



City of Sachse, Texas

Meeting Agenda

City Council

Monday, February 5, 2018

7:30 PM

Council Chambers

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

The City Council of the City of Sachse will hold a Regular Meeting on Monday, February 5, 2018, at 7:30 p.m. in the Council Chambers at 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.

A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: one nation under God, indivisible, with liberty and justice for all.

B. Pledge of Allegiance to the Texas State Flag: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

1. CONSENT AGENDA.

All items listed on the consent agenda will be considered by the City Council and will be enacted on by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests.

[18-4134](#) Approve the minutes of the January 16, 2018 workshop meeting.

Attachments: [01.16.18 Minutes Workshop](#)

[18-4135](#) Approve the minutes of the January 16, 2018 regular meeting.

Attachments: [01.16.18 Minutes](#)

[18-4132](#) Approve a resolution of support for a Municipal Setting District (MSD) application for 930 Hensley Lane in Wylie.

Attachments: [Staff Presentation](#)

[TCEQ MSD Guide](#)

[Applicant Request](#)

[Consultant Presentation](#)

[Proposed Resolution](#)

[18-4138](#) Approve a resolution authorizing the City Manager to execute the Microsoft Enterprise Software Licensing Agreement through the State of Texas' agreement with SHI Government Solutions.

Attachments: [Resolution](#)

[Microsoft 1 year quote](#)

[Microsoft 3 year quote](#)

- [18-4139](#) Approve of an ordinance calling the May 5, 2018 City Council General Election.

Attachments: [Ordinance](#)

[Exhibit A](#)

- [18-4142](#) Accept the monthly revenue and expenditure report for the period ending December 30, 2017.

Attachments: [All Funds 12-31-17](#)

[Sales Tax Analysis Feb 2018](#)

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

3. 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. Time limit is 3 minutes per speaker. The City Council is prohibited by state law from discussing any item not posted on the agenda according to the Texas Open Meetings Act, but may take them under advisement.

4. REGULAR AGENDA ITEMS.

- [18-4131](#) Consider approval of a Leadership Sachse Task Force.

- [18-4144](#) Discuss and consider an ordinance amending the Code of Ordinances by amending Chapter 9 titled "Traffic Regulations" by amending Section 9-4 titled "Speed Limits" to amend the school zone on a portion of Woodcreek Way northbound and southbound from Ridge Glen Drive to Ranch Road; and to include a portion of Canyon Crest Drive eastbound and westbound from a point 500 feet west of Woodcreek Way to a point 600 feet east of Woodcreek Way.

Attachments: [Presentation](#)

[Ordinance](#)

5. 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.

As authorized by Section 551.072(2) of the Texas Government Code, this meeting may be convened into closed Executive Session at any time during the City Council workshop or regular meeting for the purpose of seeking confidential legal advice from the City Attorney on any workshop or regular meeting agenda item listed herein.

Posted: February 2, 2018; 5:00 p.m.

Michelle Lewis Sirianni, City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements, please contact Michelle Lewis Sirianni, City Secretary, at (972) 495-1212, 48 business hours prior to the scheduled meeting date.



City of Sachse, Texas

Legislation Details (With Text)

File #: 18-4134 **Version:** 1 **Name:** January 16, 2018 Council workshop minutes.
Type: Agenda Item **Status:** Agenda Ready
File created: 1/19/2018 **In control:** City Council
On agenda: 2/5/2018 **Final action:**
Title: Approve the minutes of the January 16, 2018 workshop meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [01.16.18 Minutes Workshop](#)

Date	Ver.	Action By	Action	Result
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Title
January 16, 2018 workshop minutes.

Background
Minutes of the January 16, 2018 workshop meeting.

Policy Considerations
None.

Budgetary Considerations
None.

Staff Recommendations
Approve the minutes of the January 16, 2018 workshop meeting.

CITY COUNCIL OF THE CITY OF SACHSE

WORKSHOP MEETING MINUTES

JANUARY 16, 2018

The City Council of the City of Sachse held a workshop meeting on Tuesday, January 16, 2018 at 6:30 p.m. at the City Council Chambers. Those present were Mayor Mike Felix, Mayor Pro Tem Paul Watkins, Council Members Brett Franks, Charlie Ross, Cullen King, and Jeff Bickerstaff. City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; Assistant to the City Manager, Lauren Rose; Human Resources Director, Melinda Walter; Development Services Director, Dusty McAfee, Finance Director, Teresa Savage; Parks and Recreation Director, Lance Whitworth, Fire Chief, Marty Wade; and Police Chief Bryan Sylvester. Councilman Adams was absent.

Mayor Felix opened the meeting to order at 6:33 p.m.

INSURANCE BENEFITS: Discuss the City of Sachse employee group health, dental, and insurance benefits.

Mrs. Nash stated this is a mid-year review and preview for the next fiscal year for the City's insurance benefits. Andrew Weegar with IPS Advisors and the City's Employee Benefits Specialist will be providing Council with the update.

Mr. Weegar outlined the City's historical benefits strategy. He explained the City currently retains a more progressive benefits strategy by providing high deductible health plans with HRA and HSA contributions. The City only offers Exclusive Provider Organizations (EPOs) which drives employees to utilize in-network facilities. The City also removed the more costly "buy-up" plan option, contributes approximately 79.2% to the total health plan costs, and will review the option of joining a Benefit Pool such as TML at renewal.

Mr. Weegar stated that for the 2018-2019 year plan, the City is working to realign the benefit plan years. The current benefits plan year is May 1 to April 30 and the medical deductible is January 1 to December 31. In regards to the health insurance, staff is recommending to increase the employee only premium for PPO coverage from zero dollars to twenty dollars per month with a May 1, 2018 implementation. No other significant changes are being recommended.

Mr. Weegar stated IPS will release a request for proposal for medical, dental, and life/disability coverage due in February 2018. Upon receipt of bids, IPS will conduct a RFP evaluation, naming of finalists, best and final offers, and presentation of recommendations including plan design and contribution adjustments. Mr. Weegar also briefly touched on legislative changes, health risk management, future considerations, the City's current vision insurance, the employee assistance program, Compass and Teledoc, dental insurance, life/accidental death and dismemberment insurance, and long term disability. Mr. Weegar reviewed per capita premiums paid versus claims paid and where the City falls in plan costs versus the nation. Mr. Weegar stated that to conservatively project for the 2018-2019 Budget assuming all the trends, than the City would anticipate a 27.90% increase. However, Mr. Weegar reminded Council that a similar increase was projected for this budget year, but once RFP's were negotiated it came in significantly less. A preliminary time line was given with IPS presenting recommendation to Council in March with open enrollment to be completed in April.

The Council discussed the plan year, the annual physical surcharge and when that would go into effect, and the utilization of Compass and Teledoc. Councilman Ross asked specifically about TML and if they are accepting of all cities. Mr. Weegar noted that TML typically quotes on all, but they are usually not competitive enough.

Council liked the shorter plan year in order to realign the benefit plan year and agreed that employees should have time to get appointments scheduled within the few months before being charged a surcharge for not getting an annual physical. Council also like continuing Compass, but discontinuing Teledoc and utilizing UHC as they improve their online services.

Councilman Franks asked if the smoking surcharge was changing and if there is a surcharge for family members in regards to the Affordable Health Care Act. Mr. Weegar responded that there is no surcharge for family members. Mrs. Walter noted that the smoking surcharge is still in place and not plan to increase in next plan year. Councilman Franks noted that he would prefer to have the PPO plan premium either remain the same or an amount greater than the twenty dollars recommended.

ADJOURNMENT:

At 7:18 p.m. Mayor Felix adjourned the meeting.

MIKE J. FELIX, MAYOR

ATTEST:

Michelle Lewis Sirianni, City Secretary



City of Sachse, Texas

Legislation Details (With Text)

File #: 18-4135 **Version:** 1 **Name:** Janaury 16, 2018 Council minutes.
Type: Agenda Item **Status:** Agenda Ready
File created: 1/19/2018 **In control:** City Council
On agenda: 2/5/2018 **Final action:**
Title: Approve the minutes of the January 16, 2018 regular meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [01.16.18 Minutes](#)

Date	Ver.	Action By	Action	Result
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Title
January 16, 2018 regular minutes.

Background
Minutes of the January 16, 2018 regular meeting.

Policy Considerations
None.

Budgetary Considerations
None.

Staff Recommendations
Approve the minutes of the January 16, 2018 regular meeting.

CITY COUNCIL OF THE CITY OF SACHSE

MEETING MINUTES

JANUARY 16, 2018

The City Council of the City of Sachse held a regular meeting on Tuesday, January 16, 2018 at 7:30 p.m. at the City Council Chambers. Those present were Mayor Mike Felix, Mayor Pro Tem Paul Watkins, Council Members Brett Franks, Charlie Ross, Cullen King, and Jeff Bickerstaff. City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; Assistant to the City Manager, Lauren Rose; Human Resources Director, Melinda Walter; Development Services Director, Dusty McAfee, Finance Director, Teresa Savage; Parks and Recreation Director, Lance Whitworth, Fire Chief, Marty Wade; and Police Chief Bryan Sylvester. Councilman Adams was absent.

Mayor Felix opened the meeting at 7:33 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND STATE FLAG: The invocation was offered by Councilman King and the pledges by Councilman Ross.

CONSENT AGENDA: All items listed on the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion of these items unless a Council member or citizen so requests.

18-4108 - Approve the minutes of the December 18, 2017 workshop meeting.

18-4109 – Approve the minutes of the December 18, 2017 regular meeting.

18-4118 – Accept the Monthly Revenue and Expenditure Report for the period ending November 30, 2017.

Councilman Bickerstaff made a motion to approve items the consent agenda items as presented. Councilman King seconded that motion and the motion was unanimously approved.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS:

Councilman Ross announced on Saturday, January 20 at 11:30 a.m., the Library will be showing the Star Wars movie. On Tuesday, January 23 at 6:00 p.m., the Library will host a Star Wars event. Costumes are encouraged. On Monday, January 29, the Library will have a come and go for a Hot Air Balloon Coloring event.

Councilman Franks stated that the Sachse Parks and Recreation will host their annual Daddy/Daughter dance on Friday, February 9 and the spring/summer brochure will hitting mailboxes soon.

Councilman King expressed how awesome and different the Sachse Library is compared to surrounding libraries. He stated that he has received several comments from residents and wanted

to share their feedback with everyone. Councilman King also reminded everyone to bring in their animals from outside especially through the very cold weather.

Mrs. Nash introduced her new Assistant to the City Manager, Lauren Rose. Mrs. Rose comes from Mesquite where she was also the Assistant to the City Manager.

18-4119 Presentation regarding the Rockport Donations by the Sachse Community.

Mayor Felix stated the City responded with the area churches to the calls for help in the aftermath of Hurricane Harvey. The City along with area churches initiated a \$10.00 gift card drive that raised over \$10,000. Mayor Felix shared the appreciation received by the City of Rockport and how they will now pay it forward. Mayor Felix expressed his appreciation to everyone and how the City and community were able to come together.

CITIZENS INPUT:

No comments were made.

REGULAR AGENDA ITEMS:

18-4116 Consider a resolution approving purchase orders in the amount not to exceed three hundred four thousand six hundred dollars (\$304,600.00) to Reynolds Asphalt and Construction Company, Incorporated for asphalt roadway improvement projects.

Mrs. Nash stated the voters recently re-approved the continuation of the ¼ cent sales and use tax for Street Maintenance. For the FY 2017-2018, the anticipated available funding is \$365,000. The City has continued to use the PASER system to evaluate and rate the conditions of the City streets. During the 2017-2018 budget process, the following asphalt streets were identified to receive funding: Sachse Street, Pleasant Valley Place, Longbranch Court, and Ben Road. The PASER ratings for these streets are currently rated a 2. Staff recommends approval.

Councilman Franks asked what portion of Sachse Street. Mrs. Nash replied that these are only surface improvements and will include the whole street.

Councilman Ross asked what the City would need to invest in annually to keep from falling behind and keeping up with current investments. Mrs. Nash commented that the challenge is the funding. Once a road reaches a PASER rating of a 4 or 5, the street(s) start to deteriorate faster. Councilman Ross would like to see an estimate of cost for the whole system and how much investment would be required.

Councilman King made a motion to approve purchase orders in the amount not to exceed three hundred four thousand six hundred dollars (\$304,600.00) to Reynolds Asphalt and Construction Company, Incorporated for asphalt roadway improvement projects. Councilman Franks seconded that motion with discussion.

Councilman Franks asked if these were only fixing asphalt streets. Mrs. Nash replied yes.

Council unanimously approved item 18-4116.

18-4122 Consider approval of a Funding Agreement by and between the City of Sachse and Dallas County for the preliminary engineering of Pleasant Valley Road.

Mrs. Nash stated the proposed funding agreement is for the preliminary engineering of Pleasant Valley Road. Dallas County will provide 50% of the funding (\$500,000) with the local match split between the City (\$300,000) and the City of Wylie (\$200,000). The City's Capital Improvement Plan (CIP) shows this project to receive funding in FY 2019-2020.

Mayor Felix stated he would like to see the City of Garland involved somehow. Mayor Felix asked staff to discuss with Dallas County the idea of getting funding from the City of Garland. Mayor Felix proposed to table this item until staff is able to have these discussions with the County.

Mayor Tem Watkins agreed. Mayor Pro Tem Watkins stated he would like to see all parties involved and a chance to meet. He would also like to see a maintenance agreement.

Councilman Ross, Bickerstaff, Franks, and King all agreed that the City of Garland should be involved. Councilman Franks stated they should also be involved in the reconstruction and Councilman King suggested that the agreement reference 'contract with Garland' where needed.

Chris Benator, 3605 Pleasant Valley Road, suggested several traffic calming devices and/or ways that would improve their quality of life for those living on Pleasant Valley Road. She would also like to see the City of Garland involved.

Councilman Bickerstaff made a motion to table item 18-4122 to a future meeting. Mayor Pro Tem Watkins seconded that motion and the motion was unanimously approved.

18-4123 Consider approval of a Funding Agreement by and between the City of Sachse and Dallas County for the preliminary engineering of the Muddy Creek Bridge and Sachse Road.

Mrs. Nash stated this proposed funding agreement is for the preliminary engineering of Muddy Creek Bridge and Sachse Road. Dallas County will provide 50% of the funding (\$500,000) with the local match split between the City (\$250,000) and the City of Wylie (\$250,000). The City's FY 2017-2018 shows the project to receive funding in FY 2018-2019 for the preliminary design. Mrs. Nash stated that if Council chooses to approve this funding agreement, it would allow Dallas County to begin the preliminary design with subject to funding from both cities. Staff recommends approval.

Council discussed funding, if there was any extraterritorial jurisdiction in the area, or risks for the City to approve the agreement now. Mrs. Nash stated that the funding is an estimate at this time and the monies are just a placeholder, but the project would include the bridge and a small extension of the road. This piece is currently listed as unincorporated, but it is ultimately in the City of Wylie.

Councilman Franks questioned the maintenance responsibility. There is no responsibility on the City and will be open for discussion as the project progresses.

Councilman Bickerstaff made a motion to approve a Funding Agreement by and between the City of Sachse and Dallas County for the preliminary engineering of the Muddy Creek Bridge and Sachse Road. Councilman King seconded that motion and the motion was unanimously approved.

18-4113 Discuss infrastructure related to development in the President George Bush Turnpike (PGBT) District.

Mrs. Nash stated the design and construction of sewer infrastructure for the PGBT corridor was identified in the Comprehensive Plan as a critical project. This item is for the approval to begin final design for the PGBT force and gravity main, the southeast lift station, and the Muddy Creek trunk sewer connection. Mrs. Nash reviewed the project funding, provided a status update on the phases of the project, and a projected timeline of completion. Staff is working with the design team to complete property and easement documents and will begin coordination in late January/early February with property owners to obtain utility easements with a goal to bid the project in late spring/early summer of 2018.

Councilman Ross asked if the construction for Phase II of Muddy Creek would end this year. Mrs. Nash replied that it will extend into 2019.

18-4115 Consider an ordinance adopting the City of Sachse Design Manual for the installation of nodes and node support poles in the City's rights-of-way, pursuant to Texas Local Government Code Chapter 284.

Mrs. Nash stated the the 85th Texas Legislature enacted legislation regarding small cell facilities and network nodes, which are components of the new 5G advanced wireless communication technology. Senate Bill 1004 grants cellular companies additional access to public rights-of-way. The bill also provides protections and limitations of small cell deployments in residential areas, historical areas, and municipal parks. The fees charged are governed by Texas Local Government Code and the City recommends charging the maximum amount in accordance with state law. Mrs. Nash stated the City Attorney prepared the design manual along with recommendations from the Texas Municipal League. The design manual has been adopted by several other cities that are also opting for the maximum amount of protection. The City Attorney has recommended "Special Districts" to be designated for the nodes. Mrs. Nash noted that a change to the Master Fee Schedule will be required by state law, which is the following agenda item.

Mayor Pro Tem Watkins asked if the City has strict timelines to follow in response to an application. Mrs. Nash responded that the City has already been getting inquiries and recommends adopting the manual to put protection in place for the City, then they may designate some districts. Mayor Pro Tem Watkins would like to see a restriction or limitation on using decorative pole.

Councilman Ross expressed concern about companies using the new poles on SH 78 and 5th Street. Councilman Ross question if the special districts would prohibit companies completely or do the nodes just have to be concealed. There were also questions concerning rights-of-way, residential

areas, and how much the City can regulate. Councilman King proposed placing permissible locations in the City's design standards.

Council further discussed locations where the nodes could be placed, fees, and how projects where poles are moved be handled. Mrs. Nash noted that when poles are moved due to a project, they would follow the same as utility companies.

Councilman Ross made a motion to approve an ordinance adopting the City of Sachse Design Manual for the installation of nodes and node support poles in the City's rights-of-way, pursuant to Texas Local Government Code Chapter 284. Councilman King seconded that motion and the motion was unanimously approved.

18-4114 Consider a resolution amending the Master Fee Schedule FY2017 by adding a new section for Network Provider Fees to include small cell application fees, small cell user fees, and transport facility monthly user fee.

