



**Monday, November 1, 2021
City Council Combined Meeting**

**Council Chambers
3815 Sachse Road, Building B
6:30 p.m.**

Members of the public who wish to submit their written comments on a listed agenda item can also submit their comments by filling out the public meeting speaker form at: <http://www.cityofsachse.com/328/Agendas-Minutes-Videos> or by visiting the Agendas & Minutes button on the homepage of the City's website.

Comments must be received before 4:00 p.m. on Monday, November 1, 2021.

The City of Sachse reserves the right to reconvene, recess or realign the workshop meeting, regular meeting, called Executive Session or order of business at any time prior to adjournment.

As authorized by Section 551.071(2) of the Texas Government Code, these meetings 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.

A. 6:30 PM WORKSHOP MEETING

1. Call to Order: The City Council of the City of Sachse will hold a Workshop Meeting on Tuesday, November 1, 2021 at 6:30 p.m. to consider the following items of business:
2. Receive an introduction of the leadership team for Trinity Regional Hospital Sachse.
3. Conduct and discuss Boards and Commissions interviews.
4. The City Council shall convene into Executive Session pursuant to Texas Government Code Section §551.087 Economic Development Deliberations: Deliberate the offer of a financial or other incentive relating to a business prospect generally located along the President George Bush Turnpike.
5. Any workshop item not completed prior to the City Council regular meeting at 7:00 p.m. may be continued following the regular meeting.
6. Discussion of City Council meeting agenda items.
7. Adjournment.

B. 7:00 PM REGULAR MEETING

1. Call to Order: The City Council of the City of Sachse will hold a Regular Meeting on Tuesday, November 1, 2021 at 7:00 p.m. to consider the following items of business:
2. Invocation and Pledges of Allegiance.

C. Special Announcements

1. Mayor and City Council announcements regarding special events, current activities, and local achievements.
2. HEARTSafe Community - Life Saving Awards
3. Proclamation recognizing the week of November 14-20, 2021, as Hunger and Homelessness Awareness Week in the City of Sachse.

D. Citizen Input

1. Citizen Input: The public is invited at this time to address the Council. Please come to the microphone and state your name and address for the record or citizens wishing to speak may use the chat function to state their name, address, and question for the record. However, 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. Issues raised may be referred to City Staff for research and possible future action.

E. 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 Councilmember or citizen so requests.

1. Approve the minutes of the October 18, 2021, combined meeting.
2. Accept the monthly revenue and expenditure report for the period ending September 30, 2021.
3. Approve a resolution adopting the City of Sachse, Sachse Economic Development Corporation, Sachse Municipal Development District, President George Bush Turnpike Reinvestment Zone Tax Increment, and Reinvestment Zone Number Two Investment Policy ("Sachse Investment Policy").
4. Approve the Consent Agenda Items as presented.

F. Regular Agenda Items

1. Take any action as a result of Executive Session.
2. Discuss and consider authorizing the renewal of employee medical and dental insurance coverage policies with United Healthcare and authorizing the City Manager to execute such agreement for coverage.
3. Consider an ordinance amending the Code of Ordinances by amending Chapter 3 titled "Building Regulations" by amending Article II titled "Reserved" by retitling Article II "Municipal Court Jurisdiction Regarding Substandard Buildings"; by amending and retitling Sections 3-41 through 3-49 to provide procedures for the Municipal Court's jurisdiction relating to substandard buildings.
4. Consider authorizing the City Manager to execute an amendment to the professional service contract for the Maxwell Creek Pump Station Improvements between the City of Sachse and Hazen-Sawyer Engineering in the amount not to exceed One Hundred Twenty-Seven Thousand, Three Hundred and No/100 Dollars (\$127,300.00).

G. Regular Meeting Closing

1. Adjournment.

I, the undersigned authority, do hereby certify that this notice of meeting was posted in accordance with the regulations of the Texas Open Meetings Act and was posted on the bulletin board, an accessible location at Sachse City Hall.


Leah K Granger, Interim City Secretary

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Amanda Chi, ADA Coordinator, via phone at 972.429.4770, via email at achi@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	A. 6:30 PM WORKSHOP MEETING
Subject	2. Receive an introduction of the leadership team for Trinity Regional Hospital Sachse.
Access	Public
Type	Information, Recognition

Public Content

BACKGROUND

Trinity Regional Hospital Sachse will be opening its doors to see patients in the near future. Leadership of the hospital would like to introduce themselves to the City Council and become active partners for the betterment of the community.

Emily Fletcher, Vice President of Business Development and Sean Johnson, CEO of Trinity Regional Hospital will be in attendance.

**Agenda Item Details**

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	A. 6:30 PM WORKSHOP MEETING
Subject	3. Conduct and discuss Boards and Commissions interviews.
Access	Public
Type	Discussion

Public Content**BACKGROUND**

With the exception of the Municipal Development District, each Board and Commission term expires every two years in November. Interviews must be conducted to fill vacancies as necessary.

OVERVIEW

There are 27 terms expiring in November 2021. Of those, between six (6) and twelve (12) vacancies will need to be filled, depending on additional pending responses from current board members.

POLICY CONSIDERATIONS

There are no policy considerations affiliated with this item.

RECOMMENDATION

Conduct and discuss Boards and Commissions interviews.



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	A. 6:30 PM WORKSHOP MEETING
Subject	4. The City Council shall convene into Executive Session pursuant to Texas Government Code Section §551.087 Economic Development Deliberations: Deliberate the offer of a financial or other incentive relating to a business prospect generally located along the President George Bush Turnpike.
Access	Public
Type	Closed Session

Public Content



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	C. Special Announcements
Subject	2. HEARTSafe Community - Life Saving Awards
Access	Public
Type	Recognition
Goals	Provide a high quality of life environment for families, individuals, businesses, and other organizations in Sachse.

Public Content

BACKGROUND

The City of Sachse was recently awarded the designation of a HEARTSafe Community by the American Heart Association. As a part of this program, the City would like to celebrate the efforts of those in our community that contributed to saving a life.

OVERVIEW

On August 26, Mr. John Still collapsed from sudden cardiac arrest. This incident was witnessed by his wife, Teri, who was able to immediately call 911. Teri and their son, Matthew, were given instructions on how to perform CPR by Sachse Police Dispatch while waiting for medical units to arrive. When Lieutenant Steven Doerr of the Sachse Police Department arrived at the residence, he relieved the family of their efforts and took over CPR. Sachse Fire-Rescue crew from Truck 1 and Ambulance 2 were able to arrive and take over medical care. The crews provided early defibrillation, ACLS care, and alerted the Catheterization Lab. Mr. Still was resuscitated and transported to Methodist Renner, where he was taken immediately to the Catheterization Lab. There he received a cardiac stent. Everyone's participation in this event helped save Mr. Still's life.

POLICY CONSIDERATIONS

No policy considerations associated with this item.

RECOMMENDATION

Issue HEARTSafe Hero awards to the following individuals: Teri Still (Wife), Matthew Still (Son), Lt. Steven Doerr (SPD), Lorraine Massie (Dispatcher), Driver-Engineer Austin Fullen (SFR), Firefighter Lee Goodwin (SFR), Firefighter Alek Matson (SFR), Drive-Engineer Jody Krizan (SFR), Lt. Ken Messick (SFR), and Firefighter David Garrett (SFR).



