



Sachse, Texas

Sachse City Hall
3815-B Sachse Road
Sachse, Texas 75048

Meeting Agenda City Council

Monday, June 2, 2014

7:30 PM

Council Chambers

The Mayor and Sachse 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 City Council of the City of Sachse will hold a Regular Meeting on Monday, June 2, 2014, at 7:30 p.m. in the Council Chambers at the Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

Invocation and Pledges of Allegiance to U.S. and Texas Flags.

1. REGULAR AGENDA ITEMS.

[14-2244](#) Administer Oath of Office to Mr. Bill Adams and Mr. Paul Watkins.

Executive Summary

The 2014 election cycle is complete and Council Members-elect Bill Adams and Paul Watkins must take the Oath of Office.

Attachments: [Sample Oath.pdf](#)

[14-2240](#) Consider approval of the minutes of the May 19, 2014, regular meeting.

Executive Summary

Minutes from the recent Council meeting.

Attachments: [Minutes 05.19.14 Regular.pdf](#)

[14-2241](#) Consider approval of the minutes of the May 19, 2014, special meeting.

Executive Summary

Minutes from the recent Council meeting.

Attachments: [Minutes 05.19.14 Special.pdf](#)

[14-2242](#) Recognition and Recess: Reception for Outgoing Council Member Todd Ronnau.

Executive Summary

Recognition and Reception to honor Outgoing Council Member

Todd Ronnau for his many years of service to the City.

[14-2243](#) Consider the election of a Mayor Pro Tem.

Executive Summary

According to the City Charter, each year after the election, a Mayor Pro Tem must be designated.

2. CONSENT AGENDA.

2.a ALL ITEMS LISTED ON THE CONSENT AGENDA WILL BE CONSIDERED BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION, THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER OR CITIZEN SO REQUESTS.

[14-2245](#) Consider acceptance of the resignation of Paul Watkins from the Planning and Zoning Commission.

Executive Summary

Mr. Paul Watkins has resigned his seat on the Planning and Zoning Commission.

Attachments: [Paul Watkins resignation.pdf](#)

[14-2248](#) Consider receiving the Monthly Revenue and Expenditure Report for the period ending April 30, 2014.

Executive Summary

The Finance Department will prepare a report each month to update the City Council regarding revenues and expenditures for the City. The attached reports are for the month of April 2014.

Attachments: [GF 04-30-2014.pdf](#)

[UF 04-30-2014.pdf](#)

[DS 04-30-2014.pdf](#)

[SEDC 04-30-2014.pdf](#)

[14-2239](#) Consider a resolution of the City Council of the City of Sachse, Texas, awarding the bid for the Boone Street Paving Improvements from 5th Street to 7th Street as a Community Development Block Grant project to Reynolds Asphalt & Construction Company, Incorporated in the amount not to exceed ninety-three thousand two hundred eight dollars and no cents (\$93,208.00).

Executive Summary

The City was awarded Community Development Block Grant (CDBG) funds from Dallas County for low to moderate income areas to be used on public infrastructure projects. Boone Street

from 5th Street to 7th Street needs to be reconstructed and is in an eligible CDBG area. The project was been designed in-house by staff and bids were opened on May 20, 2014. This item is to award the bid to the lowest responsible bidder, which is Reynolds Asphalt & Construction Company, Inc. in the amount of \$93,208.00.

Attachments: [Attachment 1 - Project Map PDF](#)
[Attachment 2 - Bid Tabulation PDF](#)
[Resolution to award Boone Street CDBG to Reynolds Asphalt PDF](#)
[Boone Street CDBG Presentation PDF](#)

3. MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS, CURRENT ACTIVITIES, AND LOCAL ACHIEVEMENTS.

[14-2249](#) Staff Briefing: Sachse Economic Development Corporation update.

Executive Summary

Executive Director Leslyn Blake will provide a brief update of ongoing projects and initiatives to the City Council.

4. CITIZEN INPUT.

The public is invited at this time to address the Council. The Mayor will ask you to come to the Microphone and state your name and address for the record. If your remarks pertain to a specific Agenda item, please hold them until that item, at which time the Mayor may solicit your comments.

The City Council is prohibited from discussing any item not on the posted agenda according to the Texas Open Meetings Act.

5. REGULAR AGENDA ITEMS (Continued).

[14-2250](#) Presentation by and discussion with representatives of the North Texas Municipal Water District to include items related to, but not limited to, drought conditions, water availability, project status, and future raw water rate implications.

Executive Summary

Mike Rickman and Judd Sanderson of the North Texas Municipal Water District (NTMWD) will present information to the City Council that has a direct impact of the water supply for Sachse citizens and the cost to that provide water now and into the future. The NTMWD does not have access to 28% of its water supply from Lake Texoma due to the zebra mussel, but the soon-to-be-completed waterline from Texoma to the NTMWD will bring that source of water back online.

The City is currently under extended Stage 3 seasonal watering

water restrictions and is expected to remain at that level of water restriction at least until the end of October.

Attachments: [2014-06-02 Sachse MR and JRS.pdf](#)

[14-2238](#) Receive early Citizen input for the 2014-2015 Fiscal Year Budget.

Executive Summary

Customary practice of the City Council is to extend to the Citizens of Sachse an opportunity for early input on the fiscal year budget being prepared.

Attachments: [Budget calendar.pdf](#)

[14-2226](#) Conduct a public hearing and consider an Ordinance of the City of Sachse, Texas, amending the Code of Ordinances by amending Chapter 8 "Subdivision" by amending Section 8-5 through 8-19 to provide definitions including substantial completion; providing provisions related to the duties of the City Engineer; providing for standard size water mains; providing for street right-of-way widths; and providing clarification for work that is to be completed pursuant to the Subdivision Regulations, Standard Specifications and Standard Construction Details of the City; providing a repealing clause; providing a savings clause; providing a severability clause

Executive Summary

The proposed ordinance will more clearly define the approval stages of the subdivision process as well as the associated regulations.

Attachments: [Attachment 1 - Current Subdivision Ordinance PDF](#)

[Attachment 2 - 51SACHSE Ordinance Amending Chapter 8 Subdivision66387 F](#)

[Attachment 3 - Subdivision Ordinance Presentation PDF](#)

6. ADJOURNMENT.

Vision Statement: Sachse is a friendly, vibrant community offering a safe and enjoyable quality of life to all who call Sachse home.

The City of Sachse reserves the right to reconvene, recess or realign the regular session or called Executive Session or order of business at any time prior to adjournment. Note: The Sachse City Council reserves the right to convene into Executive Session pursuant to the Texas Government Code, Title 5, Chapter 551 regarding posted items on the regular meeting agenda.

State law prohibits the introduction or discussion of any item of business not posted at least seventy-two (72) hours prior to the meeting time. Therefore, during Citizen Input for example, the Council is prohibited by state law to deliberate or take action on any issues introduced by the public other than to take them under advisement. Posted: May 30, 2014; 5:00 p.m. Terry Smith, City Secretary _____.

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Terry Smith, City Secretary, at (972) 495-1212, 48 business hours prior to the scheduled meeting date. Reasonable accommodations will be made to assist your needs.



Legislation Details (With Text)

File #: 14-2244 **Version:** 1 **Name:** Administer Oath of Office to Council Members-elect.
Type: Agenda Item **Status:** Agenda Ready
File created: 5/21/2014 **In control:** City Council
On agenda: 6/2/2014 **Final action:**

Title: Administer Oath of Office to Mr. Bill Adams and Mr. Paul Watkins.

Executive Summary
The 2014 election cycle is complete and Council Members-elect Bill Adams and Paul Watkins must take the Oath of Office.

Sponsors:

Indexes:

Code sections:

Attachments: [Sample Oath.pdf](#)

Date	Ver.	Action By	Action	Result
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Title
Administer Oath of Office to Mr. Bill Adams and Mr. Paul Watkins.

Executive Summary
The 2014 election cycle is complete and Council Members-elect Bill Adams and Paul Watkins must take the Oath of Office.

Background
As a result of the May 10, 2014 election, Mr. Bill Adams was reelected and Mr. Paul Watkins was elected. They will take the Oath of Office to enable each to assume the duties of his office as required by the City Charter and State Law.

Policy Considerations
None.

Budgetary Considerations
None.

Staff Recommendations
Administer the Oath of Office to Councilmen-elect Bill Adams and Paul Watkins.

In the name and by the authority of

THE STATE OF TEXAS

OATH OF OFFICE

SAMPLE

I, Mike Felix do solemnly swear, that I will faithfully execute the duties of the office of the Mayor, of the City of Sachse, State of Texas, and will, to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State, so help me God.

X
Affiant

SWORN TO and subscribed before me by affiant on the ____ day of June, 2013.

Signature of person administering oath

Printed Name

Title



Legislation Details (With Text)

File #: 14-2240 **Version:** 1 **Name:** Consider approval of the minutes of the May 19, 2014, regular meeting.

Type: Agenda Item **Status:** Agenda Ready

File created: 5/21/2014 **In control:** City Council

On agenda: 6/2/2014 **Final action:**

Title: Consider approval of the minutes of the May 19, 2014, regular meeting.

Executive Summary
Minutes from the recent Council meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [Minutes 05.19.14 Regular.pdf](#)

Date	Ver.	Action By	Action	Result
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Title
Consider approval of the minutes of the May 19, 2014, regular meeting.

Executive Summary
Minutes from the recent Council meeting.

Background
Minutes from a recent Council meeting on May 19, 2014, for review and approval.

Policy Considerations
Not applicable.

Budgetary Considerations
Not applicable.

Staff Recommendations
Approval of the minutes of the May 19, 2014, regular meeting.

REGULAR MEETING
OF THE
CITY COUNCIL OF THE CITY OF SACHSE
MAY 19, 2014

The City Council of the City of Sachse held a Regular Meeting on Monday, May 19, 2014 at 7:30 p.m. at the Sachse City Hall after proper notice. The roll of the duly constituted City Council Members was called which members are as follows, to wit:

Mayor Mike Felix
Mayor Pro Tem Bill Adams
Councilman Charles Ross
Councilman Brett Franks
Councilman Todd Ronnau
Councilman Cullen King
Councilman Jeff Bickerstaff

and all were present.

Staff present: City Manager Billy George, City Secretary Terry Smith, Administrative Assistant Cathy Cade, Community Development Interim Director Michael Spencer, Police Chief Dennis Veach, Human Resources Manager Stacy Buckley, Parks and Recreation Director Lance Whitworth, Library Manager Mignon Morse, City Engineer Greg Peters, Public Works Director Joe Crase, Fire Chief Rick Coleman, and Finance Director Teresa Savage.

Invocation and Pledge of Allegiance to U.S. and Texas Flags:

The invocation was offered by Councilman King and the pledges were led by Councilman Bickerstaff.

1. Consent Agenda:

Mayor Pro Tem Adams moved to approve the Consent Agenda consisting of: 14-2205 Consider approval of the minutes of the April 21, 2014, regular meeting; 14-2206 Consider approval of the minutes of the May 5, 2014, regular meeting; 14-2212 Resolution No. 3590 of the City Council of the City of Sachse, Texas, approving Purchase Orders in the amount not to exceed nine hundred fifty-six thousand two hundred twelve dollars and forty cents (\$956,212.40) to Reynolds Asphalt and Construction Company, Incorporated for asphalt roadway improvement projects; and 14-2235 Resolution No. 3591 of the City Council of the City of Sachse, Texas, approving the terms and conditions of the participation agreement by and between the City of Sachse, Texas, and JP Morgan Chase Bank, N.A. for commercial card services; and providing for an effective date. The motion was seconded by Councilman Ross and passed unanimously.

2. Mayor and City Council Announcements regarding special events, current activities and local achievements:

14-2230 Recognize employees for their service to the City of Sachse.

14-2208 Proclamation recognizing Motorcycle Safety Awareness campaign.

Councilman Bickerstaff noted the upcoming Library Programs: the Summer Reading Program kickoff is June 7 at 10:00 a.m. in the amphitheater; the Writers Group meets tomorrow at 6:30 p.m. and Patriot Paws meets Thursday at 11:00 a.m. and May 29th from 7:00-8:00 p.m. the Friends of Library are sponsoring an Estate Planning seminar.

Councilman Franks stated that on Saturday at 11:30 a.m. is the Memorial Day event in the front of City Hall.

Councilman King noted this week is National EMS week, to recognize our first responders. He noted this week is also National Foster Care Week and there is a great need. He also noted that Kaylen Stewart is working on an Eagle Scout project, which is also a fundraiser to build a pen at the Animal Shelter.

Mayor Felix stated July 3rd is the Red, White and Blue Blast fireworks show.

3. Citizen Input:

Jim Becker 1105 Meadow Lane, announced he was moving to Minnesota and leaving town. He appreciated the opportunities to serve and being heard. He appreciates the Council's work and the staff's work.

4. Regular Agenda Items:

14-2227 Consider the application of Huffines Communities requesting a waiver from the Code of Ordinances, Chapter 8 Subdivisions, to permit the design and construction of a non-standard roadway in the City of Sachse, Texas:

Mayor Felix stated the applicant has withdrawn this item so there will be no discussion or action on this item.

14-2232 Consider a resolution of the City Council of the City of Sachse, Texas, authorizing the submission of an application to Dallas County for funding under the Fiscal Year 2014-2015 Community Development Block Grant program for specified projects(s); authorizing the Mayor to execute implementation agreements with Dallas County for the CDBG projects; designating a representative for all matters related to the project; and providing for an effective date:

Following discussion, Councilman King moved to approve Resolution No. 3592 of the City Council of the City of Sachse, Texas, authorizing the submission of an application to Dallas County for funding under the Fiscal Year 2014-2015 Community Development Block Grant program for specified projects(s); 6th Street from S.H. 78 to Boone Street; authorizing the Mayor to execute implementation agreements with Dallas County for the CDBG projects; designating a representative for all matters related to the project; and providing for an effective date. The motion was seconded by Councilman Ross and carried unanimously.

14-2234 Conduct Executive Session pursuant to the provisions of the Texas Government Code Section 551.074: To conduct a semi-annual evaluation of the City Manager.

Consider any action necessary as a result of Executive Session regarding the semi-annual evaluation of the City Manager:

At 8:11 p.m. Mayor Pro Tem Adams moved to recess to Executive Session. The motion was seconded by Councilman Bickerstaff and carried unanimously.

At 9:14 p.m. Councilman Ross moved to return to open session. The motion was seconded by Councilman Bickerstaff and carried unanimously.

Mayor Felix stated no action was necessary as a result of executive session.

5. Adjournment:

There being no further business, Councilman Ronnau moved to adjourn. The motion was seconded by Councilman Franks and carried with Councilman Ronnau abstaining, to be recorded as a no vote according to the City Charter. The meeting adjourned at 9:16 p.m.

ATTEST:

APPROVED:

CITY SECRETARY

MAYOR



Legislation Details (With Text)

File #: 14-2241 **Version:** 1 **Name:** Consider approval of the minutes of the May 19, 2014, special meeting.

Type: Agenda Item **Status:** Agenda Ready

File created: 5/21/2014 **In control:** City Council

On agenda: 6/2/2014 **Final action:**

Title: Consider approval of the minutes of the May 19, 2014, special meeting.

Executive Summary
Minutes from the recent Council meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [Minutes 05.19.14 Special.pdf](#)

Date	Ver.	Action By	Action	Result
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Title
Consider approval of the minutes of the May 19, 2014, special meeting.

Executive Summary
Minutes from the recent Council meeting.

Background
Minutes from a recent Council meeting on May 19, 2014, for review and approval.

Policy Considerations
Not applicable.

Budgetary Considerations
Not applicable.

Staff Recommendations
Approval of the minutes of the May 19, 2014, special meeting.

**SPECIAL MEETING
OF THE
CITY COUNCIL OF THE CITY OF SACHSE
MAY 19, 2014**

The City Council of the City of Sachse held a Special Meeting on Monday, May 19, 2014, at 6:30 p.m. at the Sachse City Hall after proper notice. The roll of the duly constituted City Council members was called which members are as follows, to wit:

Mayor Mike Felix
Mayor Pro Tem Bill Adams
Councilman Charles Ross
Councilman Brett Franks
Councilman Todd Ronnau
Councilman Cullen King
Councilman Jeff Bickerstaff

and all were present.

Staff present: City Manager Billy George; City Secretary Terry Smith; and Administrative Assistant Cathy Cade.

1. Open Special Meeting: Mayor Felix opened the special meeting.

2. Agenda Items:

14-2207 Consider a resolution to canvass the May 10, 2014 City Officers' Election:

City Secretary Smith read the Dallas County elections unofficial final runoff election results into the record.

<u>Place 3 Candidates</u>	Early <u>Voting</u>	+	Election Day	=	Total <u>Votes</u>	<u>%</u>
David E. Landis	119		96		215	39.81
<u>Paul Watkins</u>	<u>185</u>		<u>140</u>		<u>325</u>	<u>60.19</u>
	304		236		540	100%

Totals

<u>Place 4 Candidates</u>	Early <u>Voting</u>	+	Election Day	=	Total <u>Votes</u>	<u>%</u>
Bill Adams	262		174		436	100
<hr/>						
Totals	262		174		436	100%

Councilman King moved to approve Resolution No. 3589 to canvass of the results of the election held on May 10, 2014. The motion was seconded by Councilman Bickerstaff and carried unanimously.

3. Adjourn:

There being no further business, Mayor Pro Tem Adams moved to adjourn at 6:36 p.m. The motion was seconded by Councilman Ross and carried unanimously.

ATTEST:

CITY SECRETARY

APPROVED:

MAYOR



Legislation Details (With Text)

File #: 14-2242 **Version:** 1 **Name:** Recognition and Recess: Reception for Outgoing Council Member Todd Ronnau.
Type: Agenda Item **Status:** Agenda Ready
File created: 5/21/2014 **In control:** City Council
On agenda: 6/2/2014 **Final action:**
Title: Recognition and Recess: Reception for Outgoing Council Member Todd Ronnau.

Executive Summary
Recognition and Reception to honor Outgoing Council Member Todd Ronnau for his many years of service to the City.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Title

Recognition and Recess: Reception for Outgoing Council Member Todd Ronnau.

Executive Summary

Recognition and Reception to honor Outgoing Council Member Todd Ronnau for his many years of service to the City.

Background

We will recognize Council Member Ronnau for his service, then take a short recess for cake and punch and fellowship with him.

Policy Considerations

None

Budgetary Considerations

None

Staff Recommendations

Recognition and Recess: Reception for Outgoing Council Member Todd Ronnau.



Legislation Details (With Text)

File #:	14-2243	Version:	1	Name:	Consider the election of a Mayor Pro Tem.
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	5/21/2014	In control:		In control:	City Council
On agenda:	6/2/2014	Final action:		Final action:	
Title:	Consider the election of a Mayor Pro Tem.				

Executive Summary
According to the City Charter, each year after the election, a Mayor Pro Tem must be designated.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Title
Consider the election of a Mayor Pro Tem.

Executive Summary
According to the City Charter, each year after the election, a Mayor Pro Tem must be designated.

Background
Sachse Home Rule Charter Section 3.05 reads:

Sec. 3.05 - MAYOR AND MAYOR PRO TEM (1) The mayor shall be the official head of the city government. He shall be the chairman and shall preside at all meetings of the city council. The mayor shall have the same voting rights and responsibilities as the other members of the city council, but shall have no power to veto. He shall, when authorized by the city council, sign all official documents, such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts and bonds. He shall perform such other duties consistent with this Charter as may be imposed upon him by the city council. **(2) The mayor pro tem shall be a city council member elected by the city council at the first regular meeting after each regular election of the city council members and/or mayor. The mayor pro tem shall temporarily act as mayor during the disability or absence of the mayor, and in this capacity shall have the rights conferred upon the mayor.**

This agenda item is provided for the City Council to take action on the matter.

Policy Considerations
None.

Budgetary Considerations

None.

Staff Recommendations

Council take action to appoint a Mayor Pro Tem as appropriate.



Legislation Details (With Text)

File #:	14-2245	Version:	1	Name:	Consider acceptance of the resignation of Paul Watkins from the Planning and Zoning Commission.
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	5/21/2014	In control:		In control:	City Council
On agenda:	6/2/2014	Final action:		Final action:	
Title:	Consider acceptance of the resignation of Paul Watkins from the Planning and Zoning Commission.				
	Executive Summary Mr. Paul Watkins has resigned his seat on the Planning and Zoning Commission.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Paul Watkins resignation.pdf				

Date	Ver.	Action By	Action	Result
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Title

Consider acceptance of the resignation of Paul Watkins from the Planning and Zoning Commission.

Executive Summary

Mr. Paul Watkins has resigned his seat on the Planning and Zoning Commission.

Background

Mr. Paul Watkins has resigned his seat on the Planning and Zoning Commission to enable him to accept his recently elected position of Council Member, according to the City Charter:

Sec. 3.08 PROHIBITIONS

(1) Except where authorized by law of [or] by this Charter, no mayor or city council member shall hold any other city office or city employment during his term as mayor or city council member. No former mayor or city council member shall hold any compensated appointive office or city employment within one (1) year after the expiration of his term as mayor or city council member.

Policy Considerations

None

Budgetary Considerations

None

Staff Recommendations

Staff recommends the City Council accept the resignation of Paul Watkins from the Planning and Zoning Commission, as a consent agenda item.

May 21, 2014

Mr. Mike Felix
Mayor, City of Sachse

Mr. Terry Smith
City Secretary, City of Sachse

Mr. Scott Everett
Chairman, Planning and Zoning Commission

Mayor Felix, Mr. Smith, Mr. Everett,

I am grateful for having had the opportunity to serve the City of Sachse on the Planning and Zoning Commission. With my election to the Sachse City Council, I hereby tender my resignation from the Planning and Zoning Commission effective immediately. I am excited to continue my service to Sachse on the City Council and look forward to working with you in serving our great City.

Sincerely,

A handwritten signature in cursive script that reads "Paul Watkins".

Paul Watkins



Legislation Details (With Text)

File #:	14-2248	Version:	1	Name:	Monthly Revenue and Expenditure Reports
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	5/27/2014	In control:		In control:	City Council
On agenda:	6/2/2014	Final action:		Final action:	
Title:	Consider receiving the Monthly Revenue and Expenditure Report for the period ending April 30, 2014.				
	Executive Summary The Finance Department will prepare a report each month to update the City Council regarding revenues and expenditures for the City. The attached reports are for the month of April 2014.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	GF 04-30-2014.pdf UF 04-30-2014.pdf DS 04-30-2014.pdf SEDC 04-30-2014.pdf				

Date	Ver.	Action By	Action	Result
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Title

Consider receiving the Monthly Revenue and Expenditure Report for the period ending April 30, 2014.

Executive Summary

The Finance Department will prepare a report each month to update the City Council regarding revenues and expenditures for the City. The attached reports are for the month of April 2014.

Background

Included in this report are unaudited summaries for the General Fund, Utility Fund, Debt Service Fund, and Sachse Economic Development Corporation for the period ended April 30, 2014.

Policy Considerations

City Charter requires that the City Manager submit a report covering revenues and expenditures monthly.

Budgetary Considerations

N/A

Staff Recommendations

Staff recommends that the City Council receive the Monthly Revenue and Expenditure Reports for the period ending April 30, 2014 as a Consent Agenda item.

City of Sachse
 Monthly Revenue and Expenditure Report
 April 30, 2014
 (Unaudited)

GENERAL FUND

58% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 58%
Revenue Summary					
Property Tax	\$ 6,866,469	\$ (68,042)	\$ 6,826,651	99.42%	A
Sales Tax	875,193	60,119	518,972	59.30%	
Franchise Fees	1,431,811	145,029	978,385	68.33%	
Licenses and Permits	531,650	64,325	429,115	80.71%	
Service Fees	531,173	83,708	612,369	115.29%	B
Fines	365,000	17,328	119,555	32.75%	
Interest Income	5,000	(470)	3,411	68.22%	
Miscellaneous Income	141,097	17,475	87,488	62.01%	
Intergovernmental Revenue	945,617	78,801	551,610	58.33%	
Total Revenue	\$ 11,693,010	\$ 398,273	\$ 10,127,556	86.61%	
Expenditure Summary					
City Manager	\$ 313,446	\$ 28,320	\$ 187,037	59.67%	
City Secretary	161,036	11,240	94,467	58.66%	
Human Resources	238,777	13,567	120,827	50.60%	
Finance	488,373	31,974	282,750	57.90%	
Municipal Court	171,190	11,721	89,167	52.09%	
Parks & Recreation	781,224	55,479	413,238	52.90%	
Senior Programs	106,526	10,236	61,787	58.00%	
Library Services	295,001	19,615	168,498	57.12%	
Community Development	612,651	40,029	338,116	55.19%	
Streets & Drainage	1,060,526	98,725	504,735	47.59%	
Facility Maintenance	319,638	31,626	178,695	55.91%	
Police	3,165,608	208,939	1,781,026	56.26%	
Animal Control	154,026	11,900	88,337	57.35%	
Fire/EMS	2,274,839	163,783	1,271,493	55.89%	
Combined Services	1,217,006	87,940	805,103	66.15%	
City Engineer	263,883	24,993	142,678	54.07%	
Total Expenditures	\$ 11,623,750	\$ 850,088	\$ 6,527,953	56.16%	
Total Revenue Over/Under Expenses	\$ 69,260	\$ (451,816)	\$ 3,599,602		

Explanation of Major Variances:

- A** TIF allocation of \$92,949 was transferred out to TIF Fund April 1st.
- B** As of March 31st, Developer Fees collected have exceeded budget by \$171,483.17.
- C** Negative amount for current month interest is investment expense.

City of Sachse
Monthly Revenue and Expenditure Report
 April 30, 2014
 (Unaudited)

UTILITY FUND

58% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 58%
Revenue Summary					
Water Revenue	\$ 4,062,949	\$ 274,484	\$ 1,730,131	42.58%	A
Sewer Revenue	3,092,342	240,451	1,829,924	59.18%	
Fees	162,200	14,454	122,985	75.82%	
Impact Fees	-	-	-		B
Interest Income	3,500	(157)	205	5.86%	
Miscellaneous Income	1,000	-	-	0.00%	
Total Revenue	\$ 7,321,991	\$ 529,233	\$ 3,683,244	50.30%	
Expenditure Summary					
Utility Administration	\$ 268,754	\$ 20,791	\$ 146,217	54.41%	
Water Operations	3,990,717	312,426	2,293,785	57.48%	
Sewer Operations	3,006,735	243,329	2,607,993	86.74%	C
Meter Reading	126,110	15,134	103,223	81.85%	D
Total Expenditures	\$ 7,392,316	\$ 591,680	\$ 5,151,218	69.68%	
Total Revenue Over/Under Expenses	\$ (70,325)	\$ (62,447)	\$ (1,467,974)		

Explanation of Major Variances:

- A** Water Revenue is at 42.58% of budget through April, average for April 30 over the past five years is 43.25%.
- B** Impact Fees are no longer reported in the Utility Fund
- C** Sewer Operations includes \$1,213,939 in capital projects budgeted in previous years.
- D** Year-to-date Meters Purchased are at 145% of budget as of April 30th(includes 130 meters set for new construction-\$27,286).