Mrs. Nash stated the proposed update to the Master Fee Schedule is to add both application fees and user fees related to the small cell application and user fees. These fees are the maximum allowed by the state the City can charge. Staff recommends approval.

Councilman Ross asked what would trigger a new fee at an existing location and if a new node type would trigger a new fee or would they just replace it. Mrs. Nash responded that she would get clarification regarding these questions. Mr. McAfee added that current cell towers allows maintenance. A new wire or equipment would require a new permit and inspection to occur. The current zoning covers a private land owner or commercial area.

Councilman King made a motion to approve a resolution amending the Master Fee Schedule FY2017 by adding a new section for Network Provider Fees to include small cell application fees, small cell user fees, and transport facility monthly user fee. Councilman Franks seconded that motion and the motion was unanimously approved.

EXECUTIVE SESSION:

18-4129: The City Council shall convene into Executive Session pursuant to the Texas Government Code, Section §551.072: Deliberation of the sale of real property generally located along SH 78.

At 8:54 p.m. City Council recessed into Executive Session.

At 9:12 p.m. City Council reconvened back into regular session.

No action was taken.

ADJOURNMENT:

Mayor Felix adjourned the meeting at 9:13 p.m.

ATTEST:

MIKE J FELIX, MAYOR

Michelle Lewis Sirianni, City Secretary



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4132	Version:	1	Name:	Wylie MSD 2-05-18
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	1/18/2018	In control:		In control:	City Council
On agenda:	2/5/2018	Final action:		Final action:	
Title:	Approve a resolution of support for a Municipal Setting District (MSD) application for 930 Hensley Lane in Wylie.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Staff Presentation TCEQ MSD Guide Applicant Request Consultant Presentation Proposed Resolution				

Date	Ver.	Action By	Action	Result
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Title

Municipal Setting District (MSD)

Background

- The property, due to known contamination, must comply with Texas Commission on Environmental Quality (TCEQ) requirements in order to conduct business
- Part of the TCEQ process requires a Resolution of Support be obtained from any municipality within a ½ mile radius of the subject property
- An MSD is TCEQ's preferred process for low-risk properties to clear environmental barriers to development and be made whole again
- Texas codified MSDs in 2003 to promote redevelopment of properties that were otherwise environmentally precluded from being used again (i.e. brownfields)

Policy Considerations

- Nearly 400 MSDs have been approved in Texas since 2003
- The contamination is considered legacy (greater than 20 years old), limited to the subject property, and is not a threat to further migrate
- The MSD simply precludes ground water from being used on the subject property ever again (i.e. use restriction)
- Without the Resolution of Support, the development is effectively stalled out and cannot complete the process

Budgetary Considerations

There are no budgetary considerations associated with this item.

Next Steps

Staff has reviewed the request internally, with TCEQ, with the City of Wylie, and with the consultants guiding the developer through the process. Staff finds no negative impact to Sachse, as the site is not adjacent to nor within Sachse, and the MSD is a compliance process of the State.

Several packet attachments provide additional details and technical information. Geotechnical consultants and City of Wylie staff will be available at the meeting for any questions as well.



MUNICIPAL SETTING DISTRICT

CITY COUNCIL

FEBRUARY 5, 2018

REQUEST

Consider and act on a Resolution of Support for a Municipal Setting District (MSD) application for 930 Hensley Lane in Wylie.

BACKGROUND

- A property in Wylie, due to known contamination, must comply with TCEQ requirements in order to conduct business
- Part of the TCEQ process is obtaining a Resolution of Support from any municipality within a 1/2 mile radius of the subject property
- An MSD is TCEQ's preferred process for low-risk properties to clear environmental barriers to development and be made whole again
- Texas codified MSDs in 2003 to promote redevelopment of properties that were otherwise environmentally precluded from being used again (i.e. brownfields)

POLICY CONSIDERATIONS

- Nearly 400 MSDs have been approved in Texas since 2003
- The contamination is considered legacy (greater than 20 years), limited to the subject property, and is not a threat to further migrate
- The MSD simply precludes ground water from being used on the subject property ever again (i.e. use restriction)
- Without the Resolution of Support, the development is effectively stalled out and cannot complete the process

NEXT STEPS

Staff has reviewed the request internally, with TCEQ, with the City of Wylie, and with the consultants guiding the developer through the process. Staff finds no negative impact to Sachse, as the site is not adjacent to nor within Sachse, and the MSD is a compliance process of the State.

Several packet attachments provide additional details and technical information, and the geotechnical consultants are available for any questions as well.



TCEQ GENERAL INFORMATION

Remediation Division

GI-326 • Revised February 2013

Municipal Setting Designations: A Guide for Cities

INTRODUCTION

In 2003, the 78th Texas Legislature passed a Municipal Setting Designations (MSDs) law, effective September 1, 2003, that relates to the potability of groundwater and the requirements for removing contaminants from groundwater. The law authorized the Texas Commission on Environmental Quality (TCEQ) to receive, process and certify MSD applications for properties with contaminated groundwater that are located in cities or their extraterritorial jurisdiction. The TCEQ can certify an application **only** if there is local city support. The city has the choice to either support or not support an MSD application. Because of this need for city support, city officials can expect to be contacted by persons who wish to pursue state certification of an MSD. Cities can also pursue MSDs for their own use.

The MSD law provides a new alternative to persons addressing the groundwater contamination they are responsible for causing, as well as to persons who “volunteer” to address groundwater contamination. The MSD law sets conditions for MSD properties that limit requirements for contaminated groundwater to be investigated and remediated (cleaned up or controlled) to make the groundwater suitable for use as potable water, when that groundwater is not used for potable

water and will not be used for potable water in the future.

This document is provided as reference material to city governments regarding MSDs. This document explains:

- what an MSD is,
- the purpose behind the law, and
- identifies potential considerations when the city is deciding its position on MSD certification.

Further information on MSDs can be accessed from the MSD Web page: [<www.tceq.texas.gov/remediation/msd.html>](http://www.tceq.texas.gov/remediation/msd.html).

Or contact the TCEQ Remediation Division directly at 512-239-2200 and ask to speak with a staff member knowledgeable about MSDs.

MSD OVERVIEW

An MSD is an official designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the applicable potable-water protective concentration level. The prohibition must be in the form of a city ordinance, or a restrictive covenant that is

enforceable by the city and filed in the property records. The MSD property can be a single property, multi-property, or a portion of property.

Definitions:

Groundwater - The water present below ground surface.

Potable Water - The statute defines potable water as water that is used for drinking, showering, bathing, cooking purposes, or for irrigating crops intended for human consumption.

Potable-Water Protective Concentration Level - A maximum concentration of a contaminant in groundwater that is protective for people using the groundwater for potable purposes. Potable-water protective concentration levels are specific to each contaminant and are reported in units of milligrams of contaminant per liter of water (mg/l).

BACKGROUND AND PURPOSE OF THE MSD

The purpose of the MSD law is to provide a less expensive and faster alternative to the existing state environmental regulations governing the investigation and cleanup of contaminated groundwater. The statute substitutes a municipal ordinance or restrictive covenant in lieu of TCEQ regulations to protect the public against exposure to the contaminated groundwater.

In many cities, some of the chemicals spilled onto the ground by commercial or industrial activities have seeped through the soil and into groundwater. Because groundwater is frequently a source of potable water for people, the state regulations typically require the investigation and remediation of the contaminated groundwater to support potable water use. In almost every case,

potable water use of groundwater is the most protective basis the state uses to regulate the cleanup of contaminated groundwater.

In some city locations, however, no one is using groundwater as potable water in the vicinity of the contaminated groundwater zone, and there is no plan to use that groundwater as potable water in the future because a public water supply that relies on another source of water is available. For such instances, the MSD law provides an alternative to the standard TCEQ regulatory requirements. Instead of restoring or controlling the contaminated groundwater zone so it can be used as potable water, a prohibition is placed on the designated groundwater beneath the MSD property to prevent people from using the contaminated groundwater as potable water, as the means to protect the public.

However, if there is a potable-use water well within one-half mile of the MSD property boundary, then the extent of any groundwater contamination beyond the MSD boundary does have to be determined and remediated in accordance with the statute. If there is no such well, then the contamination would not be assessed or remediated for potable purposes, but assessment could be required for other purposes.

Because people, animals, fish and plants (ecological receptors) can potentially be exposed to the contamination in other ways, the law allows the TCEQ to require the contamination to be investigated and remediated for other concerns unrelated to potable water use. For example, the inhalation of vapors originating from the groundwater contaminants, or the discharge of

groundwater contaminants to lakes or streams can be a concern.

By providing this alternative way to address contaminated groundwater that will not be used as potable water, persons may be more inclined to develop and redevelop properties in municipal areas that have contaminated groundwater.

AUTHORITY TO ESTABLISH AN MSD

The 78th Texas Legislature passed House Bill 3152, and subsequently that legislation was codified in the Texas Solid Waste Disposal Act (Texas Health and Safety Code, Chapter 361, Subchapter W, Sections 361.801-808). The legislation provided new authority for cities to support MSDs [see Local Government Code, Section 211.003, Subsection (a), and Local Government Code, Section 212.003, Subsection (a), and Local Government Code, Section 401.005]. The Texas Health and Safety Code was subsequently modified by House Bill 2018, of the 80th Legislature and by House Bill 2826, 82nd Legislature. The statutes can be downloaded from www.statutes.legis.state.tx.us.

ELIGIBILITY CRITERIA

The statute specifies two eligibility requirements:

1. The proposed MSD property must be within the corporate limits or extraterritorial jurisdiction of a municipality authorized by statute, and
2. There must be a public water supply system that meets state requirements that “supplies or is capable of supplying drinking water” to the MSD property and all

properties within one-half mile of the MSD property.

ALLOWABLE APPLICANTS

Any person, including a local government, can apply for an MSD. “Person” is defined as an individual, corporation, organization, government or governmental subdivision or agency, or business trust, partnership, association or any other legal entity [see Texas Health and Safety Code, Section 361.003(23)].

This means that cities can also apply for an MSD. An MSD can be used to address groundwater contamination the applicant is responsible for, or for any other property where there is groundwater contamination, provided the eligibility criteria are met.

STATUTORY NOTIFICATION REQUIREMENTS

The MSD statute requires the applicant to provide a letter to notify the parties identified below that an MSD application is to be submitted to the TCEQ. The notice must be completed in advance of or at the same time an application is submitted to the TCEQ. Specifically, the notice letter must be provided to:

- Each municipality:
 - In which the MSD property is located;
 - With a boundary located within one-half mile from the MSD property boundary; or
 - That owns or operates a groundwater supply well located within five miles from the MSD property boundary;

- Each owner of a “private water well registered with the commission”¹ that is located within five miles from the MSD property boundary; AND
- Each retail public utility² that owns or operates a groundwater supply well located within five miles of the MSD property boundary.

The applicant is required in the notice letter to:

- Identify the location of the proposed MSD property,
- State the reason for the MSD certification,
- State that municipalities and retail public utilities can provide comments to the TCEQ,
- Identify the type of groundwater contaminants
- Name the party responsible for the contamination, if known
- State the eligibility criteria, and
- State the time period for the TCEQ Executive Director to certify or deny the MSD or to request additional information.

For proposed MSDs located in a municipality with a population of two million or more, a statement must be included in the notice letter that the notified municipality or retail public utility has 120 days from receipt of the notice to pass a resolution opposing the application for an MSD.

¹ Statutory language refers to the TCEQ, but the Texas Water Development Board and the Texas Department of Licensing and Regulation must also be consulted.

² Retail public utility as defined by Texas Water Code Section 13.002.

Notified parties have up to 60 days after they receive the notice letter to file comments with the TCEQ, if they choose to do so. The TCEQ cannot take action to deny or certify the application until 60 days after those notices are received. Where the proposed MSD is located in a municipality with a population of two million or more, then the TCEQ cannot take action to deny or certify the application until 120 days after municipalities and retail public utilities have received their notices.

THE CITY ROLE

The city is not required by statute to accept, process or support MSD applications. However, for an MSD to be certified by TCEQ, municipal support for the application is paramount. Therefore, MSD certification is significantly controlled by the city. For a city where the proposed MSD property is located and the city has a population of less than two million, the statute allows an MSD application to be certified only if the city council supports the application with a resolution and either:

- Adopts an ordinance to prohibit potable use of the designated groundwater from beneath the MSD property and to appropriately restrict other uses of and contact with the designated groundwater, OR
- The MSD property is subject to a restrictive covenant that is enforceable by the municipality to prohibit potable use of designated groundwater from beneath the MSD property and to appropriately restrict other uses of and contact with the designated groundwater.

The statute also defines a role for cities that border the proposed MSD within one-half mile of the proposed MSD boundary or who own or operate a groundwater supply well located within 5 miles of the proposed MSD boundary. In these cases, the applicant must also provide a notice to that city of their intent to file an MSD application with the TCEQ. Further, for a proposed MSD located in a municipality with a population less than two million, the statute allows an application to be certified in such situations only if the city council of that bordering city also adopts a resolution in support of the MSD application. Where the proposed MSD is located in a municipality with a population of two million or more, a city notified of the MSD application is not required to pass a resolution of support, however, if the city opposes the MSD, it must pass a resolution opposing the MSD within 120 days of receiving notice.

As stated earlier, no municipality is under statutory obligation to support an MSD application, but without municipal support, the TCEQ is statutorily required to deny the application because it is incomplete. An application is not complete until the resolution and ordinance or restrictive covenant, as applicable, are adopted by the city where the proposed MSD is located, and by the other cities, if applicable. However, in accordance with the statute, the ordinance restrictive covenant, and documentation of a resolution supporting the MSD or documentation of no resolution opposing the MSD (in cities of a population of two million or more) can be submitted to the TCEQ after the TCEQ processes and “precertifies” the application.

In all cases, the TCEQ will need assurance that applicants have the firm support of each required city before submitting an application to the TCEQ.

Therefore, it is up to the city to decide what is in its best interest regarding each MSD property that is proposed to be located within its border or within a bordering city. The statute does not prohibit a city from imposing additional application procedures and requirements on the applicant.

Outside of providing support for the application, the municipality also needs to confirm the status of public water availability for the TCEQ when the city owns or operates a public drinking water supply system that serves the MSD area. Specifically, the TCEQ must have verification that a public drinking water supply system exists that “supplies or is capable of supplying drinking water” to the MSD property and all surrounding properties within one-half mile of the MSD property. The applicant must provide this information in the application, but the TCEQ also prefers to directly verify this with the public drinking water supplier. A city letter signed by an appropriate city official verifying the availability, or the extent of public drinking water service they provide to the proposed MSD area, is sufficient.

If a city does not support an MSD, it should directly inform the applicant of this fact. Additionally, it can also document this conclusion in a letter submitted to the TCEQ.

MSDs Located in a City with a Population of 2 million or More:

For a MSD located within a municipality with a population of two million or more, in order for the MSD application to be certified, any Retail Public Utility that owns or operates a groundwater supply well within 5 miles of the MSD property or a city with a boundary located within one-half mile of the proposed MSD boundary, or that owns or operates a groundwater supply well within 5 miles of the MSD property, is not required to pass a resolution of support. If no resolution opposing the MSD is adopted by any such municipality or retail public utility within 120 days of receiving their notice, the applicant would be considered to have complied with the MSD eligibility requirements.

THE RETAIL PUBLIC UTILITY ROLE

By statute, retail public utilities (RPU) have a role in certain instances. The applicant is required to identify every RPU, if any, that owns or operates a groundwater supply well located within five miles of the MSD property and provide notice to each identified RPU of the applicant's intent to submit an MSD application to the TCEQ.

For a proposed MSD located in a municipality with a population less than two million, if an RPU owns or operates a groundwater supply well located within 5 miles of the proposed MSD boundary, then for the MSD application to be certified, the applicant must provide a copy of a resolution in support of the MSD application from the governing body of each applicable RPU. For a proposed MSD located in a municipality with a population of two million or more, an RPU notified of the MSD application is not required to pass a resolution of support. However, if the RPU opposes the MSD application, then it must pass a resolution opposing the MSD within 120 days of receiving notice. As is the case for a municipality,

the RPU is under no statutory obligation to support an MSD application. The TCEQ is also directing applicants to obtain firm support of each RPU before submitting an application to the TCEQ.

An RPU is also asked to support the TCEQ in processing the application by confirming to what extent its system supplies or is capable of supplying water to the MSD property and all properties within one-half mile of the MSD property. This information is needed for the application. A letter from each RPU signed by an appropriate official with the RPU verifying the extent of its public drinking water service to the proposed MSD area is sufficient.

City and Retail Public Utility Support

The applicant is not to submit an MSD application to the TCEQ until they have "firm" municipal and RPU support for the application. Firm support can be demonstrated by providing the TCEQ with a direct indication from an individual within the municipality or RPU who has authority to advise the city council or governing body that they will recommend that the required resolutions or ordinance be adopted.

THE TCEQ ROLE

As with cities and RPUs, the TCEQ's role is established by statute. The TCEQ is to receive and process applications, verify proposed MSD properties meet statutory eligibility requirements, and verify that applications are administratively complete. If the MSD property is statutorily eligible and the application is complete, then the TCEQ will certify the application.

The TCEQ has statutory authority to deny an application when:

- The eligibility requirements are not met,

- The application is incomplete or inaccurate, or
- Based on comments or information from applicant-notified parties or other information, the TCEQ determines the MSD would negatively impact the current and future regional water resource needs or obligations of a municipality, a RPU, or a private well owner.

If the application is certified, the TCEQ is required to provide a copy of the certification to parties who received notice from the applicant, as well as to all parties who provided comment during the 60-day comment period on the application and to anyone else who requested a copy. The TCEQ will also be available to help municipalities obtain an understanding of the MSD statute and program.

The TCEQ's responsibilities subsequent to MSD certification are determined under the statute, i.e., Texas Health & Safety Code Section 361.808 (Investigation and Response Action Requirements).