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	C. Special Announcements
Subject	3. Proclamation recognizing the week of November 14-20, 2021, as Hunger and Homelessness Awareness Week in the City of Sachse.
Access	Public
Type	Recognition

Public Content

BACKGROUND

The Collin County Homeless Coalition sponsors Hunger and Homelessness Awareness Week the week before Thanksgiving to encourage residents to take action on the issues of hunger and homelessness. The week highlights the difficulty and loneliness of those without a home and living in poverty. The public is encouraged to get involved in efforts to end homelessness and hunger in the U.S., especially in Collin County.

POLICY CONSIDERATIONS

There are no policy considerations affiliated with this item.

RECOMMENDATION

Present the Proclamation for Hunger and Homelessness Awareness Week.

Audrey Wallace with Five Loaves Food Pantry, John Bailey with Hope for the Cities - First Baptist Wylie, and Todd Baughman with Chase Oaks Church will accept the proclamation.

[Hunger and Homelessness Awareness Week Proclamation.pdf \(60 KB\)](#)

Proclamation

WHEREAS, the Collin County Homeless Coalition sponsors Hunger and Homelessness Awareness Week the week before Thanksgiving each year to encourage the public to take action on the issues of hunger and homelessness; and,

WHEREAS, the week will highlight the difficulty and loneliness of those without a home and living in poverty, and encourage the public to become involved in efforts to end homelessness and hunger in the U.S., especially in Collin County; and,

WHEREAS, collaboration and cooperation between agencies at all levels, schools, churches, businesses, and organizations can help change the outcome of individuals in these desperate circumstances; and,

WHEREAS, the Collin County Homeless Coalition members will host a variety of events at several locations during the week throughout Collin County to raise awareness and offer residents an opportunity to share their compassion with those experiencing food and shelter insecurities.

I, THEREFORE, Mayor Felix, of the City of Sachse, do hereby proclaim November 14 – 20, 2021, as:

"HUNGER AND HOMELESSNESS AWARENESS WEEK"

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Sachse, Texas to be affixed this the 1st day of November, 2021.

Mike J. Felix, Mayor



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	E. 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 Councilmember or citizen so requests.
Subject	1. Approve the minutes of the October 18, 2021, combined meeting.
Access	Public
Type	Action (Consent), Minutes
Recommended Action	Approve as presented.
Minutes	View Minutes for Oct 18, 2021 - City Council Combined Meeting

Public Content

BACKGROUND

Minutes of the October 18, 2021, combined meeting.

POLICY CONSIDERATIONS

There are no policy considerations affiliated with this item.

RECOMMENDATION

Approve the minutes of the October 18, 2021, combined meeting.

[10.18.21 Council Minutes Combined.pdf \(125 KB\)](#)

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 Councilmember or citizen so requests.

**CITY COUNCIL OF THE CITY OF SACHSE
MEETING MINUTES
OCTOBER 18, 2021**

The City Council of the City of Sachse held a regular meeting on Monday, October 18, 2021, at 6:30 p.m. at Sachse City Hall, 3815-B Sachse Road. Those present were Mayor Mike Felix, Mayor Pro Tem Jeff Bickerstaff, Councilmembers Brett Franks, Michelle Howarth, Frank Millsap, Chance Lindsey, and Cullen King; City Attorney, Joe Gorfida; City Manager, Gina Nash; Interim City Secretary, Leah Granger; IT Manager, Mike Pastor; IT Staff, James Burns; Strategic Services Director, Lauren Rose; CIP and Public Works Director, Corey Nesbit; Engineering Project Manager, Martin Donk; Director of Parks and Recreation, Lance Whitworth; Assistant Director of Finance, David Baldwin; Fire Chief, Marty Wade; Police Chief, Bryan Sylvester; Assistant to the City Manager, Amanda Chi; and Assistant to the City Manager-Economic Development, Jerod Potts.

Mayor Felix called the workshop meeting to order at 6:30 p.m.

Conduct and discuss Boards and Commissions interviews: The Council conducted one interview with a candidate to fill vacant seats on various Boards and Commissions.

The Council discussed whether a current member of a board would need to be interviewed in order to continue serving on their respective board. The consensus was that returning members would not need to reapply and interview to stay in their same position.

Receive a legislative update regarding approved Senate and House bills from the 87th regular and special sessions: Assistant to the City Manager, Amanda Chi, reviewed pertinent bills that were passed in the 87th regular and special sessions of the Legislature.

EXECUTIVE SESSION: The City Council shall convene into Executive Session pursuant to the Texas Government Code, Section §551.074: Personnel - to discuss employment and the duties of the City Secretary position.

The Council recessed into Executive Session at 7:09 p.m.

The Council reconvened into the regular meeting at 7:29 p.m.

INVOCATION AND PLEDGES OF ALLEGIANCE TO THE US AND TEXAS FLAGS:

Councilman King lead the invocation and Mayor Pro Tem Bickerstaff led the pledges.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS:

Councilmember Franks commented on the success of the Pumpkin Prowl held the Saturday prior to the meeting. He said there were roughly 2,500 people that attended and that the kids were pleasantly scared from the hayride. He commended all the volunteers on their great job.

Councilmember Franks also mentioned the Daddy Daughter Dance that will be taking place in February.

Councilmember King thanked volunteers in the City staff and especially Ray Mendez, Neighborhood Services Manager, for their volunteer spirit and their desire to help the residents of Sachse. He reminded the public that Fallfest is coming up on Saturday, October 23, at Heritage Park from 10 a.m. to 5 p.m.

Mayor Felix mentioned that he and several councilmembers attended the Garland ISD Natatorium Grand Opening on Saturday. It is a beautiful facility and was a great event.

Councilmember Lindsey announced that early voting started on October 18 and will continue through October 29. Dallas County residents may vote at the City Hall Courtroom and Collin County residents may vote at the Michael J. Felix Community Center Reservation Room.

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 Councilmember or citizen so requests.

- 1. Approve the minutes of the September 20, 2021, combined meeting.**
- 2. Accept the monthly revenue and expenditure report for the period ending August 31, 2021.**
- 3. Authorize the purchase of one (1) 2022 Ford F-750 Dump Truck from Rush Truck Center through the BuyBoard purchasing program, not to exceed the budgeted funds of Eighty-Six Thousand and No/100 Dollars (\$86,000.00) for the City of Sachse Public Works Department.**
- 4. Authorize the purchase of a 2021 F-250 truck and attached box unit from Sam Pack's Five Star Ford and Chevrolet for an amount not to exceed Fifty-One Thousand, Four Hundred Three and No/100 Dollars (\$51,403.00) for assignment to the Animal Control unit.**
- 5. Authorize the purchase of one (1) 2022 Ford F550 Chassis, from Randall Reed's Planet Ford 635, in an amount not to exceed Fifty-Five Thousand, Three Hundred Fifty-Six and No/100 Dollars (\$55,356.00).**

- 6. Authorize the City Manager to execute a professional services contract for design of drainage and erosion control improvements for the 3rd Garland Sewer Connection between the City of Sachse and LJA Engineering, Inc. in the amount of Seventy-Four Thousand, Seven Hundred and Fifty and No/100 Dollars (\$74,750.00).**
- 7. Authorize the City Manager to execute a professional services contract between the City of Sachse and Freese and Nichols, Inc. to perform a hydrologic and hydraulic (H&H) study of Stream 2D4 in the amount of Sixty-Two Thousand, Four Hundred and No/100 Dollars (\$62,400.00).**
- 8. Approve Resolution approving the terms and conditions of the Interlocal Agreement regarding construction, location, and use of Public Safety/Public Works communications facilities entered into between the City of Sachse and the City of Dallas, Texas.**

Councilmember Franks requested that Item #5 be removed from the Consent Agenda for discussion.