Monthly Revenue and Expenditure Report
 April 30, 2014
 (Unaudited)

Debt Service Fund

58% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference
Revenue Summary					
Property Tax	\$ 2,915,826	\$ 9,983	\$ 2,904,944	99.63%	A
Interest Income	1,500	(105)	759	50.58%	
Total Revenue	\$ 2,917,326	\$ 9,879	\$ 2,905,703	99.60%	
Expenditure Summary					
Fees	\$ 1,000	\$ 377	\$ 915	91.46%	
Principal	1,125,000	-	1,125,000	100.00%	B
Interest	1,798,531		907,576	50.46%	B
Total Expenditures	\$ 2,924,531	\$ 377	\$ 2,033,490	69.53%	
Total Revenue Over/Under Expenses	\$ (7,205)	\$ 9,502	\$ 872,212		

A Property tax collections peak in the months of December and January

C Principal payments are due in February and interest payments in February and August

City of Sachse
 Monthly Revenue and Expenditure Report
 April 30, 2014
 (Unaudited)

SACHSE ECONOMIC DEVELOPMENT CORPORATION

58% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 58%
Revenue Summary					
Sales Tax	\$ 429,796	\$ 27,819	\$ 252,447	58.74%	
Other Income	\$ -	\$ -	\$ 10,000		A
Interest Income	7,500	(993)	4,990	66.53%	
Total Revenue	\$ 437,296	\$ 26,826	\$ 267,436	61.16%	
Expenditure Summary					
Expenditures	507,757	13,638	112,103	22.08%	
Total Expenditures	\$ 507,757	\$ 13,638	\$ 112,103	22.08%	
Total Revenue Over/Under Expenses	\$ (70,461)	\$ 13,188	\$ 155,334		

Explanation of Major Variances:

A Garland ISD Contribution



Legislation Details (With Text)

File #:	14-2239	Version:	1	Name:	Award Bid for Boone Street Paving CDBG
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	5/28/2014	In control:		In control:	City Council
On agenda:	6/2/2014	Final action:		Final action:	
Title:	Consider a resolution of the City Council of the City of Sachse, Texas, awarding the bid for the Boone Street Paving Improvements from 5th Street to 7th Street as a Community Development Block Grant project to Reynolds Asphalt & Construction Company, Incorporated in the amount not to exceed ninety-three thousand two hundred eight dollars and no cents (\$93,208.00).				
	<p>Executive Summary The City was awarded Community Development Block Grant (CDBG) funds from Dallas County for low to moderate income areas to be used on public infrastructure projects. Boone Street from 5th Street to 7th Street needs to be reconstructed and is in an eligible CDBG area. The project was been designed in-house by staff and bids were opened on May 20, 2014. This item is to award the bid to the lowest responsible bidder, which is Reynolds Asphalt & Construction Company, Inc. in the amount of \$93,208.00.</p>				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Attachment 1 - Project Map PDF Attachment 2 - Bid Tabulation PDF Resolution to award Boone Street CDBG to Reynolds Asphalt PDF Boone Street CDBG Presentation PDF				

Date	Ver.	Action By	Action	Result
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Title
Consider a resolution of the City Council of the City of Sachse, Texas, awarding the bid for the Boone Street Paving Improvements from 5th Street to 7th Street as a Community Development Block Grant project to Reynolds Asphalt & Construction Company, Incorporated in the amount not to exceed ninety-three thousand two hundred eight dollars and no cents (\$93,208.00).

Executive Summary
The City was awarded Community Development Block Grant (CDBG) funds from Dallas County for low to moderate income areas to be used on public infrastructure projects. Boone Street from 5th Street to 7th Street needs to be reconstructed and is in an eligible CDBG area. The project was been designed in-house by staff and bids were opened on May 20, 2014. This item is to award the bid to the lowest responsible bidder, which is Reynolds Asphalt & Construction Company, Inc. in the amount of \$93,208.00.

Background
The City’s Capital Improvement Plan (CIP) includes the installation of paving improvements

to Boone Street from 5th Street to Sachse Road (see Attachment 1 - Project Map).

The City receives Community Development Block Grant (CDBG) funding each year, which is allocated by Dallas County, for improvements to areas that qualify as low to moderate income areas. The 2013 CDBG funding was allocated to the reconstruction of Boone Street from 5th Street to 7th Street.

Policy Considerations

The construction plans were designed in-house by City staff and the contract includes provisions to reconstruct Boone Street with new asphalt pavement from 5th Street to 7th Street.

Notice to bidders was published in the *Sachse News* on May 1, 2014 and May 8, 2014. Sealed bids were received in the City Secretary's Office until 2:00 pm, May 20, 2014 and then publicly read aloud in the City Hall Council Chambers in accordance with the State Law.

Four bids were received (see attached Attachment 2- Bid Tabulation). The low bid was received from Reynolds Asphalt & Construction Company, Inc. of Euless, TX. The references for Reynolds Asphalt & Construction Company, Inc. were checked and found to be satisfactory. Reynolds Asphalt is also performing the work on Sachse Road and the other asphalt improvement projects in the City and has adequate resources to complete all the projects in a timely manner. City staff recommends awarding the contract to Reynolds Asphalt & Construction Company, Inc. in the amount of \$93,208.00.

Budgetary Considerations

The available funding for this project will be from CDBG funding in the amount of \$93,208.00. There was no contractual soft cost for the civil engineering since it was done in-house by qualified staff. The low bid was determined by the contractor submitting the low bid. The low base bid was received from Reynolds Asphalt & Construction Company, Inc. in the amount of \$93,208.00, which is below the amount of available CDBG funds totaling \$117,346.12.

Staff Recommendations

Staff recommends the City Council approve a resolution of the City Council of the City of Sachse, Texas, awarding the bid for the Boone Street Paving Improvements from 5th Street to 7th Street as a Community Development Block Grant project to Reynolds Asphalt & Construction Company, Incorporated in the amount not to exceed ninety-three thousand two hundred eight dollars and no cents (\$93,208.00) as a consent agenda item.

PROJECT MAP



**BID TABULATION
BOONE STREET ASPHALT RECONSTRUCTION**

CITY OF SACHSE, TEXAS
Summary By: WL
Checked By: GP

Date: 5/21/2014

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION / UNIT PRICE	PAVECON		Quality excavation		Advanced Paving		REYNOLDS ASPHALT & CONSTRUCTION CO.	
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	1	LS	Mobilization <u>DOLLARS</u> per Lump Sum	\$6,115.00	\$6,115.00	\$10,000.00	\$10,000.00	\$7,662.28	\$7,662.28	\$2,000.00	\$2,000.00
2	1,990	SY	Furnish all labor, materials, equipment, and supervision to scarify and pulverize remaining asphalt surface & existing base to a depth of six inches (6"), to provide a six inch (6") cement treated base, including mixing of remaining asphaltic materials into the roadway section, cement treating, moisture control, and compaction of the road section to a smooth and uniform grade complete in place, ready for use by the Owner, for the sum of: <u>DOLLARS</u> <u>CENTS</u> per Square Yard	\$6.87	\$13,671.30	\$7.00	\$13,930.00	\$3.19	\$6,348.10	\$5.00	\$9,950.00
3	1,990	SY	Furnish all labor, materials, Equipment, and supervision to remove, salvage, haul, and stockpile existing HMAC pavement to a depth of four inches (4"), leaving one inch (1") of existing HMAC in place, complete in place, the sum of: <u>DOLLARS</u> <u>CENTS</u> per Square Yard	\$6.39	\$12,716.10	\$7.00	\$13,930.00	\$5.71	\$11,362.90	\$5.90	\$11,741.00
4	32	TON	Furnish cement material for cement treatment (32 lbs/S.Y.) as directed for asphalt paving, for the sum of: <u>DOLLARS</u> <u>CENTS</u> per Ton	\$183.14	\$5,860.48	\$210.00	\$6,720.00	\$110.00	\$3,520.00	\$135.00	\$4,320.00
5	331	TON	Furnish all labor, materials, supervision, and equipment necessary to place three inches (3") minimum thickness of TxDOT Type "C" or "D" Hot Mix Asphaltic Concrete (including prime and tack coats) for a complete in-place system ready for use by the Owner, for the sum of: <u>DOLLARS</u> <u>CENTS</u> per Ton	\$125.60	\$41,573.60	\$140.00	\$46,340.00	\$89.39	\$29,588.09	\$97.00	\$32,107.00
6	220	TON	Furnish all labor, materials, supervision, and equipment necessary to place two inches (2") minimum thickness of TxDOT Type "D" Hot Mix Asphaltic Concrete (including prime and tack coats) for a complete in-place system ready for use by the Owner, for the sum of: <u>DOLLARS</u> <u>CENTS</u> per Ton	\$123.35	\$27,137.00	\$150.00	\$33,000.00	\$90.87	\$19,991.40	\$100.00	\$22,000.00
7	1	LS	Furnish all labor, materials, supervision, and equipment necessary to implement a Traffic Control Plan according to City of Sachse and the Texas Manual on Uniform Traffic Control Devices standards, maintaining access to driveways during construction, complete in place, the sum of: <u>DOLLARS</u> <u>CENTS</u> per Lump Sum	\$2,050.00	\$2,050.00	\$3,100.00	\$3,100.00	\$1,000.00	\$1,000.00	\$200.00	\$200.00
8	1	EA	Furnish all labor, materials, supervision, and equipment necessary to provide and install a project detail sign to be displayed during construction, complete in place, the sum of: <u>DOLLARS</u> <u>CENTS</u> per Each	\$580.00	\$580.00	\$600.00	\$600.00	\$250.00	\$250.00	\$750.00	\$750.00
9	1	LS	Furnish all labor, materials, supervision, and equipment necessary to provide, install, maintain, and remove erosion control devices to prevent sediment migration, complete in place, for the sum of: <u>DOLLARS</u> <u>CENTS</u> per Lump Sum	\$3,070.00	\$3,070.00	\$2,500.00	\$2,500.00	\$1,386.00	\$1,386.00	\$500.00	\$500.00
10	1,450	LF	Furnish all labor, materials, supervision, and equipment necessary to provide, install, and establish seeding on disturbed areas of vegetation. Included in this item are watering and fertilizing, complete in place and ready for use by the Owner, for the sum of: <u>DOLLARS</u> <u>CENTS</u> per Linear Feet	\$3.17	\$4,596.50	\$3.00	\$4,350.00	\$7.73	\$11,208.50	\$2.00	\$2,900.00
11	1	LS	Owner's Contingency: \$ 5,000 Dollars \$0 Cents (\$5,000) per lump sum	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
12	1,450	LF	Furnish all labor, materials, supervision, and equipment necessary to provide, install backfill along the shoulders of the HMAC pavement, complete in place, for the sum of: <u>DOLLARS</u> <u>CENTS</u> per Linear Feet	\$4.05	\$5,872.50	\$7.00	\$10,150.00	\$2.86	\$4,147.00	\$1.20	\$1,740.00
				\$128,242.48		\$149,620.00		\$101,464.27		\$93,208.00	

Discrepancy in Final Total

No- \$101,447.28

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, AWARDING THE BID FOR THE BOONE STREET PAVING IMPROVEMENTS FROM 5TH STREET TO 7TH STREET AS A COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT TO REYNOLDS ASPHALT & CONSTRUCTION COMPANY, INCORPORATED IN THE AMOUNT NOT TO EXCEED NINETY-THREE THOUSAND TWO HUNDRED EIGHT DOLLARS AND NO CENTS (\$93,208.00); AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT IN A FORM APPROVED BY THE CITY ATTORNEY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary for a contractor to furnish and install paving improvements to Boone Street from 5th Street to 7th Street; and

WHEREAS, the City has received Community Development Block Grant (CDBG) funding allocated by Dallas County under Grant No. B-10-UC-48-0003 in Dallas County District No. 2; and

WHEREAS, the City has taken sealed bids and City staff is recommending award to the lowest responsible bidder meeting specifications; and

WHEREAS, the City Council of the City of Sachse, Texas desires to award the contract.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS;

Section 1: That the Bid for the installation of paving improvements to Boone Street from 5th Street to 7th Street is hereby awarded to Reynolds Asphalt & Construction Company, Inc. in the amount totaling ninety-three thousand two hundred eight dollars and no cents (\$93,208.00).

Section 2: That the City Manager is authorized, after approval of the City Attorney, to execute a contract with Reynolds Asphalt & Construction Company, Inc. in the amount totaling ninety-three thousand two hundred eight dollars and no cents (\$93,208.00).

Section 3: That this resolution shall take effect immediately from and upon its adoption and it is so resolved.

RESOLVED this 2nd day of June, 2014. CITY OF SACHSE, TEXAS

Mike Felix, Mayor

ATTEST:

Terry Smith, City Secretary



AWARD OF BID FOR PAVING IMPROVEMENTS ON
BOONE STREET FROM 5TH STREET TO 7TH STREET
SACHSE CITY COUNCIL MEETING
JUNE 2, 2014

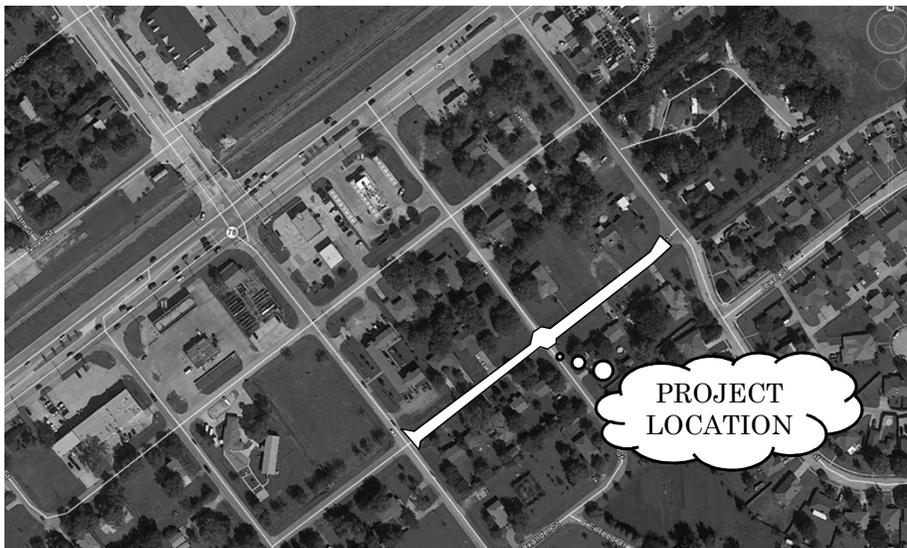
BOONE STREET RECONSTRUCTION

- Project Overview
- Project Map
- Funding Details
- Bid Process
- Staff Recommendations

PROJECT OVERVIEW

- Project limits
 - Boone Street from 5th Street to 7th Street
- Engineering Design
 - Plans prepared by City staff in the Engineering Department
- Scope
 - Consistent with previous projects
(Boone Street from Sachse Road to 5th Street)
 - Remove several inches of asphalt from the top of the roadway
 - Pulverize the remaining asphalt
 - Mix cement into the subgrade
 - Install 5-inches of new asphalt

PROJECT MAP



FUNDING DETAILS

- Community Development Block Grant Funds (CDBG)
 - CDBG Grant funds are for infrastructure projects in low to moderate income areas
 - Funding is received through Dallas County
 - Total available CDBG funds – \$117,346.12
 - 2014 funding amount - \$57,793
 - Additional CDBG funds available for the project - \$59,553.12
(Additional CDBG funds are unused funds from past years)

BID PROCESS

- The project was publicly advertised for bid in the Sachse News for two weeks, and was also advertised for bid in an online plan room, civcast.com.
- Staff held a non-mandatory pre-bid meeting on May 13th to provide basic project information and field questions from potential bidders. An addendum was issued on May 13 in response to bidder questions.
- Four bids were received. The bids were publicly read aloud on May 20th in accordance with the State Law.
- The lowest qualified bidder, Reynolds Asphalt & Construction Company, Incorporated, submitted a bid of \$93,208.00.

STAFF RECOMMENDATIONS

- Staff recommends the City Council approve a resolution of the City Council of the City of Sachse, Texas, awarding the bid for the Boone Street Paving Improvements from 5th Street to 7th Street as a Community Development Block Grant project to Reynolds Asphalt & Construction Company, Incorporated in the amount not to exceed ninety-three thousand two hundred eight dollars and no cents (\$93,208.00) as a consent agenda item.



Legislation Details (With Text)

File #: 14-2249 **Version:** 1 **Name:** SEDC update.
Type: Agenda Item **Status:** Agenda Ready
File created: 5/30/2014 **In control:** City Council
On agenda: 6/2/2014 **Final action:**
Title: Staff Briefing: Sachse Economic Development Corporation update.

Executive Summary
Executive Director Leslyn Blake will provide a brief update of ongoing projects and initiatives to the City Council.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Title
Staff Briefing: Sachse Economic Development Corporation update.

Executive Summary
Executive Director Leslyn Blake will provide a brief update of ongoing projects and initiatives to the City Council.

Background
The City of Sachse is currently experiencing a period of unprecedented commercial growth in both the number and variety of commercial projects in development. The Economic Development Corporation is leveraging these successes to market new opportunities in an effort to spur additional growth to the benefit of Sachse's economic prosperity.

Policy Considerations
The mission of the Sachse Economic Development Corporation is to act on behalf of the City of Sachse in promoting and developing authorized projects, while supporting economic development activities to retain, expand and attract businesses for the purpose of diversifying the tax base and improving the quality of life of the citizens of Sachse.

Budgetary Considerations
N/A

Staff Recommendations
None.



Legislation Details (With Text)

File #: 14-2250 **Version:** 1 **Name:** 2014 NTMWD Update
Type: Agenda Item **Status:** Agenda Ready
File created: 5/30/2014 **In control:** City Council
On agenda: 6/2/2014 **Final action:**
Title: Presentation by and discussion with representatives of the North Texas Municipal Water District to include items related to, but not limited to, drought conditions, water availability, project status, and future raw water rate implications.

Executive Summary

Mike Rickman and Judd Sanderson of the North Texas Municipal Water District (NTMWD) will present information to the City Council that has a direct impact of the water supply for Sachse citizens and the cost to that provide water now and into the future. The NTMWD does not have access to 28% of its water supply from Lake Texoma due to the zebra mussel, but the soon-to-be-completed waterline from Texoma to the NTMWD will bring that source of water back online.

The City is currently under extended Stage 3 seasonal watering water restrictions and is expected to remain at that level of water restriction at least until the end of October.

Sponsors:

Indexes:

Code sections:

Attachments: [2014-06-02 Sachse MR and JRS.pdf](#)

Date	Ver.	Action By	Action	Result
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Title

Presentation by and discussion with representatives of the North Texas Municipal Water District to include items related to, but not limited to, drought conditions, water availability, project status, and future raw water rate implications.

Executive Summary

Mike Rickman and Judd Sanderson of the North Texas Municipal Water District (NTMWD) will present information to the City Council that has a direct impact of the water supply for Sachse citizens and the cost to that provide water now and into the future. The NTMWD does not have access to 28% of its water supply from Lake Texoma due to the zebra mussel, but the soon-to-be-completed waterline from Texoma to the NTMWD will bring that source of water back online.

The City is currently under extended Stage 3 seasonal watering water restrictions and is expected to remain at that level of water restriction at least until the end of October.

Background

Excerpt from a recent North Texas Municipal Water District press release:

The North Texas Municipal Water District (NTMWD) extended Stage 3 landscape watering with sprinklers or irrigation systems to once every two weeks through October 31, 2014. NTMWD needs greater than a 10% water use reduction to extend available water supplies until drought conditions ease. "Every gallon we save now will help extend our water supply during the hot, dry summer months and until the drought has ended," said Thomas Kula, executive director of NTMWD. "NTMWD consumers with automatic sprinkler systems should operate their systems manually to ensure the lawn is watered only when needed and within their cities' guidelines," Kula added. Recent rain events had no significant impact to the reservoir level at Lavon Lake. Lavon Lake received less than a foot of rain inflow and remains 11.47 feet below the normal conservation level. Lake Jim Chapman received inflows but remains 6.92 feet below the normal conservation level. During the summer months, reservoirs can drop as much as ten feet in elevation due to evaporation and usage. "It's important to preserve the water supply to maintain adequate supplies for public health, sanitation, and firefighting capabilities," states Kula. "No one can predict when the drought will ease, and we must all take the correct measures in conserving our water," he continues. The Lake Texoma water supply coming online later this month will have a positive impact on the water supply; however, drought persists for Lakes Lavon and Chapman. The Stage 3 water restrictions must remain in place and these actions are in response to, but not limited to, time of year and weather conditions as written in the NTMWD Drought Contingency/Water Emergency Response Plan. "I encourage everyone to conserve and follow all water management strategies to prevent or delay the initiation of Stage 4." said Kula.

Policy Considerations

The City adheres to the adopted Water Conservation and Drought Contingency and Water Emergency Response Plan.

Budgetary Considerations

Budgetary considerations are largely twofold. First, the increase in wholesale water costs will impact the water rates needed to pay the increasing costs of wholesale water. The City is currently evaluating water and sewer rates to reflect the increase in wholesale cost and the Council will have the opportunity to discuss the findings at an upcoming City Council meeting. Second, the extension of enhanced Stage 3 water restrictions (sprinkler watering once every two weeks) will decrease the amount of water sold to customers in the City thereby decreasing revenues collected to pay for wholesale water costs.

Staff Recommendations

Staff recommends the Council discuss the status of NTMWD water.



Sachse

Water Supply Update

June 2, 2014

- Lake Levels & Modeling
- Weather Outlook
- Water Conservation & Goals
- Lake Texoma
 - Pipeline Update
 - Boundary Issue
- Water Supply Plans
- Extension of Seasonal Watering



Sachse

Water Supply Update

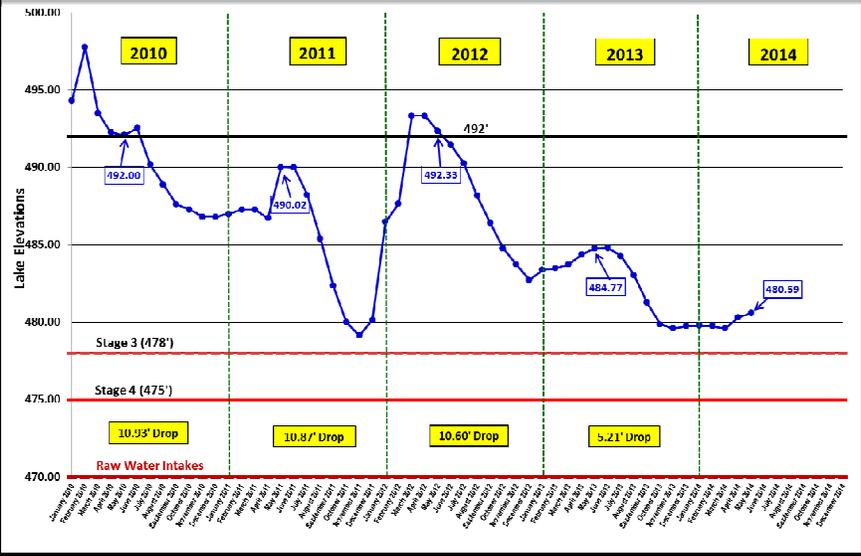
June 2, 2014

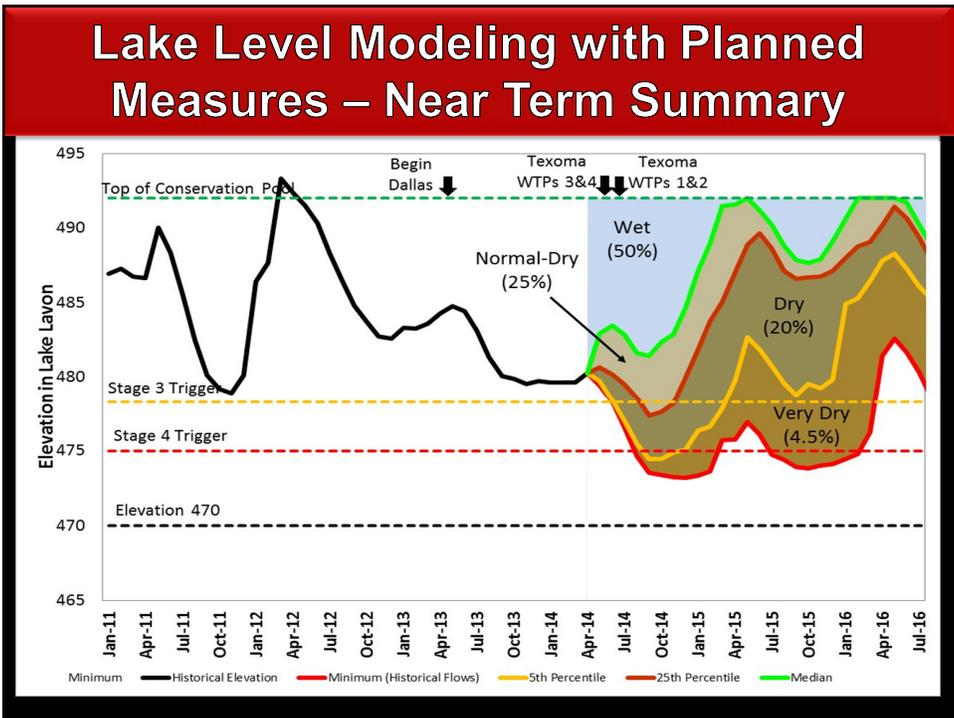
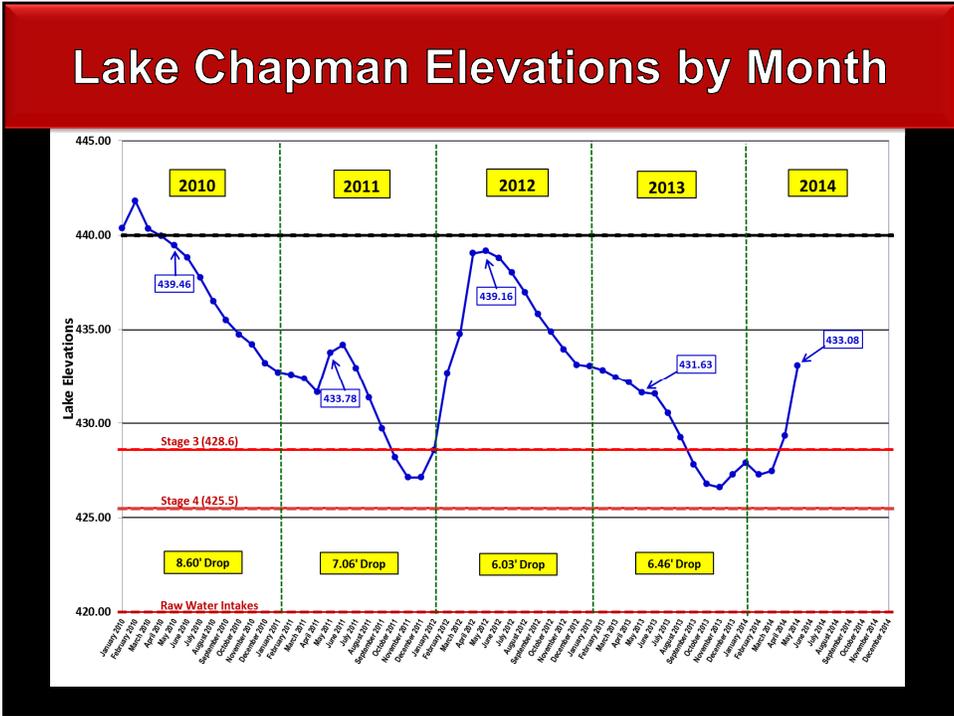
- Lake Levels & Modeling
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NTMWD Reservoir Elevations (May 21, 2014)

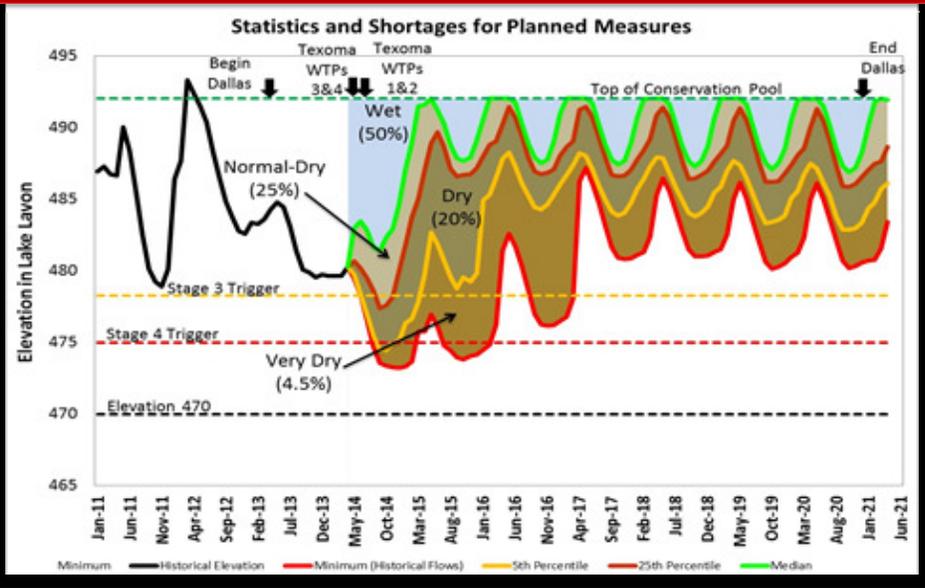
Reservoir	Conservation Pool Elevation	Current Elevation	Down	% of NTMWD's Remaining Supply
Lavon 30%	492.0' (Last full on 5-14-12)	480.53'	-11.47'	38
Chapman 15%	440.0' (Last full on 4-14-10)	433.08'	-6.92'	49
Tawakoni 8%	437.5'	429.51'	-7.99'	57
Texoma 28%	617.0'	608.78'	-8.22'	100

