenue decline beginning March 13, 2020. For example, a profit and loss statement from the same period last year and a profit and loss statement for this year is acceptable.

3. IRS Form 941.

4. If federal aid has been received, documents sufficient to evidence receipt of federal aid related to the COVID-19 disaster.

5. Other information, documentation or clarification as required by City staff administering the program.

6. An eligible business receiving a grant will be required to execute a Chapter 380 Economic Development Agreement with the City of Wylie.
PUBLIC DISCLOSURE OF APPLICATIONS AND SUPPORTING DOCUMENTS:

By submitting an application under the program, the applicant consents to submitting all required or supporting documentation and information to the City of Wylie and to the public disclosure of such documentation and information by the City of Wylie in response to any request submitted pursuant to the Texas Public Information Act and/or other applicable law.”

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

SECTION 4. Resolution No. 2020-25(R) shall remain in full force and effect, save and except as amended by this or any other resolution or ordinance. All provisions of any resolution in conflict with this Resolution are hereby repealed to the extent they are in conflict. Any remaining portions of said resolution shall remain in full force and effect.

SECTION 5. That this Resolution shall take effect immediately from and after its passage.


_____________________________________
Eric Hogue, Mayor

ATTEST:

_____________________________________
Stephanie Storm, City Secretary
RESOLUTION NO. 2020-25(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, ESTABLISHING A SMALL BUSINESS ASSISTANCE PROGRAM TO PROVIDE IMMEDIATE, SHORT-TERM FINANCIAL AID TO QUALIFIED SMALL BUSINESSES IN THE CITY OF WYLIE; PROVIDING PROGRAM AND APPLICATION ELIGIBILITY CRITERIA AND OTHER REQUIREMENTS; APPROPRIATING $301,000 TO ESTABLISH THE PROGRAM; DELEGATING AUTHORITY TO THE CITY MANAGER TO ADMINISTER THE PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Wylie, Texas is a Texas municipality with a population of 50,000 or more operating under a home-rule charter; and

WHEREAS, in December 2019, a novel coronavirus, now designated SARS-Co V2 which causes the disease COVID-19, was detected in Wuhan, China; and

WHEREAS, President Donald J. Trump declared a State of National Emergency for the United States of America on March 13, 2020 in response to the spread of COVID-19; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a statewide public health disaster; and

WHEREAS, on March 16, 2020, Mayor Eric Hogue issued a declaration of local disaster for public health emergency for the City of Wylie for a period of seven (7) days; and

WHEREAS, on April 2, 2020, the City Council adopted Ordinance No. 2020-26, continuing and extending the Mayor’s amended declaration of local disaster for public health emergency to help abate the public health threat resulting from the COVID-19 pandemic; and

WHEREAS, the COVID-19 pandemic has caused closures of and limitations on local businesses; and

WHEREAS, some local businesses in the City of Wylie do not currently have an online presence which would assist them in commercial activity during this state of disaster; and

WHEREAS, Chapter 380 of the Texas Local Government Code allows municipalities to establish economic development programs for making grants of public money to promote local economic development and to stimulate business and commercial activity in the municipality; and

Resolution No. 2020-25(R) – Small Business Assistance Program
WHEREAS, the City Council of the City of Wylie, Texas recognizes the economic strain the COVID-19 pandemic is causing its local businesses, and desires to establish a stimulus program to provide limited financial assistance to small businesses located within the city limits; and

WHEREAS, the City Council finds that establishing this program and awarding grants to such small businesses will serve the public health, safety and welfare of the citizens of the City of Wylie and the interests of the City of Wylie and its small business community.

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

SECTION 1. That the City of Wylie desires to establish and administer a small business assistance program pursuant to Chapter 380 of the Texas Local Government Code to provide immediate, short-term financial assistance in the form of grants to qualified businesses located within the city limits of the City of Wylie.

SECTION 2. That the criteria set forth in Exhibit “A” shall establish program and application requirements and determine a business’s eligibility to receive financial assistance under the program.

SECTION 3. That the City Manager of the City of Wylie, Texas is directed to administer the small business assistance program and is authorized to make grants that comply with the program requirements, as set forth herein, and is authorized to take any and all other actions he deems necessary to administer the program consistent with the program requirements set forth herein. A five member committee consisting of a representative from the City Manager’s office, the City of Wylie Finance Department, the City of Wylie Economic Development Corporation, the Downtown Merchants Association, and the Wylie Chamber of Commerce will verify the complete and eligible application prior to the issuance of financial assistance.

SECTION 4. That the City shall appropriate the sum of $301,000 in the General Fund Combined Services budget to establish the small business assistance program consisting of a maximum of $51,000 for sole proprietorships, $50,000 for large businesses and $200,000 for other businesses.

SECTION 5. That each qualified business is eligible to receive a one-time grant as follows:

Sole Proprietorship – up to $1,500 each

A sole proprietorship is defined as an unincorporated business owned by a single person who is personally responsible for all debts of the business.
Large Business (26-50 employees) – up to $5,000 each

Other Businesses (25 or fewer employees) – up to $5,000 each

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

SECTION 7. That this Resolution shall take effect immediately from and after its passage.