Councilmember King made a motion to approve the Consent Agenda as presented without Item #5. Mayor Pro Tem Bickerstaff seconded the motion, and it carried unanimously.

Councilmember Franks asked which department the Ford F550 Chassis in Item D.5 would be for. Ms. Nash noted that the Fire Department had requested this purchase.

Councilmember Franks made a motion to approve Item D.5 as presented. Mayor Pro Tem Bickerstaff seconded the motion, and it carried unanimously.

REGULAR AGENDA ITEMS

Discuss and consider naming an Interim City Secretary.

Councilmember Franks made a motion to officially name Leah Granger as the Interim City Secretary effective September 20, 2021. Councilmember Lindsey seconded the motion and it carried unanimously.

Take any action as a result of Executive Session.

No additional action taken at this time.

Conduct a public hearing and consider an ordinance authorizing the creation of Tax Increment Reinvestment Zone No. Three, City of Sachse, under Chapter 311 of the Texas

Tax Code for approximately 799.31 acres of land generally located along State Highway (SH) 78, within the City of Sachse in both Dallas County, Texas, and Collin County, Texas.

Ms. Nash commented that the Council has discussed this topic over the last two meetings. Trent Petty from Petty and Associates was present to answer any questions they may have. The Council did not have any questions.

Mayor Felix opened the Public Hearing at 7:46 p.m.

No one present requested to speak.

Mayor Felix closed the Public Hearing at 7:46 p.m.

Mayor Pro Tem Bickerstaff made a motion to approve Item E.3 as presented. Councilmember King seconded the motion, and it carried with a 6-1 vote, with Councilmember Millsap dissenting.

Receive a recommendation from the Parks and Recreation Board on the use of \$869,874.00 in parkland dedication fees for Heritage Park upgrades that will be made by PMB during development at The Station.

Ms. Nash explained that in the previous week, Taylor Baird from PMB Capital Investments presented upgrades to the Parks and Recreation Board that the developer is proposing. The Parks and Recreation Board recommended that the upgrades be presented to Council for consideration.

Ms. Nash introduced Taylor Baird from PMB and he presented a high-level overview of how they are advancing the park design. They are happy with the success of the project so far and it is valued higher than originally expected. Mr. Baird went on to explain how the plan has changed. One of the leading contributors to the change is the cost of mitigating the creek that runs through the property. The amount was prohibitively high and PMB decided mitigating was not the best use of the budget. They plan to use the funds that will be diverted from the creek for water features that are removed from the previous location. Mr. Baird feels that the proposed changes will complement the intention of the park.

Councilmember King stated that the plan is exciting to see and that the community is looking forward to completion. He asked when completion can be anticipated. Mr. Baird responded that they anticipate the project to take roughly 12 more months. There are nation-wide supply chain issues causing delays and that can be expected to continue for some time.

Councilmember King also asked if PMB expects there to be enough parking in the area. Mr. Baird noted that the original design expanded the parking onto Hudson Road. Parking is a high priority and they are doing their best but will continue to work with staff to maximize use of the space.

Mayor Pro Tem Bickerstaff asked if there was unanimous support on the Park Board. Director of Parks and Recreation, Lance Whitworth, responded that the consensus on the Park Board was that the return on the investment was well worth it. They recommend to the Council that the upgrades

should be approved. Mayor Pro Tem Bickerstaff thanked the Park Board for their hard work in getting the project to this point. He said this park will be a great addition to the city.

Councilmember Millsap asked if there had been an operational impact analysis. He was concerned that the cost to maintain the park would exceed the City budget capacity. Mr. Baird reassured Council that PMB is continuing to keep cost in mind. He explained that building a park that could not be maintained would be a poor reflection of their work. Ms. Nash interjected that the City does not have the budgeted funds to maintain this new park but that there is a specific Operations and Maintenance (O&M) Public Improvement District (PID) assessment that was recently levied to pay for the elevated maintenance required for the park. Councilmember Howarth added that the Tax Increment Reinvestment Zone No. Two will also help pay for maintenance of the park. The tax revenue collected from the incremental increase in the property value will be split with 50% going to the City's General Fund operating budget and the other 50% going back into that district.

Mayor Felix remarked that he was happy with the work that has been done so far and that PMB continues to bring quality developments to the city.

Councilmember King made a motion to approve the item as presented. Councilmember Lindsey seconded the motion and it carried unanimously.

Consider authorizing the City Manager to enter into an interlocal agreement between Collin County and the City of Sachse concerning the J.K. Sachse Park Phase 1 project in which the county agrees to fund a portion of the total cost in an amount not to exceed One Hundred Sixty-One Thousand, Two hundred Ninety-Four and No/100 Dollars (\$161,294.00).

Lance Whitworth, Director of Parks and Recreation, explained that in 2020, with the assistance of Kimley-Horn and Associates, the City applied for a grant from Collin County. At that time, the County was not ready to invest in a project that was not shovel-ready. Once the parkland was dedicated to the City, the design of J.K. Sachse Park progressed and Kimley-Horn again assisted the City with the application process, specifically focusing on the trail portion of the project. Collin County has approved a grant for \$161,294.00.

Councilmember Franks was pleased with the successful grant application. Mayor Pro Tem Bickerstaff also congratulated the Parks Board and staff for the great job.

Councilmember Franks made a motion to approve the item as provided. Councilmember King seconded the motion and it passed unanimously.

Discuss and consider an amendment to the Memorandum of Understanding between the City of Sachse and 5 Loaves Food Pantry.

Mr. Whitworth presented the overview of the 5 Loaves Food Pantry upgrades and the reason for the amended Memorandum of Understanding.

Councilmember King had no problem with the amendment. He said that City staff works hard to serve the city; however, there are things City staff is unable to do. 5 Loaves is an asset. He

commended the pantry for all they do for the community. Mayor Pro Tem Bickerstaff also supported the request and noted that 5 Loaves does a great service to our community.

Councilmember Lindsey asked if there was a plan to use the remaining CARES Act funds. Ms. Nash responded that staff wants to complete the projects that have already been approved but that there are options for other projects that could use the funds. Councilmember Lindsey also said that he was in support of the amendment and thanked 5 Loaves for all the work they do to serve the community.

Councilmember King made a motion to approve the item as presented. Councilmember Lindsey seconded the motion and it carried unanimously.