Lake Lavon Elevations by Month





Lake Level Modeling with Planned Measures



Sachse

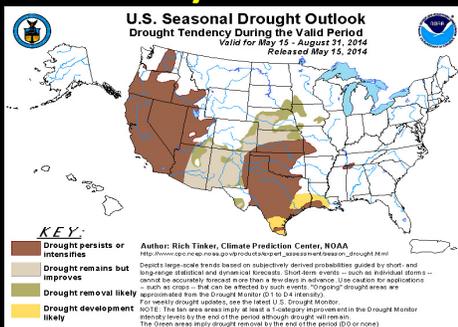
Water Supply Update

June 2, 2014

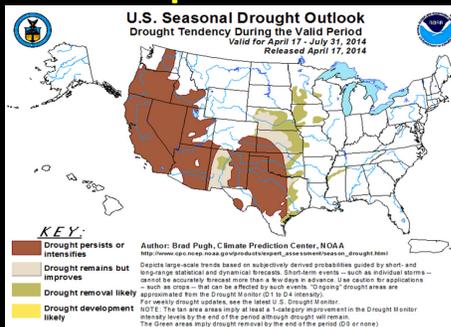
- Lake Levels & Modeling
- **Weather Outlook**
- Water Conservation & Goals
- Lake Texoma
 - Pipeline Update
 - Boundary Issue
- Water Supply Plans
- Extension of Seasonal Watering

Drought Outlook

May 2014



April 2014



Sachse

Water Supply Update June 2, 2014

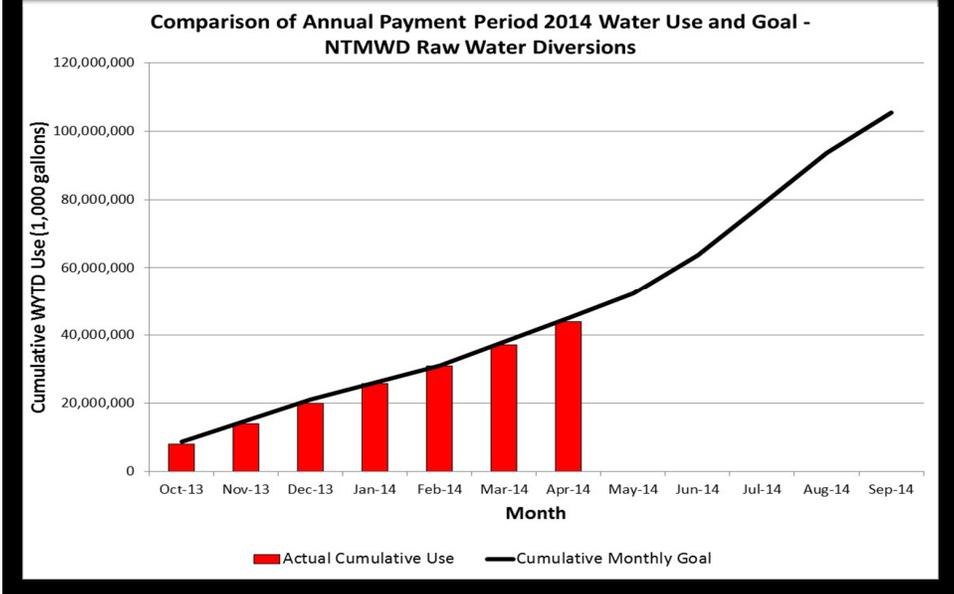
- Lake Levels & Modeling
- Weather Outlook
- Water Conservation & Goals
- Lake Texoma
 - Pipeline Update
 - Boundary Issue
- Water Supply Plans
- Extension of Seasonal Watering

NTMWD Raw Water Diversion versus Goal APP 2014

Month	Use in 1,000 Gallons										Year to Date Percent Over (Under) Goal
	Actual Use in APP* 2010-11	Reduction for Goal	Reduced Use	Estimated Growth	Goal for Month	APP 2013-14 Year to Date Use Goal	Actual APP 2013-14 Use	Month Percent Over (Under) Goal	Actual APP 2013-14 Year to Date Use	Year to Date Amount Over (Under) Goal	
Oct	9,381,416	10%	8,443,274	104.5%	8,825,840	8,825,840	8,057,307	(8.7%)	8,057,307	(768,533)	(8.7%)
Nov	6,592,508	10%	5,933,257	104.5%	6,202,094	15,027,934	6,077,232	(2.0%)	14,134,539	(893,395)	(5.9%)
Dec	6,564,308	10%	5,907,877	104.5%	6,175,564	21,203,498	5,984,346	(3.1%)	20,118,885	(1,084,613)	(5.1%)
Jan	5,319,147	10%	4,787,232	104.5%	5,004,142	26,207,640	5,720,323	14.3%	25,839,208	(368,432)	(1.4%)
Feb	5,194,343	10%	4,674,909	104.5%	4,886,730	31,094,370	5,205,997	6.5%	31,045,205	(49,165)	(0.2%)
Mar	7,337,753	10%	6,603,978	104.5%	6,903,205	37,997,575	6,111,587	(11.5%)	37,156,792	(840,783)	(2.2%)
Apr	7,546,529	10%	6,791,876	104.5%	7,099,617	45,097,192					
May	7,660,690	10%	6,894,621	104.5%	7,207,017	52,304,209					
Jun	12,200,678	10%	10,980,610	104.5%	11,478,143	63,782,352					
Jul	15,718,874	10%	14,146,987	104.5%	14,787,989	78,570,341					
Aug	16,021,474	10%	14,419,327	104.5%	15,072,668	93,643,009					
Sep	12,472,201	10%	11,224,981	104.5%	11,733,586	105,376,595					

* APP = Annual Payment Period from October 1 to September 30

NTMWD Raw Water Diversions versus Goal



Sachse

Water Supply Update

June 2, 2014

- Lake Levels & Modeling
- Weather Outlook
- Water Conservation & Goals
- **Lake Texoma**
 - Pipeline Update
 - Boundary Issue
- Water Supply Plans
- Extension of Seasonal Watering

Summary

- Balancing Reservoir – **Complete**
- Pipeline – **Complete**
- Plant Connections/Blending – **+95% Complete**



Anticipated In service:

- WTP III/IV - End of May 2014
- WTP I/II - End of June 2014

Exemption from Lacey Act/ Lacey Act Amendment

- The North Texas Zebra Mussel Barrier Act of 2012 (**HR 6007**) was enacted on **December 28, 2012**
 - **Exempts NTMWD & GTUA** from the Lacey Act/Lacey Act Amendments for water transfers containing **zebra mussels** from Lake Texoma in closed conveyance systems to water treatment facilities
- Currently working to amend this law to exempt water transfers containing **any aquatic invasive species** whose transfer is prohibited by the Lacey Act/Lacey Act Amendments - **HR 4032**
 - **Passed House**
 - **Passed Senate**
 - **Awaiting President's signature**



Sachse

Water Supply Update June 2 , 2014

- Lake Levels & Modeling
- Weather Outlook
- Water Conservation & Goals
- Lake Texoma
 - Pipeline Update
 - Boundary Issue
- **Water Supply Plans**
- Extension of Seasonal Watering

Water Supply Plans

- **Dallas Interim Purchase**
 - May 2013 through May 2016 (Extend to 2020)
 - Meeting with Dallas again on April 25th
- **Lake Texoma Supply**
 - May and June completion
- **Dredging Lavon and Chapman**
 - Access to water blocked by silt in intake channel
 - Chapman underway
 - Completion in July
 - Lavon scheduled to start in the Fall
- **Main Stem Pump Station**
 - Supplements East Fork Wetlands
 - Continuing to meet with Dallas

Sachse

Water Supply Update June 2, 2014

- Lake Levels & Modeling
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- **Extension of Seasonal Watering**

Potential Modifications to Water Rebate Policy

- Changing the evaluation period from Water Year (August-July) to Fiscal Year (October-September)
- Linking the water rebates to meeting the water use reduction goals; and
- Having adopted and implemented the management strategies as approved by the Board of Directors

The amendments will be reviewed with the Committees & Board at the June meeting

Extension of Seasonal Watering

- Extend Stage 3 “Seasonal Watering” through October 31st
- Stage 3 “Seasonal Watering” allows once every two weeks watering from November 1st – March 31st
- **All Member Cities and Customers should have procedures in place to enforce twice per month watering**

QUESTIONS?



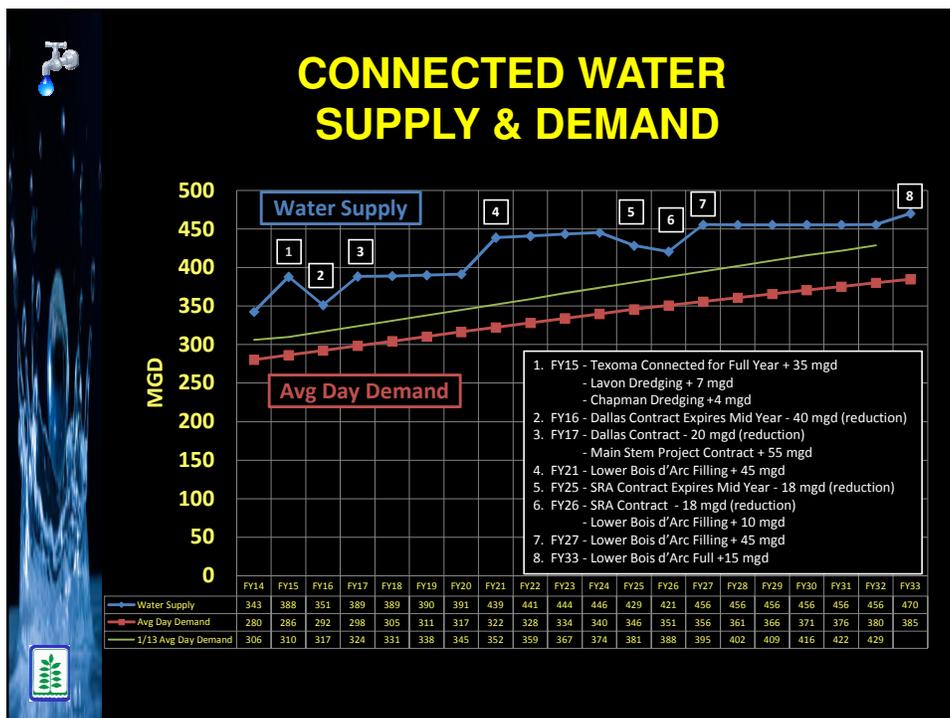
**CUSTOMER CITY
2014
WATER RATE PROJECTIONS**

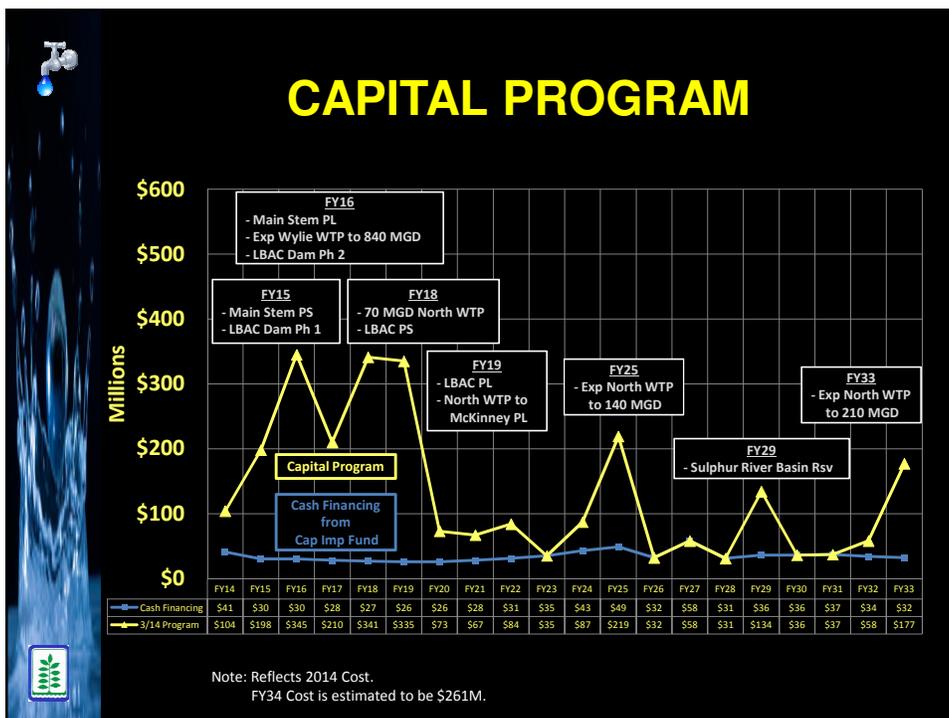
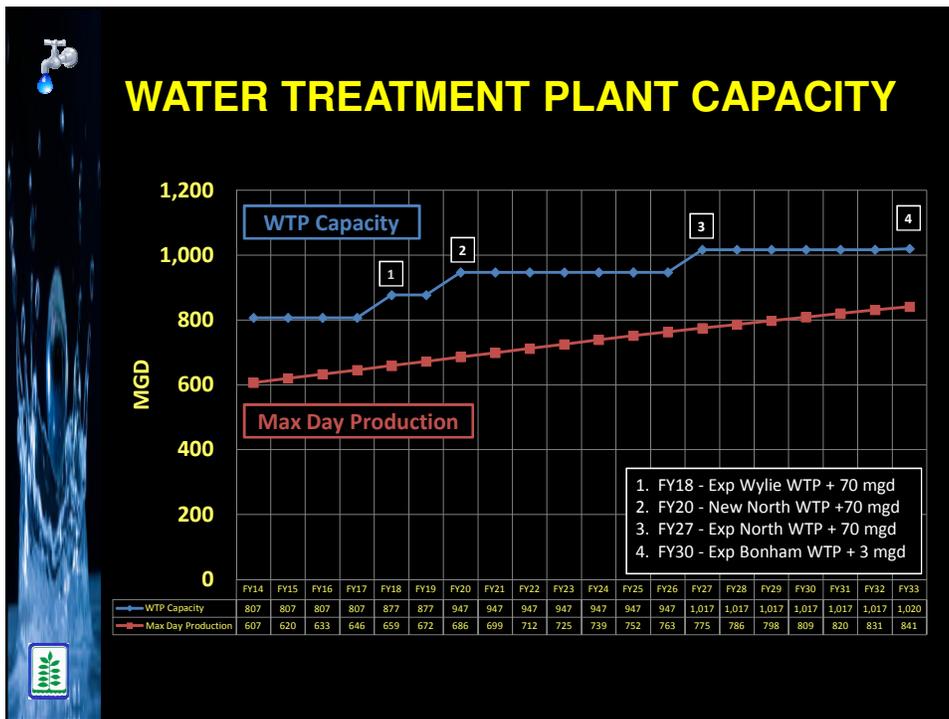
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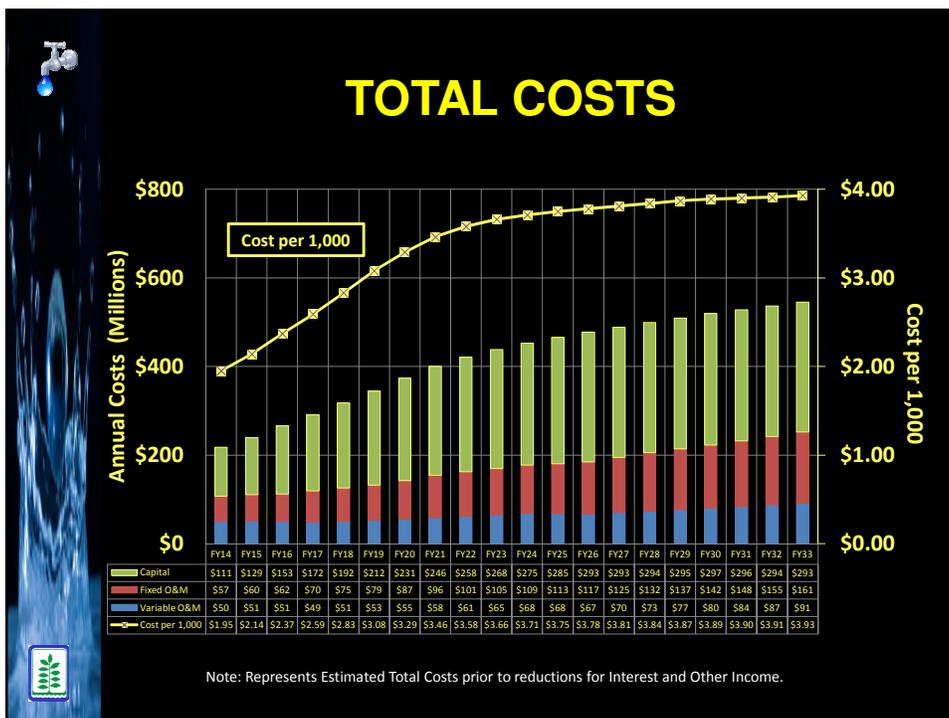
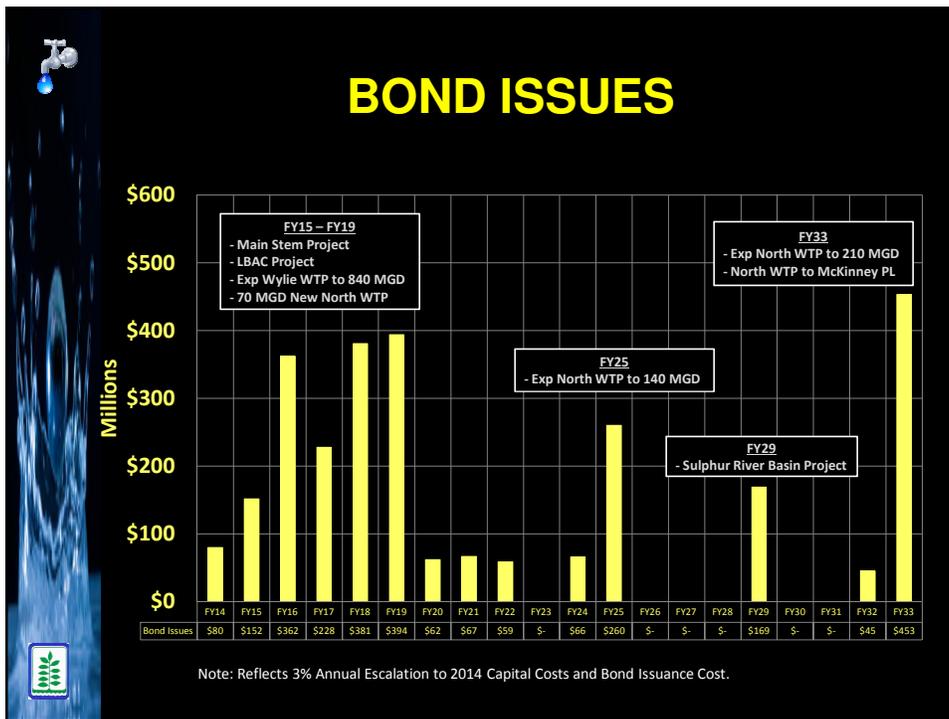


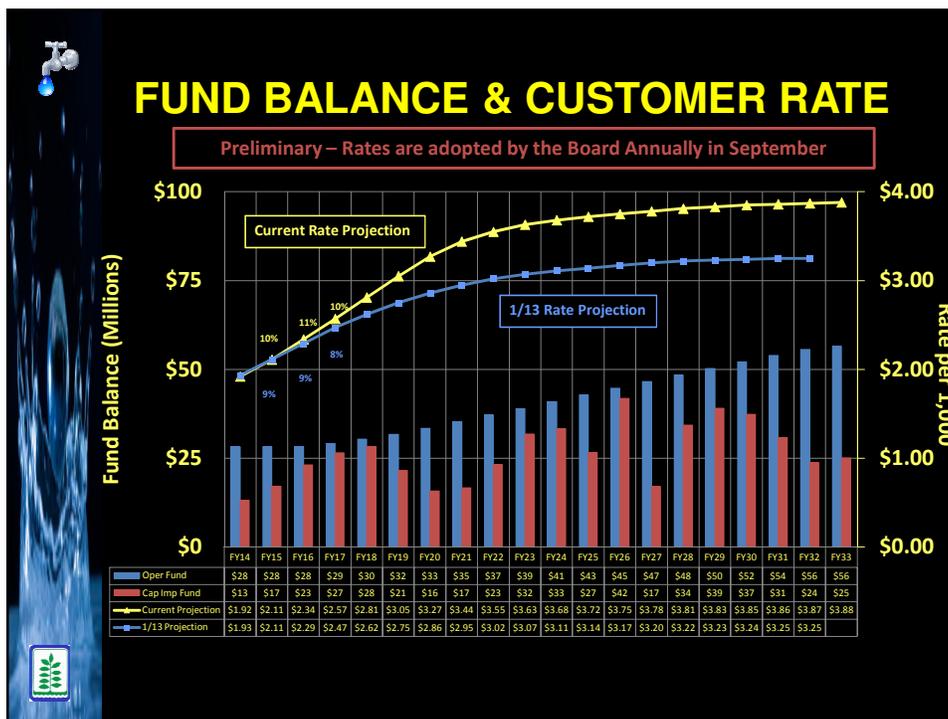
Key Changes from 2013 Projections

- Lower Demands - 9% Reduction
- Capital Program Updates - \$250 M
 - Main Stem Project - \$85 M
 - New Project
 - Additional Clearwells - \$75 M
 - New Project
 - Lower Bois d'Arc Creek Reservoir Project - \$60 M
 - Additional Costs for Reservoir, Pump Station, Raw Water Pipeline, and Relocation Activities
 - 70 MGD North WTP + \$40 M
 - Additional Costs for Excavation, Piping, Electrical, SCADA, Rail Spur, Ozone Facilities











Legislation Details (With Text)

File #:	14-2238	Version:	1	Name:	Early Citizen Input on 2015 Budget
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	5/20/2014	In control:		In control:	City Council
On agenda:	6/2/2014	Final action:		Final action:	
Title:	Receive early Citizen input for the 2014-2015 Fiscal Year Budget.				
	<p>Executive Summary</p> <p>Customary practice of the City Council is to extend to the Citizens of Sachse an opportunity for early input on the fiscal year budget being prepared.</p>				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Budget calendar.pdf				

Date	Ver.	Action By	Action	Result
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Title
Receive early Citizen input for the 2014-2015 Fiscal Year Budget.

Executive Summary
Customary practice of the City Council is to extend to the Citizens of Sachse an opportunity for early input on the fiscal year budget being prepared.

Background
The purpose of this agenda item is to obtain information and ideas on programs and services that the Citizens of Sachse would like to see continued, enhanced, or initiated for the fiscal year beginning October 1, 2014 and ending September 30, 2015.

All comments and suggestions are customarily heard and noted with followup direction to the City Manager from City Council whether to include or not include Citizen recommendations in the budget process.

The Citizens of Sachse are encouraged to follow the budget process by reviewing posted agendas and required publications in the Sachse News, Wylie News, Dallas Morning News, or by browsing the City's website. The budget calendar is posted and updated on the City's website.

Policy Considerations
N/A

Budgetary Considerations

N/A

Staff Recommendations

There is no action required on this item. It is suggested that the Mayor and Council open the floor to the public to receive input regarding budgetary consideration for the fiscal budget beginning October 1, 2014.

Budget Calendar* (2014-2015 Fiscal Year)

March 5-Wednesday	Budget kick off meeting with departments
March 31-Monday	Combined Services, IT related and payroll related budget requests due
May 2-Friday	Departmental operating budget requests due to Finance Department
May 14-Wednesday	SEDC Board meeting to discuss Budget
May 30-Friday	Finance presents total budget requests to City Manager
May 30	Chief appraiser certifies estimate of taxable values
June 2-Monday	Public Hearing to allow early citizen input
June 2 – June 6	City Manager reviews budget requests with departments
June 11-Wednesday	SEDC Preliminary draft Budget to SEDC Board
June 16-Monday	Revised budgets due to Finance Director from departments
June 16-Monday	Council discuss preliminary budget and multi-year projections
June 27-Friday	Draft for presentation to City Council presented to City Manager
July 9-Wednesday	SEDC Board meeting to discuss Budget
July 12-Saturday	Budget Workshop for Departmental Budget Presentations
July 21-Monday	Council Workshop Session-discuss budget and tax rate
July 23	Certified values available from Appraisal Districts
July 28	Calculation of Effective/Rollback Rates by Dallas County
August 4-Monday	City Manager presents budget to Council; City Council determines maximum tax rate; accept certified tax rolls; schedule Public Hearings; record vote; discuss budget and tax rate
August 6	Publication of Effective and Rollback rates and required schedules
August 6	Publish 1 st quarter page notice: “Notice of Public Hearing on Tax Increase”
August 13-Wednesday	SEDC Board meeting to adopt budget
August 18-Monday	Regular City Council meeting; First Public Hearing on budget; First Public Hearing on tax rate; discuss budget and tax rate.
September 2-Tuesday	Regular City Council meeting; discuss budget and tax rate(optional); Second Public Hearing on budget and Second Public hearing on tax rate

* Calendar will be updated/revised as required.

<i>September 10</i>	Publish 2 nd quarter page notice "Notice of Tax Revenue Increase"
<i>September 15</i>	Regular City Council meeting; adopt budget and tax rate
<i>October 1</i>	New fiscal year begins
<i>November 30</i>	Budget document is finalized and distributed

* Calendar will be updated/revised as required.



Legislation Details (With Text)

File #:	14-2226	Version:	1	Name:	SUBDIVISION ORD AMENDMENTS
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	5/8/2014	In control:		In control:	City Council
On agenda:	6/2/2014	Final action:		Final action:	

Title: Conduct a public hearing and consider an Ordinance of the City of Sachse, Texas, amending the Code of Ordinances by amending Chapter 8 "Subdivision" by amending Section 8-5 through 8-19 to provide definitions including substantial completion; providing provisions related to the duties of the City Engineer; providing for standard size water mains; providing for street right-of-way widths; and providing clarification for work that is to be completed pursuant to the Subdivision Regulations, Standard Specifications and Standard Construction Details of the City; providing a repealing clause; providing a savings clause; providing a severability clause

Executive Summary

The proposed ordinance will more clearly define the approval stages of the subdivision process as well as the associated regulations.

Sponsors:

Indexes:

Code sections:

- Attachments:** [Attachment 1 - Current Subdivision Ordinance PDF](#)
[Attachment 2 - 51SACHSE Ordinance Amending Chapter 8 Subdivision66387 PDF](#)
[Attachment 3 - Subdivision Ordinance Presentation PDF](#)

Date	Ver.	Action By	Action	Result
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Title

Conduct a public hearing and consider an Ordinance of the City of Sachse, Texas, amending the Code of Ordinances by amending Chapter 8 "Subdivision" by amending Section 8-5 through 8-19 to provide definitions including substantial completion; providing provisions related to the duties of the City Engineer; providing for standard size water mains; providing for street right-of-way widths; and providing clarification for work that is to be completed pursuant to the Subdivision Regulations, Standard Specifications and Standard Construction Details of the City; providing a repealing clause; providing a savings clause; providing a severability clause

Executive Summary

The proposed ordinance will more clearly define the approval stages of the subdivision process as well as the associated regulations.

Background

The Subdivision process is an integral step in the development of property. These amendments are being proposed with the goal of more clearly define the approval stages and associated subdivision regulations.

Staff has prepared amendments to the Subdivision Ordinance for the City Council to review, discuss, and consider. The proposed amendments are primarily related to clarifying language regarding the role of the City of Sachse Standard Construction Details in the design and construction process for public improvements. Additional amendments are proposed to clarify the final plat submittal process, particularly related to substantial completion of the public improvements associated with a development. Finally, there are proposed amendments clarifying the role of staff in the review and approval of proposed development.