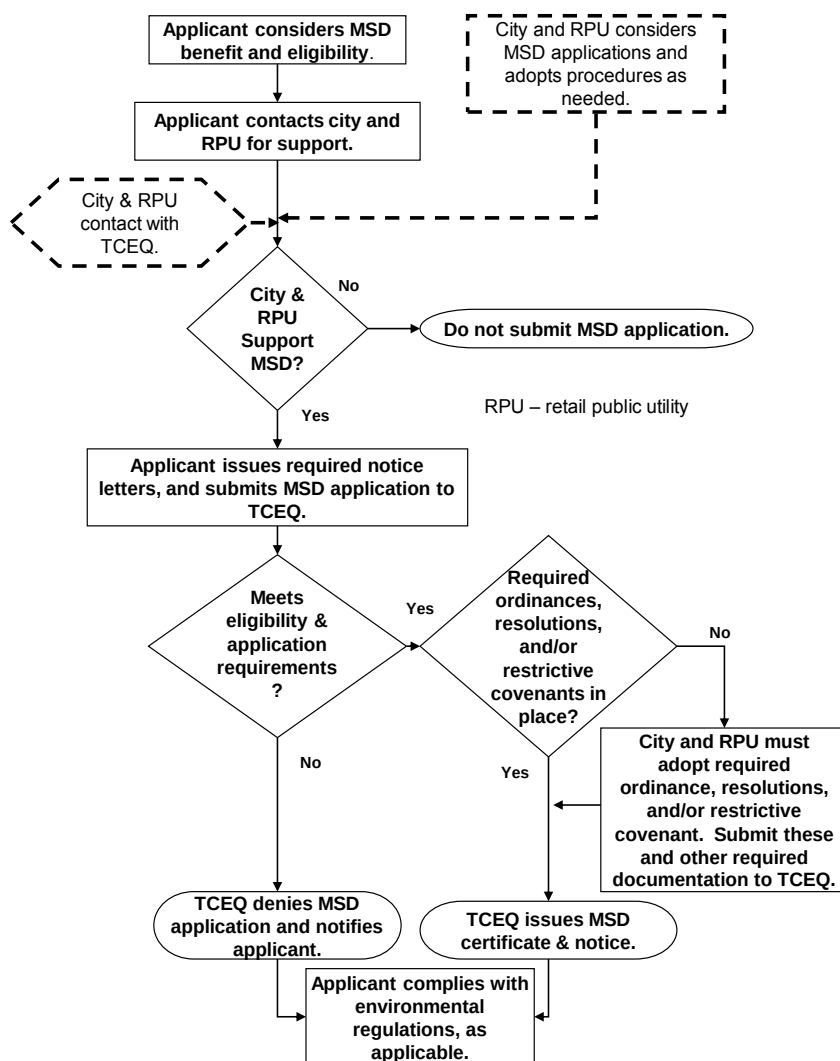
CERTIFICATION PROCESS

In general, an applicant must provide notice to parties identified by statute that an MSD application will be submitted to the TCEQ, and subsequently submit an MSD application for TCEQ consideration. However, as indicated in Figure 1 the process also involves city and RPU support. Note that there are action steps for the applicant,

notified cities, RPUs, and the TCEQ. The TCEQ must certify, deny or request additional information within 90 days of receiving the application.

If the city anticipates there will be local interest in applying for an MSD and if the city is in general willing to support MSDs, then as indicated in Figure 1, the city may choose to establish procedures for an applicant to follow when seeking city support. The City of Fort Worth is an example of a city that has adopted procedural ordinances for MSD applicants to follow.

Figure 1. MSD application process. (Dashed lines denote optional actions.)



CONSIDERATIONS IN SUPPORTING MSDS

The practical outcome of an MSD is that the requirement to investigate and remediate existing contaminated groundwater for potable water use purposes will be lessened or eliminated. Instead of the TCEQ regulations, public protection is provided through the MSD potable water use prohibition.

The following considerations are presented to aid cities unfamiliar with MSDs and that are unsure of factors that may need to be considered.

WATER RESOURCE CONSIDERATIONS

Current and future dependence on groundwater for potable water

Consider what the source of your current or future potable water supply is and whether existing contaminated groundwater in the MSD area threatens a potable groundwater supply the city or its citizens rely on, or will rely on in the future. An MSD is authorization to take that contaminated groundwater zone within the MSD boundary out of use for potable water, indefinitely. Figures 2 and 3 illustrate the location of the major and minor groundwater aquifers in the state. These aquifers are relied on for potable water in many areas of the state

In considering whether to support MSDs in general, if the city relies on surface water or groundwater located far from the MSD area for potable water, then the existing groundwater contamination within the city might not be a particularly important consideration. However, if groundwater beneath the city is relied on for potable water by the city or its citizens, then the

groundwater contamination may pose a threat to the potable water supply.

Relevant factors to consider when evaluating if there is any such threat to the potable groundwater supply may include the following, as well as other potential factors:

- what groundwater zone(s) are used for potable water,
- what groundwater zones are contaminated and what is the level of understanding of the degree and extent of the groundwater contamination,
- the degree of any natural or anthropogenic hydraulic connection between the potable groundwater supply and the contaminated groundwater,
- the degree of knowledge of existing local water well locations;
- relative proximity of existing and planned potable-water wells to the groundwater contamination,
- the design of those potable-water wells and integrity of those wells against being contaminated by the contaminated groundwater,
- potential for future water well installations outside the MSD potable water use prohibition,
- the local hydrogeology and possibly the regional hydrogeology (aquifer recharge, groundwater flow, aquifer interconnectivity, etc.), and
- the nature and chemical/physical properties of the groundwater contaminants.

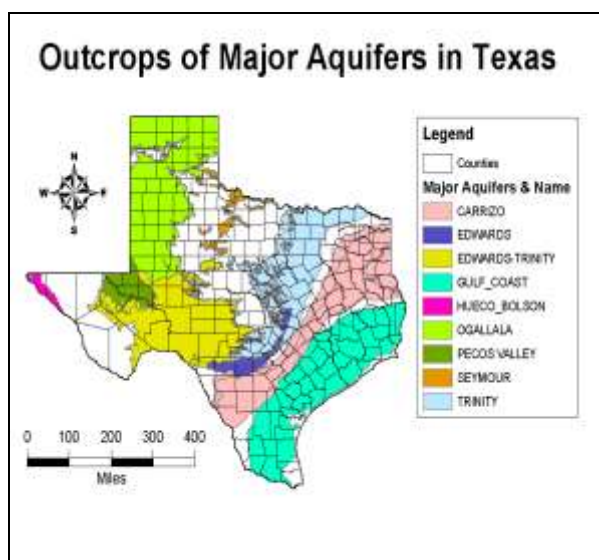


Figure 2. Outcrops of major aquifers in Texas.

Considering these factors, it may become apparent MSDs can be appropriately sited anywhere within the city, or only within certain areas of the city, if at all. There may be ways to shore up any uncertainties in the appropriateness of MSDs by placing particular information or action requirements on the applicants.

Irrigation and Industrial water sources

If the groundwater is used for “non-potable water” purposes in the vicinity of the MSD property, the TCEQ is not prohibited by statute from requiring the person to investigate and remediate the groundwater to address those non-potable considerations. Examples of non-potable groundwater use include irrigation of lawns, watering pets and livestock, and industrial process or cooling water. Historically, the TCEQ has typically applied its potable-water protective concentration levels to such instances of non-potable use of groundwater.

Additionally, pumping of groundwater for non-potable use can spread the existing groundwater contamination.

The frequency of non-potable groundwater use in the area might give an indication of whether the municipality might prefer the MSD to cover the full extent of groundwater contamination, or provide the necessary insight into the appropriate scope and scale of a municipal groundwater use prohibition ordinance, or restrictive covenant.

MSD MANAGEMENT CONSIDERATIONS

MSDs frequently bring up management questions, some of which might not be unique to or a true consequence of an MSD.

The city goals

Depending on the goals for the city, MSDs might be an important alternative. The restrictive covenant or ordinance used to prohibit potable water use must at least cover the entire MSD property. Additionally, the city may want to place such limits outside the MSD boundary as a safeguard against future potable water use in the MSD area, or in anticipation of other MSDs.

If the city supports use of MSDs and is also contemplating or is already undertaking a significant Brownfield redevelopment or revitalization project for a city sector, then MSD scale is important. A multi-property or “regional” MSD or a “regional” ordinance that prohibits the use of the designated groundwater as potable water might be advantageous. An MSD applies to all contamination in the designated groundwater **within** the MSD boundary, even if it extends across multiple real estate tracts that have their different sources of contamination within the MSD property.

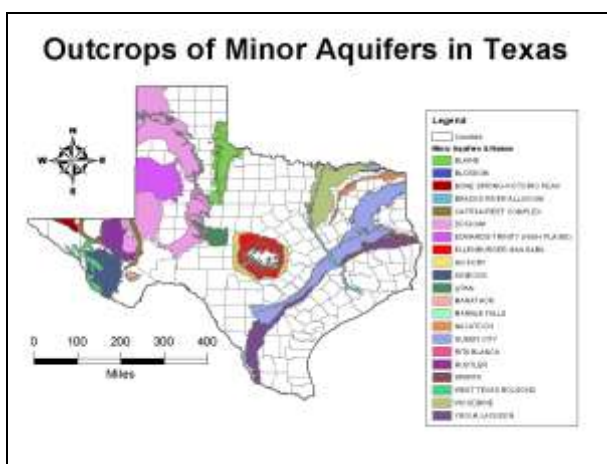


Figure 3. Outcrops of minor aquifers in Texas.

A regional groundwater ordinance could support subsequent MSD applications filed on a property-by-property basis for the different tracts of land within the physical limits of that ordinance. This would allow applications to be filed as additional properties with groundwater contamination are discovered. The ordinance does need to stipulate that the reason for the potable water use prohibition is that the groundwater is contaminated.

Be aware that the statute requires notices to and resolutions from different parties within certain radial distances from the **boundary** of the MSD property. Moreover, the regulatory flexibility a certified MSD provides is tied to whether there are potable-water wells located within one-half mile of the MSD boundary. As the size of the proposed MSD property is increased, the radial distances commensurately reach farther out and can shift notification and MSD support requirements as well as relative proximity to potable water wells, depending on what falls within those radial distances.

Repeal of ordinance

The MSD certificate is predicated on the ordinance or restrictive covenant

remaining in effect. Therefore, if the city changes its support for the MSD by withdrawing the ordinance, there would be no prohibition against the use of the contaminated groundwater for potable water within the MSD. Accordingly, the TCEQ and the city need to be in communication if the city withdraws or revokes the MSD ordinance. As a courtesy, the TCEQ requests that the city notify it at least 60 days in advance of making any such change.

Coverage of the potable water use prohibition and potable-water well installation

The MSD statute requires only that the designated groundwater **within** the MSD boundary be prohibited from potable use. The MSD prohibition **is not required** to extend beyond the boundary of the MSD or to cover the extent of contaminated groundwater that may extend beyond the MSD boundary, currently or in the future. There may be no other natural or legal controls or safeguards outside the boundary of the MSD that prevents installation of a potable-water well within one-half mile of the MSD property, subsequent to MSD certification.

If the TCEQ becomes aware of such a situation, then the person responsible for the MSD groundwater contamination will have to assess and remediate for potable purposes in accordance with Texas Health & Safety Code Section 361.808. Unfortunately, the TCEQ may not be made aware of new wells in the vicinity of the MSD.

If future potable use of groundwater in the vicinity of the MSD property is a concern, then local initiatives to monitor and report water well installation in the vicinity of existing MSDs may have

merit. Some cities may already have other ordinances or controls that prohibit water wells or require a city permit to be obtained before a water well can be installed. Such controls are not typically sufficient to satisfy the MSD ordinance requirements, but can effectively provide an added measure of protection.

Alternatively, the city may also consider notification of the MSD to local citizens as a means to safeguard against future potable water use in the MSD area.

Technical expertise and technical information

When evaluating the appropriateness of MSDs, a city may encounter some complex legal and technical matters. A consideration is what city department(s) should evaluate MSD proposals; what problems, if any, are anticipated in arriving at a conclusion; and what information is needed to support a good decision on the matter. The MSD statute requires the applicant to provide the specific information listed in the statute, but the city might have a need to be provided other, additional information. If so, the city might consider defining procedures for MSD applicants.

CONTAMINANT CONSIDERATIONS

The appropriateness of a particular MSD in some instances can be dependent on the nature of the contaminants and the expected behavior of the groundwater contaminants over time. Detailed contaminant behavior information is not required at the time of submitting an MSD application. Therefore, the MSD application may be prepared and submitted to the TCEQ at the “front end” of a remediation project. This may result in the TCEQ having

little to no technical information regarding contaminant conditions at the property at the time of processing an MSD application.

Further, once an application is certified, the requirements of Texas Health and Safety Code Section 361.808 take effect. As discussed previously, depending on the presence or absence of local potable-water wells, the applicability of other exposure concerns in the MSD property and surrounding area, there may not be a requirement to define the nature and extent of groundwater contamination, or to evaluate the potential for the contamination to spread further (laterally, or to deeper groundwater zones).

Also, the groundwater contamination at an MSD property may have a potentially short or long legacy, depending on the nature of the contaminant and site conditions. Some groundwater contaminants, such as benzene, are less persistent in the environment than others. This means that once the contaminant source is mitigated, the dissolved groundwater contaminant commonly degrades or naturally reduces in concentration due to bacterial, chemical and/or physical processes in the environment.

Other contaminants, such as some chlorinated solvents, are not as readily amenable to natural degradation and may be more persistent in the environment. Additionally, some contaminants degrade to a more toxic groundwater contaminant. For example, tetrachloroethylene, also known as perchloroethylene or “perc,” a commonly used dry cleaning chemical, degrades through several intermediate chemicals to the more toxic chemical, vinyl chloride.

All other factors being equal, the longer legacy contaminants might naturally warrant more concern than short legacy contaminants. Unfortunately, in many instances the longer legacy contaminants are also among the most difficult and therefore among the most expensive to cleanup.

PUBLIC AWARENESS CONSIDERATIONS

The statutory notice requirements were presented earlier in the **STATUTORY NOTIFICATION REQUIREMENTS** section of this document. Recipients of the notice have 60 days from the date it is received to file comments with the TCEQ. The city might consider whether it prefers that additional parties, such as landowners or other potential stakeholders, are notified of the proposed MSD.

AN MSD EXAMPLE

Figure 4 illustrates an example MSD. The figure is of a three-dimensional cross-section of a slice into the ground beneath property in a city. In the cross-section, three different groundwater zones are depicted. The “box” labeled “MSD Property” depicts the lateral and vertical boundaries of the MSD (MSD property).

In this example, only Groundwater Zone 1 is contaminated. An MSD can only be applied to existing contaminated groundwater zones, not to clean or uncontaminated groundwater zones. Therefore, as indicated by the vertical boundary of the box, only Groundwater Zone 1 is included in the MSD. The portion of Groundwater Zone 1 that is within the MSD boundary is deemed the “designated groundwater” for the MSD

and as such **prohibited** from current and future use as potable water.

Groundwater Zones 2 and 3 are not contaminated, and therefore, they are not eligible to be included in the MSD. In this example, only Groundwater Zone 1 is prohibited as a potable water supply. Unless there is a potable-water well within one-half mile of that MSD boundary, the groundwater contamination will not be investigated or remediated for potable water use.

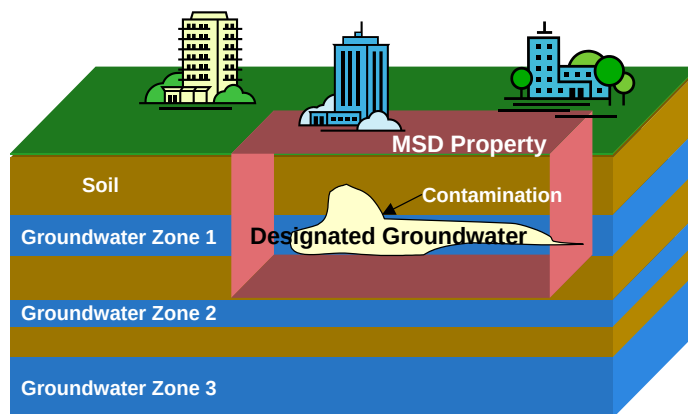


Figure 4. Three-dimensional cross-section of an MSD property and the designated groundwater zone.



DATE July 26, 2017

PROJECT 16157

ATTN **Mr. Dusty McAfee**
City of Sachse
3815 Sachse Road, Building B
Sachse, Texas 75048

SUBJECT **Support Resolution Request – Municipal Setting Designation**
Extruders Facility
930 Hensley Lane
Wylie, Texas

Dear Mr. McAfee:

Modern Geosciences, LLC (Modern) is assisting the former property owner (Extruders) concerning the above-referenced facility (Site). As part of a recent transaction concerning the property, a localized area of groundwater was noted with selenium exceeding its Texas Risk Reduction Program (TRRP) Tier 1 groundwater ingestion Protective Concentration Level (^{GW}GW_{ing} PCL). The selenium exceedance has only been identified at one upgradient well and is likely associated with an upgradient property.

Please see Figure 1 for a depiction of the groundwater Protective Level Exceedance (PCLE) Zone. The groundwater impact has been fully delineated on the Site and is anticipated to be associated with an upgradient property. Groundwater monitoring has confirmed the impact to be only within the shallow groundwater beneath the Site.

Based on discussions with the City of Wylie, a Municipal Setting Designation (MSD) was selected as the most appropriate tool to complete this closure. To fulfill this process, we are requesting a resolution in support of an MSD application for the Site. The City of Wylie passed Ordinance No. 2017-19 on June 13, 2017 in support of the MSD (attached).

MSD LOCATION AND PURPOSE

Because you are a municipality located within ½ mile radius of the MSD Site, the MSD statute requires that we request a resolution from your City Council in support of the MSD application for the Site. An Area Map with the location of the proposed MSD boundary and the distance to the City of Sachse is provided as Figure 2 (approximately 475 feet). This letter is to provide you information to alleviate possible concern you might have in regard to the historic contamination identified in the MSD area and confirm your system is not and will not be impacted by the identified release. Attached to this request is a map showing the proposed MSD with city

boundaries and extent of groundwater impact (Figure 1), a copy of the legal survey of the MSD (Attachment 4), and example resolution for consideration (Attachment 5).