Consider a resolution to authorize the City Manager to execute Amendment #1 to the Advance Funding Agreement between the City of Sachse and the State of Texas, acting through the Texas Department of Transportation, for the preparation of preliminary engineering (design schematic, environmental documents/public involvement); plans, specifications and estimates (PS&E), right-of-way acquisition and utility adjustment for the reconstruction and widening of a 2-lane roadway to a 4-lane divided urban roadway to include intersection, signal, shared use path improvements along Merritt Road/Woodbridge Parkway from south of Creek Crossing Lane to Pleasant Valley Road in the City of Sachse.

Ms. Nash stated that this is the first amendment to the agreement between the City and TxDOT. Staff has been able to start honing in on specific costs for each of the phases and amendments will need to be made periodically so that when they make amendments to the transportation implementation plan, staff will have the latest information that reflects those costs and how they are broken down. This amendment is refining where the funds come from and the City can hone the costs for each of those phases. Staff will be approaching NCTCOG for increased participation because of rising costs.

Councilmember Lindsey made a motion to approve the item as presented. Mayor Pro Tem Bickerstaff seconded the motion, and it carried unanimously.

Consider an amendment to Chapter 5 of the Sachse Code of Ordinances to create the Fire Marshal Office (FMO) to include an application to be a Texas Commission on Law Enforcement (TCOLE) agency.

Fire Chief Wade explained that the Sachse Code of Ordinances provides for the Fire Marshal Office but that it was never adopted and that they would be seeking a TCOLE license by application. Fire enforcement focuses on fire investigation and arson, in particular. Without TCOLE the investigators do not have the authority for enforcement. With a TCOLE license, training could be tailored toward arson.

Councilmember Lindsey asked if any action had been taken in the past that may now be in jeopardy. Chief Wade did not believe there would be any issues from previous cases. Councilmember Lindsey asked for clarification that this office and associated license would allow the Fire Marshal to write tickets for things like firework violations. Chief noted that there is no

intention of taking on any responsibilities of the Police Department but to focus on investigation and arson. Approving this item would create the office and provide the authority to go along with it.

Councilmember Lindsey asked if there is anyone already on staff that are qualified to hold this office. Chief Wade responded that there are two individuals that hold the necessary certifications to carry out the duties.

Councilmember Millsap asked what this license will allow the Fire Department to do that they couldn't already do. Chief Wade responded that even though the arson investigators are certified by the State, they have no authority to conduct an investigation because the City of Sachse is not their jurisdiction.

Councilmember Lindsey made a motion to approve the item as presented. Mayor Pro Tem Bickerstaff seconded the motion.

Mayor Felix told Chief Wade that as he has moved the City forward through the years, that he trusts the Chief's judgement and appreciates the work he has done.

The motion carries with a vote of 6-1 with Councilmember Millsap in dissent.

ADJOURNMENT:

Mayor Felix adjourned the meeting at 8:52 p.m.

Mike J. Felix, Mayor

ATTEST:

Leah K. Granger, Interim City Secretary



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	E. 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 Councilmember or citizen so requests.
Subject	2. Accept the monthly revenue and expenditure report for the period ending September 30, 2021.
Access	Public
Type	Action (Consent)
Preferred Date	Nov 01, 2021
Recommended Action	Accept the monthly revenue and expenditure report for the period ending September 30, 2021.
Goals	Be a model of financial stewardship through growth management, responsible investment, and financial transparency.

Public Content

BACKGROUND

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

September is the final month of the fiscal year; however, the totals included in this report are preliminary and unaudited and will likely change after year-end closing.

POLICY CONSIDERATIONS

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

RECOMMENDATION

Accept the monthly revenue and expenditure report for the period ending September 30, 2021.

[All Funds 9-30-2021.pdf \(115 KB\)](#)

[Sales Tax Analysis Nov 2021.pdf \(81 KB\)](#)

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 Councilmember or citizen so requests.

City of Sachse
Monthly Revenue and Expenditure Report
September 30, 2021
(Unaudited)

GENERAL FUND

100% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference
Revenue Summary					
Property Tax	\$ 13,420,000	\$ 20,141	\$ 13,672,966	101.88%	A
Sales Tax	1,700,000	194,355	2,291,351	134.79%	
Franchise Fees	1,847,825	82,796	1,864,499	100.90%	B
Licenses and Permits	621,000	148,790	2,001,364	322.28%	
Service Fees	916,500	170,836	2,267,474	247.41%	C
Fines	250,000	15,907	212,223	84.89%	
Interest Income	50,000	(197)	54,528	109.06%	
Miscellaneous Income	402,218	30,803	389,315	96.79%	
Intergovernmental Revenue	1,443,819	120,319	1,443,819	100.00%	
Total Revenue	\$ 20,651,362	\$ 783,749	\$ 24,197,539	117.17%	
Expenditure Summary					
City Manager	\$ 729,865	\$ 87,777	\$ 675,170	92.51%	
City Secretary	199,339	29,592	198,689	99.67%	
Human Resources	360,830	40,502	338,039	93.68%	
Finance	805,569	72,647	782,837	97.18%	
Municipal Court	241,740	25,394	208,848	86.39%	
Parks	1,560,900	121,251	1,471,453	94.27%	
Senior Programs	136,645	13,401	94,723	69.32%	
Library Services	515,646	59,829	471,748	91.49%	
Community Development	950,215	67,879	896,067	94.30%	
Streets & Drainage	3,474,060	343,094	3,295,956	94.87%	
Facility Maintenance	562,072	49,512	506,841	90.17%	
Police	5,581,495	596,845	5,323,312	95.37%	
Animal Control	230,865	23,489	197,761	85.66%	
Fire/EMS	4,682,376	542,289	4,779,842	102.08%	
Combined Services	422,652	37,896	375,683	88.89%	
Recreation	386,106	32,715	327,879	84.92%	
City Engineer	368,244	36,643	333,035	90.44%	
Information Technology	746,910	55,779	709,368	94.97%	
Total Expenditures	\$ 21,955,529	\$ 2,236,533	\$ 20,987,252	95.59%	
Total Revenue Over/Under Expenses	\$ (1,304,167)	\$ (1,452,784)	\$ 3,210,288		

Explanation of Major Variances:

- A** Property Tax receipts peak in December and January.
- B** Building permit revenue reflects activity in Ranch Park Village and the Station.
- C** Plan Review, Developer and Ambulance fees are above projections.

City of Sachse
Monthly Revenue and Expenditure Report
September 30, 2021
(Unaudited)

UTILITY FUND

100% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference
Revenue Summary					
Water Revenue	\$ 7,460,000	\$ 985,918	\$ 7,798,573	104.54%	
Sewer Revenue	5,197,500	486,511	5,456,013	104.97%	
Drainage Revenue	210,000	17,906	210,802	100.38%	
Fees	165,700	17,976	169,714	102.42%	
Interest Income	60,000	3,342	86,856	144.76%	A
Transfer In-Impact Fee	-	-	-		
Miscellaneous Income	-				
Total Revenue	\$ 13,093,200	\$ 1,511,653	\$ 13,721,958	104.80%	
Expenditure Summary					
Utility Administration	\$ 442,209	\$ 53,015	\$ 430,187	97.28%	
Water Operations	6,933,081	767,212	6,774,631	97.71%	
Sewer Operations	4,380,364	369,367	4,205,753	96.01%	
Drainage Projects	100,000	-	25,950	25.95%	
Total Expenditures	\$ 11,855,654	\$ 1,189,595	\$ 11,436,521	96.46%	
Total Revenue Over/Under Expenses	\$ 1,237,546	\$ 322,058	\$ 2,285,437		

Explanation of Major Variances:

A Interest is budgeted conservatively, and principal is higher than anticipated.