A workshop discussion was conducted at the May 5, 2014 City Council meeting to solicit feedback. At this workshop, staff presented the proposed amendments to the Subdivision Ordinance. Based on the Staff's analysis and the feedback received from City Council, Staff is bringing forward an Ordinance to amend the existing regulations pertaining to the City of Sachse Subdivision Ordinance.

City Council action is required to approve the amendments to the Subdivision Ordinance.

Policy Considerations

The authority given to municipalities to regulate subdivision approval is granted by Chapter 212 of the Texas Local Government Code. Based on the regulations in Chapter 212, municipalities are permitted only minimal latitude in approving subdivision applications. Thus, the proposed amendments have been prepared in accordance with the provisions of Chapter 212 of the Texas Local Government Code.

As stated in the Background section of this Staff Report, the main goal of the proposed amendments is to more clearly define the approval stages and the subdivision regulations associated with these stages.

The proposed policy will achieve these goals by more clearly defining:

- the definition of key terms
- the substantial completion stage of development
- the use of the City of Sachse Standard Construction Details in design and construction of public infrastructure
- the minimum standards for the size of public water and sanitary sewer mains

A copy of the current ordinance can be found in Attachment 1. A copy of the proposed amendments can be found in Attachment 2.

Budgetary Considerations

None

Staff Recommendations

Staff recommends approval of an Ordinance of the City of Sachse, Texas, amending the Code of Ordinances by amending Chapter 8 "Subdivision" by amending Section 8-5 through 8-19 to provide definitions including substantial completion; providing provisions related to the

duties of the City Engineer; providing for standard size water mains; providing for street right-of-way widths; and providing clarification for work that is to be completed pursuant to the Subdivision Regulations, Standard Specifications and Standard Construction Details of the City

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING AND RESTATING CHAPTER 8 “SUBDIVISION” BY ADDING NEW SECTIONS 8-1 THROUGH 8-16 TO CODIFY AND AMEND THE CITY SUBDIVISION ORDINANCE PREVIOUSLY ADOPTED BY ORDINANCE NO. 669 BY PROVIDING SUBDIVISION REGULATIONS TO INCLUDE DEFINITIONS, REGULATIONS GOVERNING PLATS INCLUDING PRELIMINARY PLATS, FINAL PLATS, VACATING, AMENDING PLATS AND REPLATS; BY RENUMBERING SECTION 8-2 TITLED “WATER AND SEWER MAIN EXTENSIONS TO SECTION 8-17; BY RENUMBERING SECTION 8-3 TITLED “STREET EXTENSIONS AND PRO RATA CHARGES” TO SECTION 8-18; BY RENUMBERING SECTION 8-4 TITLED “STREET DESIGN AND CONSTRUCTION COSTS” TO SECTION 8-19; BY RENUMBERING SECTION 8-5 TITLED “PARK LAND DEDICATION BY DEVELOPERS” TO SECTION 8-20; BY RENUMBERING SECTION 8-6 TITLED “IMPACT FEES” TO SECTION 8-21; BY RENUMBERING SECTION 8-7 TITLED “INSPECTION FEES” TO SECTION 8-22; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 8 “Subdivision” of the City of Sachse Code of Ordinances be, and the same is hereby amended to read as follows:

“Chapter 8

SUBDIVISION

Sec. 8-1. Title.

This chapter shall be known and may be cited as “The City of Sachse Subdivision Ordinance.”

Sec. 8-2. Authority.

This chapter is adopted under the authority of the City Charter, the Constitution and Laws of the State of Texas, including Chapter 212 of the Texas Local Government Code, as amended.

Sec. 8-3. Intent and purpose.

A. *Intent.* In the interpretation and application of the provisions of these regulations, it is the intention of the City Council that the principles, standards and requirements provided for

herein shall be minimum requirements for the platting and developing of Subdivisions in the City of Sachse and, where other ordinances of the City are more restrictive in their requirements, such other ordinances shall control.

B. *Purpose.*

- (1) Promote and develop the utilization of land in a manner to assure the best possible community environment in accordance with the adopted plans and regulations of the City of Sachse;
- (2) Guide and assist the Developers in the correct procedures to be followed and to inform them of the standards which shall be required;
- (3) Protect the public interest by supervising the location, design, class and type of streets, sidewalks, utilities and essential areas and services required; and
- (4) Protect and promote the public health, safety and general welfare.

C. Every Owner of any tract of land situated within the corporate limits of the City who divides the tract in two or more parts to lay out a Subdivision of the tract, including an addition to the City, to lay out a building lot or other lots, or to lay out streets, alleys, squares, parks or other parts of the tract intended to be dedicated to public use or for the use of purchasers or Owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts must have a plat of the Subdivision prepared and approved according to this chapter. A division of a tract under this chapter includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executing contract, or by using any other method. A division of land does not include a division of land into parts greater than five acres, where each part has access and no public improvement is dedicated.

D. The procedure for approving a plat requires a Preliminary Plat and Final Plat. The requirement for a Preliminary Plat may be omitted with the approval of the City Manager. Except as otherwise permitted, the approval of a Preliminary Plat by the Planning and Zoning Commission and City Council is required for the construction of public improvements on the property. The Preliminary Plat and the associated engineering plans for the property may be amended during construction, with only major changes requiring re-approval by the Planning and Zoning Commission. Upon completion of the required public improvements, or the provision of an Improvement Agreement, the Owner may submit a corrected Final Plat for the Subdivision. Lots may be sold and building permits obtained after approval of the Final Plat by the Planning and Zoning Commission, and the recording thereof.

Sec. 8-4. Applicability.

This chapter shall apply to all Subdivisions of land within the corporate limits and within the extra territorial jurisdiction of the City of Sachse, Texas, and for other areas as may be authorized by Chapter 212 of Local Government Code.

Sec. 8-5. Definitions

City. The City of Sachse, Texas.

City Council. The governing body of the City of Sachse, Texas.

City Engineer. The person employed by the City as the City Engineer or with whom the City contracts and designated to review engineering aspects of development.

City Manager. Person employed by the City as City Manager or designee.

City Staff. The Director of Community Development or designee and other officials of the City designated by the City Manager.

Comprehensive Plan. The comprehensive plan of the City adopted by the City Council, as amended from time to time. The comprehensive plan indicates the general locations recommended for various land uses, transportation routes, streets, parks and other public and private developments and improvements.

Comprehensive Zoning Ordinance. The City Comprehensive Zoning Ordinance, as amended.

Design Standards. Collectively means the Drainage and Stormwater Pollution Prevention Design Manual, Paving Design Manual, and Water and Wastewater Design Manual adopted by resolution or ordinance from time-to-time, as amended.

Development. The Subdivision of land and/or the construction or reconstruction of one (1) or more buildings or the structural alteration, relocation or enlargement of any buildings or structures on a lot, tract, or tracts of land.

Developer. The Owner of property or the person authorized by the Owner to develop the property.

Director of Community Development. Person employed by the City as Director of Community Development or designee.

Drainage and Stormwater Pollution Prevention Design Manual. The City of Sachse drainage standards adopted by ordinance from time to time, as amended.

Easement. One or more of the property rights granted by the Owner to and/or for the use by the public or another person or entity.

Engineer. A person licensed as a professional engineer duly authorized under the provisions of the Texas Engineering Practice Act, as amended, to practice the profession of engineering.

Engineering Plans. The drawings and specifications prepared by a registered professional engineer submitted to the City and required for plat approval.

Improvement Agreement. A contract entered into by the Developer and the City by which the Developer promises to complete the required public improvements within the Subdivision within a specific time period following Final Plat approval in accordance with this chapter. An Improvement Agreement may be entitled as a Facilities Agreement, Developer's Agreement or other similar contract title as entered into by the Developer and the City.

Lot. An undivided tract or parcel of land under one ownership having frontage on a public street, and either occupied or intended to be occupied by one main building and the required parking, or a group of main buildings, and accessory buildings, which parcel of land is designated as a separate and distinct tract and building site.

Major Thoroughfare Plan. The thoroughfare plan adopted by ordinance from time-to-time, as amended.

May. The word "may" is permissive.

Owner. Fee simple title Owner of the land comprising a Subdivision or the Owner's authorized representative.

Paving Design Manual. The City of Sachse Paving Standards adopted by ordinance from time-to-time, as amended.

Plat. The graphic representation of a Subdivision, resubdivision, combination of lots or tracts, or recombination of lots or tracts. Plat includes, a replat, minor plat and amending plat.

Plat, Amending. A plat as described by the Texas Local Government Code Section 212.016, as amended.

Plat, Final. The Final Plat of a proposed Development submitted for approval by the Planning and Zoning Commission prepared in accordance with the provisions of this chapter and requested to be filed with the appropriate County Clerk of either Dallas County or Collin County.

Plat, Minor. A plat which contains four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or extension of municipal facilities as described by the Texas Local Government Code Section 212.0065, as amended.

Plat, Preliminary. The initial plat or working draft map or plan of a proposed Development submitted to the Planning and Zoning Commission and the City Council for approval.

Planning and Zoning Commission. The Planning and Zoning Commission of the City of Sachse, Texas.

Shall. The word "shall" is always mandatory and nondiscretionary.

Storm Drainage Master Plan. The master plan for the City of Sachse for storm drainage facilities adopted by ordinance from time-to-time, as amended.

Street. A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, private place or however otherwise designated, other than an alley or driveway.

Structure. Anything constructed or erected, the use of which requires location on the ground, or which is attached to something having a location on the ground.

Subdivision. The division of any tract of land situated within the corporate limits, or within the City's extraterritorial jurisdiction, in two or more parts, or the identification of a single tract, for the purpose of laying out any Subdivision of any tract of land or any addition to the City, or for laying out suburban lots or building lots, or any lots, streets, alleys, squares, parks or other parts intended to be dedicated to public use or for the use of purchasers or Owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts for the purpose, whether immediate or future, of creating building sites. A division of a tract includes a division regardless of whether it is made by using metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. Subdivision includes re-subdivision, but it does not include the division of land into parts greater than five (5) acres, where each part has access and no public improvement is dedicated.

Surveyor. A registered professional land surveyor as authorized by state law to practice the profession of surveying as authorized by the Land Survey Practices Act, as amended.

Temporary Improvement. Improvements built and maintained by an Owner during construction of the Development of the Subdivision or addition and prior to the acceptance of the performance bond or improvements required for the short term use of the property.

Vicinity Location Map. A small vicinity location map which shows sufficient streets, collector and arterial street names, and major features of the surrounding area to locate the area being subdivided.

Water Master Plan. The master plan for the City of Sachse for water facilities adopted by ordinance from time to time, as amended.

Wastewater Master Plan. The master plan for the City of Sachse for wastewater facilities adopted by ordinance from time-to-time, as amended.

Water and Wastewater Design Manual. The City of Sachse water and wastewater standards adopted by ordinance from time to time, as amended.

Sec. 8-6. Filing fees.

A. *Preliminary and Final Plats.*

- (1) Filing fees for plats as shown in the Master Fee Schedule established by resolution of the City Council from time-to-time shall be paid by the Developer at time of application.
- (2) Plat recordation fees which are charged by Dallas County and/or Collin County shall be paid by the Developer directly to the appropriate County when the Developer records the plat with that County.

Sec. 8-7. Previously filed applications.

A. Where an application was filed for review prior to July 2, 2012, the City Regulations in effect prior to that date shall apply but the developer may elect to develop the property under this Subdivision Ordinance. This election shall be made in writing at the time of application and shall be binding for the life of the project. The developer shall not be allowed to select provisions from both the regulations and the developer shall not be granted any waiver to this elective requirement.

Sec. 8-8. Waivers.

A. *Authorization.* The City Council may authorize a waiver from these regulations when in its opinion undue hardship will result from requiring strict compliance. In granting waiver, the City Council shall prescribe only conditions that it deems necessary or desirable to the public interest and making the findings herein below required. The City Council shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed Subdivision, and the probable effect of such waiver upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No waiver will be granted unless the City Council finds:

- (1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of their land.
- (2) That the waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area.
- (3) That the granting of the waiver will not have the effect of preventing the orderly Subdivision of other lands in the area in accordance with the provisions of this chapter. Such finding of the City Council together with the specific facts on which such findings are based shall be incorporated under the official minutes of the City Council meeting at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of this chapter

so that the public health, safety and welfare may be secured and substantial justice done. Pecuniary hardship to the sub-divider, standing alone, shall not be deemed to constitute undue hardship.

Sec. 8-9. Penalty and enforcement.

A. Any individual (including any officer, agent or employee acting in behalf of any individual, firm, association or corporation) who shall violate any provision of this chapter within the corporate limits or within the extra territorial jurisdiction of the City, shall be guilty of a misdemeanor and, upon conviction shall be subject to a fine not to exceed two thousand dollars (\$2,000.00), and each day that such violation continues shall constitute a separate offense.

Sec. 8-10. Preliminary platting procedures.

A. *Pre-Development meeting.* A Pre-Development meeting shall be held between the applicant and City Staff prior to submission of a Preliminary Plat application for the purpose of advising the applicant as to the general restrictions, requirements, and other planning and engineering matters applicable to the plat. If an issue arises during the Pre-Development meeting that directly concerns a City department not represented, the appropriate City Staff will be contacted.

B. *Generally.*

- (1) Prior to the filing of a Preliminary Plat, the Developer shall meet with the City Staff for a Pre-Development Meeting.
- (2) After the Pre-Development Meeting, the Developer shall file the required number of copies of the Preliminary Plat of the proposed Subdivision with the City for submission to the Planning and Zoning Commission, and include the required filing fees and tax certificates showing all taxes have been paid on the property being platted.
- (3) The following notice shall be stamped on the face of each Preliminary Plat:

"Preliminary Plat - for inspection purposes only and in no way official or approved for record purposes."
- (4) Preliminary Plats shall be distributed by City Staff to City departments. The Owner shall be provided an opportunity to attend a Developer/City Staff meeting for the purpose of notifying the Developer of necessary corrections.
- (5) The Community Development Department shall accumulate the comments of the City departments, and conduct a Developer/City Staff meeting to report the comments and requested corrections to the Developer. The Developer shall be allowed to make comment or make required corrections and submit the corrected Preliminary Plat to the Community Development Department for submission to

the Planning and Zoning Commission. The corrected Preliminary Plat shall be submitted within 30 days of the date the original Preliminary Plat was officially filed and prior to the meeting of the Planning and Zoning Commission at which such Preliminary Plat is scheduled for consideration. Upon timely receipt, the Director of Community Development shall submit the corrected Preliminary Plat to the Planning and Zoning Commission.

- (6) A written report shall be prepared by City Staff and submitted to the Planning and Zoning Commission stating the review comments of the Preliminary Plat noting any unresolved issues.
- (7) Following review of the Preliminary Plat and other materials submitted in conformity with this chapter, the Planning and Zoning Commission shall act on a Preliminary Plat, within 30 days after the date the Preliminary Plat is officially filed. The Planning and Zoning Commission may either:
 - (a) approve the Preliminary Plat as presented;
 - (b) approve the Preliminary Plat with conditions; or
 - (c) disapprove the Preliminary Plat. If disapproved, the Planning and Zoning Commission upon written request, shall state the reasons for disapproval. A conditional approval shall be considered a disapproval until the conditions have been satisfied.
- (8) The actions of the Planning and Zoning Commission shall be noted on two copies of the Preliminary Plat. One copy shall be returned to the Developer and the other retained in the files of the Community Development Department.
- (9) The Planning and Zoning Commission shall, in its action on the Preliminary Plat, consider the physical arrangement of the Subdivision and determine the adequacy of the street and thoroughfare rights-of-way and alignment and the compliance of the streets and thoroughfares with the Major Thoroughfare Plan, the existing street pattern in the area and with any other applicable provisions of the Zoning Ordinance and Comprehensive Plan. The Planning and Zoning Commission, based on City Staff recommendations, shall also ascertain that adequate easements for proposed or future utility service and surface drainage are provided, and that the lot sizes and area comply with the Zoning Ordinance and are adequate to comply with the minimum requirements for the type of sanitary sewage disposal proposed. All on-site sewage disposal systems shall meet the minimum standards required by the City Code of Ordinances and the regulations of Dallas or Collin Counties and of the Texas Commission on Environmental Quality, or their successors.
- (10) After approval of a Preliminary Plat by the Planning and Zoning Commission, the Community Development Department shall forward the Preliminary Plat to the City Council for consideration at the next available City Council meeting.

- (11) The City Council shall act on the Preliminary Plat within 30 days after the date the Preliminary Plat is approved by the Planning and Zoning Commission or is considered approved by the inaction of the Planning and Zoning Commission. A Preliminary Plat shall be considered approved by the City Council unless it is disapproved within that period.
- (12) Approval of a Preliminary Plat by the Planning and Zoning Commission and/or the City Council is not approval of the Final Plat but is an expression of approval of the layout shown subject to satisfaction of specified conditions. The Preliminary Plat serves as a guide in the preparation of a Final Plat.

C. *Standards for approval.* No Preliminary Plat shall be approved unless the following standards have been met:

- (1) the Preliminary Plat conforms to the applicable zoning and all other requirements of this chapter and the City Code of Ordinances; and
- (2) a Tree Management Plan has been approved in accordance with the regulations in the City Code of Ordinances.

D. *Data requirement.* All Preliminary Plat applications shall include the following at the time of submittal:

- (1) An approved drainage plan and study, including the 100-year floodplain, and any existing or proposed drainage easements affecting the plan;
- (2) Preliminary Water Extension and Layout Plan;
- (3) Preliminary Sanitary Sewer Extension and Layout Plan;
- (4) The number of copies, page sizes and specific data requirements shall be in accordance with application guidelines provided by the Community Development Department.

E. *Effect of approval.* Approval of a Preliminary Plat by the Planning and Zoning Commission and City Council constitutes authorization for the Property Owner to submit Engineering Plans for review by the City Engineer.

F. *Changes or alterations to approved Preliminary Plat.* No previously approved Preliminary Plat may be changed or altered, except to bring the plat in conformance with the conditions and requirements stipulated by the Planning and Zoning Commission and City Council. Minor changes as outlined below shall be permitted at the discretion of the Director of Community Development:

- (1) The proposed internal street and / or circulation system and alignments may be altered if minor in nature. Changes to street classifications, connections to

perimeter streets, or extensions to the Subdivision's perimeter to un-subdivided property shall not be considered minor alterations.

- (2) A net increase, not to exceed 3% of the total residential lots (rounded to the nearest whole number) in the overall lot yield of the approved Preliminary Plat may be made, except as elsewhere prohibited by these regulations.
- (3) If the Director of Community Development determines that the proposed changes are minor, a revised Preliminary Plat may be approved administratively. A revised Preliminary Plat shall include all property within the boundary of the original Preliminary Plat. A revision to a Preliminary Plat shall not affect the expiration date of the plat and shall carry the same expiration as outlined below.

G. *Expiration of Preliminary Plat approval.*

- (1) The approval of a Preliminary Plat expires 24 months after the date of City Council approval unless a Final Plat is submitted and has received approval by the Planning and Zoning Commission for the property within such period, or the period is extended by the Planning and Zoning Commission in accordance with the Extension and Reinstatement guidelines contained herein.
- (2) If the time period is not extended, or a Final Plat is not submitted and approved by the Planning and Zoning Commission within the 24 month period, the Preliminary Plat approval shall be null and void and the Owner shall be required to submit a new plat for the property subject to the then existing zoning, Subdivision and other regulations.

H. *Extension and reinstatement of expired Preliminary Plat.*

- (1) 60 days prior to or following the lapse of approval for a Preliminary Plat as provided in these regulations, the Owner may request the Planning and Zoning Commission to extend or reinstate the approval.
- (2) In determining whether to grant such request, the Planning and Zoning Commission shall take into account the reasons for lapse, the ability of the Owner to comply with any conditions attached to the original approval and the extent to which newly adopted zoning and subdivision regulations shall apply to the Preliminary Plat. The Planning and Zoning Commission may extend or reinstate the Preliminary Plat or deny the request, in which instance the Owner must submit a new Preliminary Plat application for approval.
- (3) The Planning and Zoning Commission may extend or reinstate the approval subject to additional conditions based upon newly enacted regulations such as are necessary to issue compliance with the original conditions of approval. The Planning and Zoning Commission may also specify a shorter time for lapse of the extended or reinstated Preliminary Plat than is applicable to original Preliminary Plat approval.

I. *Waiver of requirement for Preliminary Plat.* A Preliminary Plat is not required when a Minor Plat or Conveyance Plat is submitted in accordance with the requirements of this Chapter.

Sec. 8-11. Final platting procedures.

A. *Generally.*

- (1) After approval of the Preliminary Plat by the Planning and Zoning Commission and the City Council and, upon completion of the required public improvements or the provision of an Improvement Agreement as allowed herein, the Owner shall submit a Final Plat for the property for approval.
- (2) The Final Plat shall conform substantially to the approved Preliminary Plat and, if desired by the Developer, may cover only a phase of the approved Preliminary Plat; provided, however, such phase conforms to all the requirements of this chapter and the approved Preliminary Plat indicated the phasing of such Development.
- (3) The Final Plat shall be distributed to the City Departments and other agencies for review and comment in the same manner as a Preliminary Plat.
- (4) The Community Development Department shall accumulate the comments of the City Departments and agencies and conduct a Developer/City Staff conference to report the comments and requested corrections to the Developer. The Developer shall make comments or make the required corrections and submit the corrected Final Plat to the Community Development Department for submission to the Planning and Zoning Commission. The corrected Final Plat shall be submitted within 30 days of the date the original Final Plat was officially filed and prior to the meeting of the Planning and Zoning Commission at which the original Final Plat is scheduled for consideration.
- (5) The Final Plat shall be submitted to the Planning and Zoning Commission at the next available meeting with any appropriate comments and recommendations by the Community Development Department. The Planning and Zoning Commission shall act on the Final Plat within 30 days after the official filing date. If no action is taken by the Planning and Zoning Commission within such period, the Final Plat shall be deemed approved. A certificate showing the filing date and failure to take action thereon within the 30 day period shall on request be issued by the Planning and Zoning Commission, which shall be sufficient in lieu of a written endorsement of approval. The Planning and Zoning Commission shall be the final approval authority for Final Plats. The denial of approval of a Final Plat shall not be appealable to the City Council.

- (6) The Planning and Zoning Commission shall consider the Final Plat, including all proposals by the Owner with respect to the dedication of right-of-way for public use, the construction of utilities, streets, drainage and other improvements.
- (7) The approval of the Final Plat by the Planning and Zoning Commission shall authorize the Planning and Zoning Commission Chairperson to execute the certificate of approval on the Final Plat.
- (8) The approved Final Plat shall then be filed of record in the plat records of the appropriate County Clerk.
- (9) Final Plats disapproved by the Planning and Zoning Commission shall be returned to the Developer by the Community Development Department.
- (10) In the event a Final Plat is approved by the Planning and Zoning Commission for a Subdivision in phases, the Final Plat of each phase shall carry the same name throughout the entire Subdivision, but bear a distinguishing letter, number or subtitle. Lot and block numbers shall run consecutively throughout the entire Subdivision, even though such Subdivision may be finally approved in phases.

B. *Standards for approval.* No Final Plat shall be approved unless the following standards have been met:

- (1) The Final Plat substantially conforms to the Preliminary Plat;
- (2) Required public improvements have been constructed and are ready to be accepted, and/or an Improvement Agreement has been approved by the City for the subsequent completion of the public improvements;
- (3) The Final Plat conforms to the applicable zoning and all other requirements of this chapter;
- (4) Provisions have been made for adequate public facilities under the terms of this chapter; and
- (5) All required fees have been paid.

C. *Data requirement.*

- (1) The subdivider shall submit to the Community Development Department the necessary copies of the Final Plat and required supporting data prepared in accordance with the requirements set forth in the application guidelines provided by the Community Development Department. All documents shall be signed and dated by the applicant or person preparing the plans.

- (2) The Final Plat shall be prepared and signed by a registered professional land surveyor.
- (3) A Final Plat shall not be determined to be complete if it does not conform to the requirements of this Code. A Final Plat shall be considered filed on the date the application is considered complete.

D. *Execution and recordation.*

- (1) When an Improvement Agreement and security are required, the Chairperson of the Planning and Zoning Commission shall endorse approval on the Final Plat after the Improvement Agreement and security have been approved by the City Attorney and all the conditions pertaining to the Final Plat have been satisfied. A Final Plat for which an Improvement Agreement has been approved shall contain the following notation on the Final Plat:

"This Subdivision is subject to an Improvement Agreement pursuant to the City of Sachse, Texas Subdivision Ordinance. All or some of the public infrastructure were not constructed and accepted by the City of Sachse, Texas prior to approval of this Final Plat."

- (2) When installation of public improvements is required prior to recordation of the Final Plat, the Chairperson of the Planning and Zoning Commission shall endorse approval on the Final Plat after all conditions of approval have been satisfied and all public improvements are satisfactorily completed. There shall be written evidence that the required public improvements have been installed and have been completed in a manner satisfactory to the City as shown by a certificate signed by the City Engineer stating that the necessary dedication of public lands and installation of public improvements and have been accomplished.
- (3) The Property Owner shall be responsible for filing the Final Plat with the appropriate County Clerk. Simultaneously with the filing of the Final Plat, the Property Owner shall record such other agreements of dedication and legal documents as shall be required to be recorded by the Planning and Zoning Commission and the City Attorney. The Final Plat, bearing all required signatures, shall be recorded after final approval and within 5 working days of its receipt. One copy of the recorded Final Plat, with street addresses assigned, will be forwarded to the Owner by the City Staff.
- (4) Approval of a Final Plat shall certify compliance with the regulations of the City of Sachse pertaining to the Subdivision. An approved and signed Final Plat may be filed with the appropriate County Clerk as a record of the Subdivision and may be used to reference lots and interests in property thereon defined for the purpose of conveyance and development as allowed by these regulations.

E. *Expiration of Final Plat approval.*

- (1) If public improvements for a Subdivision have not been constructed and accepted by the City and the corresponding Final Plat for said Subdivision has not been filed in the appropriate County plat records within 2 years after the date of Final Plat approval by the Planning and Zoning Commission, said Final Plat shall be null and void and shall conclusively be deemed to be withdrawn without further action by the City. This provision shall not apply to Final Plats approved by the City prior to the effective date of this section.
- (2) Final Plats approved prior to the effective date of this section shall become null and void and shall be conclusively deemed to be withdrawn without further action by the City on July 3, 2014, if the public improvements for the Subdivision have not been constructed and accepted by the City and the corresponding Final Plat for said Subdivision filed in the appropriate County Plat Records.
- (3) An approved, unexpired Final Plat may be extended once by the Planning and Zoning Commission upon written request, for a period not to exceed 12 months provided:
 - (a) good cause is shown by the Developer; and
 - (b) there has been no significant change in Development conditions affecting the Subdivision; and
 - (c) the Final Plat continues to comply with all applicable, regulations, standards and this chapter.

Sec. 8-12. Vacating plats, replats and amending plats.

A. *Vacating plats.*

- (1) The Owners of the tract covered by a plat may vacate the plat at any time before any lot in the plat is sold. The plat is vacated when a signed, acknowledged instrument declaring the plat vacated is approved and recorded in the manner prescribed for the original plat.
- (2) If lots have been sold, the plat, or any part of the plat may be vacated on the application of all the Owners of lots in the plat with approval obtained in the manner prescribed for the original plat.
- (3) The Planning and Zoning Commission and City Council shall disapprove any vacating instrument which abridges or destroys public rights in any of the public uses, improvements, streets or alleys.
- (4) Upon approval and recording with the appropriate County Clerk, the vacated plat has no effect.