NATURE OF RELEASE, REGIONAL GEOLOGY AND HYDROGEOLOGY

The affected groundwater is encountered within a perched groundwater-bearing unit (GWBU) that begins between 18 and 23 feet below ground surface. The perched GWBU across the proposed MSD is anticipated to occur within a silty clay and sandy clay unit above a confining unit.

The current chemicals of concern (COCs) exceeding Residential Assessment Levels at the Site include the following:

TABLE 1: GROUNDWATER COC DATA SUMMARY			
Groundwater COC	Maximum Current Concentration	Ingestion PCL (^{GW} GW _{Ing})	Non-Ingestion PCL (^{Air} GW _{Inh-v})
		Without MSD	With MSD
Selenium	0.0585	0.05	NE

All concentrations reported in mg/L

NE-Not Evaluated

Utilizes March 2017 TRRP Tier 1 Residential PCLs (0.5 acre source assumed)

No COCs in current monitoring data exhibited groundwater concentrations above the Texas Risk Reduction program (TRRP) MSD-adjusted Protective Concentration Levels (PCLs). Groundwater flow beneath the MSD has been documented to the southwest.

PUBLIC UTILITY SUPPLY WELLS

The Site obtains water from the City of Wylie, which obtains its drinking water from the North Texas Municipal Water District (NTMWD). The NTMWD obtains its drinking water from Lavon Lake, Lake Texoma, and Lake Cooper. The closest of these referenced lakes is Lavon Lake is located approximately 3.3 miles northeast of the Site.

CONCLUSION

Based on the distance to the City of Sachse, investigation data, and the groundwater impact noted to not extend beyond the Site, the identified release in the MSD area does not pose a threat to your water system or properties in your city.

We request the passage by you of a resolution in support of the MSD application for the 930 Hensley Lane Site at the earliest available opportunity to allow the project to complete the TCEQ closure process.



Please feel free to contact the undersigned if you have any comments or questions concerning this letter or the attachments.

Respectfully submitted,

MODERN GEOSCIENCES

TEXAS REGISTERED GEOSCIENCE FIRM 50411

TEXAS REGISTERED ENGINEERING FIRM F-16201

Lisa Marinangel
PROJECT MANAGER



Kenneth S. Tramm, PhD, PG, CHMM
SENIOR PROGRAM MANAGER

Attachments

- 1- Extent of Groundwater Impact Map
- 2- Area Map
- 3- MSD Ordinance from City of Wylie establishing the MSD
- 4- Legal Survey of the MSD
- 5- Example Resolution Form



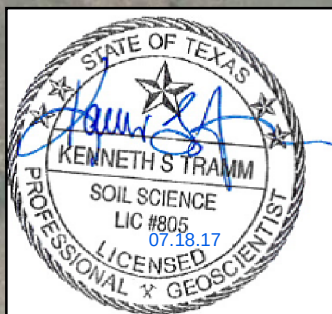
ATTACHMENT 1

Extent of Groundwater Impact Map



0 75 150 225 300
Feet

The information included in this figure was obtained from multiple sources and is subject to change without notice. Modern Geosciences does not warrant the accuracy or rights concerning use of third party information. This figure is not intended for use as a survey or construction design document. The use or misuse of the data provided is at the sole risk of the party using or misusing the information.



Legend

- Extent of Groundwater Impact
- Site Boundary
- Groundwater Flow Direction



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DRAWN BY:	CS/LM/DW
CHECKED BY:	KT
FILE NAME:	Fig1_Extruders_ExtGWMap_071817.mxd

**EXTENT OF GROUNDWATER
IMPACT MAP**

Extruders Facility
930 Hensley Lane
Wylie, Texas

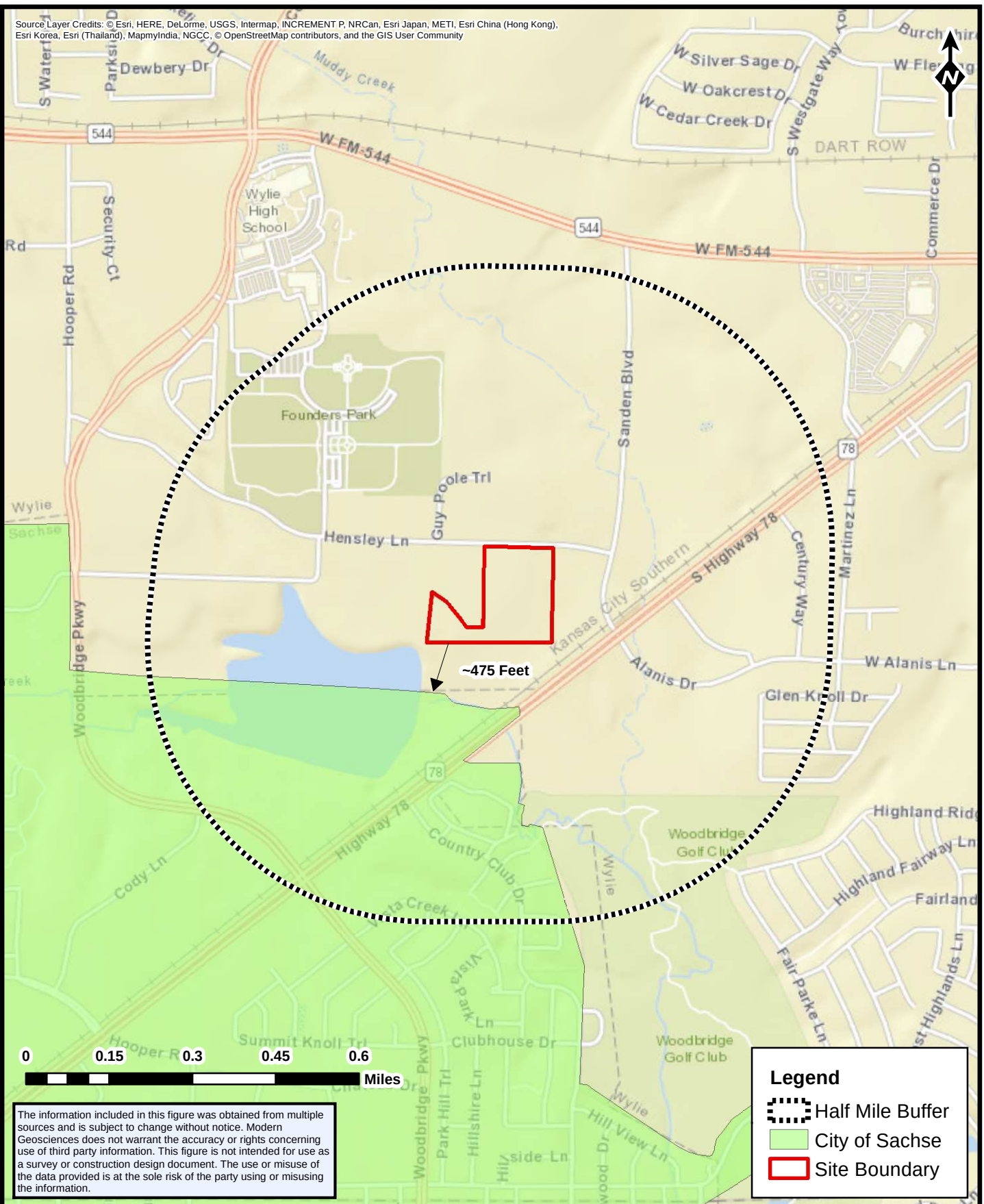
FIGURE

1



ATTACHMENT 2

Area Map



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DRAWN BY:	CS/LM/DW
CHECKED BY:	KT
FILE NAME:	Fig2_Extruders_SachseMap_071817.mxd

**AREA MAP-
CITY OF SACHSE**

Extruders Facility
930 Hensley Lane
Wylie, Texas

FIGURE

2



ATTACHMENT 3

MSD Ordinance from City of Wylie establishing the MSD

ORDINANCE NO. 2017-19

A MUNICIPAL SETTING DESIGNATION ORDINANCE OF THE CITY OF WYLIE, TEXAS, PROHIBITING THE USE OF GROUNDWATER FROM BENEATH PROPERTY GENERALLY LOCATED SOUTH OF HENSLEY LANE AND WEST OF SANDEN BOULEVARD, AND MORE SPECIFICALLY BEING 930 HENSLEY LANE AND BEING ALL OF LOT 1, BLOCK B OF THE PREMIER INDUSTRIAL PARK SOUTH, 1ST REVISION OUT OF THE DUKE STRICKLAND SURVEY, ABSTRACT NO. 814; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Subchapter W of Chapter 361 of the Texas Health and Safety Code ("MSD Law") authorizes the Texas Commission on Environmental Quality ("TCEQ") to identify and designate certain areas – municipal setting designations – within a municipality or its extraterritorial jurisdiction on which groundwater is not used as potable water and to prohibit such groundwater from future use as potable water because the groundwater is contaminated in excess of the applicable potable-water protective concentration level; and

WHEREAS, Section 42-130, of Article VII. Municipal Setting Designations, Ordinance 2016-01, as amended, of the City Code of Ordinances authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the City Council finds that:

- (1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;
- (2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the City of Wylie;
- (3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and
- (4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the governing body of the City of Wylie, Texas in compliance with the laws of the State of Texas, and the ordinances of the City of Wylie, have given the required notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1: That for purposes of this municipal setting designation ordinance, the “designated property” means the property described in Exhibit A, attached to the ordinance.

SECTION 2: That for purposes of this municipal setting designation ordinance, “designated groundwater” means water below the surface of the designated property to a depth of 150 feet.

SECTION 3: That use of the designated groundwater from beneath the designated property as potable water, as defined in Section 361.801(2) of the Texas Health and Safety Code, and the following uses of or contacts with the designated groundwater are prohibited:

- (1) Human consumption or drinking
- (2) Showering or bathing
- (3) Cooking
- (4) Irrigation of crops for human consumption.

SECTION 4: That the City Council supports the application to the Texas Commission on Environmental Quality for certification of a municipal setting designation for the designated property.

SECTION 5: A person who has received approval of a MSD from the City shall, upon issuance from the TCEQ, provide the director with a copy of the certificate of completion or other documentation issued for the MSD area, showing that response actions, if required, have been completed.

SECTION 6: The applicant shall execute, deliver and file, no later than thirty (30) days from the date of the TCEQ’s certification, in the official real property records of the appropriate county, a deed restriction approved as to form by the city attorney prohibiting the drilling of wells and the use of designated groundwater for any purpose, including but not limited to any potable purpose, and excepting only: (i) wells used as monitoring wells for the collection of groundwater samples for chemical or biological laboratory analyses; and (ii) wells used for the purposes of remediation of soil or groundwater contamination.

SECTION 7: A file-stamped and recorded copy of said deed restriction shall be delivered to the city attorney’s office and the director’s office within three (3) business days after the date of filing. The deed restriction shall be enforceable by the City and may be amended or terminated only with the prior written consent of the City after at least thirty (30) days prior written notice to the TCEQ of any pending amendment or termination.

SECTION 8: A person commits an offense if the person fails to provide the city attorney and the director with the documentation required in this section within the specified time frames.

SECTION 9: A person commits an offense if the person intentionally, knowingly, or with criminal negligence uses groundwater in a designated area for a purpose prohibited in the municipal setting designation ordinance.

Section 3 – Legal Description

This section contains a legal description and survey for the designated property.

Being a tract of land situated in the Duke Strickland Survey, Abstract No. 841, City of Wylie, Collin County, Texas and being all of Lot 1, Block B, of Premier Industrial Park South, 1st Revision, an Addition to the City of Wylie, Collin County, Texas by plat thereof recorded in Volume L. Page 427, Map Records, Collin County, Texas.

SECTION 10: The city attorney is authorized to commence an action for appropriate legal or equitable relief in a court of competent jurisdiction in addition to the penalty mentioned in subsection (f) above. Such additional relief may include a civil fine of up to one thousand dollars (\$1,000.00) per day for violations of section 42-138, and all other damages, costs, remedies and legal processes to which the City may be entitled.

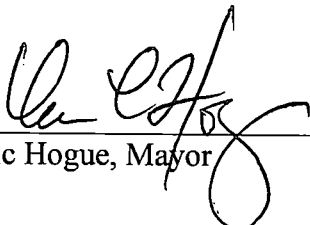
SECTION 11: Penalty. Any person, firm, corporation or entity violating or refusing to comply with any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding two thousand dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it under local, state and federal law.

SECTION 12: Savings/Repealing. The Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

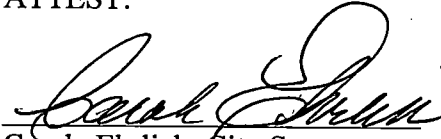
SECTION 13: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 14: Effective Date. This Ordinance shall be effective immediately upon its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 13th day of June, 2017.


Eric Hogue, Mayor

ATTEST:


Carole Ehrlich, City Secretary

DATE OF PUBLICATION: June 21, 2017, in the Wylie News



After Recording Return To:
City of Wylie
Attn: Stephanie Storm
300 Country Club Rd. #100
Wylie, TX 75098

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
06/27/2017 02:41:42 PM
\$46.00 DLARD
20170627000840650



A handwritten signature in cursive script, reading "Stacey Kemp".



ATTACHMENT 4

Legal Survey of the MSD

NOTE.

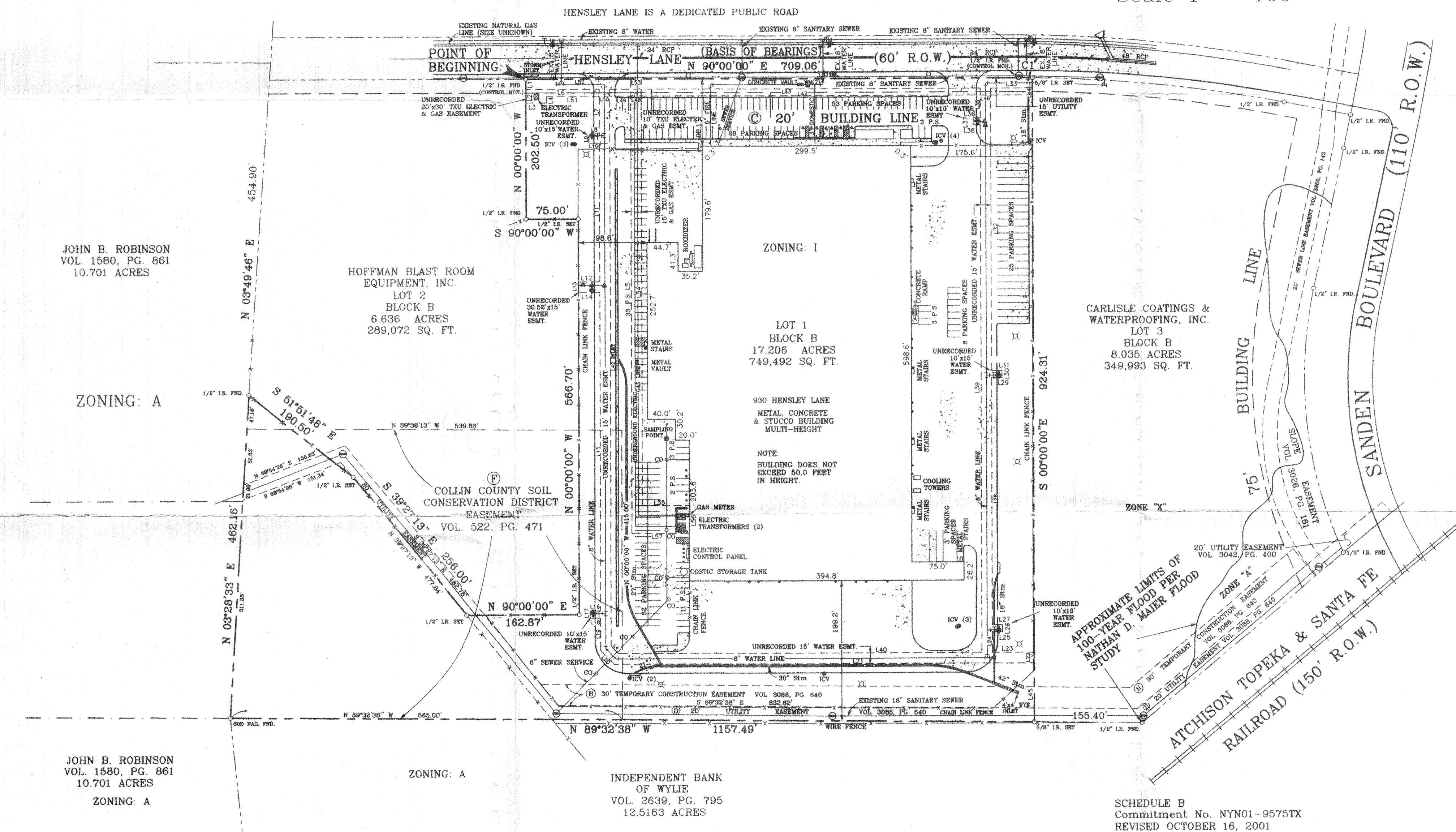
THE EXISTING ZONING, USE AND DENSITY CLASSIFICATIONS ARE ZONED INDUSTRIAL (CITY OF WYLIE)

ALL UNDERGROUND UTILITIES TAKEN FROM DRAWINGS FROM THE CITY OF WYLIE. THE SURVEYOR ASSUMES NO RESPONSIBILITY TO THE ACCURACY OF THESE UTILITIES.

