



Wylie City Council

NOTICE OF MEETING

Amended Regular Meeting Agenda June 9, 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

- **Presentation to retiring Library Director, Rachel Orozco**

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 26, 2020 Regular Meeting and Work Session of the Wylie City Council.** *(S. Storm, City Secretary)*
- B. Consider, and act upon, a final plat for Collins Industrial establishing two ETJ lots on 5.0 acres, generally located on Bozman Road, 500' east of FM 544/Stone Road in the City of Wylie's Extraterritorial Jurisdiction.** *(J. Haskins, Planning Manager)*
- C. Consider, and act upon, a final plat for Stone Ranch Phase 2, establishing 84 residential lots on 20.808 acres, generally located on Alanis Drive, 1800' west of South Ballard Avenue.** *(J. Haskins, Planning Manager)*
- D. Consider, and act upon, a preliminary plat for Ballers Elite, establishing one commercial lot on 0.620 acres, located at 1400 Martinez Lane.** *(J. Haskins, Planning Manager)*
- E. Consider, and act upon, Ordinance No. 2020-36 amending Ordinance No. 2019-27, which established the budget for fiscal year 2019-2020; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.** *(M. Beard, Finance Director)*
- F. Consider, and act upon, the purchase and installation of Wylie Public Safety Communications Center Consoles from Russ Bassett Corporation in the amount of \$156,518.75 through a cooperative purchasing contract with the Houston-Galveston Area Council (HGAC), and authorizing the City Manager to execute any and all necessary documents.** *(G. Hayes, Purchasing Manager)*

Interview of Board of Ethics Applicants:

- **Mary Harris**
- **Shareem Taylor – Current member**

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, appointments to fill the Board of Ethics vacancies for a term to begin July 1, 2020 and end June 30, 2022. (S. Storm, City Secretary)**

Executive Summary

Per Ordinance No. 2014-19, prospective Board of Ethics applicants will be interviewed by the entire City Council.

- 2. Consider, and act upon, the recommendations of the 2020 Boards and Commission Council Interview Panel for appointments to the Animal Shelter Advisory Board, Construction Code Board, Historic Review Commission, Library Board, Parks and Recreation Board, Parks and Recreation Facilities Development Corporation Board (4B), Planning and Zoning Commission, Public Arts Advisory Board, Wylie Economic Development Corporation, and the Zoning Board of Adjustments to fill board vacancies for a term to begin July 1, 2020 and end June 30, 2022/23. (S. Storm, City Secretary)**

Executive Summary

Article 8, Section 1A of the City Charter authorizes the City Council to appoint members to serve on boards, commissions and committees to help carry out the functions and obligations of the City and to make recommendations to the City Council. The City Council has prescribed the purpose, composition, function, duties, accountability, and the tenure of each board, commission, and committee.

Tabled from 05-26-2020

Remove from table and consider

- 3. 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) (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.

4. **Hold a Public Hearing, consider, and act upon, a change of zoning from Single-Family 10 District (SF-10/24) to Planned Development (PD), to allow for a Townhome community and commercial uses on 6.55 acres generally located on the northeast corner of West Brown Street and Sanden Boulevard. (ZC2020-06) (J. Haskins, Planning Manager)**

Executive Summary

The applicant is requesting to rezone 6.55 acres located on the northeast corner of West Brown Street and Sanden Boulevard. The property is currently zoned Single-Family SF 10/24 and the applicant is requesting rezoning to a Planned Development is to allow for a mixed-use development with one commercial lot and 39 townhome lots.

5. **Consider, and act upon, the award of RFP #W2020-74-B for Construction Manager At Risk – Phase 1 to Pogue Construction LLC, for Pre-Construction Services of Wylie Fire Station No. 4 in the amount of \$30,000.00 and authorizing the City Manager to execute any and all necessary documents. (G. Hayes, Purchasing Manager)**

Executive Summary

Contracting and delivery procedures for construction projects are governed by Section 2269 of the Government Code. Staff reviewed the various methodologies within this code and determined that the Construction Manager At Risk (CMAR) methodology, as outlined in Subchapter F, to be the most advantageous to the City for pre-construction design (Phase 1) and construction services (Phase 2) for Wylie Fire Station No. 4. CMAR is a delivery method by which the City contracts separately with a construction manager to serve as the general contractor. The CMAR provides pre-construction services to the architects and City during the design phase; consulting on construction methodologies and product selections. Once the construction plans and materials are finalized and the guaranteed maximum price (gmp) is agreed upon, the CMAR will enter into a second contract (Phase 2) for the construction phase and assume all responsibility for completing the project on time and within budget.

6. **Consider, and act upon, accepting a donation to the City in the amount of \$5,779 from the Catholic Foundation to the Estate of Rita and Truett Smith. (R. Orozco, Library Director)**

Executive Summary

The Catholic Foundation of the Estate of Rita and Truett Smith have made a donation to the library to replace furniture in the Teen Room.

7. **Consider, and act upon, accepting a donation to the City in the amount of \$5,480 from the Friends of the Smith Public Library to the Rita and Truett Smith Public Library. (R. Orozco, Library Director)**

Executive Summary

The Friends of the Smith Public Library would like to donate funds to the City to assist with the Chromebooks in the Teen Room.

Tabled from 05-26-2020

Remove from table and consider

8. **Discuss, consider, and take any action on, Resolution No. 2020-29(R) modifying Resolution No. 2020-25(R) establishing a 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.

9. **Consider, and act upon, Ordinance No. 2020-37 amending Ordinance No. 2019-27, which established the budget for fiscal year 2019-2020; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.** (*M. Beard, Finance Director*)

Executive Summary

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. These funds must be used for eligible expenditures made between March 1, 2020 and 11:59 p.m., December 30, 2020.

10. **Consider, and act upon, Ordinance No. 2020-38 amending Ordinance Nos. 2020-24, 2020-25, 2020-26, 2020-29, 2020-31, and 2020-35 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, and May 26, 2020 the City Council adopted Ordinance Nos. 2020-24, 2020-25, 2020-26, 2020-29, 2020-31, and 2020-35 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 June 9, 2020.

WORK SESSION

- **AMI Discussion/Presentation from Johnson Controls, Inc.** (*M. Beard, Finance Director*)
- **Water/Sewer Rate Study/Presentation from NewGen Strategies & Solutions, LLC.** (*M. Beard, Finance Director*)
- **Discussion of funding for not-for-profit organizations.** (*C. Holsted, City Manager*)
- **Discuss Extraterritorial Jurisdiction and city limits surrounding Lavon Lake.** (*R. Ollie, Asst. City Manager*)
- **Discuss City of Wylie Code of Ethics.** (*C. Holsted, City Manager*)
- **Discuss City of Wylie Charter amendments.** (*C. Holsted, City Manager*)
- **FY 20-21 Budget Work Session.** (*C. Holsted, City Manager/ M. Beard, Finance Director*)

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 June 5, 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