B. *Re-platting without vacating preceding plat.*

- (1) A re-plat of a Subdivision or part of a Subdivision may be recorded and is controlled over the preceding plat without vacation of that plat if the replat:
 - (a) is signed and acknowledged by only the Owners of the property being platted;
 - (b) does not attempt to amend or remove any covenants or restrictions; and
 - (c) is approved, after a public hearing on the matter, by the Planning and Zoning Commission.
- (2) An application for a Replat shall follow the same procedure required for Preliminary and Final Plats.
- C. *Additional requirements for certain replats.*
 - (1) In addition to compliance with Section 8-11B, a Replat without vacation of the preceding plat must conform to the requirements of this section if:
 - (a) during the preceding five years any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or
 - (b) any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.
 - (2) Notice of the public hearing as required in Section 8-11B shall be given before the 15th day before the date of the public hearing by:
 - (a) publication in the official newspaper; and
 - (b) by written notice, with a copy of Texas Local Government Code Section 212.015(c) attached, forwarded to the Owners of lots that are in the original Subdivision and that are within 200 feet of the lots to be replatted as indicated on the most recently approved City tax rolls of the property upon which the replat is requested.
 - (3) If the proposed re-plat requires a waiver and is protested in accordance with this subsection, the proposed re-plat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present at the meeting of the Planning and Zoning Commission. For a legal protest, written instruments signed by Owners of at least 20% of the area of the lots or land immediately adjoining the area covered by the proposed re-plat and extending 200 feet from that area, but within the original Subdivision, must be filed with the Planning and Zoning Commission prior to the close of the public hearing.
 - (4) In computing the percentage of land area under Section 8-11C(3) above, the area of streets and alleys shall be included.

- (5) Compliance with Section 8-11C(3) and (4) is not required for approval of a replat of part of a preceding plat if the area to be re-platted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.
- D. *Administrative approval of certain amending plats, minor plats and re-plats.*
- (1) The Director of Community Development is authorized to approve the following:
 - (a) Amending plats described by Section 212.016 Texas Local Government Code;
 - (b) Minor Plats involving 4 or fewer lots fronting an existing street and not requiring the creation of any new street or extension of municipal facilities; and
 - (c) A Replat under Section 212.0145 Tex. Loc. Gov't Code that does not require the creation of any new street or the extension of municipal facilities.
 - (2) The Director of Community Development may for any reason elect to present an Amending Plat, Minor Plat or Re-plat meeting the requirements of Section 8-11D(1) above to the Planning and Zoning Commission for approval.
 - (3) Any Amending Plat, Minor Plat or Re-plat meeting the requirements of this Section which the Director of Community Development fails or refuses to approve shall be submitted to the Planning and Zoning Commission for approval.

Sec. 8-13. Conveyance plats.

A. *Generally.* A conveyance plat is a boundary survey drawn as a plat. Easements, dedications and reservations may be recorded on a conveyance plat. Engineering plans are not required to process a conveyance plat, unless the Developer plans to construct limited improvements on the property. Development fees are not collected at the time of conveyance plat approval.

B. *Purpose.* The purpose of a Conveyance Plat is to subdivide land and to provide for recordation of same, for the purpose of conveying (i.e., selling) the property without developing it. A Conveyance Plat may be used to convey the property or interests therein; however, a Conveyance Plat does not constitute approval for any type of development on the property. A Conveyance Plat is an interim step in the subdivision and development of land.

C. *Applicability.* A Conveyance Plat may be used in lieu of a Final Plat to record the subdivision of property in the following instances:

- (1) To record the remainder of a parent tract that is larger than five acres, and that is created by the record platting of a portion of the parent tract, provided that the remainder is not intended for immediate development; or
- (2) To record the subdivision of a property into parcels, five acres or smaller in area, that are not intended for immediate development, provided that each parcel has direct access to all required public improvements (water, sanitary sewer, storm sewer) via dedicated easements or direct adjacency to existing infrastructure, each parcel has frontage on an existing public right-of-way, and each parcel has frontage on an existing public right-of-way, and the proposed lot meets the minimum lot dimension requirements as stipulated in this Code.

D. *Certification.* The conveyance plat shall contain a certification note on the plat face, as follows:

“This Conveyance Plat shall not convey any rights to Development or guarantee of public utilities, public or private access, or issuance of addressing and permits, without compliance with all Subdivision rules and regulations and the approval and recording of a Final Plat. A Conveyance Plat is filed for record in the appropriate County Clerk office upon administrative approval by the Director of Community Development.”

Sec. 8-14. Public sites and open spaces.

A. *Location of public sites.* The sub-divider shall give consideration to suitable sites for schools, parks, playgrounds and other areas for public use so as to conform with the recommendations of the City Council. Any provision for schools, parks, etc. shall be indicated on the preliminary plat.

B. *Development adjacent to public sites.* In cases where a Subdivision contains or abuts a school, park or playground, the subdivider shall dedicate one-half plus 5 feet of a normal street but not less than 30 feet, and provide for one-half the cost of paving and the full cost of all the utilities necessary. The interested agency shall provide the necessary right-of-way for the remainder of the street.

Sec. 8-15. Completion and maintenance of public improvements.

A. *Construction plan procedure.*

- (1) *General application requirement.* Construction plans shall be prepared by or under the supervision of a professional engineer or architect registered in the State of Texas as required by state law governing such professions. Plans submitted for review by the City shall be dated and bear the responsible engineer's or architect's name, serial number and the designation of "engineer," "professional engineer" or "P.E." or "architect" and an appropriate stamp or statement near the engineer's or architect's identification, stating that the documents are for preliminary review

and are not intended for construction. Final plans acceptable to the City shall bear the seal and signature of the engineer or architect and the date signed on all sheets of the plans. Public works construction in streets, alleys or easements which will be maintained by the City shall be designed by a professional engineer registered in the State of Texas.

- (2) *Construction plan review procedure.* Copies of the construction plans, including a copy of the approved Preliminary Plat shall be submitted to the City Engineer for final approval. The plans shall contain all necessary information for construction of the project, including screening walls and other special features. All materials specified shall conform to the standard specifications and standard details of the City. Each sheet of the plans shall contain a title block including space for the notation of revisions. This space is to be completed with each revision to the plan sheet and shall clearly note the nature of the revision and the date the revision was made. The City Engineer will release the plans for construction, after payment of all inspection fees and a pre-construction conference is held. Upon such release, each Contractor shall maintain one set of plans stamped with City release at the project site at all times during construction.
- (3) *Failure to commence construction.* If commencement of construction has not occurred within 1 year after approval of the plans, resubmittal of plans may be required by the City Engineer for meeting current standards and engineering requirements. For purposes of this section "Commencement of Construction" shall mean:
 - (a) issuance of construction permit(s); and
 - (b) grading of the land.

B. *Improvement agreements.*

- (1) *Completion of improvements.* Except as provided below, before the Final Plat is approved by the Planning and Zoning Commission or the Director of Community Development, all applicants shall be required to complete, in accordance with the City's direction and to the satisfaction of the City Engineer, all street, sanitary and other public improvements, including lot improvements on the individual residential lots of the Subdivision as required in these regulations and specified in the Final Plat, and to dedicate those public improvements to the City. As used in this section, "lot improvements" refers to grading and installation of improvements required for proper drainage and prevention of soil erosion.
- (2) *Agreement.* The City Council, considering the recommendation of the Planning and Zoning Commission, may waive the requirement that the applicant complete and dedicate all public improvements prior to approval of the Final Plat, and may permit the Owner to enter into an Improvement Agreement by which the Owner covenants to complete all required public improvements no later than 2 years following the date on which the Final Plat is signed. The City Council may also

require the Owner to complete and dedicate some required public improvements prior to approval of the Final Plat and to enter into an Improvement Agreement for completion of the remainder of the required improvements during such two-year period. The Improvement Agreement shall contain such other terms and conditions as are agreed to by the Owner and the City.

- (3) *Improvement agreement required for oversize reimbursement.* The City shall require an Improvement Agreement pertaining to any public improvement for which the Developer shall request reimbursement from the City for oversize costs.
- (4) *Security.* The Improvement Agreement shall require the Owner to provide sufficient security covering the completion of the public improvements. The security shall be in the form of cash escrow or, where authorized by the City, a letter of credit or other security acceptable to the City Attorney. Security shall be in an amount equal to one hundred percent (100%) of the City's estimated cost of completion of the required public improvements and lot improvements. In addition to all other security, for completion of those public improvements where the City participates in the cost, the Owner shall provide a performance bond from the Contractor, with the City as a co-obligee. The issuer of any surety bond and letter of credit shall be subject to the approval of the City Attorney.
- (5) *Letter of credit.* If the Planning and Zoning Commission authorizes the Owner to post a letter of credit as security for its promises contained in the Improvement Agreement, the letter of credit shall:
 - (a) be irrevocable;
 - (b) be for a term sufficient to cover the completion, maintenance and warranty periods but in no event less than 2 years; and
 - (c) require only that the City present the issuer with a sight draft and a certificate signed by an authorized representative of the City certifying to the City's right to draw funds under the letter of credit.
- (6) *Letter of credit reductions.* As portions of the public improvements are completed, the Developer may make application to the City Engineer to reduce the amount of the original letter of credit.
 - (a) The City Engineer, if satisfied that such portion of the improvements has been completed in accordance with City construction standards, may cause the amount of the letter of credit to be reduced by such amount deemed appropriate, so that the remaining amount of the letter of credit adequately insures the completion of the remaining public improvements.
 - (b) Upon the dedication of and acceptance by the City of all required public improvements, the City shall authorize a reduction in the security to 10% of the original amount of the security if the Owner is not in breach of the Improvement Agreement. The remaining security shall be security for the

Owner's covenant to maintain the required public improvements and the warrant that the improvements are free from defect for 2 years thereafter.

- (7) *Temporary improvements.* The Owner shall build and pay for all costs of temporary improvements required by the Planning and Zoning Commission and shall maintain those temporary improvements for the period specified by the Planning and Zoning Commission. Prior to construction of any temporary improvement, the Owner shall file with the City a separate Improvement Agreement and escrow, or where authorized, a letter of credit, in an appropriate amount for such temporary improvements, which Improvement Agreement and escrow or letter of credit shall ensure that the temporary improvements will be properly constructed, maintained, and removed.
- (8) *Units of government.* Governmental units may file, in lieu of the contract and security, a certified resolution or ordinance agreeing to comply with the provisions of this section.
- (9) *Failure to Complete Improvements.* For plats for which no Improvement Agreement has been executed and no security has been posted, if the public improvements are not completed within the period specified by the City, the Preliminary Plat approval shall be deemed to have expired. In those cases where an Improvement Agreement has been executed and security has been posted and required public improvements have not been installed within the terms of the agreement, the City may:
 - (a) Declare the agreement to be in default and require that all the public improvements be installed regardless of the extent of completion of the Development at the time the Improvement Agreement is declared to be in default;
 - (b) Suspend Final Plat approval until the public improvements are completed and record a document to that effect for the purpose of public notice;
 - (c) Obtain funds under the security and complete or cause the public improvements to be completed;
 - (d) Assign its right to receive funds under the security to any third party, including a subsequent Owner of the Subdivision for which public improvements were not constructed, in whole or in part, in exchange for that subsequent Owner's promise to complete the public improvements in the Subdivision; and
 - (e) Exercise any other rights available under the law.
- (10) *Acceptance of dedication offers.* Acceptance of formal offers of dedication of street, public areas, easements, and parks shall be by authorization of the City Engineer. The approval by the Planning and Zoning Commission of a plat, whether Preliminary or Final, shall not in and of itself be deemed to constitute or imply the acceptance by the City of any street, easement, or park shown on plat.

The Planning and Zoning Commission may require the plat to be endorsed with appropriate notes to this effect.

- (11) *Maintenance of public improvements.* The Owner shall maintain all required public improvements for a period of 2 years following the acceptance by the City and shall provide a warranty that all public improvements shall be free from defect for a period of two years following such acceptance by the City.

C. *Construction procedures.*

- (1) *Permit required.* A permit is required from the City prior to commencement of any Subdivision Development work in the City which affects erosion control, vegetation or tree removal or a floodplain.
- (2) *Preconstruction conference.* The City Engineer may require that all Contractors participating in the construction meet for a preconstruction conference to discuss the project prior to release of a permit.
- (3) *Conditions prior to authorization.* Prior to authorizing release of a construction permit, the City Engineer shall be satisfied that the following conditions have been met:
 - (a) the Preliminary Plat shall be approved by the Planning and Zoning Commission;
 - (b) all required contract documents shall be completed and filed with the City Engineer;
 - (c) all necessary off-site easements or dedications required for City infrastructure and not shown on the Final Plat must be conveyed solely to the City, with proper signatures affixed. The original of the documents shall be returned to the Engineering Department prior to approval and release of the engineering plans and issuance of a permit;
 - (d) all Contractors participating in the construction shall be provided, at the Developer's cost, with a set of approved plans bearing the stamp of release of the Engineering Department. One set of these plans shall remain on the job site at all times;
 - (e) a complete list of the Contractors, their representatives on the site, and telephone numbers where a responsible party may be reached at all times must be submitted to the City Engineer at least 24 hours prior to the preconstruction meeting which is optional; and
 - (f) all applicable fees must be paid to the City.

D. *Inspection of public improvements.*

- (1) *General procedure.* Construction inspection shall be supervised by the City Engineer. Construction shall be in accordance with the approved plans and the Design Standards. Any change in design required during construction should be

made by the engineer whose seal and signature are shown on the plans. Another engineer may make revisions to the original engineering plans if so authorized by the Owner of the plans and if those revisions are noted on the plans or documents. All revisions shall be approved by the City Engineer. If the City Engineer's inspection finds that any of the required public improvements have not been constructed in accordance with the City's Construction Standards and specifications, the Owner shall be responsible for completing and/or correcting the public improvements.

- (2) *Certificate of satisfactory completion.* The City will not accept dedication of required public improvements until the applicant's engineer or surveyor has certified to the City Engineer, through submission of record drawings, indicating location, dimensions, materials, and other information required by the Planning and Zoning Commission or City Engineer that all required public improvements have been completed. The record drawings shall also include a complete set of drawings of the paving, drainage, water, sanitary sewer or other public improvements, showing that the layout of the line and grade of all public improvements is in accordance with construction plans for the plat, and all changes made in the plans during construction and containing on each sheet a record drawing stamp bearing the signature of the engineer and the date. The engineer or surveyor shall also furnish a copy of the Final Plat and engineering plans, if prepared on a Computer Assisted Design Drawings ("CADD") system, in such a format that is compatible with the City's CADD system. The Developer shall provide a maintenance bond executed by a corporate surety duly authorized to do business in the State of Texas, payable to the City and approved by the City as to form, to guarantee the maintenance of the construction for a period of two years after its completion and acceptance by the City. In lieu of a maintenance bond the Developer may submit either an irrevocable letter of credit payable to the City and approved by the City as to form, or a cash bond payable to the City and approved as to form. The amount of the maintenance bond, letter of credit or cash bond shall be at least ten percent of the full cost of the infrastructure in the Subdivision, as determined by the estimate of construction costs. When such requirements have been met the City Engineer shall thereafter accept the public improvements.
 - (3) Acceptance of the Development shall mean that the Developer has transferred all rights to all the public improvements to the City for use and maintenance.
 - (4) Upon acceptance of the required public improvements, the City Engineer shall submit a certificate to the Developer stating that all required public improvements have been satisfactorily completed.
- E. *Deferral of required improvements.*
- (1) The Planning & Zoning Commission may upon petition of the Owner defer at the time of final approval, subject to appropriate conditions, the provision of any or

all public improvements are not required in the interests of the public health, safety and general welfare.

- (2) Whenever a petition to defer the construction of any public improvement required under these regulations is granted by the Planning and Zoning Commission, the Owner shall deposit in escrow the Developer's share of the costs of the future public improvements with the City prior to approval of the Final Plat, or the Owner may execute a separate Improvement Agreement secured by a cash escrow or, where authorized, a letter of credit guaranteeing completion of the deferred public improvements upon demand of the City.

F. *Issuance of building permits and certificates of occupancy.* No building permit shall be issued for a lot or building site unless the lot or site has been officially recorded by a Final Plat approved by the City of Sachse, and all public improvements as required for Final Plat approval have been completed, except as permitted below:

- (1) Building permits may be issued for non-residential and multi-family (apartments) Development provided that a Preliminary Plat is approved by the City and civil construction plans have been released by the City Engineer. Building construction will not be allowed to surpass the construction of fire protection improvements.
- (2) The City Engineer may authorize residential building permits for a portion of a Subdivision, provided that a Preliminary Plat has been approved and all public improvements have been completed for that portion of the Development, including but not limited to those required for fire and emergency protection. Notwithstanding, no lot may be sold or title conveyed until a Final Plat approved by the City has been recorded.
- (3) No Certificate of Occupancy shall be issued for a building or the use of property unless all Subdivision improvements have been completed and a Final Plat approved by the City has been recorded. Notwithstanding the above, the City Building Official may authorize the occupancy of a structure provided that an agreement providing cash escrow, a letter of credit, or other sufficient surety is approved by the City for the completion of all remaining public improvements.

G. *Utility connections.* Utility connections for individual lots are not authorized until a Final Plat has been approved in accordance with this chapter.

H. *Withholding improvements.*

- (1) The City hereby defines its policy to be that the City will withhold all City improvements of whatsoever nature, including the maintenance of streets and the furnishing of sewage facilities and water service from all additions which have not been constructed and approved in accordance with this chapter.

- (2) The City of Sachse may withhold the issuing of a street number or building permit for the erection of any building in the City of Sachse on a newly subdivided parcel of land until all the requirements of these Subdivision regulations have been complied with, including installation of and acceptance by the City of all water works, sewage and paving improvements for the area designated.

I. *As-built plans.*

- (1) The developer or his engineer shall present the city with one reproducible (sepia) and three blue line or black line complete "AS BUILT" sets of plans for all paving, drainage structures, water mains and sewer mains within 60 days after completion of each contract and before final acceptance of the new developments.

Sec. 8-16. General requirements and design standards.

A. *Streets.*

- (1) The arrangement, character, extent, width, grade, and location of all streets shall conform to the City of Sachse master thoroughfare plan when available and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety and in their appropriate relation to the proposed uses of the land to be served by such streets.
- (2) When such street is not on the master thoroughfare plan, when available, the arrangement of streets in a subdivision shall either:
 - (a) Provide for the continuation or appropriate projection of existing streets in surrounding areas; or
 - (b) Conform to a plan for the neighborhood approved or adopted by the council to meet a particular situation where topographical or other conditions make continuance or conformity to existing streets impracticable.
- (3) Minor streets shall be so laid out that their use by through traffic will be discouraged.
- (4) Where a subdivision abuts or contains an existing or proposed arterial street, the council may require marginal access streets, reverse frontage, deep lots with rear service alleys, or such treatment as may be necessary for adequate protection to residential properties and to afford separation of through and local traffic.
- (5) Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the city under conditions approved by the council.
- (6) Street center line offsets of less than 125 feet shall be avoided.

- (7) Arterial street intersections shall be at least 90° angles. Other street intersections shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect at less than 75°.
- (8) Sight distance triangles will be required where driveways intersect streets to allow sufficient drive sight distance for proper decision making on entering or crossing the roadway. No landscaping, grading, signs or screening shall be permitted in the sight distance triangle from 2 ½ feet to 8 feet in height, measured from the top of the adjacent curb. Minimum dimensions of sight distance triangles shall be in accordance with the tables and figures below.

**TABLE 1
SIGHT DISTANCES
(SEE FIGURE 1)**

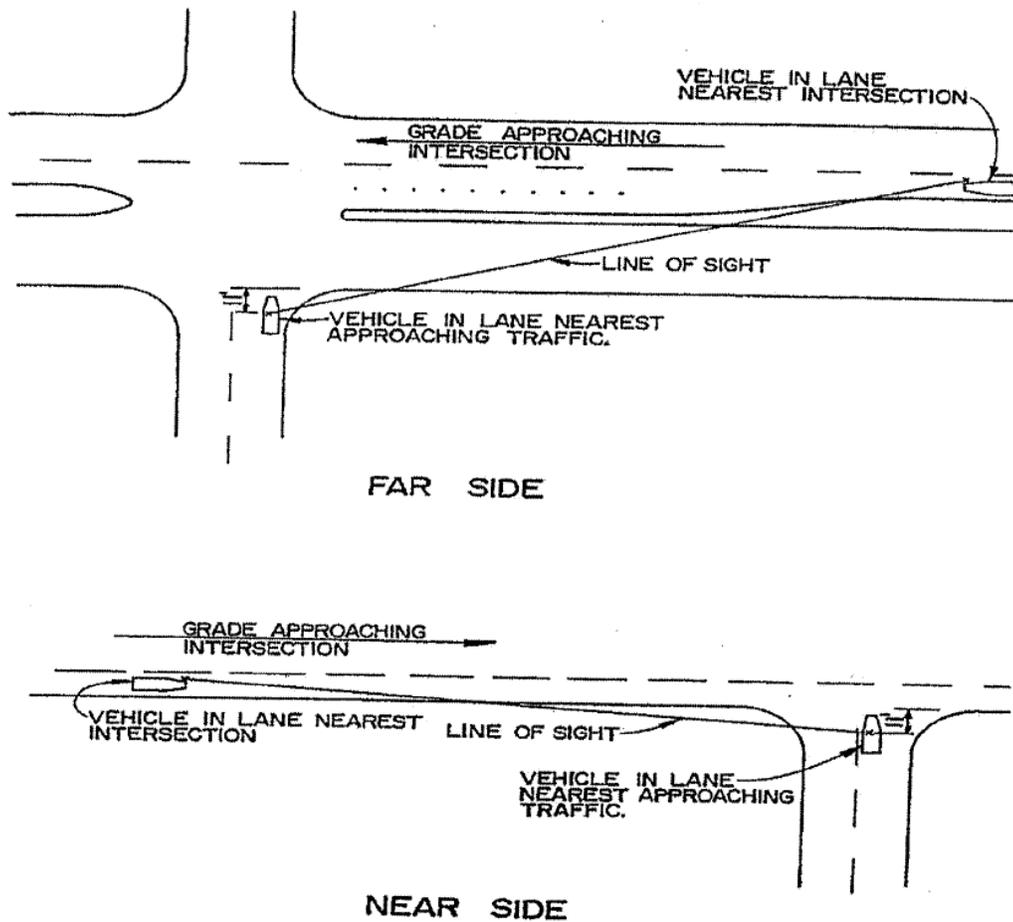
TYPE OF STREET	DESIGN SPEED	STOPPING SIGHT DISTANCE FEET		PAVEMENT WIDTH	INTERSECTION SIGHT DISTANCE (FEET)			
		MINIMUM	DESIRABLE		NEAR SIDE		FAR SIDE	
					MINIMUM	DESIRABLE	MINIMUM	DESIRABLE
RESIDENTIAL	25	150	200	26'	150	220	150	260
	30	200	200	26'	200	260	200	300
				30'	200	270	210	305
COLLECTOR	35	240	250	36'	200	275	220	310
MINOR ARTERIAL	35	240	250	44'	240	330	275	375
				2-22'	240	330	305	410
	40	275	300	44'	275	350	305	425
				2-33'	280	400	400	520
PRINCIPAL ARTERIAL	45	315	375	2-33'	320	450	450	580

FOR DISTANCE ADJUSTMENTS DUE TO GRADE OR STREET USE TABLE 2

**TABLE 2
SIGHT DISTANCE ADJUSTMENTS DUE TO GRADE**

DESIGN SPEED	UPGRADES (DECREASE)			DOWNGRADES (INCREASE)		
	3	6	10	3	6	10
25	5	10	15	5	15	25
30	10	15	20	10	20	30
35	15	20		15	25	
40	20	25		20	35	
45	25	30		25	50	

FIGURE 1



Sight distance at intersections

- (9) Street right-of-way widths shall be as shown on the master thoroughfare plan, when available, and where not shown therein shall be not less than as follows:
- (a) Major thoroughfares: Minimum 80 feet; maximum 140 feet, depending upon the location and the city street plan with which the major thoroughfare is to be connected.
 - (b) Secondary thoroughfare—60 feet (min.).
 - (c) Minor residential street—50 feet.
 - (d) Access or service road—40 feet.
 - (e) Minor street in apartment, commercial or industrial areas—60 feet
- (10) Minor residential streets shall be paved 31 feet wide from back of curb to back of curb. Minor apartment streets and secondary collector streets shall be paved 37 feet wide from back of curb to back of curb.

- (11) Half streets shall be prohibited, except when essential to the reasonable development of the subdivision in conforming with the other requirements of these regulations, and where the council finds it will be practical to require the dedication of the other one-half when the adjoining property is subdivided. Whenever a partial street exists along a common property line, the other portion of the street shall be dedicated. Where part of a street is being dedicated along a common property line and the ultimate planned width is 60 feet, the first dedication will be 35 feet; where the ultimate planned width is 70 feet, the first dedication will be 40 feet.
- (12) A cul-de-sac shall not be longer than 600 feet and at the closed end shall have a turn-around provided for, having an outside roadway diameter of at least 80 feet and a street property line diameter of at least 100 feet.
- (13) New streets of like alignment shall bear the names of existing streets and shall be dedicated at equal or greater widths than the existing streets. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the council.
- (14) All new streets dedicated within a subdivision shall be constructed in accordance with Standard Specifications of the NCTCOG for Public Works and the Standard Construction Details of the City of Sachse.
- (15) Where traffic conditions require, traffic engineering studies may be required by the council from the developer to provide technical data.
- (16) Within the corporate limits of the City of Sachse, street signs will be furnished and installed by the city at the expense of the subdivider at each intersection and the subdivider shall pay to the City of Sachse the current standard charges per street sign for the cost of materials and installation of each street sign. In subdivisions lying beyond the corporate limits of the said city, street name signs shall be placed by the subdivider at all intersections within or abutting the subdivisions. Such signs shall be of a type approved by the City of Sachse, shall be installed in accordance with the standards of the City of Sachse. The developer shall pay such sum as computed by the city administrative official for street signs as set out herein at the time at which he submits his final plat for approval, and this sum shall be in addition to the filing fee set forth hereinabove.

B. *Utilities.*

- (1) The sanitary sewers, storm sewers, water mains, street improvements, with all appurtenances pertaining to the above and facilities of other agencies as may be required, shall be constructed and installed in each new subdivision in accordance with current official standards of the City of Sachse.

- (2) Water.
 - (a) All subdivisions shall be provided with an approved water system designed and constructed in accordance with the master plan when available and standard specifications of the City of Sachse. In the corporate limits of the City of Sachse all subdivisions shall be connected with the City of Sachse water supply distribution system.
- (3) Sewer improvements.
 - (a) All subdivisions shall be provided with an approved sewage disposal system and where the subdivision is inside the city limits of the City of Sachse, shall be connected to the City of Sachse sanitary sewer system.
 - (b) The developer shall furnish and install the complete sewage system, including the mains, manholes, cleanouts, Y-branches and service laterals for all lots, lift stations and appurtenances. The sewage system shall be designed and constructed in accordance with the master plan when available and standard specifications of the City of Sachse.
 - (c) In locations where sanitary sewers are not available and where there is no immediate prospect for installation of sanitary sewers, then septic tanks of approved type may be installed in conformity with the rules, regulations and ordinances of the City of Sachse pertaining to public health, provided however that in no case shall septic tanks be installed without the express approval and inspection of the City of Sachse.
- (4) All public or privately owned underground utilities shall stub out all services from mains in all directions to the property lines in streets; and in alleys the services shall be stubbed out 18 inches inside the rear property line of platted lots and to the property line of unplatted property prior to commencing paving operations.
- (5) Electric utilities to be underground.
 - (a) No subdivision plat or site plan filed with or submitted to the city shall be approved unless such plan or plat requires all electric utility lateral and service lines to be constructed underground. In special or unique circumstances or to avoid undue hardship, the city council may authorize variances and exceptions from this requirement and permit the construction and maintenance of overhead electric utility lateral or service lines and may approve any plat with such approved variances or exceptions. It is the intent of this section that no overhead electric utility lateral or service lines be constructed without a variance or exception having been obtained for the subdivision plat or site plan.
 - (b) That all wires and lines providing other utility services, and electric lines serving street lights, shall be placed underground in all subdivisions and on all sites where the final subdivision plat or site plan approved by the city requires electric utility lateral and service lines to be placed

underground. Utility support equipment, such as transformers, amplifiers, switching devices, etc., necessary for or used in connection with underground installations shall be deemed to be placed underground if actually constructed underground or if pad-mounted on the surface.