PARKING SPACES: 224
HANDICAP PARKING SPACES: 7

Scale 1" = 100'

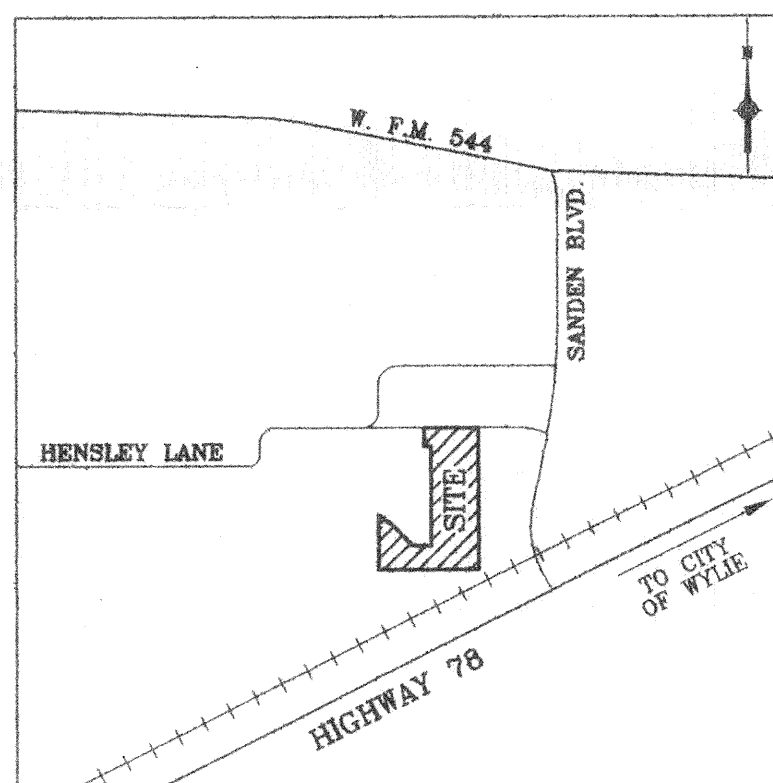
NUMBER	IC	CD	T	R	L	LC
C1	00°34'23"	S 89°42'49" E	10.00	2000.00	20.00	20.00



NUMBER	DIRECTION	DISTANCE
L1	SOUTH	15.00'
L2	SOUTH	20.00'
L3	EAST	30.00'
L4	NORTH	10.00'
L5	NORTH	854.97'
L6	SOUTH	105.52'
L7	SOUTH	67.82'
L8	NORTH	15.00'
L9	SOUTH	10.00'
L10	SOUTH	15.00'
L11	SOUTH	199.68'
L12	WEST	30.52'
L13	SOUTH	15.00'
L14	EAST	30.52'
L15	SOUTH	456.70'
L16	WEST	10.00'
L17	SOUTH	10.00'
L18	EAST	15.00'
L19	SOUTH	46.72'
L20	S 45°00'00" E	27.43'
L21	EAST	604.14'
L22	NORTH	15.00'
L23	WEST	59.09'
L24	NORTH	29.78'
L25	SOUTH	15.00'
L26	NORTH	10.00'
L27	NORTH	15.00'
L28	NORTH	353.29'

L29	SOUTH	15.00'
L30	NORTH	10.00'
L31	WEST	15.00'
L32	EAST	497.24'
L33	EAST	59.99'
L34	EAST	14.90'
L35	SOUTH	43.10'
L36	WEST	10.00'
L37	SOUTH	10.00'
L38	EAST	10.00'
L39	WEST	757.22'
L40	WEST	522.93'
L41	N 45°00'00" W	15.00'
L42	NORTH	799.71'
L43	SOUTH	533.54'
L44	SOUTH	10.00'
L45	EAST	84.10'
L46	WEST	15.00'
L47	NORTH	488.00'
L48	WEST	15.00'
L49	WEST	30.54'
L50	WEST	15.00'
L51	WEST	75.52'
L52	EAST	151.06'
L53	EAST	15.00'
L54	SOUTH	614.97'
L55	EAST	67.63'
L56	S 00°00'53" E	40.00'
L57	WEST	82.84'

LEGEND	
✕	- LIGHT POLE
—	- SANITARY SEWER
●	- MANHOLE
◆	- FIRE HYDRANT
—	- WATER VALVES
—	- IRON ROD
FND	- FOUND
—	- IRRIGATION CONTROL VALVE
—	- SANITARY SEWER CLEAN OUT
—	- BOLLARDS
—	- STORM SEWER
—	- HANDICAP PARKING SPACES
P.S.	- PARKING SPACES



SCHEDULE B
Commitment No. NYN01-9575TX
REVISED OCTOBER 16, 2001

- A. Easement:
To: Collin County Soil Conservation District
Recorded: October 10, 1956, Volume 522, page 471, Deed Records, Collin County, Texas;
shown on plat in southwest portion
- B. Easement:
To: City of Wylie
Purpose: Temporary Construction
Recorded: July 11, 1989, Volume 3088, Page 640, Deed Records, Collin County, Texas
Location: 30' in width adjacent to and north 20' permanent easement located in the south and southwest portion of subject property.
- D. Easement as shown on the recorded plat Volume L, Page 427 and dedication and by document recorded in Volume 3088, Page 640, Deed
Records: Utility
Purpose: 20' along south and southwest portion
Location: 20' along south and southwest portion
- E. A 20 foot building setback line along the north property line as set forth on the recorded plat and dedication.

ALTA/ACSM LAND TITLE SURVEY

LOT 1, BLOCK B, OF PREMIER INDUSTRIAL PARK SOUTH, 1ST REVISION, CITY OF WYLIE, COLLIN COUNTY, TEXAS

PROPERTY DESCRIPTION

Being a tract of land situated in the Duke Strickland Survey, Abstract No. 841, City of Wylie, Collin County, Texas and being all of Lot 1, Block B, of Premier Industrial Park South, 1st Revision, an Addition to the City of Wylie, Collin County, Texas by plat thereof recorded in Volume L, Page 427, Map Records, Collin County, Texas and being more particularly described as follows:

Beginning at a 1/2" iron rod found (control monument) on the south right-of-way line of Hensley Lane (60' R.O.W.), a distance of 709.06 feet to a 1/2" iron rod found (control monument) for the beginning of a curve to the right having a central angle of 00°34'23", a radius of 2,000.00 feet and a chord which bears South 89°42'49" East a distance of 20.00 feet;

Thence, North 00°00'00" East, (Basis of Bearings) along the south right-of-way line Hensley Lane (60' R.O.W.), a distance of 709.06 feet to a 1/2" iron rod found (control monument) for the beginning of a curve to the right having a central angle of 00°34'23", a radius of 2,000.00 feet and a chord which bears South 89°42'49" East a distance of 20.00 feet;

Thence, southeasterly, along the south right-of-way line of Hensley Lane (60' R.O.W.) and said curve to the right, an arc distance of 20.00 feet to a 5/8" iron rod set for corner;

Thence, South 00°00'00" East, a distance of 924.31 feet to a 5/8" iron rod set for corner on the north line of a 12.5163 acre tract of land conveyed to Independent Bank of Wylie by deed recorded in Volume 2639, Page 795, Deed Records, Collin County, Texas;

Thence, North 89°32'38" West, along the north line of said 12.5163 acre tract, a distance of 1,157.49 feet to a 60d nail found for an ell corner of a 10.701 acre tract of land conveyed to John B. Robinson by deed recorded in Volume 1580, Page 861, Deed Records, Collin County, Texas, and being the northwest corner of said 12.5163 acre tract;

Thence, North 03°28'33" East, along the east line of said 10.701 acre tract, a distance of 462.16 feet to a 1/2" iron rod found for the most westerly southwest corner of said Lot 2;

Thence, South 51°51'48" East, along a southwest line of said Lot 2, a distance of 190.50 feet to a 1/2" iron rod set for corner;

Thence, South 39°27'13" East, along a southwest line of said Lot 2, a distance of 256.00 feet to a 1/2" iron rod set for corner;

Thence, North 00°00'00" East, along the south line of said Lot 2, a distance of 162.87 feet to a 1/2" iron rod set for the southeast corner of said Lot 2;

Thence, North 00°00'00" West, along an east line of said Lot 2, a distance of 566.70 feet to a 1/2" iron rod set for the most easterly northeast corner of said Lot 2;

Thence, South 00°00'00" West, along a north line of said Lot 2, a distance of 75.00 feet to a 1/2" iron rod found for a re-entrant corner of said Lot 2;

Thence, North 00°00'00" West, along an east line of said Lot 2, a distance of 202.50 feet to the Point of Beginning and containing 749,492 square feet or 17.206 acres of land.

All of the above described property lies within Zone "X" (areas determined to be outside of the 500-year flood plain) and none of the above described property lies within Zone "A" (special flood hazard areas inundated by 100-year flood) according to the Nathan D. Maier Flood Study dated September 1999 and as adopted by the City of Wylie.

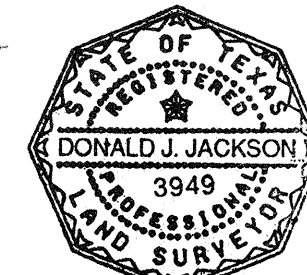
SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, a surveyor registered under the laws of the State of Texas, does hereby certify to MORGAN STANLEY DEAN MORTGAGE CAPITAL INC., its successors and/or assigns, CORPORATE PROPERTY ASSOCIATES 14 INCORPORATED, a Maryland corporation, WINDOUGH (DE) L.P., a Delaware limited partnership, WIN (MD), a Maryland business trust, DOUGH (DE) QRS 14-77, INC., a Delaware corporation, ATRIUM COMPANIES, INC., a Delaware corporation, FIDELITY NATIONAL TITLE INSURANCE COMPANY, and REED SMITH LLP as follows with respect to that certain survey entitled " " (the "Survey"), which Survey was prepared on November 7, 2000 and revised by the undersigned through November 16, 2001:

- (a) that the Survey was actually made upon the ground and that is and the information, courses and distances shown thereon are correct;
- (b) that the title lines and lines of actual possession are the same;
- (c) that the size, location and type of buildings and improvements are as shown on the Survey and all are within the boundary lines of the property depicted on the Survey (the "Property");
- (d) that there are no easements, encroachments or uses affecting the Property which appear from a careful physical inspection of the same, other than those shown and depicted on the Survey;
- (e) that all utility serviced required for the operation of the Property are available to the Property without the need for easements across the land of others;
- (f) that the Survey shows the location and direction of all storm drainage systems for the collection and disposal of all roof and surface drainage;
- (g) that any discharge into streams, rivers or other conveyance systems is shown on the Survey;
- (h) that the Property does not lie within a flood hazard area in accordance with the document entitled "Department of Housing and Urban Development, Federal Insurance Administration - Special Flood Hazard Area Maps"; and
- (i) that this map or plat and the survey on which it is based were made (i) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items 2.3.4.6.7(a), 7(b)(1), 8.6.10.11(a) (as to utilities, surface matters only) and 13 of Table A thereof, and (ii) pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification, undersigned further certifies that the Positional Uncertainties resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance.

WITNESS the due execution hereof as of this 16th day of November, 2001.

Donald J. Jackson
Registered Professional Land Surveyor No. 3949



JACKSON & ASSOCIATES LAND SURVEYORS, INC.

2600 W. F.M. Highway No. 544 Wylie, Texas 75098
Phone (972) 442-4045

SHT. NO.

1 OF 1

DRAWN BY: C.G.

DATE: NOVEMBER 7, 2000

DWG. NO.: 7890106.DWG

APPROVED BY: D. JACKSON

FROM: 789-00-0106

OF# 99001706-001-SMB

REVISIONS

ADDED NOTE FOR BUILDING HEIGHT AND PARKING SPACES - FEBRUARY 21, 2001

UPDATE SURVEY - NOVEMBER 16, 2001

REVISED SURVEY - NOVEMBER 27, 2001

REVISED SURVEY - NOVEMBER 28, 2001

PROJECT

ALTA/ACSM LAND TITLE SURVEY ON LOT 1, BLOCK B OF, PREMIER INDUSTRIAL PARK SOUTH, 1ST REVISION, AN ADDITION TO THE CITY OF WYLIE, COLLIN COUNTY, TEXAS.



ATTACHMENT 5
Example Resolution Form
(Please feel free to use this or a prior form as applicable)

A RESOLUTION OF CITY OF SACHSE SUPPORTING THE APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A MUNICIPAL SETTING DESIGNATION AT CERTAIN PROPERTY LOCATED AT AND AROUND 930 HENSLEY LANE IN WYLIE, TEXAS

WHEREAS Chapter 361, Subchapter W, of the Texas Health and Safety Code, the Texas Solid Waste Disposal Act authorizes the Texas Commission on Environmental Quality (“TCEQ”) to certify a Municipal Setting Designation (“MSD”) for a property upon receipt and approval of a properly submitted application to TCEQ; and

WHEREAS as a part of the application to TCEQ for a Municipal Setting Designation for a site, the applicant is required to provide documentation that the application is supported by: (1) the city council of the municipality in which the site is located, (2) the city council of each municipality with a boundary located not more than one-half mile from the site, (3) the city council of each municipality that owns or operates a groundwater supply well located not more than five miles from the site, and (4) the governing body of each municipal or retail public utility, as defined by Section 13.002 Texas Water Code, that owns or operates a groundwater supply well located not more than five miles from the site; and

WHEREAS an application will be filed with the TCEQ for the issuance of a Municipal Setting Designation for the property located at and around 930 Hensley Lane within the corporate limits of the City of Wylie, Texas, more particularly described in Exhibit “A” to this Resolution (the “MSD Site”); and

WHEREAS the City of Wylie, Texas enacted, on June 13, 2017, an MSD ordinance for the MSD Site, attached hereto as Exhibit "B", and authorization has been requested by the MSD applicant for each additional municipality and retail public utility for which a resolution is required;

WHEREAS The MSD Site is within one-half mile radius of the City limits of Sachse, Texas; and

WHEREAS, the MSD applicant has a continuing obligation to satisfy applicable statutory and regulatory provisions concerning groundwater contamination investigation and response actions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SACHSE:

SECTION 1: The City of Sachse supports the application to the TCEQ for certification of a Municipal Setting Designation for the MSD Site.

SECTION 2. That this Resolution shall take effect immediately from and after its adoption.

DULY RESOLVED AND ADOPTED by the City of Sachse on this the _____ day of _____, 2017.

Signature

Printed Name and Title

Resolution Request

Proposed Municipal Setting Designation

Extruders Facility
930 Hensley Lane
Wylie, Texas



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Location

Southwestern Area of Wylie

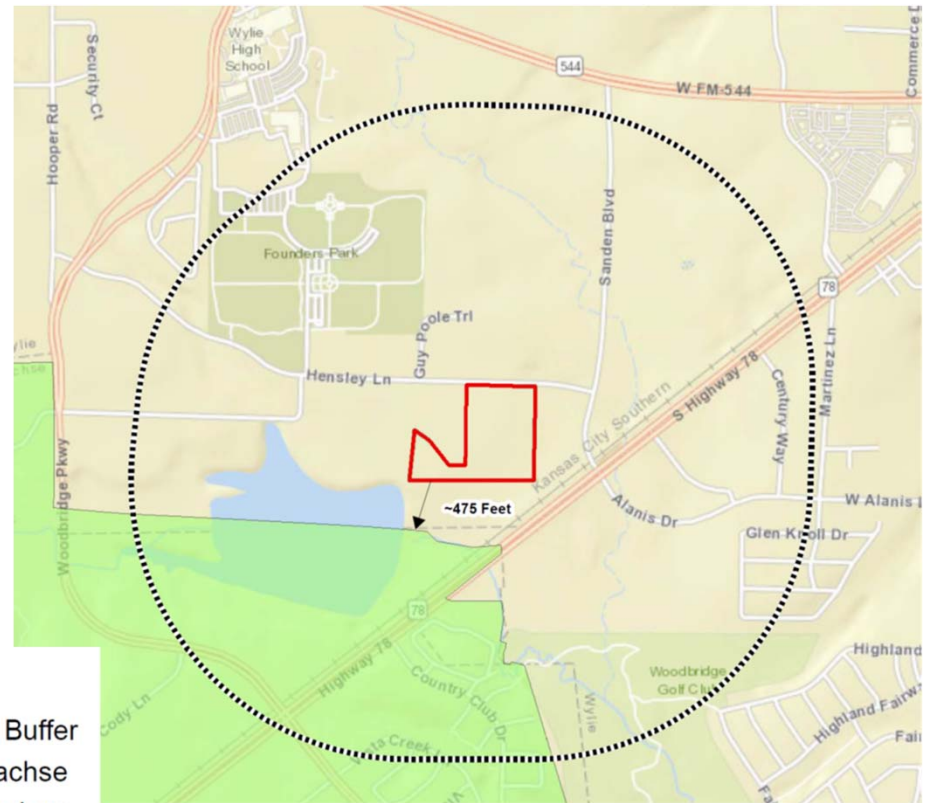
- 930 Hensley Lane
- Property is 17.206 acres
- Developed with a 220k square-foot commercial building occupied by an aluminum extrusion business known as Extruders, a division of Tower Extrusions



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TRUSTED ENVIRONMENTAL ADVISORS®

Legend

- Half Mile Buffer
- City of Sachse
- Site Boundary



MSD Background

Timeline:

- **2003:** House Bill 3152 passed as an Economic Development tool
- **Purpose:** Help resolve groundwater issues when shallow groundwater is not a viable source of drinking water
- **2004:** TCEQ Certification process formalized
- **2004 to 2017:** ~350 MSD certified by TCEQ in Texas



What an MSD Can Do

- Remove groundwater-ingestion based goals when not appropriate for a Site
- Reduce cost, time, and uncertainty to obtain regulatory closure
- Resolve groundwater issues that may otherwise never qualify for regulatory closure and prevent investment in brownfield properties



What an MSD Cannot Do

- Eliminate all groundwater assessment and cleanup requirements
- Guarantee more lenient assessment and cleanup requirements in all situations
- *All data evaluated by TCEQ to make any closure decisions. An MSD only prohibits the ingestion of groundwater from the area within the MSD.*



MSD Process

- City Passes Ordinance in Support & Restricts GW use on the MSD designated property only:
 - Passed June 13, 2017 by Wylie
- Resolution of Support needed from:
 - All Municipalities – ½ mile (Sachse)
 - All Water Utility Districts/City's with Potable Wells (Murphy – Resolution passed July 31, 2017)
- Notice to:
 - All Registered Drinking Water Wells – 5 miles (~61)



Site History

Primary Tenants:

- Pre 1990s – Agricultural
- 2000 – Current building constructed
- 2003 - Extruders

Operations

- Aluminum Extrusion Operations
- Virgin and Spent NaOH tanks closed in 2016.