City of Sachse
Monthly Revenue and Expenditure Report
September 30, 2021
(Unaudited)

Debt Service Fund

	100% of Year Completed				
	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference
Revenue Summary					
Property Tax	\$ 5,035,703	\$ 6,142	\$ 5,130,473	101.88%	B
Interest Income	5,000	(18)	4,016	80.32%	
Miscellaneous Receipts					
Total Revenue	\$ 5,040,703	\$ 6,124	\$ 5,134,488	101.86%	
Expenditure Summary					
Fees	\$ 3,000	\$ 900	\$ 2,556	85.21%	A
Principal	3,543,300	-	3,655,000	103.15%	
Interest	1,495,917	626,811	1,278,268	85.45%	
Transfer Out-Utility Fund					
Total Expenditures	\$ 5,042,217	\$ 627,711	\$ 4,935,824	97.89%	
Total Revenue Over/Under Expenses	\$ (1,514)	\$ (621,586)	\$ 198,664		

A Budgeted debt service for 2020 Tax Notes was estimated.

B Property Tax receipts peak in December and January.

City of Sachse
Monthly Revenue and Expenditure Report
September 30, 2021
(Unaudited)

SACHSE ECONOMIC DEVELOPMENT CORPORATION

100% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference
Revenue Summary					
Sales Tax	\$ 837,500	\$ 95,278	\$ 1,130,596	135.00%	A
Other Income	\$ 12,500	\$ -	\$ 10,000	80.00%	
Interest Income	5,000	306	6,159	123.17%	
Total Revenue	\$ 855,000	\$ 95,584	\$ 1,146,754	134.12%	
Expenditure Summary					
Expenditures	855,000	60,244	565,697	66.16%	
Total Expenditures	\$ 855,000	\$ 60,244	\$ 565,697	66.16%	
Total Revenue Over/Under Expenses	\$ -	\$ 35,340	\$ 581,058		

Explanation of Major Variances:

A GISD Grant received in November

City of Sachse
Monthly Revenue and Expenditure Report
September 30, 2021
(Unaudited)

MUNICIPAL DEVELOPMENT DISTRICT

100% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference
Revenue Summary					
Sales Tax	\$ 385,000	\$ 46,259	\$ 537,660	139.65%	
Other Income	\$ -				
Interest Income	500	126	2,084	416.73%	A
Total Revenue	\$ 385,500	\$ 46,385	\$ 539,743	140.01%	
Expenditure Summary					
Expenditures	249,000	78,449	137,435	55.19%	
Total Expenditures	\$ 249,000	\$ 78,449	\$ 137,435	55.19%	
Total Revenue Over/Under Expenses	\$ 136,500	\$ (32,064)	\$ 402,308		

Explanation of Major Variances:

A Interest is budgeted conservatively, and principal is higher than anticipated.

CITY OF SACHSE

2021/2022 SALES TAX ANALYSIS

FY 2021	Total Sales tax	General Fund Sales Tax	General Fund Year-To-Date	YTD Percent of Budget	FY 2022	Total Sales tax	General Fund Sales Tax	General Fund Year-To-Date	YTD Percent of Budget
October	264,016	150,859	150,859	9.01%	October	308,288	176,156	176,156	9.03%
November	374,502	213,991	364,850	21.78%	November				0.00%
December	286,729	163,837	528,687	31.56%	December				0.00%
January	323,637	184,926	713,613	42.60%	January				0.00%
February	435,095	248,614	962,226	57.45%	February				0.00%
March	279,789	159,871	1,122,098	66.99%	March				0.00%
April	247,713	141,543	1,263,641	75.44%	April				0.00%
May	387,674	221,517	1,485,158	88.67%	May				0.00%
June	301,551	172,306	1,657,464	98.95%	June				0.00%
July	311,326	177,892	1,835,356	109.57%	July				0.00%
August	411,760	235,280	2,070,636	123.62%	August				0.00%
September	333,489	190,556	2,261,191	135.00%	September				0.00%
TOTAL	3,957,282	2,261,191			TOTAL	308,288	176,156		
BUDGET		1,675,000			BUDGET		1,950,000		



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	E. 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 Councilmember or citizen so requests.
Subject	3. Approve a resolution adopting the City of Sachse, Sachse Economic Development Corporation, Sachse Municipal Development District, President George Bush Turnpike Reinvestment Zone Tax Increment, and Reinvestment Zone Number Two Investment Policy ("Sachse Investment Policy").
Access	Public
Type	Action (Consent)
Preferred Date	Nov 01, 2021
Fiscal Impact	No
Budgeted	No
Recommended Action	Approve a resolution adopting the City of Sachse, Sachse Economic Development Corporation, Sachse Municipal Development District, President George Bush Turnpike Reinvestment Zone Tax Increment, and Reinvestment Zone Number Two Investment Policy ("Sachse Investment Policy").

Public Content

BACKGROUND

The City's current Investment Policy was reviewed by City Council on December 7, 2020, in accordance with the Public Funds Investment Act (PFIA), the City's Investment Policy is to be reviewed on an annual basis, and the City Council must approve any modifications made thereto. The purpose of this agenda item is to present all recommendations for changes to policy and to comply with the annual review provision of the PFIA whereby each entity shall adopt a resolution annually attesting to an annual review.

OVERVIEW

Minor changes to the Investment Policy are proposed for FY 2021-2022. Modifications include the Government Finance Officers Association (GFOA) preferred change from acronym use to Comprehensive Annual Financial Report in II. Scope; wording aligned with PFIA language in III. Prudence; relaxed language in VIII. Investment Strategy, Section B. from "require" to "allow"; XI. clarifying Depository to be the Primary Depository; and IX. Authorized & Suitable Investments, Section B. and XII. Collateralization to include National Credit Union Share Insurance Fund (NCUSIF).

POLICY CONSIDERATIONS

The recommended policy for adoption is in compliance with the Public Funds Investment Act (PFIA).

RECOMMENDATION

Approve a resolution adopting the City of Sachse, Sachse Economic Development Corporation, Sachse Municipal Development District, President George Bush Turnpike Reinvestment Zone Tax Increment, and Reinvestment Zone Number Two Investment Policy ("Sachse Investment Policy").

[Presentation - Investment Policy Review FY 2022.pdf \(32 KB\)](#)

[51SACHSE Resolution Approving Investment Policy 2021-2022.pdf \(249 KB\)](#)

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 Councilmember or citizen so requests.

INVESTMENT POLICY ANNUAL REVIEW FY 2021-2022

City Council
November 1, 2021



POLICY CONSIDERATIONS

- PFIA and City Policy require annual review.
- All changes must be approved by City Council.
- Review/acceptance of changes also required by boards of all component units.