- (c) Anything in this ordinance to the contrary notwithstanding, temporary construction service may be provided by overhead electric lines and facilities without obtaining a variance or exception.
- (d) That nothing herein set forth shall prohibit or restrict any utility company from recovering the difference between the cost of overhead facilities and underground facilities. Each utility whose facilities are subject to the provisions of this ordinance shall develop policies and cost reimbursement procedures with respect to the installation and extension of underground service.
- (e) As used in this ordinance the terms "Utility service[s]", "feeder lines", "lateral lines", and "service lines" shall have the following meanings:
 - (i) "Utility services" shall mean the facilities of any person, firm or corporation providing electrical, telephone, TV cable or any other such item or service for public use which services are not normally or already required to be placed underground and are within the present or future city limits of the City of Sachse, Texas.
 - (ii) "Feeder lines" shall mean those high voltage supply electric lines that emanate from substations used to distribute power throughout an area.
 - (iii) "Lateral lines" shall mean those electric lines used to distribute power from a feeder line to an end user. These electric lines are normally connected to a feeder line through a sectionalizing device such as a fuse.
 - (iv) "Service lines" shall mean those electric lines used to connect between the utilities' supply system and the end user's service entrance.

C. *Drainage.*

- (1) An adequate storm sewer system consisting of inlets, pipes and other underground drainage structures with approved outlets shall be constructed where runoff of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities. Areas subject to flood conditions as established by the city will not be considered for development until adequate drainage has been provided.
- (2) No individual, partnership, firm or corporation shall deepen, widen, fill, re-route or change the course or location of any existing ditch, channel, stream or drainage way, without first obtaining written permission of the City of Sachse or other agency having jurisdiction.

D. *Alleys.*

- (1) Alleys shall be provided in commercial and industrial districts, except that the commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the use proposed. Service alleys in commercial and industrial districts shall be a minimum 25 feet in right-of-way width.
- (2) In residential districts, alleys may be provided parallel, or approximately parallel, to the frontage of the street. Alleys in residential districts, where provided, shall be a minimum of 15 feet in right-of-way width, and paved ten feet in width.
- (3) Alleys may be provided in all new developments and replatting of old additions, as desired by the developer because of drainage or topographical features or existing conditions which may require the use of an alley in a particular location.
- (4) Alleys, where provided, shall be paved in accordance with the Standard Construction Details of the City of Sachse.
- (5) Where the deflection of alley alignment exceeds 30°, a cutback of a minimum 15 feet or of such greater distance to provide safe vehicular movement shall be established on the inside property line and the paving of the alley shall be cut back in the same manner as shown in the city Standard Construction Details.
- (6) Dead-end alleys shall be avoided where possible, but, if unavoidable, shall be provided with adequate turn-around facilities at the dead end as determined by the council.
- (7) Access to residential property may be permitted from the alley. Access from the alley shall not exclude another means of access from the front or side. No alley lot access to residential property shall be allowed from any arterial street, unless expressly waived by the council upon approval by the city engineer.

E. *Easements.*

- (1) Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be of such widths as may be reasonably necessary for the utility or utilities using same, with minimum width of 15 feet. Any easements so established shall be maintained by the property owner.
- (2) Where a subdivision is traversed by a water course, drainage way, channel or street, there shall be provided a storm easement or drainage right-of-way conforming substantially with such course and of such additional width as may be designated by the city administrative official that will be reasonably adequate for the purpose. Parallel streets or parkways may be required in connection with this.

The drainage shall be designed to eliminate erosion of adjoining property and to facilitate routine maintenance.

- (3) All easements may be included in the computation of lot sizes, with the exception of drainage easements, which will be in addition to the specified lot size.

F. *Blocks.*

- (1) The length, width and shapes of blocks shall be determined with due regard to:
 - (a) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - (b) Zoning requirements as to lot sizes and dimensions.
 - (c) Needs for convenient access, circulation, control and safety of street traffic.
- (2) In general intersecting streets, determining the blocks, lengths and widths shall be provided at such intervals as to serve cross traffic adequately, and to meet exiting streets or customary subdivision practices. Where no existing subdivision controls, the block lengths should not exceed 1,000 feet, with a maximum of 1,200 feet in length. Where no existing subdivision controls, the blocks shall not be less than 500 feet in length; however, in cases where physical barriers or property ownership creates conditions where it is appropriate that these standards be varied, the length may be increased or decreased to meet the existing conditions having due regard for connecting streets, circulation of traffic and public safety.
- (3) Where blocks in the vicinity of a school, park or shopping center are platted 1,000 feet or longer the council may require a walkway near the middle of the block or at a street that terminates between the streets at the ends of the block. The walkway shall not be less than four feet or more than eight feet in width, shall have a four foot concrete walk through the block from sidewalk to sidewalk, or the rear property line.
- (4) Where no existing subdivision controls, the block depth shall be platted to give lots with a depth to width ratio of generally not more than two and one-half to one and in no case more than four to one, and the platting shall be such that the block depth generally shall not exceed 350 feet nor be less than 215 feet. When possible, the block depth and length shall be such to allow two tiers of lots back to back to an alley.
- (5) Pedestrian walks not less than four feet wide shall be provided around the perimeter of all blocks. If the pedestrian walks are part of the current Master Hike and Bike Trail Plan, a walkway not less than eight feet wide shall be provided.

G. *Lots.*

- (1) Lots shall conform to the minimum requirements of the established zoning district.
- (2) Each lot shall abut on a public street.
- (3) Where corner lots are key lots, that is where lots face the frontage street and also other lots face the side street, the corner lot shall have a front building line on both streets, unless said key lot is separated from other lots by a dedicated street or alley.
- (4) Key lots or irregular shaped lots shall have sufficient width at the building line to meet frontage requirements of the appropriate zoning district. Also, the rear width shall be sufficient to provide access for all utilities including garbage collection, but not less than ten feet.
- (5) No lot shall be platted less than 100 feet in depth except in cases where an irregular shaped tract is platted into lots and remnant piece of property is of sufficient area to plat one or more lots, the council may waive the depth requirement to prevent a hardship on the developer.
- (6) Side lot lines shall be substantially at right angles or radial to street lines.
- (7) Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantage of topography and orientation. Where lots have double frontage, a front building line shall be established for each street.
- (8) It shall be lawful to increase the size of lots from that originally platted, provided, however, that there is no remaining portion of a lot, or lots, smaller than the original lot and provided further that final plat is submitted in accordance with the requirements of a final plat as contained hereinabove; provided that chapter 212 of Local Government Code is complied with.
- (9) In areas where city sewer is not immediately available, a lot shall be platted of such area as to meet the minimum requirements of Dallas and/or Collin Counties and the guide lines of the Texas state department of health pertaining to septic tank construction and operation.
- (10) No lot shall be replatted to reduce the size of the lots originally platted by a common dedicator, unless the consent of at least 66-2/3 percent of the property owners in the same subdivision has been obtained. Such required consent may be implied where another lot or lots in the subdivision as recorded have already been subdivided and built upon in the manner prescribed above. No lot will be reduced in width below a 60-foot frontage with an area of 7,200 square feet, except for

property having a local retail, commercial or manufacturing zoning classification and not for residential use.

- (11) When an applicant exhibits a duly executed and recorded deed covering a lot having dimensions of 50 feet by 120 feet or more has been sold by metes and bounds prior to passage of this ordinance and such lot is being assessed for city taxes and conforms to the established lot pattern and zoning classification in the block where located, then a building permit may be issued provided the requested use of such property conforms to the permanent zoning of the property covered by the application.
- (12) Subdivision plats for housing projects, apartment areas, shopping centers and industrial districts will be required. Site plans shall be filed with the City of Sachse for approval by the council.
- (13) All lots developed under this ordinance shall be shaped, graded, and finished by the developer to a finished grade elevation conforming with the lot grading plan and/or standard building code requirements providing for positive drainage and access.

H. *Building Lines.* Building lines along all streets shall be shown on the final plat on all lots intended for business and residential use and shall provide the minimum set-back as required by the Zoning Ordinance.

I. *Monuments.* In all subdivisions and additions corners shall be established at the corner of each block in the subdivision consisting of an iron rod or pipe not less than three-quarter inch in diameter and 24 inches deep flush with the top of the sidewalk. Lot corner monuments shall be placed at all lot corners except corners which are also block corners, consisting of iron rods or pipes of a diameter of not less than one half inch and 18 inches deep set flush with the top of the sidewalk.

Sec. 8-17. Water and sewer main extensions.

A. *Definitions.*

Pro Rata. A charge made against the consumer or Property Owner to pay for installation of water and sanitary sewer mains as provided in this section.

Standard size water main. A water main six inches or greater in diameter.

Substandard size water main. A water main less than six inches in diameter.

Property Owner. The record title holder of premises served with water from a connection by the City.

Consumer. The actual user of water from a City water connection.

B. *Pro Rata charges.*

- (1) *Existing main exempt.* All existing Subdivisions which have existing internal water mains four inches in diameter and large, and all customers connected to the Sachse water system at the time of passage of this section, shall be exempt from the water portion of the Pro Rata charges specified in this section. In unsubdivided areas with an existing water connection, the area to be exempt from the water Pro Rata portion of this section shall be actual frontage, or 150 feet, whichever is less.
- (2) *Existing mains adjacent to property other than Subdivisions.*
 - (a) Where an area, lot or tract of land abuts any existing water or sanitary sewer main, and when said water or sanitary sewer main spans the complete frontage of the area, lot or tract of land, then the following charges, known as "Pro Rata" shall be made against the Owner of the area, lot or tract of land seeking a connection to the water or sanitary sewer main. A \$5.00 permit fee shall be charged for each connection.
 - (i) Two dollars and fifty cents per front foot for the area, lot or tract of land seeking a connection to an existing water main.
 - (ii) One dollar and fifty cents per front foot for the area, lot or tract of land seeking a connection to an existing sanitary sewer.
 - (iii) Three dollars per foot front footage for the area, lot or tract of land seeking a connection to new construction of water main with a 250 foot maximum.
 - (iv) Three dollars per foot front footage for the area, lot or tract of land seeking a connection to a new construction of the sanitary sewer with a 250 foot maximum.
 - (b) All single-family residential lots, area or tracts of land located at a standard right angle street intersection shall only be charged a Pro Rata on the shortest street frontage, regardless of the locations of the water main or sanitary sewer.
 - (c) Where lots or tracts are intended to be used for apartments, business, commercial or industrial purposes or have a depth greater than 150 feet from the street line, then the Pro Rata herein provided shall be paid on the frontage for all streets which the property may abut minus 150 feet frontage for each corner of the property abutting a street intersection. Should said property be re-subdivided, whereby water or sewer main extensions are required to serve the same, the terms of this section shall

apply and additional Pro Rata charges shall be made based on such additional street frontage.

- (d) On lots, areas or tracts of land which extend through from one street to another, with frontage on both streets, and when the average distance of the property lines connecting the street lines is 255 feet or more, than a Pro Rata shall be charged on both frontages when the Owner seeks a connection to an existing water main or sanitary sewer.
- (e) Where lots, areas or tracts of land are irregular in size or shape, then the Pro Rata charges shall be based upon the equivalent rectangular lots or tracts using one front foot for each 120 square feet of area, or the Pro Rata charges provided by this section on the average frontage of such tracts, whichever is least.

C. *Main extensions for individual Property Owners.*

(1) *Single-family residential.*

- (a) Upon request of the Owner, or his agent, also referred to in this section as the applicant of a given lot or tract of land, the City shall extend, lay or construct all necessary water mains and sanitary sewers and their appurtenances, a maximum distance of 100 feet, plus the distance across the frontage necessary to provide the service for which the application is made, providing the necessary funds are available. The Property Owner to be served shall be required to pay the charges provided for in subsection B(2)(a), at such time as their property is connected to such mains. Where an applicant for service secures an extension and service under this particular option for main extension, he shall pay the Pro Rata charges on all property owned by him and which is served by the extension requested. In applying the 100-foot rule, the required extension of main shall be figured in such manner as to leave out of the calculations that portion of any man adjacent to property already having other than a temporary water service and for which the Pro Rata charges thereon have been paid, credited or exempt under the terms of this section.
- (b) In the event that the property seeking a water or sewer connection is outside the limits of the 100-foot rule, then the applicant shall extend the said water main or sanitary sewer from the nearest standard size existing water main or sanitary sewer as determined by the utility department. The extension, less the cost of 100 feet per applicant as provided in subsection C(1)(a), shall be constructed by the City at the Owner's expense and shall be extended across the complete frontage of said lot, area or tract of land seeking the connection when said main extension is located in a street right-of-way, alley or existing easement. If an additional easement is necessary to extend the water main or sanitary sewer across the said lot,

area or tract of land, then the Owner of the property seeking a connection shall provide the City with an easement, as required by the utility department. The Owners of all intervening property served by the given main extension shall be required to pay the Pro Rata charges as established in subsection B(2)(a), at such time as their property is connected to such main, and the Pro Rata charges collected by the City in accordance with this subsection, shall be refunded to the original investor, up to a period of ten years from the date of the total cost of the installation.

- (2) *Business, industrial, commercial, apartment and property other than single-family residential.*
- (a) When the Owner of an area, lot or tract of land zoned other than single-family residential, seeks a water or sewer connection and no standard size water mains or sanitary sewers are adjacent to, upon or span the complete frontage or distance required across the front of said area, lot or tract of land, the Owner shall extend the said water main or sanitary sewer from the nearest standard size existing main, as determined by the utility department. The extension shall be constructed either by the City, or by the Owner's Contractor at the Owner's expense and shall be extended across the complete frontage of said area, lot or tract of land when said main extension is located in a street right-of-way, alley, or an existing easement. If an additional easement is necessary to extend the water main or sanitary sewer across the said area, lot or tract of land, then the Owner of the property seeking a connection shall provide the City with an easement, as required by the utility department.
 - (b) The utility department shall determine the size of the required main extension in accordance with the City's master water and sewer plan, and shall also determine the location of all necessary appurtenances such as fire hydrants, valves, manholes, cleanouts and other items which may be necessary for proper operation and use of said water or sewer installation.
 - (c) All proposed water and sanitary sewer installations to be installed by the applicant's Contractor shall be designed by a registered professional engineer in the State of Texas, and the said engineer shall submit to the City, three copies of the complete engineering plans for said water or sewer improvements. The utility department shall review the plans and specifications, and if approved, shall mark them approved and return one set to the applicant's engineer. If not approved, two sets of the engineering plans shall be marked with the objections noted and returned to the applicant's engineer for correction. The same procedure shall be followed until the engineering plans are approved. After approval of the engineering plans and specifications, the applicant shall cause his Contractor to install the water or sewer facilities in accordance with the approved engineering plans and specifications and these regulations. The applicant shall require

his engineer to design, stake and supervise the construction of such improvements and shall require his Contractor to construct the said improvements in accordance with these regulations and obtain the City inspection of the installation of the improvements. When found to be installed in accordance with the plans and specifications, and after the improvements have been completed and upon receipt by the City of a one-year maintenance bond in the amount of ten percent of the contract price, along with three sets of "as-built" plans and one set of "as-built" sepias, and upon receipt of a letter of the Contractor's compliance with these regulations, then the utility department shall receive and approve for the City of Sachse the title, use and normal maintenance of the improvements.

- (d) When said main installations have been accepted by the City in accordance with the aforementioned criteria, the City will agree to refund to the applicant any Pro Rata collected from other parties, firms or corporations seeking a connection to the said water main or sanitary sewer installed by said applicant. The Pro Rata shall be collected at the rates established in subsection B(2)(a) of this section and the City will only be responsible for refunding the collected Pro Rata funds for a period not to exceed ten years from the date of acceptance of the said water and sewer installation. All refunds shall be made on a semi-annual basis on the last day of June and December.
- (e) Where extension is requested by an industry or commercial concern using large quantities of water, such extension may be made at the discretion of the City Council, provided 40 percent of the estimated annual revenue for such customer will support interest and principal payments on the total cost of the extension required to serve.

D. *Main extension for Developers and Subdivisions.*

- (1) *On-site extensions — totally within property to be developed.* A Developer shall defray the entire cost of water and sewer mains and all appurtenances that lie totally within a Subdivision, except that the City will refund the oversize cost as established in subsection E of any main larger than eight inches in diameter, unless such larger size is necessary to serve the Developer's property in question. Size of mains necessary for adequate service shall be determined by the utility department in accordance with the City's master water and sewer plan. Refunds for oversize cost will be made upon final acceptance of the system by the City providing the funds are available.
- (2) *Along-site mains — lying along one or more sides of a Subdivision divided tract and serving property other than the Subdivision for which the extensions are made.*

- (a) For all water and sanitary sewer mains, the Developer will be refunded any collected Pro Rata in accordance with subsection B(2)(a) of this section, as adjacent property develops and said refunds shall only be made for a period not to exceed ten years from the date of acceptance of the said water and sewer installation.
 - (b) For water and sanitary sewer mains, larger than eight inches in diameter, the Developer will be refunded the oversize cost as established in subsection G and as adjacent property develops, the Developer will be refunded any collected Pro Rata as established in subsection B(2)(a) of this section.
 - (c) Where along-site mains exist, the Developer shall pay to the City a Pro Rata in the amount as established in subsection B(2)(a) of this section, and said Pro Rata payments shall be paid before any building permits are issued for any lot, area or parcel of land situated inside the boundaries of said Subdivisions.
- (3) *Off-site extensions — totally outside of property to be developed.*
- (a) Where water and/or sanitary sewer facilities are not available to a tract to be developed, mains may be extended by the City to the nearest Subdivision property line at the expense of the Developer requiring such extension or the Developer shall cause his Contractor to install said water or sewer facilities in accordance with subsection C(2) of this section.
 - (b) Pro Rata collections and refunds shall be made in the following manner:
 - (i) Water mains — As property adjacent to said water mains installation develops and pays all due Pro Rata in accordance with subsection B(2)(a) of this section, then all Pro Rata collected by the City shall be refunded to the Developer or investor who caused such water main to be installed. Refunds shall not exceed the actual cost of said water main installation and said refunds shall only be made for a period of ten years from the date of City's acceptance of said water main installation.

On all unplatted property which may connect to said water mains, a water main Pro Rata charge in the amount of \$100.00 per acre shall be collected from said property by the City and shall be refunded to the Developer or investor who caused such water main installation to be installed.
 - (ii) Sanitary sewers — As property adjacent to the sanitary sewer develops and connects to said sanitary sewer installation and pays all due Pro Rata in accordance with subsection B(2)(a) of this

section, then all Pro Rata collected by the City shall be refunded to the Developer or investor who caused said sanitary sewer installation to be installed.

As other property not adjacent to said sanitary sewer installation develops and connects to or produces a flow of sewage, either directly or indirectly, through the said sanitary sewer installation, the sanitary sewer acreage Pro Rata in the amount of \$100.00 per acre shall be collected from said property by the City and shall be refunded to the Developer or investor who caused such sanitary sewer installation to be installed.

In the event where a single sanitary sewer line has been developed and constructed in more than one section and where more than one Developer or investor is involved, then all acreage Pro Rata collected from property not adjacent to said sanitary sewer installation shall be refunded to the Developer or investor who caused the initial section of said sanitary sewer facilities to be installed. As such time when the initial installation has been retired, then all collected Pro Rata shall be refunded to the Developer or investor who caused the installation of said second section. This same procedure shall be followed with any number of Developers or investors who cause said sanitary sewer line to be installed. Refunds shall not exceed the actual cost of said sanitary sewer main installation and said refunds shall only be made for a period of ten years from the date of City's acceptance of said sanitary sewer main installation.

- (4) *Mains in place within the property to be developed.* Should an existing water main or sanitary sewer lie in a street, alley or easement within a tract of land to be subdivided and developed for resale, before extensions from or connections to such line shall be made by a Developer, he shall pay to the City the following Pro Rata:
- (a) Five dollars per front foot for the area, lot or tract of land seeking a connection to an existing water main.
 - (b) Three dollars per front foot for the area, lot or tract of land seeking a connection to any existing sanitary sewer.
 - (c) Should such mains lie along the Subdivision and serve one side only, one-half of the above costs shall be paid.
- (5) *Methods by which water and sewer mains can be extended for Subdivisions or Developments.*
- (a) *On-site facilities.* On-site water and sewer facilities shall be constructed by private contract at the Developer's expense in accordance with the City

Subdivision regulations and all construction standards and specifications adopted by the City Council.

(b) *Off-site facilities.*

(i) *Private contract.* Off-site water and sewer facilities shall be constructed by private contract at the Developer's expense in accordance with the City Subdivision regulations and all construction standards and specifications adopted by the City Council.

(ii) *City contract.* A Developer of a Subdivision may deposit with the City the total estimated cost of such extensions required to serve his property, including the cost of approach and off-site mains fronting property not owned by the Developer. Upon receipt of the required amount of money, the City will construct such mains and upon the determination of final completion cost will refund any excess amount deposited, or require from Developer additional funds to defray the entire cost of the project. Refundable amounts for off-site costs or oversize costs will be determined by the utility department as established in subsection D(3) and subsection E of this section.

(6) *Temporary lines.* When temporary lines are constructed as an expediency to develop a particular area, such as across easements within a Subdivision of which no frontage can be connected, or where lines are constructed which are not required by the final plan of Development, the Developer will bear the total cost without refund.

E. *Establishing refunding procedure.* All refunds provided for in this section shall be made at six-month intervals (June 31 and December 31) of each year, and shall include funds then accrued to the credit of any Developers and others. A refund contract entered into by any Property Owner and the City under the provisions of this section, shall be effective only for a period of ten years after the date of said contract. No refunds will be made by the City to any applicant or contracting party after this ten-year period has expired, nor shall the City ever be liable for payment of interest on any deposits or refunds provided herein. This section shall not affect or change any agreement or contract for providing water and sewer services which was entered into by the City on or before the effective date of this section.

F. *Water and sewer connections.*

(1) *Water service connection.*

(a) The City shall install and maintain all water service connections in the streets, alleys and easements and shall charge for the installation and

maintenance of all such connections a sum sufficient to cover the cost thereof; such sum is to be determined by using the most current market cost of materials and labor. An updated list of these costs shall be kept in the water department billing office and made available upon request.

- (b) The cost for the installation of service lines which require the boring of paved streets on alleys shall be estimated by the utility department, and a deposit of the estimated amount will be required before work is started on the installation of such connection. Should the final cost of the work be less than the amount of the deposit, a refund of over-payment will be immediately made to the person from whom the deposit was received.
- (c) No streets or alleys shall be open-cut for the installation of water lines without written permission from the utility department. The cost of extending water service lines under paved streets or alleys shall be paid by the Owner of the property.
- (d) Where service lines have been installed by Developers, the water service connection charge shall be reduced by the amount of the tap charge as shown on current list kept in the water department billing office.
- (e) All water service for construction purposes shall be metered and subject to the same regulations and billings as permanent water accounts.

(2) *Sanitary sewer service connections.*

- (a) The City shall install all sanitary sewer service connections in the streets, alleys and easement both inside and outside the City limits. Said service connections shall be installed from the main to the property line when the sewer main is located in an alley or a street right-of-way; if the sewer main is in an easement, the service connection shall be installed from the sewer main to the easement boundary line. The City shall charge for each sewer lateral connection an amount whose sum is equal to the most current market cost for materials and labor. An updated cost of these materials and labor shall be kept in the water department billing office and made available upon request.
- (b) The Property Owner shall install a service line at his expense to the City's lateral, in accordance with City regulations and subject to the inspection of the City; and shall thereafter be responsible for normal maintenance of said service line from the house to the property line.
- (c) No streets or alleys shall be open-cut for the installation of sewer lines without written permission from the utility department.
- (d) The Property Owner shall install a service line at his expense to the City's lateral, in accordance with City regulations and subject to the inspection of the City; and shall thereafter be responsible for normal maintenance of said service line from the house to the property line.
- (e) Each house or building within the City shall be served by a separate and independent water and sanitary sewer connection. Where the service laterals have been installed by a Developer to serve a lot or tract of land, said lot or tract of land shall be exempt from a connection charge.

G. *Evaluated prices for determination of oversize costs and off-site facilities.* All costs for oversized water mains and appurtenances and sanitary sewer mains and appurtenances shall be determined by using the most current market cost for materials and labor.

H. *Purpose of section; where front foot rule inequitable.* The intent and purpose of this section is to provide an equitable charge for water and sanitary sewer connections as a proportionate distribution of the cost of water and sanitary sewer main extensions to serve property in the City on a front foot basis. In case property or a tract of land is so situated or shaped that the front foot rule creates an inequitable basis as between it and other tracts of land in the City, then in that event, the City Council shall determine the proper charge in accordance with the intent and purpose of this section.

I. *Method of enforcing payment.* Nothing herein shall be deemed in anyway to be an exclusive methods of enforcing the payment of the Pro Rata charges against the consumer and Property Owners, nor shall be deemed in any manner to be a waiver of the City's right to validly assess the Property Owners and/or consumers concerned for cost of the installation of standard size water and sewer mains, and to fix and enforce liens against said property. The method of enforcing payment of charges imposed by this section shall be in the manner prescribed by law.

J. *Crediting of collections.* Any and all sums of money collected as a Pro Rata and/or service connection charge, as established by this section, shall be credited to the water and sewer system funds of the City.

K. *If no funds available.* In no event may the City be required to install water or sewer main extensions under the provisions of this section if there are no funds available for that purpose.

L. *Sewage lift stations and other special installations.* In the event a lift station or other special installations are required, the same shall be installed under separate agreements between the City and the Developer.

M. *Procedure for variance.* The City Council may authorize a variance from the water and sewer line regulations when, in its opinion, undue hardships will result from the requiring of strict compliance. In granting variance, the council shall prescribe only conditions that it deems necessary or desirable to the public interest and making the findings herein below required. Pecuniary hardship to the applicant, standing alone, shall not be deemed to constitute undue hardship. No variance will be granted unless the council finds:

- (1) There are special circumstances or conditions such that the strict application of the provisions of this subsection would deprive the applicant of the reasonable use of his property; and,

- (2) The variances are necessary for the preservation and enjoyment of a substantial property right of the applicant; and,
- (3) The granting of the variance will not be detrimental to the public health, safety, or welfare or injurious to other property in the area and substantial justice done, and
- (4) The variance be granted only in harmony with the general purpose and intent of water and sewer line extension ordinance.

Sec. 8-18. Street extensions and Pro Rata charges.

A. *Definitions.* The following terms shall have the meanings herein ascribed:

- (1) *Developer or Contractor.* The terms Developer or Contractor shall mean any private person or firm which constructs a street or streets to be dedicated to the City of Sachse, Texas, at his expense.
- (2) *City* The City of Sachse, Texas.
- (3) *Pro Rata.* A charge or fee to be collected from Property Owners other than the Developer or Contractor to defray the cost of the street construction which serves such Property Owner.
- (4) *On-Site Street.* A street which is totally within or adjacent to a tract of land which has been or is to be subdivided and developed for resale.
- (5) *Off-Site Street.* A street totally outside the tract of land which has been or is to be subdivided and developed for resale.
- (6) *Property Owner.* The record title holder of the lot or tract served by the street for which Pro Rata collections are applicable.

B. *Authority to make extensions.* The City may extend or authorize extension of streets or alleys within the City limits in order to provide connections to lots or tracts which have no frontage street and/or alley.

C. *Pro Rata charge established.* A charge, which shall be known as Pro Rata, shall be made against each lot or tract of land and the Owner thereof whose property is served by the street and/or alley subject to Pro Rata collection as determined by the City.

- (1) Charges will be one-half the average lineal foot cost of the construction of the street as determined by the City Engineer.
- (2) Average actual costs will be revised semi-annually on April 1 and October 1 and filed with the City secretary.

The above front foot rates shall apply to property fronting on streets in areas platted into the usual rectangular lots or tracts of land with a depth of not to exceed 150 feet. Where the lots or tracts have depths greater than 150 feet from the front street line and are occupied or are to be occupied exclusively as dwelling places, then the additional depth shall not be assessed. If the property is later subdivided, requiring an extension of streets to serve the same, then the terms of this section shall govern. On lots or tracts of land which extend through from one street to another with frontage on both streets and where the distance between the street lines is greater than 260 feet, then the Pro Rata charge herein provided for shall be paid on both frontages as applicable. Where lots or tracts are irregular in size or shape, the Pro Rata charges shall be based upon equivalent rectangular lots or tracts, using one foot for each 150 square feet of area or the Pro Rata charge provided herein on the average frontage of the Development, whichever is least.