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Legend

- Approximate Site Boundary
- Monitoring Well
- Soil Boring
- Outfall
- Trash Compactor

Investigation Results

Summary:

March 2016

- Phase I ESA
 - On- and off-site RECs identified

July 2016

- 6 Shallow Soil Borings
- 4 Groundwater Monitoring Wells



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Investigation Results

Summary:

- Soil: Lead slightly exceeding background (37.4 mg/Kg)
- Groundwater: Selenium exceeds drinking water criteria (0.05 mg/l) in one well (upgradient; 0.0579 mg/l)



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Legend

- ⊕ Soil Boring
- ▲ Monitor Well
- Groundwater Flow
- Yellow shaded area Selenium PCLE Zone
- Red outline Site Boundary

Concentrations presented in mg/L

Se - Selenium

NA - Not Analyzed

Yellow shaded area - Indicates concentration exceeds ^{GW}GW_{ing} PCL
Selenium ^{GW}GW_{ing} PC- 0.05 mg/L



Investigation Summary

Conclusion:

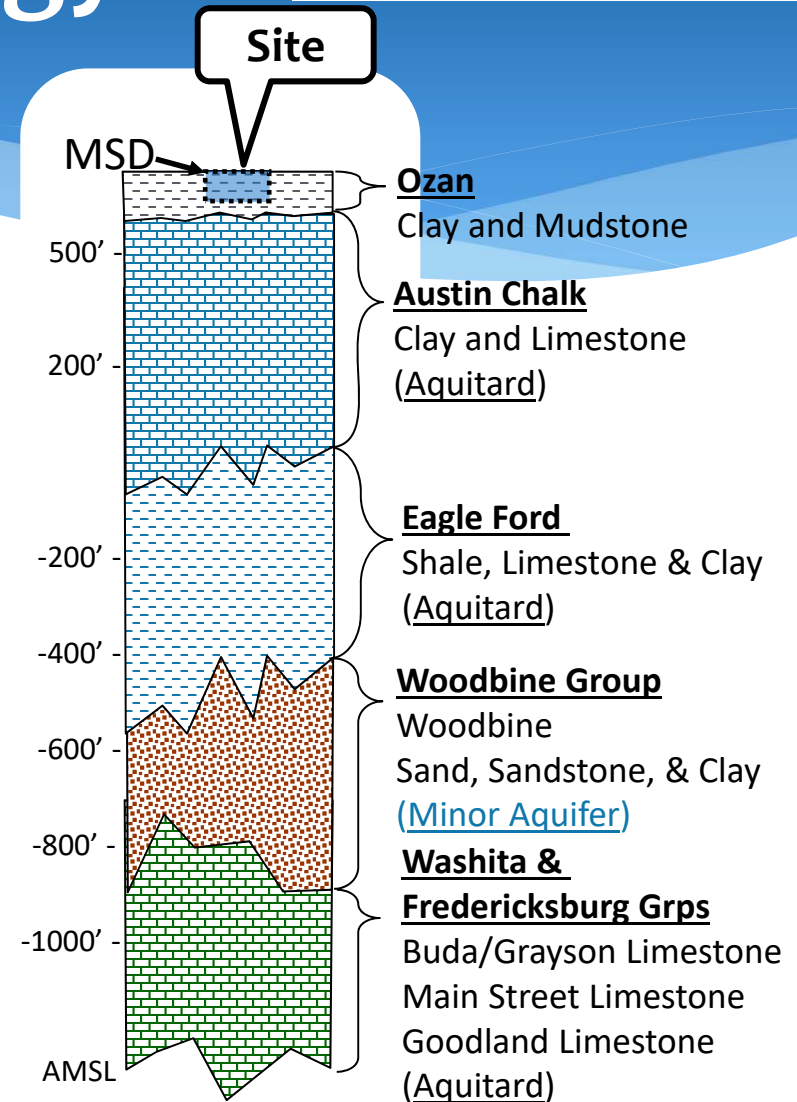
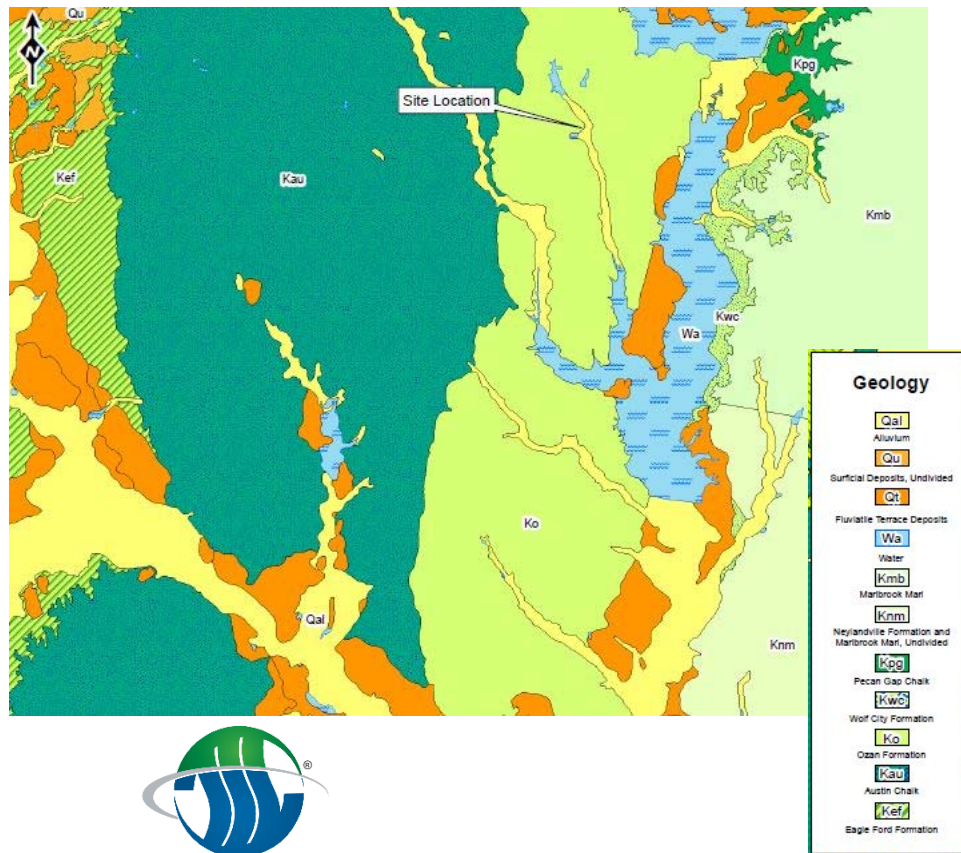
- Soil: No impacted soil is leaving the site or impacting future use of the site.
- Groundwater: No impacted groundwater is leaving the site, threatening surface water (ponds), or threatening deeper aquifers.



Geology

MSD applies to:

- Property Only
- Extends to ~100 feet



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Site Development

Summary:

- Will remain industrially developed with aluminum extruding business
- Regulatory Closure Process
 - Under purview of TCEQ Corrective Action Program
 - Entered Fall 2016
 - SWR No. 86642
 - All investigation data has been presented to the TCEQ

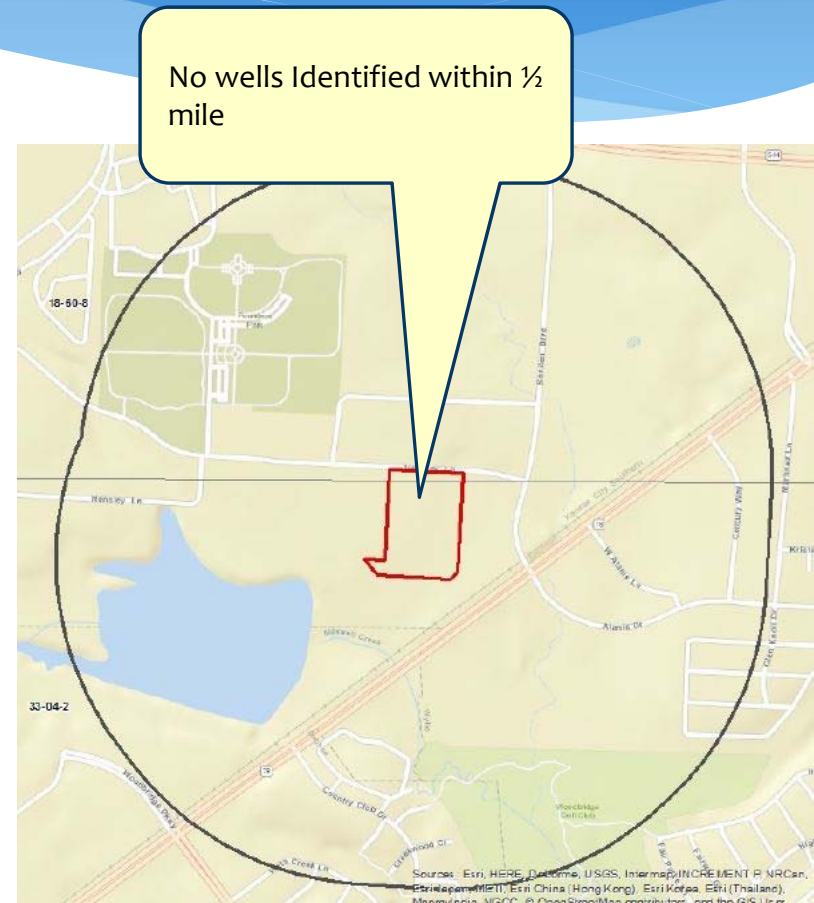


Registered Water Wells (1/2 Mile)

Summary:

Water Well Records:

- No downgradient wells
- No wells within 500 feet
- No wells within 1/2 mile of Site
- No threatened receptors



Drinking Water Sources

NTMWD Water Sources (Lakes):

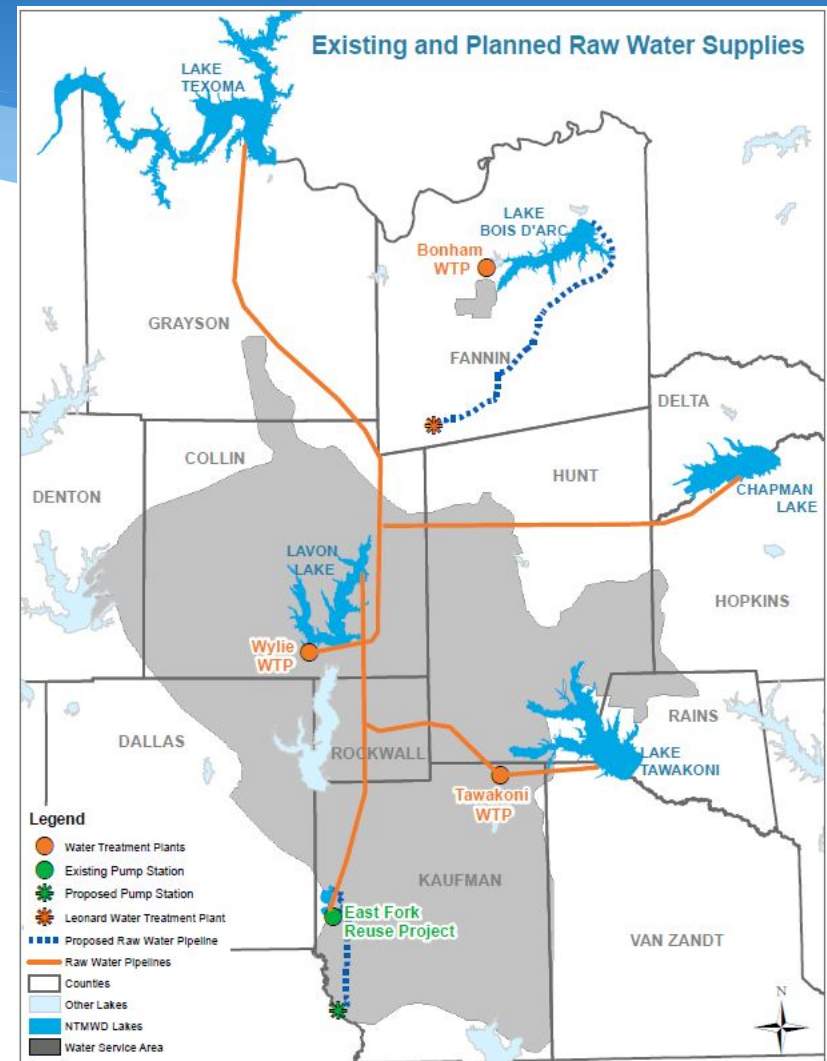
- Lavon Lake (~3.3 mi NE of Site)
- Lake Texoma
- East Fork Reuse Project

Shallow groundwater
not utilized as drinking
water resource



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Source: North Texas Municipal
Water District, 2017



Next Steps

- Sachse Resolution Request
- Complete Remaining Notification Requirements
- Submit TCEQ Application
- Complete remaining regulatory closure steps



Thank you

Q+A



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QUESTIONS AND
ANSWERS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, SUPPORTING THE APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A MUNICIPAL SETTING DESIGNATION OF CERTAIN PROPERTY LOCATED AT AND AROUND 930 HENSLEY LANE, WYLIE, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 361, Subchapter W, of the Texas Health and Safety Code, the Texas Solid Waste Disposal Act, authorizes the Texas Commission on Environmental Quality (“TCEQ”) to certify a Municipal Setting Designation (“MSD”) for a property upon receipt and approval of a properly submitted application to TCEQ; and

WHEREAS, as a part of the application to TCEQ for a Municipal Setting Designation for a site, the applicant is required to provide documentation that the application is supported by: (1) the city council of the municipality in which the site is located; (2) the city council of each municipality with a boundary located not more than one-half mile from the site; (3) the city council of each municipality that owns or operates a groundwater supply well located not more than five miles from the site; and (4) the governing body of each municipal or retail public utility, as defined by Section 13.002 of the Texas Water Code, that owns or operates a groundwater supply well located not more than five miles from the site; and

WHEREAS, an application will be filed with TCEQ for the issuance of a Municipal Setting Designation for the property located at and around 930 Hensley Lane within the corporate limits of the City of Wylie, Texas, more particularly described in Exhibit “A” attached hereto (the “MSD Site”); and

WHEREAS, on June 13, 2017, the City Council of the City of Wylie, Texas enacted an MSD ordinance for the MSD Site, attached hereto as Exhibit "B", and authorization has been requested by the MSD applicant for each additional municipality and retail public utility for which a resolution is required; and

WHEREAS, the MSD site is within one-half mile radius of the city limits of the City of Sachse, Texas; and

WHEREAS, the MSD applicant has a continuing obligation to satisfy applicable statutory and regulatory provisions concerning groundwater contamination investigation and response actions;

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

SECTION 1. That the City Council supports the application to TCEQ for certification of a Municipal Setting Designation for the MSD Site.

SECTION 2. That this resolution shall become and be effective immediately upon its adoption and publication as required by law, and it is accordingly so Resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Sachse, Texas, this the 5th day of February, 2018.

CITY OF SACHSE, TEXAS

Mike J. Felix, Mayor

ATTEST:

Michelle Lewis Sirianni, City Secretary



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4138	Version:	3	Name:	Microsoft Licensing
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	1/22/2018	In control:		In control:	City Council
On agenda:	2/5/2018	Final action:		Final action:	
Title:	Approve a resolution authorizing the City Manager to execute the Microsoft Enterprise Software Licensing Agreement through the State of Texas' agreement with SHI Government Solutions.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Resolution Microsoft 1 year quote Microsoft 3 year quote				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Consider a resolution of the City Council of the City of Sachse, Texas, approving and authorizing the City Manager to execute the Microsoft Enterprise Software Licensing Agreement through the State of Texas' agreement with SHI Government Solutions; and providing for an effective date.

Background

It is necessary for the City to maintain licensing for all computer network servers, Exchange email services, user authentication, firewall-security, workstation operating systems, and productivity software that each end-user utilizes on a daily basis. In addition to these licensing requirements, the City has to maintain licensing for anti-spam and anti-virus protection. The Microsoft Enterprise agreement and licensing renewal is proposed for purchase through SHI Government Solutions, which is the City's current Microsoft software vendor. The company is a licensed contract vendor of the State of Texas, Department of Information Services. The term of the renewal agreement is three years and will expire in February 2021.

The current Microsoft Enterprise software licensing agreement expires February 28, 2018 and includes licensing for 165 combined devices. No increase in the overall number of licenses is being proposed at this time. It is possible that that during the term of the renewal agreement, additional licenses will be required, and the renewal pricing would apply to any additional licenses.

Policy Considerations

This agreement will enable the City to maintain compliance with software licensing rules and regulations to provide the tools and resources necessary to perform daily tasks and to provide a stable data and communication network.

Budgetary Considerations

The budgetary impact of this agreement is approximately \$37,000 per year for three years. The total

contract amount over the three-year period is \$110,394.85. The 2017-2018 fiscal year budget includes \$36,798 for renewal of Microsoft licensing.

Staff Recommendations

Approve a resolution authorizing the City Manager to execute the Microsoft Enterprise Software Licensing Agreement through the State of Texas' agreement with SHI Government Solutions; and providing for an effective date.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE MICROSOFT ENTERPRISE SOFTWARE LICENSING AGREEMENT THROUGH THE STATE OF TEXAS' AGREEMENT WITH SHI GOVERNMENT SOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Sachse desires to maintain compliance with software licensing rules and regulations and to provide the necessary tools and resources to maintain a stable and reliable data and communication network across the City; and

WHEREAS, the State of Texas and Microsoft Enterprise have entered into a Software Licensing Agreement (the "Agreement") allowing cities within the State to obtain lower level pricing for the administration, budgeting and support of city-wide data and communication networks; and

WHEREAS, upon full review and consideration of the Agreement and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the City Manager should be authorized to execute the Agreement and all related documents thereto on behalf of the City of Sachse, Texas;

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

SECTION 1. That the City Manager is hereby authorized to execute the Agreement and all related documents thereto on behalf of the City of Sachse, Texas.

SECTION 2. This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Sachse, Texas, this the 5th day of February, 2018.

