



Wylie City Council

NOTICE OF MEETING

Amended Regular Meeting Agenda
September 8, 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

PRESENTATIONS

- **Proclamation – Hispanic Business Month**

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 August 25, 2020 Regular Meeting and Work Session of the Wylie City Council. (S. Storm, City Secretary)**
- B. Consider, and act upon, approval of an Amended Plat for Lot 1 of Alanis Addition to establish new fire lane and utility easements on 1.888 acres, generally located at the northeast corner of Alanis Dr. and Ballard Ave. (J. Haskins, Planning Manager)**
- C. Consider, and act upon, Ordinance No. 2020-46 to a change of zoning from Agricultural District (AG/30) to Commercial Corridor District (CC), to allow for commercial development 1.364 acres located at 7940 E Parker Road. (ZC2020-07) (J. Haskins, Planning Manager)**
- D. 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. (J. Haskins, Planning Manager)**
- E. Consider, and act upon, Resolution No. 2020-49(R) supporting the Texas Department of Transportation's proposed schematic layout of FM 544 and Country Club Road intersection improvements. (T. Porter, Public Works Director)**

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. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

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

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

- **Receive legal advice regarding PUC Docket No. 46662 pending before the Public Utility Commission of Texas in the case styled Petition of the Cities of Garland, Mesquite, Plano, and Richardson appealing the decision by North Texas Municipal Water District affecting wholesale water rates.**

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

REGULAR AGENDA

1. **Consider, and act upon, Resolution No. 2020-50(R) approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2020 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act. (C. Holsted, City Manager)**

Executive Summary

The City, along with 171 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

2. **Consider, and act upon, Ordinance No. 2020-47 amending Chapter 74 (Offenses and Miscellaneous Provisions), Article X (Electioneering at Polling Locations) of the City of Wylie Code of Ordinances, Ordinance No. 2005-07, as amended; modifying certain regulations relating to electioneering on public premises used as a polling place. (S. Storm, City Secretary)**

Executive Summary

Sections 61.003 and 85.036 of the Texas Election Code authorizes the City Council to enact reasonable regulations concerning the time, place and manner of electioneering on public premises used as a polling place in the City of Wylie. Polling places include public facilities that are simultaneously used for various other purposes and for which adequate and safe parking and access must be maintained for those facilities to operate in a safe and effective manner.

3. **Consider, and act upon, Ordinance No. 2020-48 amending Ordinance Nos. 2020-24, 2020-25, 2020-26, 2020-29, 2020-31, 2020-35, 2020-38, and 2020-41 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, May 12, May 26, June 9, and July 28, 2020 the City Council adopted Ordinance Nos. 2020-24, 2020-25, 2020-26, 2020-29, 2020-31, 2020-35, 2020-38, and 2020-41 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 September 8, 2020.

WORK SESSION

- **Discussion regarding the November Council meeting.** (*C. Holsted, City Manager*)

RECONVENE INTO REGULAR 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 September 4, 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.

Stephanie Storm, City Secretary

Date Notice Removed