D. *Purpose.* The intent and purpose of this section is to provide an equitable charge for street construction as a proportionate distribution of the cost of street or alley extensions to serve property in the City on which is owned by persons or firms other than the Developer or Contractor which incurred the cost of the construction of the street or alley on a front foot basis. In case property or a tract of land is so situated or shaped that the front foot rule creates an inequitable basis as between it and other tracts of land in the City, then in that event, the City Engineer shall determine the proper charges in accordance with the intent and purpose of this section.

E. *Extensions for property subdivided or platted for Development basis.*

(1) *Generally.* Where the extensions of the streets are required to serve property which has been subdivided or platted for Development for resale, streets may be extended to the properties on the following basis and in accordance with minimum standards and procedures described in this section. It shall be unlawful to improve any previously unimproved lot, tract or plot of land or any part thereof which fronts a street or alley for which Pro Rata charges are applicable even if such lot, tract or plot was originally purchased before construction and assessment of Pro Rata was accomplished.

(2) *Extensions within property to be developed.*

(a) Developers of such property will defray the entire cost of streets within their Subdivision. The size and construction of such streets and alleys shall be in conformance with the City standards.

(b) Streets lying along one or more sides of a subdivided tract which serve property other than the Subdivision for which the extensions are made:

The Developer or Contractor will be refunded one-half of the current average actual cost of the street constructed when the adjacent property is developed.

(3) *Where streets are in place in or adjacent to the property to be developed.*

- (a) Should an existing street or alley in or along an area or tract of land to be subdivided and developed for resale before extensions from or connections to such street will be made by the Developer, he shall pay the City the current average actual cost per lineal foot of his property along said street. Should such street lie along the Subdivision on one side only, one-half these costs shall be paid unless such streets serve the Subdivision in question exclusively. Such money shall be paid to the City Pro Rata fund and will constitute a charge for the use of such street in place.
 - (b) An exception to the normal Pro Rata charge for streets or alleys may be made on any existing street which runs along one or more sides of a five-acre tract or larger, which has not been subdivided. Before any building permit for a primary structure shall be given, the applicant shall pay a charge based on 100 feet of frontage and in accordance with the above rates. This in no way will exempt the remainder of the property from being charged Pro Rata charges under this section as such time as it is platted or developed.
- (4) *Off-site extensions required to serve property Development.* Where street facilities are not available to a tract to be developed, the Developer or Contractor shall extend such facilities, his expense, to an existing street, as approved by the City Engineer.
- F. *Methods of construction.*
- (1) *By private contract.* The construction of streets may be awarded on a private contract in accordance with provisions of the City of Sachse construction standards. Such streets or alleys, when constructed and dedicated, shall become the property of the City free and clear of all encumbrances. The City specifically reserves the option to advertise for bids and install any or all portions of the extensions.
 - (2) *By City contract.* Upon approval of the City, the Developer or Contractor of an addition or plat may design and prepare construction plans of streets or alleys to serve the Subdivision, including any access or off-site facility that may be required. The Developer of an addition or plat shall deposit with the City the total cost of such extensions required to serve, including the cost of approach or off-site streets fronting property not owned by the Developer if required by the provisions of this section not covering off-site streets. The City will construct such streets, upon determination of final completion costs, will refund any excess amount deposited, or require such Developer additional funds to defray the entire cost of the project on-site and of off-site facilities for which the Developer or Contractor is responsible.
- G. *City not obligated to make extensions.* In no event shall the City be obligated to proceed under the terms of this section if funds are not available or if, at the discretion of the City, the extension may not be practical.

Sec. 8-19. Street design and construction costs.

A. *Definitions.*

- (1) *Development* shall mean any activity that requires the filing of a final Subdivision plat, or first increment thereof, or one lot plat.
- (2) *Escrow* shall mean money placed in the possession of the city to accomplish the purposes set out in this section including, but not limited to, the following: purchase of right-of-way, design and construction of drainage facilities, curb, gutter and pavement.
- (3) *Street, unimproved* shall mean any street proposed to be constructed as part of a development or an existing street without concrete curb and gutter, but not including state or federal highways.
- (4) *Street, internal* shall mean any street whose entire width is contained within a development.
- (5) *Street, perimeter* shall mean any street which abuts a development or one whose width lies partly within a development and partly without.

B. *Street, design construction costs and escrow requirement.*

- (1) The Owner shall be responsible for the design and construction of all streets within his development and one-half of same if an unimproved perimeter street.
- (2) The Owner shall be responsible for the construction of the following width perimeter streets to his development:
 - (a) When developing land zoned Residential or "F", the Owner shall be responsible for the construction of one-half of a 37-foot collector street.
 - (b) When developing land zoned "C-1," "C-2," or "PD," the Owner shall be responsible for construction of one-half of a 45-foot concrete street or one-half of the actual width of the proposed street, whichever is less.
 - (c) When developing land zoned "I-1," "I-2," the Owner shall be responsible for the construction of one-half of the street actually proposed for construction, pursuant to the Thoroughfare Plan of the City of Sachse.
- (3) The Owner shall construct all internal and perimeter streets at the time of development unless, from an engineering standpoint, it is not feasible to do so. Upon such determination, the Owner shall be required to place an amount equal to his share of the construction costs plus six percent of such sum for future engineering costs in escrow with the city.

- (4) The Owner shall be responsible for all of the engineering and design costs of all internal streets and also of all perimeter streets which are constructed either entirely by the Owner or through participation.
- (5) The responsibilities of the Owner relative to perimeter streets, shall not exceed a linear footage requirement equal to the square root of the area of the property expressed in feet. In the event the property is bound by more than one unimproved perimeter street, such formula shall apply to each such street. A total waiver of perimeter street responsibility is not within the contemplation of these rules and regulations.
- (6) However, in any event, perimeter street escrow responsibility shall not exceed the factor of 0.0035 times the current street cost per linear foot (one-half of the applicable street width, based on zoning) times the square footage of the plat, plus six percent of such sum for future engineering costs.

C. *Participation and escrow.*

- (1) If the Owner chooses to construct a wider street than required by the city or these regulations, the Owner shall pay the entire cost for the street. However, in the event the city is required to participate in the construction costs as provided in this chapter, the city shall reimburse its proportionate share to the Owner upon completion and acceptance of the streets and drainage improvements.
- (2) The obligations and responsibilities delegated to the Owner herein shall become those of the Owner's transferees, successors and assigns; and the liability therefore, shall be joint and several.
- (3) For the purpose of this section, the first step of developing is the submission of a preliminary plat or the submission of a final plat, as the requirements thereof may be.
- (4) Payment of funds required to be placed in escrow shall be made after the preliminary plat is approved by the planning and zoning commission and prior to the approval of the final plat.
- (5) Escrows which have been placed with the city under this section which have been held for a period of ten years from the date of such agreement, in the event that council has not authorized the preparation of plans and specifications for construction of such street which the escrow was made, shall be returned to the Owner, with such interest as it has earned.

Sec. 8-20. Park land dedication by Developers.

A. *Assessment for park development.* An Owner shall pay to the City of Sachse the sum of \$1,100.00 for each lot contained within a residential Subdivision and \$600.00 per

multifamily dwelling unit. Such payment shall be made prior to recording the approved final Subdivision plat. Such fund shall be deposited by the City into an account designated exclusively for park assessment fees, and used thereafter by the City of Sachse only for the purchase of land to be used for park purposes, or for the Development, Re-Development or maintenance of existing parks within the City of Sachse.

B. *Dedication of land in lieu of cash assessment.* In lieu of the cash assessment provided in subsection A. of this section, an Owner may dedicate land for public park purposes to the City of Sachse calculated at the rate of not less than one acre of parkland for each 100 proposed dwelling units. Such land may be within or outside the proposed Subdivision. If the actual number of completed dwelling units exceeds the figure upon which the original dedication was based, such additional dedication shall be required, and should be made by payment of money in lieu of land as provided in subsection A. of this section or by fee simple dedication of land to the City by separate instrument in the form of a warranty deed approved by the City. The City deems that the Development of an area where the buildable area of public park is smaller than one acre in size is impracticable. Therefore, if fewer than 100 units are proposed by a plat filed for approval, the Developer may be required to pay the applicable cash in lieu of park land dedication as provided in subsection A. of this section. Prior to such dedication, the Owner shall submit his or her proposal for dedication to the City Manager, along with a comprehensive narrative appraisal of the fair market value of such property prepared by an MAI appraiser. Acceptance of such policy in lieu of the cash assessment provided in subsection A. of this section shall be at the sole discretion of the City Council. Should the City Council agree to accept such offer of dedication, and should the fair market value of the property (as determined by the City Council) be less than the amount the Owner would be required to pay pursuant to the provisions of subsection A. of this section, then the Owner shall pay to the City the difference in cash pursuant to the provisions of subsection A. of this section.

C. *Recommendation from the parks and recreation commission.* In all instances, the City Council shall have the right to accept the dedication for approval on the final plat or accept the fee in lieu of land dedication. That determination shall be based upon existing circumstances at the time, and upon recommendation from the parks and recreation commission, and in accordance with the parks, recreation, and open space plan adopted by the City. Details of proposed dedication property may be submitted to the parks board for review and consideration prior to the preliminary plat process.

D. *Park dedication fund.* The park dedication fund will be administered by the City Council to best benefit the Development, provided that the establishment of a park site shall be within the discretion of the City Council. The money paid by the applicant will be expended on such park site. All sums deposited to the fund shall be accounted for by the City and expended for such purposes as land acquisition, construction of improvements, and purchase of equipment (at the City's discretion).

Sec. 8-21. Impact fees.

A. *Purpose.* This section is intended to assure the provision of adequate public facilities to serve new Development in the City by requiring each such Development to pay its

share of the costs of such improvements necessitated by and attributable to such new Development.

B. *Definitions.* For purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

Advisory committee. The members of the planning and zoning commission, and the representatives appointed by the City Council as required by the state law.

Assessment. The determination of the amount of the maximum impact fee which can be imposed on new development pursuant to this section.

Capital improvement. Any of the following facilities that have a life expectancy of three or more years and are owned and operated by or on behalf of the City:

- (1) Water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; and storm water, drainage, flood control facilities as they relate to the construction of roadway facilities, whether or not they are located within the service area; and
- (2) Roadway facilities.

Capital Improvements Plan. A plan contemplated by this section that identifies capital improvements or facility expansions for which impact fee may be assessed, adopted by the City from time to time, and on file in the City secretary's office.

City. The City of Sachse, Texas.

Credit. The amount of the reduction of an impact fee for fees, payments, or charges for or construction of the same type of facility.

Facility Expansion. The expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement in order that the existing facility may serve new development. The term does not include the repair, maintenance, modernization, or expansion of an existing facility to better serve existing development.

Final plat approval or approval of a final plat. The point at which the applicant has complied with all conditions of approval and the plat has been released for filing with the county clerk.

Impact Fee. A charge or assessment imposed as set forth in this section against new development. The term does not include:

- (1) Required dedications of land for public parks or payments in lieu thereof;

- (2) Dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs, if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;
- (3) Lot or acreage fees, or Pro Rata fees, to be placed in trust funds for the purpose of reimbursing Developers for over-sizing or constructing water or wastewater mains or lines; or
- (4) Other Pro Rata fees for reimbursement of water or wastewater mains or lines extended by the City.

Land use assumptions. A description of the service area and projections of changes in land uses, densities, intensities, and population and employment growth in the service area over at least a ten-year period, and adopted by the City, as may be amended from time to time, upon which the capital improvements plans are based, adopted by the City from time to time, and on file in the City secretary's office.

New development. A project involving the construction, reconstruction, redevelopment, conversion, structural alteration, relocation or enlargement of any structure, or any use or extension of the use of land, any of which has the effect of increasing the requirements for capital improvements or facility expansions, measured by the number of service units to be generated by such activity, and which requires either the approval of a plat pursuant to the City's Subdivision regulations, the issuance of a building permit or connection to the City's water or wastewater system, and which has not been exempted from these regulations by provisions of this section. Installation of a larger water meter will constitute new development.

Off-site. A facility or expansion that is not a site-related facility, as defined herein. Located entirely on property which is not included within the bounds of the plat being considered for impact fee assessment.

On-site. An improvement or facility which is for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of water and wastewater facilities to serve the new development and which is not included in the impact fee capital improvements plan and for which the Developer or Property Owner is solely responsible under Subdivision and other applicable regulations.

Roadway facilities. Arterial or collector streets or roads that have been designated on the City's officially adopted roadway plan, together with all necessary appurtenances. The term includes, but is not limited to, the City's share of costs for roadways and associated improvements designated on the federal or Texas highway system, including, but not limited to, local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks and drainage appurtenances. The term also includes but is not limited to interests in land, traffic lanes, curbs, gutters, intersection improvements, traffic control devices, turn lanes, drainage facilities associated with the roadway or street lighting.

Service area. The area within the City and/or the City's extraterritorial jurisdiction, as identified in the land use assumptions, to be served by the capital improvements or facilities expansions specified in the capital improvements plan, for roadway facilities service area means any one of the individual services areas within the City's corporate boundaries as identified in the land use assumptions and the capital improvements plan.

Service unit. The standardized measure of consumption, use, generation or discharge attributable to an individual unit of development, that had been calculated in accordance with generally accepted engineering and/or planning standards, as indicated in the land use equivalency tables located in the "Roadway, Water and Wastewater Impact Fee Update", which is attached hereto as Exhibit "D" and incorporated by reference herein, as may be amended from time to time.

Sanitary sewer facility. An improvement for providing wastewater collection, including, but not limited to, land or easements, lift stations, or interceptor mains. Sanitary sewer facility excludes sanitary sewer lines or mains which are reimbursed from Pro Rata charges paid by Developers or Owners of property in other Subdivisions as a condition of connection to or use of such facility.

Site-related facility or on-site. An improvement or facility which is for the primary use or benefit of a new development and/or which is the for the primary purpose of safe and adequate provision of water and wastewater facilities to serve the new development and which is not included in the impact fee capital improvements plan and for which the Property Owner is solely responsible under Subdivision and other applicable regulations, or which is located at least partially on the plat which is being considered for impact fee assessment. Site-related facility includes that portion of an off-site water or wastewater main, equivalent to a standard size water or wastewater main, which is necessary to connect any new development with the City's water or wastewater system, the cost of which has not been included in the City's impact fee capital improvements plan.

Water facility. A water interceptor or main, pump station, storage tank or other facility or improvement used for providing water supply, treatment and distribution service included within the City's water storage or distribution system. Water facility includes, but is not limited to, land, easements or structures associated with such facilities. Water facility excludes a site-related facility.

Utility connection. A connection of an individual meter to the City's water or wastewater system, or an increase in the size of an existing meter.

Wastewater facility. A wastewater interceptor or main, lift station or other facility or improvement used for providing wastewater collection and treatment included within the City's collection system for wastewater. Wastewater facility includes, but is not limited to, land, easements or structures associated with such facilities. Wastewater facility excludes a site-related facility.

Water meter. A device for measuring the flow of water to a development, whether for domestic or for irrigation purposes.

C. *Advisory committee.*

- (1) The advisory committee shall consist of the planning and zoning commission. If the committee does not include at least one representative of the real estate, development or building industry who is not an employee or official of a political Subdivision or governmental entity, the City Council shall appoint at least one such representative as an ad hoc voting member of the advisory committee. If any impact fee is to be applied in the extraterritorial jurisdiction of the City, a representative from that area shall be appointed by the City Council.
- (2) The advisory committee serves in an advisory capacity and is established to:
 - (a) Advise and assist the adoption of land use assumptions;
 - (b) Review the capital improvements plan and file written comments;
 - (c) Monitor and evaluate implementation of the capital improvements plan;
 - (d) File semi-annual reports with respect to the progress of the capital improvements plan and report to the City Council any perceived inequities in implementing the plan or imposing the impact fee; and
 - (e) Advise the City Staff and council of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.
- (3) All professional reports concerning the development and implementation of the capital improvements plan shall be made available to the advisory committee.
- (4) The advisory committee shall elect a chairperson to preside at its meetings and a vice-chairperson to serve in his or her absence. All meetings of the committee shall be open to the public and posted at least 72 hours in advance. A majority of the membership of the committee shall constitute a quorum.
- (5) In the event of any conflict between this subsection 8-6(c) and applicable state law, state law shall control.

D. *Periodic updates required.*

- (1) The City shall update the land use assumptions and capital improvements plan upon which impact fees are based at least every five years, beginning with the date of adoption of such plans, and shall recalculate the impact fees based thereon in accordance with provisions set forth in Chapter 395, Texas Local Government Code, or any successor statute.
- (2) The City may review its land use assumptions, impact fees, capital improvements plans and other factors, such as market conditions, more frequently than provided in subsection (1) above to determine whether the land use assumptions and capital

improvements plan should be updated and the impact fee recalculated accordingly.

- (3) If, at the time an update is required pursuant to subsection (1) above, the City Council determines that no change to the land use assumptions, capital improvements plan or impact fee is needed, it may dispense with such update by following the procedures in Local Government Code, Section 395.0575, or its successor statute.

E. *Impact fee as a condition of development approval/permit issuance.* No final plat for new development shall be released for filing with the appropriate county, nor may any new development be connected to the City's water or wastewater system, nor may an application of a utility connection be approved, without assessment of an impact fee pursuant to this section. No building permit shall be issued or utility connection made for new development until the Property Owner has paid the impact fee imposed herein.

F. *Assessment of impact fees.*

- (1) For land which is un-platted at the time of application for a building permit or utility connection, or for a new development which received final plat approval prior to the effective date of this article, and for which no re-platting is necessary pursuant to the City's Subdivision regulations prior to development, assessment of impact fees shall occur at the time application is made for the building permit or utility connection, whichever first occurs, and shall be the amount of the maximum impact fee per service unit in effect, as set forth in Exhibits A, B and C, attached hereto and made part hereof for all purposes.
- (2) For a new development which is submitted for approval pursuant to the City's Subdivision regulations on or after the effective date of this section, or for which re-platting results in an increase in the number of service units after such date, assessment of impact fees shall be at the time of final plat recordation, and shall be the amount of the maximum impact fee per service unit in effect as set forth in Exhibits A, B and C.
- (3) Following the initial assessment of impact fees for new development pursuant to subsection (1) above, the amount of impact fee assessment per service unit for that development cannot be increased, unless the Owner proposes to change the approved development by the submission of a new application for final plat approval or other development application that results in approval of additional service units, in which case the impact fee will be reassessed for the increased meter size or additional meters or service units at the impact fee rate then in effect.
- (4) Following the vacating of any plat or approval of any re-plat, a new assessment must be made in accordance with subsection (1) above.

- (5) An application for an amending plat made pursuant to V.T.C.A. Texas Local Government Code, § 212.016 and the City Subdivision ordinance, and for which no new development is proposed, is not subject to reassessment for an impact fee.
- (6) Except for roadway facilities, impact fees may be assessed but not collected for property where service is not available unless:
 - (a) The City commits to commence construction of necessary facilities identified in the capital improvements plan within two years and have service available in a reasonable time not exceeding five years; or
 - (b) The City agrees in writing to permit the Owner of the property to construct or finance the required capital improvement or facility expansion and agrees that the costs incurred or funds advanced will either:
 - (i) Be credited against the impact fees otherwise due from the new development;
 - (ii) Reimburse the Owner for such costs from impact fees paid from other new developments that will use such capital improvements or facility expansions in which case fees shall be reimbursed to the Owner at the time collected as other new development plats are recorded; or
 - (iii) The Owner voluntarily requests that the City reserve capacity to serve future development and the City and the Owner enter into agreement.
- (7) Church facilities for the worship of a Supreme Being, and related religious training shall be exempt from the assessment of impact fees. These facilities shall include auditorium type buildings where worship services are conducted and class room type buildings in which the primary purpose of the room is for religious instruction. The definition of church facility shall exclude church-related schools, day care/child care functions, gymnasium, and other recreational facilities.
- (8) Assessment of water or wastewater impact fees may be deferred for developments in the City which are not planned to connect to the City's water system or wastewater system due to the unavailability of the water or wastewater lines. These impact fees will be imposed on the Property Owner at the prevailing rates in the event of a subsequent connection to the City services.

G. *Calculation of impact fees.*

- (1) Impact fees shall be determined by multiplying the number of service unit equivalents in the proposed development by the amount per service unit equivalent due under Exhibits A, B and C. The number of service unit equivalents

shall be determined by using the conversion table contained in the capital improvements plan.

- (2) If a development subject to assessment of impact fees under this section has an actual area coverage that varies by more than ten percent from the average area coverage used as the basis for determination of impact fees as contained in the capital improvements plan, the impact fees assessed shall be determined by multiplying the fees calculated in accordance with the preceding paragraph by a ratio, the numerator being the actual area coverage and the denominator being the average area coverage per the capital improvements plan.
- (3) The determination of impact fees shall be reduced by any allowable credits for the category of capital improvements as provided in this section.
- (4) The total amount of unpaid impact fees shall be attached to the development application, or if to be paid at some later date, to the request for other permit or connection.
- (5) Re-platting shall not require recalculation of impact fees unless the number of service units is increased or land uses change. If a proposed development increases the number of service units, the impact fee shall be recalculated as provided in subsection E. of this section.

H. *Calculation and collection of impact fees.*

- (1) Impact fees for new development shall be collected at the time the City issues a building permit, or if a building permit is not required, at the time an application is filed for a new connection, to the City's water or wastewater system, or for an increase in water meter size, unless an agreement between the Property Owner and the City has been executed providing for a different time of payment.
- (2) At the time of final plat approval, or the request for a utility connection for an area in the City's extraterritorial jurisdiction for which a final plat was not submitted to the City, for all new developments, the City shall compute the impact fees due for the new development in the following manner:
 - (a) The amount of each type of impact fee due (roadway, water, and/or wastewater) shall be determined by multiplying the number of each type of service units generated by the new development by the impact fee due for each type of service unit in the applicable service area set forth in Exhibits A, B and C respectively.
 - (b) The amount of each impact fee due shall be reduced by any allowable credits for that category of capital improvements in the manner provided by this section.

- (3) Whenever a Property Owner proposes to increase the number of service units for a new development, the additional impact fees collected for such new service units shall be determined by using the amount of impact fee per service unit in Exhibits A, B and C, then in effect, and such additional fee shall be collected at the time of issuance of a new building permit, or for an area in the City's extraterritorial jurisdiction for which a final plat was not required to be submitted to the City, prior to or at the time of enlargement of the connection to the City's water or wastewater system.

I. *Credits.*

- (1) Any construction of, contributions to, or dedications of any facility appearing in the capital improvements plan that is required by the City to be constructed by the Owner as a condition of development shall be credited against the impact fees otherwise due from the same category (roadway, water or wastewater) of impact fees assessed on the development.
- (2) The amount of each credit for required construction of a facility in the capital improvements plan shall be calculated by multiplying the value of the facility assessed for the capital improvements plan by a fraction, the numerator of which is the impact fee per service unit equivalent due for the new development computed using the denominator of which is the maximum impact fee per service unit computed using the capital improvements plan.
- (3) All credits against impact fees shall be subject to the following limitations and shall be granted based on this section and any additional administrative guidelines that may be adopted by the City.
 - (a) No credit shall be given for the dedication or construction of site-related facilities.
 - (b) No credit shall exceed an amount equal to the assessed impact fee.
 - (c) If a credit applicable to a final plat has not been exhausted within ten years, from the acquisition of the first building permit issued or utility connection made, after the effective date of the adoption of the applicable impact fees, or within such period as may otherwise be designated by contract, such credit shall lapse.
 - (d) In no event will the City reimburse the Property Owner or Developer for a credit when impact fees for the new development can be collected pursuant to this section or for any amount exceeding the total impact fees collected or due for the new development for the category of capital improvement, unless otherwise agreed to by the City.
- (4) The available credit associated with new development shall be applied against an impact fee in the following manner:

- (a) For single-family residential lots in a new development consisting only of single-family residential development, such credit shall be prorated equally among such lots, to be applied at the time of application of a building permit for each lot, against impact fees to be collected at the time the building permit is issued.
- (b) For all other types of new development, including those involving mixed uses, the credit applicable to the new development shall be applied to the impact fee due at the time of approval.
- (c) At its sole discretion, the City may authorize alternative credit agreements upon written agreement with the Property Owner in accordance with the City's administrative guidelines.

J. *Establishment of accounts.*

- (1) All impact fees collected shall be deposited in interest bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee is collected.
- (2) Interest earned on the account into which the impact fees are deposited, shall be considered funds of the account and shall be used only in the same manner as which the underlying funds may be used.
- (3) Impact fees and the interest earned thereon may be spent only for the purposes for which such fees were imposed as shown in the capital improvements plan.
- (4) The records of the accounts into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

K. *Use of proceeds of impact fee accounts.*

- (1) The impact fees collected for each service area may be used to finance or to recoup the costs of any capital improvements or facility expansion identified in the capital improvements plan for the service area, including but not limited to the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorney's fees and expert witness fees). Impact fees may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the City to finance such capital improvements or facility expansion.
- (2) Impact fees collected pursuant to this section shall not be used to pay for any of the following expenses:
 - (a) Construction, acquisition or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;

- (b) Repair, operation or maintenance of existing or new capital improvements or facility expansions;
- (c) Upgrade, update, expansion or replacement of existing capital improvements to provide better service to existing development; or
- (d) Administrative and operating costs of the City.

L. *Refunds.*

- (1) Upon application by an Owner of property, any impact fee or portion thereof collected pursuant to City ordinance, which: (i) has not been expended within the service area within ten years from the date of payment, or (ii) existing facilities are available and service is denied, or (iii) the City has, after collecting the impact fee when service was not available, failed to commence construction within two years or service is not available within a reasonable period considering the type of improvement or expansion, but in no event later than five years from the date of payment, shall be refunded to the record Owner of the property for which the impact fee was paid or, if the impact fee was paid by another governmental entity, to such governmental entity, together with interest calculated from the date of payment to the date of refund at the statutory rate set forth in the Texas Finance Code, § 302.002, or its successor statute. The application for refund pursuant to this section shall be submitted within 60 days after the expiration of the ten-year period for expenditure of the fee. An impact fee shall be considered expended on a first-in, first-out basis.
- (2) An impact fee collected pursuant to this section shall also be considered expended if the total expenditures for capital improvements or facilities expansion within the service area within ten years following the date of payment exceed the total fees collected within the service area for such improvements or facilities expansion during such period.
- (3) If a refund is due pursuant to subsection (1) above, the City shall divide the difference between the amount of expenditures and the amount of the fees collected by the total number of service units assumed within the service area for the period to determine the refund due per service unit. The refund to the record Owner shall be calculated by multiplying the refund due per service unit by the number of service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.
- (4) Upon completion of all the capital improvements or facility expansions identified in the capital improvements plan for the service area, the City shall recalculate the impact fee per service unit using the actual costs for the improvements or facilities expansions. If the impact fee per service unit based on actual cost is less than the impact fee per service unit paid, the City shall refund the difference, if such difference exceeds the impact fee paid by more than ten percent. If the difference is less than ten percent, no refund shall be due. The refund to the record Owner shall be calculated by multiplying such difference by the number of

service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.

M. *Appeals.*

- (1) The Property Owner or applicant for new development may appeal the following decisions to the City Council: (a) the applicability of an impact fee to the new development; (b) the method of calculating the amount of the impact fee due; (c) the availability or the amount of an offset, credit or rebate; (d) the application of an offset or credit against an impact fee due; or (e) the amount of a refund due, if any.
- (2) The burden of proof shall be on the appellant to demonstrate that the amount of the fee or the amount of the offset credit or rebate was not calculated according to the provisions of this article.
- (3) The appellant must file a notice of appeal with the City secretary within 30 days following the determination of the amount of the impact fees to be paid by the development. If the notice of appeal is accompanied by a bond or other sufficient surety satisfactory to the City attorney in an amount equal to the original determination of the impact fee due, the development application may be processed while the appeal is pending.