CITY OF SACHSE, TEXAS

Mike J. Felix, Mayor

ATTEST:

Michelle Lewis Sirianni, City Secretary

Embedded Secure Document

The file *https://sachse.legistar.com/View.ashx?M=F&ID=5784201&GUID=B8E0C613-3C5F-4305-AB22-913C79424FA0* is a secure document that has been embedded in this document. Double click the pushpin to view.





Pricing Proposal
 Quotation #: 13158929
 Created On: 3/17/2017
 Valid Until: 3/31/2017

CITY OF SACHSE

Gary Burcalow

5560 State Highway 78
 Sachse, Texas 75048
 UNITED STATES
 Phone: (469) 429-4769
 Fax:
 Email: gburcalow@cityofsachse.com

IAE

Andrew Baicher

290 Davidson Avenue
 Somerset, NJ 08873
 Phone: 732-564-8538
 Fax: 800-477-6479
 Email: Andrew_Baicher@shi.com

All Prices are in US Dollar (USD)

	Product	Qty	Your Price	Total
1	Core CAL Software Assurance Platform User CAL Microsoft - Part#: W06-01072 Note: Year 1 of 3	165	\$44.12	\$7,279.80
2	Office Professional Plus Software assurance Platform Microsoft - Part#: 269-12442 Note: Year 1 of 3	165	\$89.50	\$14,767.50
3	Windows Enterprise per Device Software Assurance Platform Microsoft - Part#: KV3-00353 Note: Year 1 of 3	165	\$39.50	\$6,517.50
4	Exchange Server Standard Software assurance Microsoft - Part#: 312-02257 Note: Year 1 of 3	1	\$119.00	\$119.00
5	SQLCAL - Software assurance UserCAL Microsoft - Part#: 359-00961 Note: Year 1 of 3	109	\$35.12	\$3,828.08
6	SQL Server Standard Software assurance Microsoft - Part#: 228-04433 Note: Year 1 of 3	2	\$150.88	\$301.76
7	System Center Standard Core Software assurance - 2 cores Microsoft - Part#: 9EN-00198 Note: Year 1 of 3	16	\$18.50	\$296.00
8	Visio Standard - Software assurance Microsoft - Part#: D86-01253 Note: Year 1 of 3	1	\$48.81	\$48.81
9	Windows Remote Desktop Services - Software assurance - 1 device CAL Microsoft - Part#: 6VC-01253 Note: Year 1 of 3	40	\$17.00	\$680.00

10	Windows Server Standard Core- Software assurance - 2 cores Microsoft - Part#: 9EM-00270 Note: Year 1 of 3	160	\$18.50	\$2,960.00
11	Core CAL Software Assurance Platform User CAL Microsoft - Part#: W06-01072 Note: Year 2 of 3	165	\$44.12	\$7,279.80
12	Office Professional Plus Software assurance Platform Microsoft - Part#: 269-12442 Note: Year 2 of 3	165	\$89.50	\$14,767.50
13	Windows Enterprise per Device Software Assurance Platform Microsoft - Part#: KV3-00353 Note: Year 2 of 3	165	\$39.50	\$6,517.50
14	Exchange Server Standard Software assurance Microsoft - Part#: 312-02257 Note: Year 2 of 3	1	\$119.00	\$119.00
15	SQLCAL - Software assurance UserCAL Microsoft - Part#: 359-00961 Note: Year 2 of 3	109	\$35.12	\$3,828.08
16	SQL Server Standard Software assurance Microsoft - Part#: 228-04433 Note: Year 2 of 3	2	\$150.88	\$301.76
17	System Center Standard Core Software assurance - 2 cores Microsoft - Part#: 9EN-00198 Note: Year 2 of 3	16	\$18.50	\$296.00
18	Visio Standard - Software assurance Microsoft - Part#: D86-01253 Note: Year 2 of 3	1	\$48.31	\$48.31
19	Windows Remote Desktop Services - Software assurance - 1 device CAL Microsoft - Part#: 6VC-01253 Note: Year 2 of 3	40	\$17.00	\$680.00
20	Windows Server Standard Core- Software assurance - 2 cores Microsoft - Part#: 9EM-00270 Note: Year 2 of 3	160	\$18.50	\$2,960.00
21	Core CAL Software Assurance Platform User CAL Microsoft - Part#: W06-01072 Note: Year 3 of 3	165	\$44.12	\$7,279.80
22	Office Professional Plus Software assurance Platform Microsoft - Part#: 269-12442 Note: Year 3 of 3	165	\$89.50	\$14,767.50
23	Windows Enterprise per Device Software Assurance Platform Microsoft - Part#: KV3-00353 Note: Year 3 of 3	165	\$39.50	\$6,517.50
24	Exchange Server Standard Software assurance	1	\$119.00	\$119.00

Microsoft - Part#: 312-02257

Note: Year 3 of 3

25	SQLCAL - Software assurance UserCAL Microsoft - Part#: 359-00961 Note: Year 3 of 3	109	\$35.12	\$3,828.08
26	SQL Server Standard Software assurance Microsoft - Part#: 228-04433 Note: Year 3 of 3	2	\$150.88	\$301.76
27	System Center Standard Core Software assurance - 2 cores Microsoft - Part#: 9EN-00198 Note: Year 3 of 3	16	\$18.50	\$296.00
28	Visio Standard - Software assurance Microsoft - Part#: D86-01253 Note: Year 3 of 3	1	\$48.81	\$48.81
29	Windows Remote Desktop Services - Software assurance - 1 device CAL Microsoft - Part#: 6VC-01253 Note: Year 3 of 3	40	\$17.00	\$680.00
30	Windows Server Standard Core- Software assurance - 2 cores Microsoft - Part#: 9EM-00270 Note: Year 3 of 3	160	\$18.50	\$2,960.00
			Subtotal	\$110,394.85
			Shipping	\$0.00
			Total	\$110,394.85

Additional Comments

Thank You for choosing SHI-GS! To ensure the best level of service, please provide End User Name, Phone Number, and E-Mail Address when submitting a Purchase Order. For any additional information including Hardware and Software Contract Numbers, please contact an SHI-GS Sales Representative at 800-870-6079.

The Products offered under this proposal are subject to the SHI Return Policy posted at www.shi.com/returnpolicy, unless there is an existing agreement between SHI and the Customer.



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4139	Version:	1	Name:	Calling May 5, 2018 General Election
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	1/22/2018	In control:		In control:	City Council
On agenda:	2/5/2018	Final action:		Final action:	
Title:	Approve of an ordinance calling the May 5, 2018 City Council General Election.				

Sponsors:

Indexes:

Code sections:

Attachments: [Ordinance](#)
[Exhibit A](#)

Date	Ver.	Action By	Action	Result
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Title

Calling the May 5, 2018 City Council General Election.

Background

As in previous years, the City of Sachse will jointly contract with Dallas County to conduct elections. Dallas County provides training and equipment to the City to help reduce the cost of holding an election.

On Thursday, February 1, Dallas County officials conducted a meeting regarding the upcoming May election. Election information was provided in draft form until all locations and dates are confirmed.

The City will have until Friday, February 23 to withdraw from the Joint Election with the County in order to receive a refund of deposited funds. Cost estimates are based on participating political entities and may change until all contracts are received.

Policy Considerations

There are no policy considerations affiliated with this item.

Budgetary Considerations

Funds have been budgeted in the 2017-18 budget for election expenses.

Staff Recommendations

Approve an ordinance calling the May 5, 2018 City Council General Election.

ORDINANCE NO. _____

AN ORDINANCE CALLING FOR A GENERAL ELECTION FOR CITY OFFICERS (CITY COUNCIL) ON MAY 5, 2018; ESTABLISHING CERTAIN PROCEDURES FOR SAID GENERAL OFFICER ELECTION; CALLING FOR THE QUALIFIED VOTERS OF THE CITY OF SACHSE TO CONSIDER THE ELECTION OF TWO (2) COUNCIL MEMBERS FOR PLACE 1 AND PLACE 2 FOR A TERM OF THREE (3) YEARS; AUTHORIZING A JOINT ELECTION WITH DALLAS COUNTY; PROVIDING FOR A SAVING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

SECTION I.

IT IS ORDERED THAT a general election be held for City Officers (City Council) in the City of Sachse, Texas on the 5th day of May, 2018, the same being the first Saturday of said month, for the purpose of electing Council Members in Place 1 and Place 2 for a term of three years.

SECTION II.

That the polling place for both early voting and Election Day for said election shall be the Sachse City Hall, 3815-B Sachse Road, Sachse, Texas, for all Dallas and Collin County legally qualified voters residing in the City of Sachse. Early voting locations will also include polling places Dallas County-wide, including early voting days and hours as shown on the attached "Exhibit A".

SECTION III.

That none but legally qualified voters shall be entitled to vote at said election. Legally qualified voters shall be those persons having a current voter registration and shall be residents of the City of Sachse according to the Texas Election Code for said municipal election.

SECTION IV.

That notice of said election shall be posted in three public places within the limits of the city according to the Texas Election Code. A return of such posting shall be documented by the City Secretary. Said notice to prescribe early voting by mail, early voting places and hours of operation, and Election Day hours of operation. Publication of said notice of the election shall be in accordance with the Texas Election Code.

SECTION V.

That the City Manager and City Secretary are authorized to execute an agreement for a Joint Election with the Dallas County Election Department and other entities that will provide for all election appointments, early voting by mail, the voting location as Sachse City Hall and hours of operation, payments for election officials, necessary election arrangements and a runoff election (if applicable).

That the City Secretary shall have the authority to approve any minor modifications as may be

necessary in the best interest of the City and within the regulations of the Texas Election Code. The early voting mail clerk is: Toni Pippins-Poole, Early Voting Clerk, Dallas County Elections Department, 2377 N. Stemmons Freeway, Suite 820, Dallas, Texas 75207.

SECTION VI.

That the provisions of this ordinance are severable, so that the invalidity of one or more provisions shall not affect the validity of those valid portions.

SECTION VII.

That this ordinance shall become and be effective immediately upon its adoption and publication as required by law, and it is accordingly so ORDAINED.

PASSED AND APPROVED this 5th day of February, 2018.

APPROVED:

Mike J. Felix, Mayor

ATTEST:

Michelle Lewis Sirianni, City Secretary

APPROVED AS TO FORM:

Peter G. Smith, City Attorney

**EARLY VOTING DATES AND TIMES FOR THE JOINT ELECTION
FOR CITIES AND SCHOOLS TO BE HELD ON MAY 5, 2018
Attachment B**

	LOCATION	STREET ADDRESS		
01	ADDISON FIRE STATION #1	4798 AIRPORT PKWY	ADDISON	75001
02	BALCH SPRINGS CIVIC CENTER	12400 ELAM ROAD	BALCH SPRINGS	75180
03	**BETHANY LUTHERAN CHURCH	10101 WALNUT HILL LN	DALLAS	75238
04	BETTY WARMACK LIBRARY	760 BARDIN ROAD	GRAND PRAIRIE	75052
05	CARROLLTON FARMERS BRANCH ISD ADMIN BLDG	1445 N PERRY ROAD	CARROLLTON	75006
06	CARROLLTON LIBRARY @ HEBRON & JOSEY	4220 N JOSEY LANE	CARROLLTON	75010
07	CEDAR HILL GOVERNMENT CENTER	285 UPTOWN BLVD	CEDAR HILL	75104
08	COCKRELL HILL CITY HALL	4125 W CLARENDON	COCKRELL HILL	75211
09	COPPELL TOWN CENTER	255 E PARKWAY BLVD	COPPELL	75019
10	CROSSWINDS HIGH SCHOOL	1100 N CARRIER PKWY	GRAND PRAIRIE	75050
11	DISD CENTRAL ADMINISTRATION BUILDING	9400 CENTRAL EXPY	DALLAS	75231
12	DISCIPLE CENTRAL COMMUNITY CHURCH	901 N POLK STREET	DESOTO	75115
13	DUNCANVILLE LIBRARY	201 JAMES COLLINS	DUNCANVILLE	75116
14	FARMERS BRANCH CITY HALL	3000 WILLIAM ROBSON PKWY	FARMERS BRANCH	75234
15	FLORENCE RECREATION CENTER	2201 WHITSON WAY	MESQUITE	75150
16	**FRETZ PARK LIBRARY	6990 BELT LINE ROAD	DALLAS	75254
17	**GEORGE L. ALLEN SR., COURTS BLDG	600 COMMERCE STREET	DALLAS	75202
18	HIGHLAND PARK ADMIN BLDG	7015 WESTCHESTER DRIVE	DALLAS	75205
19	HUTCHINS CITY HALL	321 NORTH MAIN STREET	HUTCHINS	75141
20	IRVING ARTS CENTER	3333 N MACARTHUR BLVD	IRVING	75062
21	IRVING CITY HALL	825 W IRVING BLVD	IRVING	75060
22	JOSEY RANCH LIBRARY	1700 KELLER SPRINGS	CARROLLTON	75006
23	LAKESIDE ACTIVITY CENTER	101 HOLLEY PARK DR	MESQUITE	75149
24	LANCASTER VETERAN'S MEMORIAL LIBRARY	1600 VETERANS MEMORIAL PKWY	LANCASTER	75134
25	**LOCHWOOD LIBRARY	11221 LOCHWOOD BLVD	DALLAS	75218
26	**MARSH LANE BAPTIST CHURCH	10716 MARSH LANE	DALLAS	75229
27	**MARTIN LUTHER KING CORE BLDG	2922 MARTIN L KING BLVD	DALLAS	75215
28	MOUNTAIN CREEK LIBRARY	6102 MOUNTAIN CREEK PKWY	DALLAS	75249
29	**OUR REDEEMER LUTHERAN CHURCH	7611 PARK LANE	DALLAS	75225
30	RICHARDSON CIVIC CENTER	411 W ARAPAHO ROAD	RICHARDSON	75080
31	RICHLAND COLLEGE – GARLAND CAMPUS	675 W WALNUT STREET	GARLAND	75040
32	**RICHLAND COLLEGE – MAIN CAMPUS (G) BLDG	12800 ABRAMS ROAD	DALLAS	75243
33	ROWLETT CITY HALL ANNEX	4004 MAIN STREET	ROWLETT	75088

**EARLY VOTING DATES AND TIMES FOR THE JOINT ELECTION
FOR CITIES AND SCHOOLS TO BE HELD ON MAY 5, 2018
Attachment B**

	LOCATION	STREET ADDRESS		
34	SACHSE CITY HALL	3815 SACHSE ROAD BLDG B	SACHSE	75048
35	SEAGOVILLE CITY HALL	702 N HIGHWAY 175	SEAGOVILLE	75159
36	*SOUTH GARLAND BRANCH LIBRARY	4845 BROADWAY BLVD	GARLAND	75043
37	SUNNYVALE TOWN HALL	127 NORTH COLLINS ROAD	SUNNYVALE	75182
38	VALLEY RANCH LIBRARY	401 CIMARRON TRAIL	IRVING	75063
39	WILMER COMMUNITY CENTER	101 DAVIDSON PLAZA	WILMER	75172

DATES AND TIMES OF EARLY VOTING

April 23 (Monday through Friday) April 27	8 AM TO 5 PM
April 28 (Saturday)	8 AM TO 5 PM
April 29 (Sunday)	1 PM TO 6 PM
April 30 (Monday and Tuesday) May 01	7 AM TO 7 PM

DRAFT



City of Sachse, Texas

Legislation Details (With Text)

File #: 18-4142 **Version:** 1 **Name:** Monthly Budget Reports December 2017
Type: Agenda Item **Status:** Agenda Ready
File created: 1/29/2018 **In control:** City Council
On agenda: 2/5/2018 **Final action:**
Title: Accept the monthly revenue and expenditure report for the period ending December 30, 2017.
Sponsors:
Indexes:
Code sections:
Attachments: [All Funds 12-31-17](#)
[Sales Tax Analysis Feb 2018](#)

Date	Ver.	Action By	Action	Result
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Title

Monthly Revenue and Expenditure Report for the period ending December 31, 2017.

Background

The Finance Department prepares a report each month to update the City Council regarding revenues and expenditures for the City. Included in the report are unaudited summaries for the General Fund, Utility Fund, Debt Service Fund, and Sachse Economic Development Corporation for the period ended December 31, 2017, as well as an analysis of sales tax revenue received year-to-date.

Policy Considerations

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

Budgetary Considerations

This item is informational only.

Staff Recommendations

Accept the Monthly Revenue and Expenditure Report for the period ending December 30, 2017.