Eric Hogue, Mayor

ATTEST:

Stephanie Storm, City Secretary

Resolution No. 2020-25(R) – Small Business Assistance Program
EXHIBIT A

ELIGIBILITY CRITERIA:

Each qualified small business:

1. The primary location of the business must be within the City of Wylie city limits.
2. Must have been in continuous operation for a period of at least six months prior to the application date.
3. Must be in good standing with the City of Wylie with respect to taxes, fees, utility payments and other financial obligations to the City.
4. Must have a current or anticipated revenue decline beginning March 1, 2020 resulting from COVID-19 impacts.
5. Must be a local, independent business responsible for all revenues and expenses.
6. Must have sustained a financial loss as a result of the COVID-19 pandemic.

EXCLUSIONS:

1. Non-profit organizations are specifically excluded from and ineligible to receive grants under the program.
2. A business is ineligible if it has received assistance from the Paycheck Protection Program or an Economic Injury Disaster Loan.
3. An eligible franchise must be responsible on a local level for all revenue and expenses of the business.
4. A business is ineligible if it has 51 or more employees.

DESCRIPTION OF GRANT:

Each qualified applicant is eligible for a grant of up to $1,500 for a sole proprietorship, up to $5,000 for businesses with 26-50 employees, and up to $5,000 for businesses with up to 25 employees. Applicants must show proof of a financial loss as a result of the COVID-19 pandemic. A business may only apply for one category.

APPLICATION PROCESS:

Applicants may apply online at www.wylietexas.gov. Applications will be reviewed and grant funding will be approved on a first-come, first-served basis. Grants will be awarded until approved funding is exhausted or the grant program is ended by the City Council, whichever occurs first. Applications will be accepted during a 14-day open period beginning on May 6, 2020. The

Resolution No. 2020-25(R) – Small Business Assistance Program
City Council reserves the right to modify, amend or terminate the program and/or the program requirements at any time. The City Manager is authorized to take any and all actions he deems necessary to administer the program consistent with the program requirements as approved by the City Council. Continued funding of this grant program is not guaranteed.

**REQUIRED DOCUMENTATION:**

1. Completed application form. The eligible business must be the applicant, but the application form must be signed by an authorized agent of the eligible business.
2. Documents sufficient to evidence a business loss, or other evidence of gross revenue decline beginning March 13, 2020. For example, a profit and loss statement from the same period last year and a profit and loss statement for this year is acceptable.
3. IRS Form 941.
4. If federal aid has been received, documents sufficient to evidence receipt of federal aid related to the COVID-19 disaster.
5. Other information, documentation or clarification as required by City staff administering the program.
6. An eligible business receiving a grant will be required to execute a Chapter 380 Economic Development Agreement with the City of Wylie.

**PUBLIC DISCLOSURE OF APPLICATIONS AND SUPPORTING DOCUMENTS:**

By submitting an application under the program, the applicant consents to submitting all required or supporting documentation and information to the City of Wylie and to the public disclosure of such documentation and information by the City of Wylie in response to any request submitted pursuant to the Texas Public Information Act and/or other applicable law.
**Subject**

Discuss May 2, 2020 (postponed to November 3, 2020) General and Special Election.

**Recommendation**

Direction

**Discussion**
Subject
Discuss FY 20-21 4B Budget

Recommendation

Discussion
4B Sales Tax Fund
Annual Sales Tax Revenue

FY 2020 projected to be down $263 thousand from budget amount
Estimated return to FY 2019 sales tax amount in FY 2024
4B Sales Tax Fund Projected Revenues
FY 2020-2021 - $3,054,386

- SALES TAX $2,495,636 - 81.7%
- SERVICE FEES $537,500 - 17.6%
- INTEREST INCOME & MISC INCOME $21,250 - .7%
4B Sales Tax Fund Expenditures By Function
FY 2020-2021 - $3,356,088

- BROWN HOUSE 6.1%
- SENIOR RECREATION CENTER 16.7%
- 4B PARKS 10.3%
- RECREATION CENTER 55.2%
- DEBT SERVICE 11.7%
- STONEHAVE HOUSE 0.0%
WRC Revenue vs Personnel Exp

*Rec Pass Revenue is net of Rec Class Expense
*FT personnel included in the WRC Budget Division Manager and Division Building Attendant
4B Debt Service Expenditures

<table>
<thead>
<tr>
<th>Year</th>
<th>Expenditure</th>
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<tbody>
<tr>
<td>2019-20</td>
<td>389,050</td>
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<tr>
<td>2020-21</td>
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<tr>
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<td>390,775</td>
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<tr>
<td>2025-26</td>
<td>-</td>
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</tbody>
</table>

Existing
Assumptions Affecting FY 2020-2021 4B Budget

- **REVENUE**
  - Sales Tax
    - Projected decrease of $425,000 for FY20-21 from FY 2019 Actual
  - Rec Pass Projected Revenue $400,000 - down $205,000 from FY 2019 Actual
  - Rec Class Projected Revenue $135,000 - down $98,000 from FY 2019 Actual

- **EXPENSES**
  - Personnel
    - No merit increase
    - Benefits - Insurance
    - Eliminate cell phone allowance - $16,170