N. *Use of other financing mechanisms.*

- (1) The City may finance capital improvements or facilities expansions designated in the capital improvements plan through the issuance of bonds, through the formation of public utility districts or other assessment districts, or through any other authorized mechanism, in such manner and subject to such limitations as may be provided by law, in addition to the use of impact fees.
- (2) Except as herein otherwise provided, the assessment and collection of an impact fee shall be additional and supplemental to, and not in substitution of, any other tax, fee, charge or assessment which is lawfully imposed on and due against the property.

O. *Impact fees as additional and supplemental regulations.* Impact fees established by this section are additional and supplemental to, and not in substitution of, any other requirements imposed by the City on the development of land or the issuance of building permits or certificates of occupancy. Such fees are intended to be consistent with and to further the policies of the City's comprehensive land use plan, the capital improvements plan, the zoning ordinance, Subdivision regulations and other City policies, ordinances, codes and resolutions by which the City seeks to ensure the provision of adequate public facilities in conjunction with the development of land.

Exhibit "A"
Maximum Roadway Impact Fees

Land Use Category (1)	Impact Fee Per Daily Trip From Table 5.4	×	Trip Per Dwelling Unit or Th. Sq. Ft. Note (2)	=	Maximum Fee Per Dwelling Unit or Th. Sq. Ft.	Impact Fee Adopted Fee Per Unit or Th. Sq. Ft. @ 95.40% (3)	Development Unit
Rural Residential	\$183.69	×	10.0	=	\$1,836.88	\$1,753.00 per	Dwelling Unit
Low Density Residential	183.69	×	10.0	=	1,836.88	1,753.00 per	Dwelling Unit
High Density Residential	183.69	×	6.1	=	1,120.50	1,069.33 per	Dwelling Unit
Commercial	183.69	×	3.620	=	664.95	634.59 per	1,000 Gross Sq. Ft.
Old Town	183.69	×	3.620	=	664.95	634.59 per	1,000 Gross Sq. Ft.
Business Park	183.69	×	1.970	=	361.87	345.34 per	1,000 Gross Sq. Ft.
Industrial	183.69	×	1.970	=	361.87	345.34 per	1,000 Gross Sq. Ft.
Public, Semi-Public	183.69	×	1.070	=	196.55	187.57 per	1,000 Gross Sq. Ft.

Note (1) - Land use categories taken from 2001 Comprehensive Plan (Land Use Assumptions)

Note (2) - From previous Impact Fee Study in 1999 by Hunter and Associates.

Note (3) - Maximum fee as a result of a fiscal analysis performed by Maximus Inc.

Exhibit "B"
Water Impact Fee
Maximum Impact Fee per ⁵/₈ Inch Meter Equivalent - Water

Meter Size	Existing	⁵ / ₈ Inch Equivalent (1)	Maximum Fee Calculation	Adopted Fee (2) @ 93.62%
00.625 inch	\$825.00	1.00	\$1,548.73	\$1,450.00
00.750 inch	825.00	1.50	2,323.10	2,174.99
01.000 inch	825.00	2.50	3,871.83	3,624.99
01.500 inch	825.00	5.00	7,743.67	7,249.98
02.000 inch	825.00	8.00	12,389.86	11,599.97
03.000 inch	825.00	15.00	23,231.00	21,749.94
04.000 inch	825.00	25.00	38,718.33	36,249.90
06.000 inch	825.00	50.00	77,436.65	72,499.80
08.000 inch	825.00	80.00	123,898.64	115,999.67
10.000 inch	825.00	115.00	178,104.30	166,749.53

Note (1) - Maximum continuous flow rating.

Note (2) - Maximum fee as a result of a fiscal analysis performed by Maximus Inc.

Exhibit "C"
Maximum Impact Fee per $\frac{5}{8}$ Inch Meter Equivalent - Wastewater

Meter Size	Existing	$\frac{5}{8}$ Inch Equivalent	Maximum Fee	Adopted Fee (1) @ 98.18%
00.625 inch	\$525.00	1.00	\$955.96	\$938.60
00.750 inch	525.00	1.50	1,433.94	1,407.90
01.000 inch	525.00	2.50	2,389.89	2,346.50
01.500 inch	525.00	5.00	4,779.79	4,692.99
02.000 inch	525.00	8.00	7,647.66	7,508.79
03.000 inch	525.00	15.00	14,339.36	14,078.98
04.000 inch	525.00	25.00	23,898.93	23,464.97
06.000 inch	525.00	50.00	47,797.87	46,929.94
08.000 inch	525.00	80.00	76,476.59	75,087.90
10.000 inch	525.00	115.00	109,935.09	107,938.86

Note (1) - Maximum fee as a result of a fiscal analysis performed by Maximus Inc.

Sec. 8-22. Inspection fees.

A. Each plat applicant shall pay to the City an inspection fee equal to three percent of the estimated cost of public improvements in and adjacent to the requested plat. Public improvements include, but are not limited to, water, sewer, streets, and drainage. The determination of the inspection fee shall be based upon contracts provided by the applicant to estimate the construction costs of public improvements. The fee shall be paid before the release of engineering plans and/or site plans.”

SECTION 2. That all provisions of the Ordinances of the City of Sachse, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 5. That any person violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of

Sachse as heretofore amended and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provides.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas this the _____ day of _____, 2012.

APPROVED:

Mike Felix
Mayor

DULY ENROLLED:

Terry Smith
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney
(JG/06-20-12/55918)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 8 "SUBDIVISION" BY AMENDING SECTIONS 8-5 THROUGH 8-19 TO PROVIDE DEFINITIONS INCLUDING SUBSTANTIAL COMPLETION; PROVIDING PROVISIONS RELATED TO THE DUTIES OF THE CITY ENGINEER; PROVIDING FOR STANDARD SIZE WATER MAINS; PROVIDING FOR STREET RIGHT-OF-WAY WIDTHS; AND PROVIDING CLARIFICATION FOR WORK THAT IS TO BE COMPLETED PURSUANT TO THE SUBDIVISION REGULATIONS, STANDARD SPECIFICATIONS AND STANDARD CONSTRUCTION DETAILS OF THE CITY; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 8 "Subdivision" of the City of Sachse Code of Ordinances be, and the same is hereby, amended to read as follows:

"Chapter 8

SUBDIVISION

....

Sec. 8-5. Definitions

....

City Engineer. Person employed by the City as the City Engineer.

City Manager. Person employed by the City as City Manager.

....

Director of Community Development. Person employed by the City as Director of Community Development.

....

REMOVE

Major Thoroughfare Plan. The thoroughfare plan adopted by ordinance from time-to-time, as amended.

....

ADD

Standard Construction Details. Means the City's standard construction details, as adopted by the City, and amended from time to time.

....

ADD

Substantial Completion. Shall mean that stage in the progression of the Work when the Work is sufficiently complete in accordance with the approved construction plans that the City can enjoy beneficial use or occupancy of the public improvement and can utilize the public improvement for its intended purpose, even though minor miscellaneous work and/or adjustment may be required.

Substantial Completion Letter. A letter prepared by the City Engineer to the Developer certifying that the public improvements are substantially complete and allowing the Developer to submit the Final Plat to the City for staff review.

....

ADD

Thoroughfare Plan. The thoroughfare plan of the City and area traffic circulation plans included in the comprehensive plan, as it may be amended from time to time.

....

Sec. 8-11. Final platting procedures.

A. *General.*

- (1) After approval of the Preliminary Plat by the Planning and Zoning Commission and the City Council and, upon substantial completion of the required public improvements and issuance of a substantial completion letter from the City Engineer to the Developer or the provision of an Improvement Agreement as allowed herein, the Owner shall submit a Final Plat for the property for approval.

....

B. *Standards for approval.* No Final Plat shall be approved unless the following standards have been met:

.....

- (2) The City Engineer has issued a substantial completion letter indicating required public improvements have been substantially constructed, and/or an Improvement Agreement has been approved by the City for the subsequent completion of the public improvements;

.....

D. *Execution and recordation.*

.....

- (2) When substantial completion of the public improvements is required prior to recordation of the Final Plat, the Chairperson of the Planning and Zoning Commission shall endorse approval on the Final Plat after all conditions of approval have been satisfied and all public improvements are substantially completed as provided for a written substantial completion letter by the City Engineer. There shall be written evidence that the required public improvements have been substantially completed and have been completed in a manner satisfactory to the City as shown by a letter signed by the City Engineer stating that the necessary dedication of public lands and substantial completion of public improvements have been accomplished.

.....

Sec. 8-15. Completion and maintenance of public improvements.

A. *Construction plan procedure.*

- (1) *General application requirement.* Construction plans shall be prepared by or under the supervision of a professional engineer or architect registered in the State of Texas as required by state law governing such professions. Plans submitted for review by the City shall be dated and bear the responsible engineer's or architect's name, serial number and the designation of "engineer," "professional engineer" or "P.E." or "architect" and an appropriate stamp or statement near the engineer's or architect's identification, stating that the documents are for preliminary review and are not intended for construction. Final plans acceptable to the City shall bear the seal and signature of the engineer or architect and the date signed on all sheets of the plans. Public works construction in streets, alleys or easements which will be maintained by the City shall be designed by a professional engineer registered in the State of Texas.

- (2) *Construction plan review procedure.* Copies of the construction plans, including a copy of the approved Preliminary Plat and payment for the construction plan review fee shall be submitted to the City Engineer for final approval. The plans shall contain all necessary information for construction of the project, including

screening walls and other special features. All materials specified shall conform to the standard specifications and standard construction details of the City. Each sheet of the plans shall contain a title block including space for the notation of revisions. This space is to be completed with each revision to the plan sheet and shall clearly note the nature of the revision and the date the revision was made. The City Engineer will release the plans for construction, after payment of all inspection fees and a pre-construction conference is held. Upon such release, each Contractor shall maintain one set of plans stamped with City release at the project site at all times during construction.

.....

B. *Improvement agreements.*

- (1) *Substantial completion of improvements.* Except as provided below, before the Final Plat is approved by the Planning and Zoning Commission or the Director of Community Development, all applicants shall be required to make substantially complete, in accordance with the City's direction and to the satisfaction of the City Engineer, all street, sanitary and other public improvements, including lot improvements on the individual residential lots of the Subdivision as required in these regulations and specified in the Final Plat, and to dedicate those public improvements to the City. As used in this section, "lot improvements" refers to grading and installation of improvements required for proper drainage and prevention of soil erosion.

.....

C. *Construction procedures.*

.....

- (3) *Conditions prior to authorization.* Prior to authorizing release of a construction permit, the City Engineer shall be satisfied that the following conditions have been met:

.....

- (e) A complete list of the contractors, their representatives on the site, and telephone numbers where a responsible party may be reached at all times must be submitted to the City Engineer at least 24 hours prior to the preconstruction meeting; and

.....

D. *Inspection of public improvements.*

- (1) *General procedure.* Construction inspection shall be supervised by the City Engineer. Construction shall be in accordance with the approved plans, the standard specifications, and the standard construction details of the City. Any

change in design required during construction should be made by the engineer whose seal and signature are shown on the plans. Another engineer may make revisions to the original engineering plans if so authorized by the Owner of the plans and if those revisions are noted on the plans or documents, provided such revisions are permitted by the Texas Engineering Practice Act. All revisions shall be approved by the City Engineer. If the City Engineer's inspection finds that any of the required public improvements have not been constructed in accordance with the City's standard construction details and standard specifications, the Owner shall be responsible for completing and/or correcting the public improvements.

- (2) *Certificate of satisfactory completion.* The City will not accept dedication of required public improvements until the applicant's engineer or surveyor has certified to the City Engineer, through submission of record drawings, indicating location, dimensions, materials, and other information required by the Planning and Zoning Commission or City Engineer that all required public improvements have been completed. The record drawings shall also include a complete set of drawings of the paving, drainage, water, sanitary sewer or other public improvements, showing that the layout of the line and grade of all public improvements is in accordance with construction plans for the plat, and all changes made in the plans during construction and containing on each sheet a record drawing stamp bearing the signature of the engineer and the date. The engineer or surveyor shall also furnish a paper copy of the Final Plat and engineering plans along with digital copies of the plans in Portable Document Format ("PDF") and Computer Assisted Design Drawings ("CADD"), in such a format that is compatible with the City's CADD system. The Developer shall provide a maintenance bond executed by a corporate surety duly authorized to do business in the State of Texas, payable to the City and approved by the City as to form, to guarantee the maintenance of the construction for a period of two years after its completion and acceptance by the City. In lieu of a maintenance bond the Developer may submit either an irrevocable letter of credit payable to the City and approved by the City as to form, or a cash bond payable to the City and approved as to form. The amount of the maintenance bond, letter of credit or cash bond shall be at least ten percent of the full cost of the infrastructure in the Subdivision, as determined by the construction costs. When such requirements have been met the City Engineer shall thereafter accept the public improvements.

.....

Sec. 8-16. General requirements and design standards.

A. *Streets.*

- (1) The arrangement, character, extent, width, grade, and location of all streets shall conform to the City of Sachse thoroughfare plan when available, shall conform to the standard specifications and standard construction details of the City of Sachse,

and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety and in their appropriate relation to the proposed uses of the land to be served by such streets.

.....

- (6) Street center line offsets of less than 150 feet shall be avoided, unless approved by the City Engineer.

.....

- (9) Street right-of-way widths shall be as shown on the master thoroughfare plan, when available, and where not shown therein shall be not less than as follows:

- (a) Principal and Minor Arterials: Minimum 90 feet; maximum 140 feet, depending upon the location and the city street plan with which the major thoroughfare is to be connected, unless otherwise authorized by the City Engineer.
- (b) Collector Streets — 60 feet (min.).
- (c) Local Streets in residential areas — 50 feet.

.....

- (e) Local Streets in apartment, commercial or industrial areas—60 feet

- (10) Local residential streets shall be paved 31 feet wide from back of curb to back of curb. Local streets in apartment, commercial, and industrial areas, and collector streets shall be paved 37 feet wide from back of curb to back of curb.

.....

- (16) Within the corporate limits of the City of Sachse, street signs shall be furnished and installed by the subdivider at each intersection and shall be of a type approved by the City of Sachse and shall be installed in accordance with the standards of the City of Sachse. In subdivisions lying beyond the corporate limits of the said city, the same requirements shall apply.

B. *Utilities.*

- (1) The sanitary sewers, storm sewers, water mains, street improvements, with all appurtenances pertaining to the above and facilities of other agencies as may be required, shall be constructed and installed in each new subdivision in accordance with the standard specifications and standard construction details of the City of Sachse.

- (2) Water.

- (a) All subdivisions shall be provided with an approved water system designed and constructed in accordance with the master plan when available and in accordance with the standard specifications and standard construction details of the City of Sachse. In the corporate limits of the City of Sachse all subdivisions shall be connected with the City of Sachse water supply distribution system.

(3) Sewer improvements.

.....

- (b) The developer shall furnish and install the complete sewage system, including the mains, manholes, cleanouts, Y-branches and service laterals for all lots, lift stations and appurtenances. The sewage system shall be designed and constructed in accordance with the master plan when available and in accordance with the standard specifications and standard construction details of the City of Sachse.

.....

C. *Drainage.*

- (1) An adequate storm sewer system consisting of inlets, pipes and other underground drainage structures with approved outlets shall, at a minimum, be designed and constructed to the standard specifications and standard construction details of the City of Sachse where runoff of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities. Areas subject to flood conditions as established by the city will not be considered for development until adequate drainage has been provided.

.....

ADD

- (3) Stormwater detention facilities shall be constructed as required by the City of Sachse Code of Ordinances.

.....

Sec. 8-17. Water and sewer main extensions.

A. *Definitions.*

.....

Standard size water main. A water main eight inches or greater in diameter. No water main less than six inches shall be constructed unless approved by the City Engineer.

Substandard size water main. A water main less than eight inches in diameter, unless approved by the City Engineer.

.....

B. *Pro Rata charges.*

- (1) *Existing main exempt.* All existing Subdivisions which have existing internal water mains four inches in diameter and larger, and all customers connected to the Sachse water system at the time of passage of this section, shall be exempt from the water portion of the Pro Rata charges specified in this section. In unsubdivided areas with an existing water connection, the area to be exempt from the water Pro Rata portion of this section shall be actual frontage, or 150 feet, whichever is less.

.....

C. *Main extensions for individual Property Owners.*

- (1) *Single-family residential.*

- (a) Upon request of the Owner, or his agent, also referred to in this section as the applicant of a given lot or tract of land, the City shall extend, lay or construct all necessary water mains and sanitary sewers and their appurtenances, a maximum distance of 100 feet, plus the distance across the frontage necessary to provide the service for which the application is made, providing the necessary funds are available. The Property Owner to be served shall be required to pay the charges provided for in subsection B(2)(a), at such time as their property is connected to such mains. Where an applicant for service secures an extension and service under this particular option for main extension, he shall pay the Pro Rata charges on all property owned by him and which is served by the extension requested. In applying the 100-foot rule, the required extension of main shall be figured in such manner as to leave out of the calculations that portion of any main adjacent to property already having other than a temporary water service and for which the Pro Rata charges thereon have been paid, credited or exempt under the terms of this section.

.....

- (2) *Business, industrial, commercial, apartment and property other than single-family residential.*

- (a) When the Owner of an area, lot or tract of land zoned other than single-family residential, seeks a water or sewer connection and no standard size

water mains or sanitary sewers are adjacent to, upon or span the complete frontage or distance required across the front of said area, lot or tract of land, the Owner shall extend the said water main or sanitary sewer from the nearest standard size existing main, as determined by the City Engineer. The extension shall be constructed either by the City, or by the Owner's Contractor at the Owner's expense and shall be extended across the complete frontage of said area, lot or tract of land when said main extension is located in a street right-of-way, alley, or an existing easement. If an additional easement is necessary to extend the water main or sanitary sewer across the said area, lot or tract of land, then the Owner of the property seeking a connection shall provide the City with an easement, as required by the utility department.

- (b) The City Engineer shall determine the size of the required main extension in accordance with the City's master water and sewer plan, and shall also determine the location of all necessary appurtenances such as fire hydrants, valves, manholes, cleanouts and other items which may be necessary for proper operation and use of said water or sewer installation.
- (c) All proposed water and sanitary sewer installations to be installed by the applicant's Contractor shall be designed by a registered professional engineer in the State of Texas in accordance with the standard specifications and standard construction details of the City of Sachse, and the said engineer shall submit to the City, three copies of the complete engineering plans for said water or sewer improvements. The City Engineer shall review the plans and specifications and, if approved, shall mark them approved and return one set to the applicant's engineer. If not approved, two sets of the engineering plans shall be marked with the objections noted and returned to the applicant's engineer for correction. The same procedure shall be followed until the engineering plans are approved. After approval of the engineering plans and specifications, the applicant shall schedule a pre-construction meeting with the City. Once the pre-construction meeting has been held and approved construction plans stamped by the City of Sachse have been provided to the applicant, the applicant shall cause his Contractor to install the water or sewer facilities in accordance with the approved engineering plans and specifications and these regulations. The applicant shall require his engineer to design, stake and supervise the construction of such improvements and shall require his Contractor to construct the said improvements in accordance with these regulations and obtain the City inspection of the installation of the improvements. When found to be installed in accordance with the plans and specifications, and after the improvements have been completed and upon receipt by the City of a two-year maintenance bond in the amount of ten percent of the contract price, along with one set of "as-built" plans and digital files in accordance with these regulations, and upon receipt of a letter of the Contractor's

compliance with these regulations, then the City Engineer shall receive and approve for the City of Sachse the title, use and normal maintenance of the improvements.

.....

D. *Main extension for Developers and Subdivisions.*

.....

(5) *Methods by which water and sewer mains can be extended for Subdivisions or Developments.*

(a) *On-site facilities.* On-site water and sewer facilities shall be constructed by private contract at the Developer's expense in accordance with the City Subdivision regulations, standard specifications and standard construction details of the City of Sachse.

(b) *Off-site facilities.*

(i) *Private contract.* Off-site water and sewer facilities shall be constructed by private contract at the Developer's expense in accordance with the City Subdivision regulations, standard specifications and standard construction details of the City of Sachse.

(ii) *City contract.* A Developer of a Subdivision may deposit with the City the total estimated cost of such extensions required to serve his property, including the cost of approach and off-site mains fronting property not owned by the Developer. The estimated cost of these extensions shall be prepared by a Professional Engineer licensed to practice in the State of Texas and shall be approved by the City Engineer. Upon receipt of the required amount of money, the City will construct such mains and upon the determination of final completion cost will refund any excess amount deposited, or require from Developer additional funds to defray the entire cost of the project. Refundable amounts for off-site costs or oversize costs will be determined by the utility department as established in subsection D(3) and subsection E of this section.

.....

F. *Water and sewer connections.*

(1) *Water service connection.*

.....

- (c) No streets or alleys shall be open-cut for the installation of water lines without written permission from the City Engineer. The cost of extending water service lines under paved streets or alleys shall be paid by the Owner of the property.

.....

- (e) All water service for construction purposes shall be subject to a standard deposit as determined by the City of Sachse and metered and subject to the same regulations and billings as permanent water accounts.

(2) *Sanitary sewer service connections.*

.....

- (c) No streets or alleys shall be open-cut for the installation of sewer lines without written permission from the City Engineer.

.....

G. *Evaluated prices for determination of oversize costs and off-site facilities.* All costs for oversized water mains and appurtenances and sanitary sewer mains and appurtenances shall be determined by using the most current market cost for materials and labor, and approved by the City Engineer prior to construction.

.....

Sec. 8-18. Street extensions and Pro Rata charges.

.....

(2) *Extensions within property to be developed.*

- (a) Developers of such property will defray the entire cost of streets within their Subdivision. The size and construction of such streets and alleys shall be in conformance with this Subdivision regulation and in accordance with the standard specifications and standard construction details of the City of Sachse.

.....

F. *Methods of construction.*

- (1) *By private contract.* The construction of streets may be awarded on a private contract in accordance with provisions of the City of Sachse standard specifications and standard construction details. Such streets or alleys, when constructed and dedicated, shall become the property of the City free and clear of

all encumbrances. The City specifically reserves the option to advertise for bids and install any or all portions of the extensions.

....

Sec. 8-19. Street design and construction costs.

....

B. Street, design construction costs and escrow requirement.

- (1) The Owner shall be responsible for the design and construction of all streets within his development and one-half of the same if an unimproved perimeter street.
- (2) The Owner shall be responsible for the construction of the following width perimeter streets to his development:

....

- (c) When developing land zoned "I-1," "I-2," the Owner shall be responsible for the construction of one-half of the street actually proposed for construction, pursuant to the Thoroughfare Plan, standard specifications, and standard construction details of the City of Sachse.

....”

SECTION 2. That all provisions of the Ordinances of the City of Sachse, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

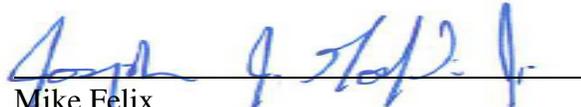
SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 5. That any person violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Sachse as heretofore amended and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provides.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas this the _____ day of _____, 2014.

APPROVED:



Mike Felix
Mayor

DULY ENROLLED:

Terry Smith
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney
(05-29-14/66387)



UPDATES TO THE CITY OF SACHSE SUBDIVISION ORDINANCE

CITY COUNCIL MEETING

JUNE 2, 2014

OVERVIEW

- ▶ Chapter 8 of the Ordinances of the City of Sachse, Texas is known as the Subdivision Ordinance

- ▶ The Subdivision Ordinance of the City of Sachse, Texas provides:
 - ▶ Regulations concerning the design, improvement, and development of subdivisions in the City
 - ▶ Procedures to be followed in receiving approval from the City regarding subdivision development

- ▶ Changes to the Subdivision Ordinance require a public hearing and City Council approval

OVERVIEW

- ▶ The City Council of the City of Sachse approved the 2013 Standard Construction Details at the September 16, 2013 City Council meeting
- ▶ Staff has reviewed the Subdivision Ordinance in consideration of the approved 2013 Standard Construction Details and is recommending changes
- ▶ Additional changes are being proposed to match the current design, construction, review, and approval processes that are in place.
- ▶ A copy of the proposed changes to the Ordinance and the current Ordinance are provided as attachments to this discussion item
- ▶ The proposed changes are provided for City Council review and discussion

SECTION 8-5 DEFINITIONS

- ▶ The following definitions are recommended for revision, with "...or designee..." removed:
 - ▶ *City Manager*
 - ▶ *City Engineer*
 - ▶ *Community Development Director*

- ▶ The following definitions are recommended for addition:
 - ▶ *Standard Construction Details*
 - ▶ *Substantial Completion*
 - ▶ *Substantial Completion Letter*
 - ▶ *Thoroughfare Plan*

SECTION 8-11 FINAL PLATTING PROCEDURES

- ▶ The following changes are recommended:
 - ▶ Revise language to match the current process, which is:
 - ▶ The public improvements shall be substantially completed by the Developer
 - ▶ Once substantial completion is met, the City Engineer shall provide the Developer a Substantial Completion Letter
 - ▶ Once the Developer receives the Substantial Completion Letter, the Developer may submit the Final Plat for staff review and consideration by the Planning and Zoning Commission.

The current language states that the public improvements must be completed prior to submittal of the Final Plat.

SECTION 8-15 COMPLETION AND MAINTENANCE OF PUBLIC IMPROVEMENTS

- ▶ The following changes are recommended:
 - ▶ Change “construction details” to “standard construction details” in all subsections
 - ▶ Change “Completion of Improvements” to “Substantial Completion of Improvements”
 - ▶ Remove “optional” from “...preconstruction meeting which is **optional...**”
 - ▶ Add “Portable Document Format (PDF)” in the requirements for plan submittal upon the completion of construction

SECTION 8-16 GENERAL REQUIREMENTS AND DESIGN STANDARDS

- ▶ The following changes are recommended:
 - ▶ Change “construction details” to “standard construction details” in all subsections
 - ▶ Change minimum centerline street offset distance from 125 feet to 150 feet
 - ▶ Under “Street right-of-way widths” and pavement widths:
 - ▶ Change “Major Thoroughfares” to “Principal and Minor Arterials”
 - ▶ Change “Secondary Thoroughfare” to “Collector Streets”
 - ▶ Change “Minor residential street” to “Local Streets in residential areas”
 - ▶ Change “Minor Street” in apartment, commercial, or industrial areas to “Local Street”

SECTION 8-16 GENERAL REQUIREMENTS AND DESIGN STANDARDS (CONTINUED)

- ▶ The following changes are recommended:
 - ▶ Change “construction details” to “standard construction details” in all subsections
 - ▶ Change the installer of street signs from City to Developer
 - ▶ Add that drainage improvements shall be designed and constructed to the standard specifications and the standard construction details of the City
 - ▶ Add a reference to the City of Sachse Code of Ordinances regarding the construction of stormwater detention facilities.

SECTION 8-17 WATER AND SEWER MAIN EXTENSIONS

- ▶ The following changes are recommended:
 - ▶ Change the standard size water main from 6" and greater to 8" and greater unless approved by the City Engineer
 - ▶ Change "large" to "larger" under Pro-rata Charges (spelling)
 - ▶ Change "man" to "main" under Pro-Rata Charges (spelling)
 - ▶ Change "utility department" to "City Engineer" for staff responsible for determining utility main extensions and connections
 - ▶ Change "construction details" to "standard construction details" in all subsections
 - ▶ Change plan submittal requirements to reflect current policies

SECTION 8-18 STREET EXTENSIONS AND PRO RATA CHARGES

- ▶ The following changes are recommended:
 - ▶ Change "construction details" to "standard construction details" in all subsections

SECTION 8-19 STREET DESIGN AND CONSTRUCTION COSTS

- ▶ The following changes are recommended:
 - ▶ Change “construction details” to “standard construction details” in all subsections
 - ▶ Add “the” to “...one-half of **the** same...”

STAFF RECOMMENDATION

- ▶ Staff recommends approval of an Ordinance of the City of Sachse, Texas, amending the Code of Ordinances by amending Chapter 8 "Subdivision" by amending Section 8-5 through 8-19 to provide definitions including substantial completion; providing provisions related to the duties of the City Engineer; providing for standard size water mains; providing for street right-of-way widths; and providing clarification for work that is to be completed pursuant to the Subdivision Regulations, Standard Specifications and Standard Construction Details of the City; providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing for an effective date.