PROPOSED CHANGES

- Section II-Scope
 - Remove abbreviation “CAFR” per GFOA guidelines.
- Section III-Prudence
 - Minor changes to language to align with current PFIA.
- Section VIII-Investment Strategy
 - Change language from “require” to “allow” short to intermediate maturities of project funds in the Proprietary Fund.
- Section IX-Authorized & Suitable Investments
 - Define acronyms FDIC and NCUSIF
- Section XI-Depository
 - Change to “Primary” Depository
- Section XII-Collateralization
 - Add NCUSIF



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, ADOPTING THE CITY OF SACHSE, SACHSE ECONOMIC DEVELOPMENT CORPORATION, SACHSE MUNICIPAL DEVELOPMENT DISTRICT, PRESIDENT GEORGE BUSH TURNPIKE REINVESTMENT ZONE TAX INCREMENT FUND, AND REINVESTMENT ZONE NUMBER TWO INVESTMENT POLICY (“SACHSE INVESTMENT POLICY”) ATTACHED HERETO AS EXHIBIT “A”; DECLARING THAT THE CITY COUNCIL HAS COMPLETED ITS REVIEW OF THE INVESTMENT POLICY AND INVESTMENT STRATEGIES OF THE CITY AND THAT EXHIBIT “A” RECORDS ANY CHANGES TO EITHER THE INVESTMENT POLICY OR INVESTMENT STRATEGIES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the Public Funds Investment Act, Chapter 2256, Texas Government Code, the City Council of the City of Sachse, Texas by resolution adopted an investment policy; and

WHEREAS, Section 2256.005, Texas Government Code requires the City Council to review the investment policies and investment strategies not less than annually and to adopt a resolution or order stating the review has been completed and recording any changes made to either the investment policies or investment strategies.

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

SECTION 1. The Sachse Investment Policy, attached hereto as Exhibit “A” be and the same is hereby adopted and shall govern the investment policies and investment strategies for the City, and shall define the authority of the investment official of the City from and after the effective date of this resolution.

SECTION 2. That the City Council of the City of Sachse has completed its review of the investment policies and investment strategies and any changes made to either the investment policies or investment strategies are recorded in Exhibit “A” hereto.

SECTION 3. That all provisions of the Resolutions of the City of Sachse, Texas, in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions of the Resolutions of the City not in conflict with the provisions of this resolution shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this resolution, be adjudged or held to be void or unconstitutional, the same shall not

affect the validity of the remaining portions of said resolution, which shall remain in full force and effect.

SECTION 5. That this resolution shall become effective immediately from and after its passage.

SECTION 6. 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 1st day of November, 2021.

CITY OF SACHSE, TEXAS

Mike J. Felix, Mayor

ATTEST:

Leah K Granger, Interim City Secretary

Exhibit “A”
CITY OF SACHSE
SACHSE ECONOMIC DEVELOPMENT CORPORATION
PRESIDENT GEORGE BUSH TURNPIKE REINVESTMENT ZONE TAX INCREMENT FUND
REINVESTMENT ZONE NUMBER TWO
INVESTMENT POLICY

I. Policy

Throughout this Investment Policy, the City of Sachse, Sachse Economic Development Corporation, Sachse Municipal Development District, President George Bush Turnpike Reinvestment Zone Tax Increment Fund, and Reinvestment Zone Number Two shall be singularly referred to as “ENTITY” and collectively referred to as “SACHSE.”

It is the policy of SACHSE to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of SACHSE and conforming to the Public Funds Investment Act (“PFIA”), Chapter 2256 of the Texas Government Code, and all other State and local statutes governing the investment of public funds.

II. Scope

This Investment Policy applies to all funds or financial resources available for investment under SACHSE’s financial control and accounted for in the City of Sachse’s Comprehensive Annual Financial Report which includes the General Fund, Debt Service Fund, Special Revenue Fund, Capital Projects Fund, Water and Sewer Enterprise Fund, Sachse Economic Development Corporation Fund, President George Bush Turnpike Reinvestment Zone Tax Increment Fund, Reinvestment Zone Number Two, and any new fund created by SACHSE unless specifically exempt.

To maximize the effective investment of assets, all funds may pool their cash balances for investment purposes. The income derived from investing activities will be distributed to the various funds based on calculation of their average balances.

III. Prudence

Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person’s own affairs, not for speculation, but for investment, considering the probable safety of their capital and the probable income to be derived.

The standard of prudence to be used by Investment Officers shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment Officers, acting in accordance with written procedures and the Investment Policy and exercising due diligence, shall be relieved of personal responsibility for an individual investment’s credit risk or market price changes, provided deviation from

expectations are reported immediately upon knowledge of the deviation and appropriate action is taken to control adverse developments.

IV. Objective

The primary objectives, in priority order, of SACHSE investment activities shall be:

- A. **Safety:** Safety of principal is the foremost objective of the investment program. Investments of SACHSE shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
- B. **Liquidity:** The SACHSE investment portfolio will remain sufficiently liquid to enable SACHSE to meet all operating requirements which might be reasonably anticipated.
- C. **Public Trust:** Investment Officers shall seek to act responsibly as custodians of the public trust. Investment Officers shall avoid any transaction that might impair public confidence in SACHSE's ability to govern effectively.
- D. **Return on Investments:** SACHSE's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with SACHSE's investment risk constraints and the cash flow characteristics of the portfolio.

V. Delegation of Authority

Management responsibility for the investment program is hereby delegated to the Director of Finance, the Assistant Director of Finance and the Finance Manager of the City of Sachse (the "Investment Officers"). The Director of Finance shall establish written procedures for the operation of the investment program consistent with this Investment Policy. Procedures should include reference to: safekeeping, repurchase agreements, wire transfer agreements, banking service contracts, and collateral/depository agreements. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this Investment Policy and the procedures established by the Director of Finance. The Investment Officers shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates.

VI. Ethics and Conflicts of Interest

Investment Officers involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Investment Officers shall disclose to SACHSE any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large

personal financial/investment positions that could be related to the performance of SACHSE, particularly with regard to the time of purchases and sales.

Investment Officers involved in the investment process shall adhere to the business relationship and other disclosure requirements as described in the PFIA 2256.005(i) by filing statements with the Texas Ethics Commission and each ENTITY's governing body.

VII. Authorized Broker/Dealers

The list of authorized broker/dealers shall be annually approved by the City Council (Appendix A). These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule).

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Investment Officer with the following: audited financial statements, proof of Financial Industry Regulatory Authority (FINRA) certification, trading resolution, and/or proof of State registration, as applicable.

It is at the discretion of the Investment Officer as to which authorized broker/dealer shall be used for any buy/sell transactions.

VIII. Investment Strategy

SACHSE's basic investment strategy for all financial assets is to preserve principal. In order to achieve that objective, SACHSE restricts the authorized investment instruments to those with suitable and limited credit and market risk. In order to make effective use of SACHSE's resources, all monies may be pooled into one portfolio, if practical, except for those monies required to be accounted for in other accounts as stipulated by applicable laws, bond covenants, ordinances, contracts, agreements, or other policies.

The objective of liquidity stems from the need of SACHSE to maintain available cash balances sufficient to cover financial outlays. Since the timing and amount of some financial disbursements are not predictable, fund-type strategies shall adjust for the uncertainty of projected cash flows.

Investment marketability will be maintained based on the fund-type strategies to sufficiently and reasonably assure that investments could be liquidated prior to the maturity, if cash needs dictate.