City of Sachse
Monthly Revenue and Expenditure Report
December 31, 2017
(Unaudited)

GENERAL FUND

25% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 25%
Revenue Summary					
Property Tax	\$ 11,107,591	\$ 7,355,296	\$ 8,024,688	72.25%	A
Sales Tax	1,434,000	110,067	466,598	32.54%	
Franchise Fees	1,694,233	50,465	418,663	24.71%	
Licenses and Permits	615,500	79,765	166,023	26.97%	
Service Fees	676,000	56,212	175,639	25.98%	
Fines	250,000	22,964	65,514	26.21%	
Interest Income	25,000	2,658	16,581	66.32%	
Miscellaneous Income	281,118	2,262	80,059	28.48%	
Intergovernmental Revenue	1,078,989	89,916	269,747	25.00%	
Total Revenue	\$ 17,162,431	\$ 7,769,604	\$ 9,683,511	56.42%	
Expenditure Summary					
City Manager	\$ 409,060	\$ 49,705	\$ 114,463	27.98%	B
City Secretary	166,672	16,390	57,302	34.38%	
Human Resources	361,047	38,414	89,072	24.67%	
Finance	546,930	59,298	174,501	31.91%	
Municipal Court	245,179	19,094	52,415	21.38%	
Parks & Recreation	1,660,984	107,466	278,736	16.78%	
Senior Programs	151,626	13,757	33,296	21.96%	
Library Services	470,203	52,253	131,050	27.87%	
Community Development	879,108	96,055	230,330	26.20%	
Streets & Drainage	1,944,286	119,853	286,985	14.76%	
Facility Maintenance	539,325	56,747	128,263	23.78%	
Police	5,123,381	551,239	1,370,874	26.76%	
Animal Control	220,972	19,312	47,942	21.70%	
Fire/EMS	4,047,667	392,638	1,069,785	26.43%	
Combined Services	389,672	17,410	197,087	50.58%	
City Engineer	241,594	24,560	58,277	24.12%	
Information Technology	428,270	29,931	103,606	24.19%	
Total Expenditures	\$ 17,825,976	\$ 1,664,119	\$ 4,423,985	24.82%	
Total Revenue Over/Under Expenses	\$ (663,545)	\$ 6,105,485	\$ 5,259,526		

Explanation of Major Variances:

- A** Property Tax receipts peak in December and January
B Total annual property and liability premium paid in October

City of Sachse
Monthly Revenue and Expenditure Report
December 31, 2017
(Unaudited)

UTILITY FUND

25% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 25%
Revenue Summary					
Water Revenue	\$ 6,204,912	\$ 511,734	\$ 1,843,902	29.72%	
Sewer Revenue	4,565,736	398,329	1,189,144	26.04%	
Fees	158,500	19,490	57,818	36.48%	
Interest Income	10,000	19,772	67,719	677.19%	
Transfer In-Debt Service					
Miscellaneous Income	-				
Total Revenue	\$ 10,939,148	\$ 949,324	\$ 3,158,583	28.87%	
Expenditure Summary					
Utility Administration	\$ 350,365	\$ 21,733	\$ 71,304	20.35%	
Water Operations	7,822,028	481,992	1,364,612	17.45%	A
Sewer Operations	15,687,032	351,821	844,733	5.38%	A
Meter Reading	2,457,045	85,300	1,176,235	47.87%	A
Total Expenditures	\$ 26,316,470	\$ 940,846	\$ 3,456,883	13.14%	
Total Revenue Over/Under Expenses	\$ (15,377,322)	\$ 8,478	\$ (298,300)		

Explanation of Major Variances:

A Budget includes capital allocations

Monthly Revenue and Expenditure Report
December 31, 2017
(Unaudited)

Debt Service Fund

	25% of Year Completed				
	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 25%
Revenue Summary					
Property Tax	\$ 3,522,138	\$ 2,582,623	\$ 2,817,603	80.00%	
Interest Income	1,000	232	1,075	107.51%	
Miscellaneous Receipts		-	3,393		
Total Revenue	\$ 3,523,138	\$ 2,582,854	\$ 2,822,071	80.10%	
Expenditure Summary					
Fees	\$ 3,500		\$ 1,050	30.00%	
Principal	2,330,000	-	-	0.00%	A
Interest	1,433,496			0.00%	A
Transfer Out-Utility Fund					
Total Expenditures	\$ 3,766,996	\$ -	\$ 1,050	0.03%	
Total Revenue Over/Under Expenses	\$ (243,858)	\$ 2,582,854	\$ 2,821,021		

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

City of Sachse
Monthly Revenue and Expenditure Report
December 31, 2017
(Unaudited)

SACHSE ECONOMIC DEVELOPMENT CORPORATION

25% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 25%
Revenue Summary					
Sales Tax	\$ 700,000	\$ 55,033	\$ 229,643	32.81%	
Other Income	\$ -	\$ 1,000	\$ 1,500		A
Interest Income	1,500	201	1,008	67.17%	
Total Revenue	\$ 701,500	\$ 56,234	\$ 232,150	33.09%	
Expenditure Summary					
Expenditures	701,609	33,791	77,625	11.06%	
Total Expenditures	\$ 701,609	\$ 33,791	\$ 77,625	11.06%	
Total Revenue Over/Under Expenses	\$ (109)	\$ 22,443	\$ 154,525		

Explanation of Major Variances:

A Rental income on EDC property

CITY OF SACHSE

2017/2018 SALES TAX ANALYSIS

FY 2017	Total Sales Tax	General Fund Sales Tax	General Fund Year-To-Date	YTD Percent of Budget	FY 2018	Total Sales Tax	General Fund Sales Tax	General Fund Year-To-Date	YTD Percent of Budget
October	204,011	116,572	116,572	9.56%	October	192,025	109,723	109,723	9.00%
November	269,073	153,748	270,320	19.53%	November	419,139	239,496	349,219	24.94%
December	195,780	111,868	382,188	27.62%	December	192,626	110,067	459,286	32.81%
January	198,694	113,534	495,722	35.82%	January	208,475	119,123	578,409	41.31%
February	295,944	169,102	664,824	48.04%	February				
March	202,397	115,649	780,473	56.40%	March				
April	169,232	96,699	877,172	63.38%	April				
May	248,537	142,014	1,019,186	73.65%	May				
June	190,343	108,762	1,127,948	81.51%	June				
July	196,493	112,276	1,240,224	89.62%	July				
August	265,411	151,656	1,391,880	100.58%	August				
September	188,666	107,804	1,499,683	108.37%	September				
TOTAL	2,624,580	1,499,683			TOTAL	1,012,265	578,409		
BUDGET		1,383,888			BUDGET		1,400,000		



City of Sachse, Texas

Legislation Details (With Text)

File #: 18-4131 **Version:** 1 **Name:** Leadership Sachse Task Force
Type: Agenda Item **Status:** Agenda Ready
File created: 1/18/2018 **In control:** City Council
On agenda: 2/5/2018 **Final action:**
Title: Consider approval of a Leadership Sachse Task Force.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Title

Leadership Sachse Task Force

Background

In 2003, the Sachse Economic Development Corporation and the Sachse Chamber of Commerce launched its inaugural Leadership Sachse program. The original program was discontinued in 2005 due to lack of participation and sustainability issues. The Sachse Chamber of Commerce is interested in re-establishing the program through a partnership between the City of Sachse, Sachse Economic Development Corporation, and the Sachse Chamber of Commerce. Barry Young, President of the Sachse Chamber of Commerce, will give a presentation to the City Council about this topic.

Policy Considerations

The presentation will prompt the City Council to consider the approval of a Leadership Sachse Task Force and to appoint a council member to serve as a representative on the Task Force. The Leadership Sachse Task Force will be charged with determining the viability of a Leadership Sachse program and with determining the role of the partnership between the City of Sachse, the Sachse Economic Development Corporation, and the Sachse Chamber of Commerce. The Task Force will present its findings to the City Council for final consideration.

Budgetary Considerations

There are no budgetary considerations for Council at this time.

Staff Recommendations

Staff recommends that the City Council approve a Leadership Sachse Task Force and appoint a council member to serve on the exploratory committee.



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4144	Version:	1	Name:	Ordinance - School Zones on Miles Road and Hudson Drive
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	1/31/2018	In control:		In control:	City Council
On agenda:	2/5/2018	Final action:		Final action:	
Title:	Discuss and consider an ordinance amending the Code of Ordinances by amending Chapter 9 titled "Traffic Regulations" by amending Section 9-4 titled "Speed Limits" to amend the school zone on a portion of Woodcreek Way northbound and southbound from Ridge Glen Drive to Ranch Road; and to include a portion of Canyon Crest Drive eastbound and westbound from a point 500 feet west of Woodcreek Way to a point 600 feet east of Woodcreek Way.				

Sponsors:

Indexes:

Code sections:

Attachments: [Presentation](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
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Title

Consider an ordinance amending Section 9-4 entitled "Speed Limits" to change the designated school zone areas on a portion of Miles Road near Hudson Drive.

Background

The release time of Hudson Middle School was changed from 3:50 p.m. to 4:00 p.m. with the start of the 2017-2018 school year. The City was not notified of the change when it was originally instituted. The shift in release time has caused significant traffic delays in the area. Staff promptly investigated the matter when the issue was brought to the City's attention.

There are several, compounding issues present in the area that negatively affect the traffic flow. First, Hudson Drive serves as the primary entrance point for both Hudson Middle School and Sewell Elementary, resulting in a high volume of traffic moving through the area during drop-off and pick-up times. Second, Hudson Middle School does not have adequate onsite traffic circulation, creating long delays and back-ups. These delays, in turn, cause cars to spill onto Miles Road as parents wait in extensive carpool lines. It now takes parents and students much longer to leave the campus.

To address the systemic issue, the traffic configurations of the schools will likely need to be reconsidered by the school district. Until that issue can be addressed for a long-term solution, staff recommends extending the timing on the school zones located on Miles Road and Hudson Drive to provide relief to the area. This extension would give students additional time to leave campus under the protection of a school zone.

Policy Considerations

The Institute of Transportation Engineers (ITE) and the State of Texas provide guidelines for determining the limits of school zones. The City Council of the City of Sachse has the authority to alter the prima facie maximum speed limits established by Section 545.356 of the Transportation Code of the State of Texas.

Budgetary Considerations

The cost for replacing the existing school zone signs with new signs is approximately \$500.00. City staff will install the equipment once it arrives. The equipment will be purchased using existing funds in the Street Department as a part of the FY 2017-18 Budget.

Staff Recommendations

Staff recommends that Council approves an ordinance amending Section 9-4 entitled "Speed Limits", extending the school zone time for both Miles Road and Hudson Drive by 10 minutes, from 4:15pm to 4:25pm.



School Zone Ordinance

Ranch Road

City Council
August 7, 2017

Overview

- Location
- School Release Times
- Current & Proposed School Zone Times
- Hudson Middle School Release
- School Zone Review - Staff Findings
- Staff Recommendations
- Ordinance Language
- City Council Consideration

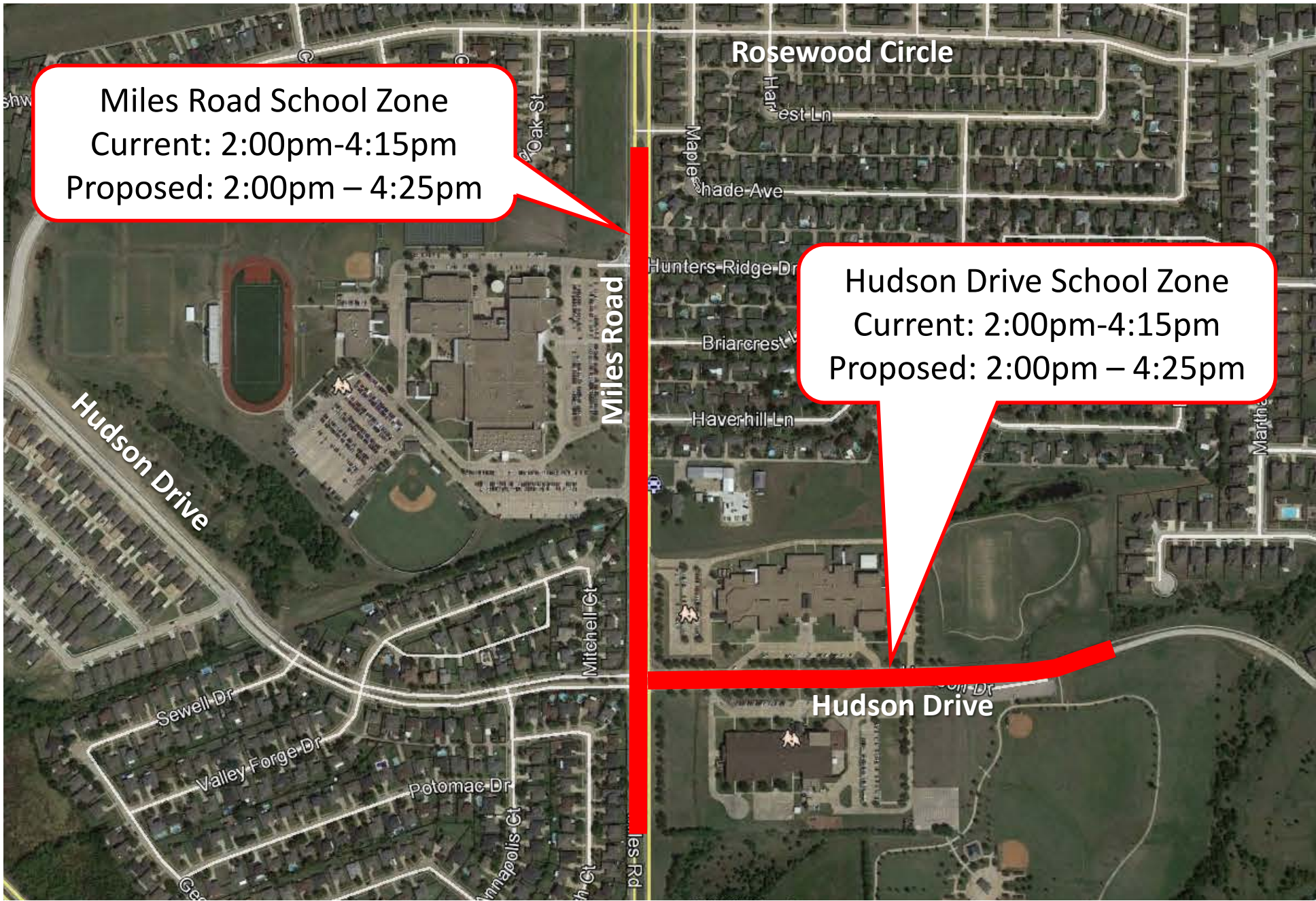
Location



School Release Times



Current & Proposed School Zone Time



Hudson Middle School Release

- In the fall of 2017 the release time of Hudson Middle School changed from 3:50pm to 4:00pm. The City was not notified of this change until a resident recently brought it to our attention.
- Staff visited the school property recently during release time to observe the school traffic patterns.
- Based upon visual observations, the majority of students at Hudson Middle School are picked up by parents. There is some pedestrian traffic, and limited bus traffic.
- Hudson Middle School suffers from poor on-site traffic circulation, particularly for cars picking up students. The poor on-site circulation creates a backup of motorists onto Hudson Drive and Miles Road.
- The congestion results in poor driver decision making – including making improper traffic movements. Improving the on-site traffic patterns would likely reduce congestion and the number of these occurrences. There are no readily available options for the City to consider on Hudson Drive that would result in significant improvements to the traffic congestion.
- Staff finds that poor on-site circulation at Hudson Middle School causes delays in students leaving the site. Therefore a longer length of time is needed for students to exit the area
- This creates a need to extend the school zone time for safety purposes.

School Zone Review - Staff Findings

- The Miles Road corridor is a complex situation – making changes to speeds/times/traffic will benefit some, and negatively impact others. Staff is focused on making changes that result in benefits which outweigh negative impacts.
- There are three different schools within the area, students ranging in age from 5 to 18 years old, with very different start & release times. The amount of pedestrian traffic for each school differs significantly.
- Miles Road is a high traffic minor arterial with more than 17,000 vehicles per day.
- Staff also finds that any extension of school zone time on Miles Road will have a negative impact on motorists due to the significant length of the school zone in both distance and time. However, staff has determined that the safety benefits outweigh the negative impacts.

Staff Recommendations

- Staff recommends that the school zone time for both Miles Road and Hudson Drive be extended 10 minutes, from 4:15pm to 4:25pm.

Ordinance Language

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9 TITLED "TRAFFIC REGULATIONS" BY AMENDING SECTION 9-4 TITLED "SPEED LIMITS" TO AMEND THE SCHOOL ZONE ON A PORTION OF MILES ROAD NORTHBOUND AND SOUTHBOUND THAT FALLS WITHIN THE AREA 2,395 FEET NORTH AND 588 FEET SOUTH OF THE INTERSECTION OF MILES ROAD AND HUDSON DRIVE; AND TO AMEND THE SCHOOL ZONE ON A PORTION OF HUDSON DRIVE EASTBOUND AND WESTBOUND, THAT FALLS WITHIN THE AREA FROM A POINT 1,760 FEET EAST OF MILES ROAD TO THE INTERSECTION WITH MILES ROAD; 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 HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

City Council Consideration

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9 TITLED “TRAFFIC REGULATIONS” BY AMENDING SECTION 9-4 TITLED “SPEED LIMITS” TO AMEND THE SCHOOL ZONE ON A PORTION OF MILES ROAD NORTHBOUND AND SOUTHBOUND THAT FALLS WITHIN THE AREA 2,395 FEET NORTH AND 588 FEET SOUTH OF THE INTERSECTION OF MILES ROAD AND HUDSON DRIVE; AND TO AMEND THE SCHOOL ZONE ON A PORTION OF HUDSON DRIVE EASTBOUND AND WESTBOUND, THAT FALLS WITHIN THE AREA FROM A POINT 1,760 FEET EAST OF MILES ROAD TO THE INTERSECTION WITH MILES ROAD; 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 HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Transportation Code provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway; and,

WHEREAS, the City Council of the City of Sachse, Texas, upon the basis of a change to the release time of Hudson Middle School finds it necessary to alter the period of time for which the prima facie maximum speed limits on Miles Road and Hudson Drive, established by Section 545.356 of the Transportation Code, shall be designated a school zone; and,

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

SECTION 1. That Chapter 9 “Traffic Regulations” of the City of Sachse Code of Ordinances be, and the same is hereby amended by amending Section 9-4 “Speed limits” to read as follows:

“Chapter 9

TRAFFIC REGULATIONS

...

Sec. 9-4 Speed limits.

...

C. *School zones.*

...

- (b) The portion of Miles Road, both northbound and southbound, that falls within the area 2,395 feet north and 588 feet south of the intersection of Miles Road and Hudson Drive, during the hours of 6:30 a.m. to 9:15 a.m. and 2:00 p.m. to 4:25 p.m.

...

- (i) The portion of Hudson Drive, both eastbound and westbound, that falls within the area from a point 1,760 feet east of Miles Road to the intersection with Miles Road, during the hours of 6:30 a.m. to 9:15 a.m. and 2:00 p.m. to 4:25 p.m.

... “

SECTION 2. That any provisions of the ordinances of the City of Sachse in conflict with the provisions of this ordinance be and the same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

SECTION 3. That an offense committed before the effective date of this ordinance is governed by the 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 sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in Code of Ordinances of the City of Sachse, as heretofore amended, and upon conviction shall be punished by fine not to exceed the sum of two hundred dollars (\$200.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 6. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the _____ day of _____, 2018.

APPROVED:

Mike J. Felix
Mayor

DULY ENROLLED:

Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:

Joseph G. Gorfida
City Attorney