Whenever practical or appropriate, it is the policy of SACHSE to diversify its investment portfolio. Assets held in the investment portfolio may be diversified to minimize the risk of loss resulting from concentration of assets in a specific maturity, a specific issuer, or a specific class of investment.

SACHSE funds shall seek to achieve a competitive yield appropriate for each strategy. Yield objectives shall at all times be subordinate to the objectives of safety and liquidity. Tax-exempt debt proceeds shall be invested to maximize the interest earnings retained by SACHSE, while at the same time fully complying with all applicable State laws and federal regulations, including the arbitrage rebate regulations. A competitive yield environment shall be achieved by soliciting quotes from multiple investment providers, monitoring comparable investment alternatives, and reviewing general market conditions.

The overall investment strategy of SACHSE is based on the premise that a certain amount of SACHSE's funds will be needed to pay current year expenditures or for projects that are to be complete within a specific time frame. Remaining funds are considered to be reserves and, barring any unforeseen emergencies or events beyond SACHSE's control, it is considered that these funds may be invested, within the maturity limits of this Policy, in an advantageous position on the yield curve. It is understood that investments in longer term instruments are sensitive to changes in interest rates and other market conditions; however, it is SACHSE's belief that such investments may be held to maturity if necessary.

SACHSE may maintain one portfolio in which all funds under its control are pooled for investment purposes. Within the pooled portfolio are fund components, each having an investment strategy as described below:

- A. Governmental Funds – the funds through which most governmental functions are financed and the primary operating funds of SACHSE. The investment strategy must allow for the investment of anticipated cash flows to meet the anticipated expenditures of the following funds:
 - 1. General Fund
 - 2. Debt Service Fund
 - 3. Special Revenue Fund
 - 4. Capital Projects Fund
 - 5. Sachse Economic Development Corporation Fund
 - 6. President George Bush Reinvestment Zone Tax Increment Fund
 - 7. Reinvestment Zone Number Two

The yield of an equally weighted, rolling three-month Treasury Bill portfolio will be the minimum yield objective.

- B. Proprietary Funds - the funds used in SACHSE's business-type activities or Enterprise activities financed primarily by user charges and fees. The strategy for these funds is to time investment maturities to anticipated cash requirements. Some project funds may allow investments with short to intermediate maturities.

The yield of an equally weighted, rolling six-month Treasury Bill portfolio will be the minimum yield objective.

- C. The Debt Service and Interest/Sinking Funds should consist of short-term investments, whose maturities meet the scheduled debt service payments. Reserves may be invested in longer-term investments.

The yield of an equally weighted, rolling three-month Treasury Bill portfolio will be the minimum yield objective.

- D. Special Revenue Fund and other Non-operating Funds investments should be in short-term instruments with maturities laddered to meet projected cash needs. Reserves are idle funds that may be invested in intermediate to long-term investments after analysis of future plans for use of the funds.

The yield of an equally weighted, rolling six-month Treasury Bill portfolio will be the minimum yield objective.

IX. Authorized & Suitable Investments

SACHSE is empowered by statute to invest in the following:

- A. Obligations of, or guaranteed by, governmental entities:
1. obligations of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks;
 2. direct obligations of this State or its agencies and instrumentalities;
 3. other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of this State or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States; and
 4. obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.

B. Financial Institution Deposits: A financial institution deposit is an authorized investment under this Policy if the deposit is with a state or national bank, a savings and loan association, or credit union that is:

1. guaranteed or insured by the Federal Deposit Insurance Corporation ("FDIC") or its successor, or the National Credit Union Share Insurance Fund ("NCUSIF"), or its successor;
2. secured by obligations that are described in Section XII Collateralization; and
3. executed through a depository institution or broker that has its main office or a branch office in Texas and meets the requirements of the PFIA.

C. Repurchase Agreements:

1. A fully collateralized repurchase agreement is an authorized investment if the repurchase agreement:
 - (a) has a defined termination date;
 - (b) is secured by cash or obligations described by Section IX. A1;
 - (c) requires the cash or securities being purchased by SACHSE to be delivered versus payment to SACHSE, held in SACHSE's account with a third party selected and approved by SACHSE; and
 - (d) is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this State.
2. "Repurchase agreement" means a simultaneous agreement to buy, hold for a specified time, and sell back at a future date, obligations described by Section IX. A1 at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed.

D. Mutual Funds:

1. A no-load money market mutual fund is an authorized investment under this Policy if the mutual fund:
 - (a) is registered with and regulated by the Securities and Exchange Commission;
 - (b) provides SACHSE with a prospectus and other information as required by the Securities Exchange Act of 1934 (15 U.S.C.

Section 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.);

- (c) has a dollar-weighted average stated maturity in compliance with regulations;
 - (d) includes in its investment objectives the maintenance of a stable net asset value of \$1.0000 for each share; and
 - (e) is continuously rated no lower than AAAm or at an equivalent rating by one nationally recognized rating service.
2. SACHSE is not authorized by this section to invest its funds or funds under its control, including bond proceeds and reserves and other funds held for debt service, in any one mutual fund in an amount that exceeds ten (10) percent of the total assets of the mutual fund.

E. Investment Pools:

- 1. SACHSE may invest its funds and funds under its control through an eligible investment pool if each ENTITY's governing body by rule, order, ordinance, or resolution, as appropriate, authorizes investment in the particular pool. An investment pool shall invest the funds it receives from entities in authorized investments permitted by the PFIA 2256.016.
- 2. To be eligible to receive funds from and invest funds on behalf of an entity under the PFIA 2256.016, an investment pool must furnish to the Investment Officers or other authorized representative of the entity an offering circular or other similar disclosure instrument that contains at a minimum, the following information:
 - (a) the types of investments in which money is allowed to be invested;
 - (b) the maximum average dollar-weighted maturity allowed, based on the stated maturity date, of the pool;
 - (c) the maximum stated maturity date any investment security within the portfolio has;
 - (d) the objectives of the pool;
 - (e) the size of the pool;
 - (f) the names of the members of the advisory board of the pool and the dates their terms expire;

- (g) the custodian bank that will safekeep the pool's assets;
 - (h) whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation;
 - (i) whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment;
 - (j) the name and address of the independent auditor of the pool;
 - (k) the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating policies required for the entity to invest funds in and withdraw funds from the pool; and
 - (l) the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios.
3. To maintain eligibility to receive funds from and invest funds on behalf of an entity under the PFIA 2256.016, at a minimum an investment pool must furnish to the Investment Officer or other authorized representative of the entity:
- (a) investment transaction confirmations; and
 - (b) a monthly report that contains, as a minimum, the following information:
 - (1) the types and percentage breakdown of securities in which the pool is invested;
 - (2) the current average dollar-weighted maturity, based on the stated maturity date, of the pool;
 - (3) the current percentage of the pool's portfolio in investments that have stated maturities of more than one year;
 - (4) the book value versus the market value of the pool's portfolio, using amortized cost valuation;
 - (5) the size of the pool;
 - (6) the number of participants in the pool;

- (7) the custodian bank that is safekeeping the assets in the pool;
 - (8) a listing of daily transaction activity of the entity participating in the pool;
 - (9) the yield and expense ratio of the pool;
 - (10) the portfolio managers of the pool; and
 - (11) any changes or addenda to the offering circular.
- 4. SACHSE, by contract, may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with its local funds.
- 5. Investment Pool “yield” shall be calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940, as promulgated from time to time by the Federal Securities and Exchange Commission.
- 6. A public funds investment pool utilized as a cash-equivalent investment must mark its portfolio to market daily and, to the extent reasonably possible, stabilize at a \$1.00 net asset value. If the ratio of the market value of the portfolio divided by the book value of the portfolio is less than 0.995 or greater than 1.005, portfolio holdings may be sold as necessary to maintain the ratio between 0.995 and 1.005.
- 7. An Investment pool must have an advisory board composed:
 - (a) Equally of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for pools created under Chapter 791 Texas State Code and managed by a state agency; or
 - (b) of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for other investment pools.
- 8. A public funds investment pool must be continuously rated no lower than AAA or AAAM or at an equivalent rating by one nationally recognized rating service.
- 9. If the investment pool operates an Internet website, the information in a disclosure instrument or report described in Subsections (b), (c)(2), and (f) must be posted on the website.

10. To maintain eligibility to receive funds from and invest funds on behalf of an entity under this chapter, an investment pool must make available to the entity an annual audited financial statement of the investment pool in which the entity has funds invested.
11. If an investment pool offers fee breakpoints based on fund balances invested, the investment pool in advertising investment rates must include either all levels of return based on the breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested.

X. Unauthorized Investments

The following are not authorized investments under this section:

- A. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;
- B. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest; and
- C. Collateralized mortgage obligations.

Any Authorized & Suitable Investment that requires a minimum rating does not qualify during the period the investment does not have the minimum rating. SACHSE shall take all prudent measures that are consistent with this Policy to liquidate an investment that does not have the minimum rating. Additionally, SACHSE is not required to liquidate investments that were authorized at the time of purchase.

XI. Primary Depository

In compliance with State legislation, a Primary Depository shall be selected through SACHSE's banking services procurement process, which shall include a formal request for application (RFA). In selecting a Primary Depository, the Director of Finance shall conduct a review of prospective depository's credit characteristics and financial history.

No public deposit shall be made except in a qualified public depository as established by State laws.

XII. Collateralization

Collateralization will be required on two types of investments: financial institution deposits (in amounts exceeding FDIC or NCUSIF insurance coverage) and repurchase agreements. With the exception of Letters of Credit issued for 100% of amount, the

minimum collateralization level will be 102% of market value of principal and accrued interest, less FDIC or NCUSIF insurance when applicable.

SACHSE chooses to limit collateral (including letters of credit) to the obligations of, or guaranteed by, governmental entities as outlined in the Public Funds Collateral Act.

All financial institution deposits shall be insured or collateralized in compliance with applicable State law. SACHSE reserves the right, in its sole discretion, to accept or reject any form of insurance or collateralization pledged towards financial institution deposits. Financial institutions serving as depositories will be required to sign a depository agreement with SACHSE. The collateralized deposit portion of the agreement shall define SACHSE's rights to the collateral in case of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- The agreement must be in writing;
- The agreement has to be executed by the Depository and SACHSE contemporaneously with the acquisition of the asset;
- The agreement must be approved by the Board of Directors or designated committee of the Depository and a copy of the meeting minutes must be delivered to SACHSE; and
- The agreement must be part of the Depository's "official record" continuously since its execution.

Securities pledged as collateral shall be held by an independent third party acceptable to SACHSE. The custodial agreement is to specify the acceptable investment securities as collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities at default, and the method of valuation of securities.

XIII. Safekeeping and Custody

All security transactions, including collateral for repurchase agreements, entered into by SACHSE shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held in an account in SACHSE's name by a third-party safekeeping agent/custodian designated by the Investment Officers and evidenced by safekeeping receipts.

XIV. Electronic Fund Transfer

SACHSE may use electronic means to transfer or invest all funds collected or controlled by the local government.

XV. Diversification

SACHSE will diversify its investments by types, maturity dates, and/or institutions, as appropriate.

XVI. Maximum Maturities and Weighted Average Maturity

To the extent possible, SACHSE will attempt to match its anticipated cash flow requirements with maturing investments. SACHSE will not directly invest in instruments maturing more than two (2) years from the date of purchase, with the maximum weighted average maturity for the total portfolio to not exceed twelve months. However, SACHSE may collateralize the repurchase agreements using longer-dated investments not to exceed five (5) years to maturity.

Reserve funds may be invested in instruments up to and including five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of the funds.

XVII. Internal Control

The Director of Finance shall establish an annual process of independent review by an external auditor in conjunction with the annual audit. This review will provide internal control by assuring compliance with policies and procedures.

XVIII. Performance Standards

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs. "Weighted Average Yield to Maturity" shall be the standard for calculating portfolio rate of return.

XIX. Reporting

- A. The Investment Officers shall prepare and submit quarterly a written report of investment transactions for all funds covered by this Investment Policy for the preceding reporting period.
- B. The report must include the following:
 - 1. describe in detail the investment position of SACHSE on the date of the report;
 - 2. be prepared jointly by all Investment Officers of SACHSE;
 - 3. be signed by each Investment Officer of SACHSE;

4. contain a summary statement of each pooled fund group that states the:
 - (a) beginning market value for the reporting period;
 - (b) ending market value for the period; and
 - (c) fully accrued interest for the period.
 5. state the book value and market value of each separately invested asset at the beginning and end of the reporting period by type of asset and fund type invested;
 6. state the maturity date of each separately invested asset that has a maturity date;
 7. state the account or fund or pooled group fund in the local government for which each individual investment was acquired; and
 8. state the compliance of the Investment Portfolio of the local government as it relates to:
 - (a) the Investment Strategy expressed in SACHSE's Investment Policy; and
 - (b) relevant provisions of the PFIA.
- C. The report shall be presented not less than quarterly to each ENTITY's governing body within a reasonable time after the end of the period.
- D. The market values and credit ratings presented in all portfolio reports shall be accurate and reliable estimates of the investment's true value and risk. Market value and credit rating sources may include, but are not limited to, rating agency reports, newspapers, financial websites, custodian reports, broker/dealer reports, and investment advisor research.

XX. Investment Policy Adoption

SACHSE's Investment Policy shall be adopted by resolution of each ENTITY's governing body. This Policy shall be reviewed annually and any modifications made thereto must be approved by each ENTITY's governing body. Each ENTITY's governing body shall adopt a written instrument attesting to each annual review.

XXI. Auditor

As part of the annual audit, the independent auditor must formally review the quarterly investment reports to comply with the PFIA and report the results of that review to each ENTITY's governing body.

XXII. Training

In order to ensure qualified and capable investment management, the Investment Officers, their designated subordinates, Treasurer, and Chief Financial Officer of SACHSE shall attend training that includes education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and PFIA compliance. SACHSE approves the Government Finance Officers Association, Government Finance Officers Association of Texas, Government Treasurers' Organization of Texas, North Central Texas Council of Governments, Texas City Managers Association, Texas Municipal League, and University of North Texas as independent sources of training.

Each individual shall attend training accumulating at least ten (10) hours of instruction within twelve months of assuming investment-related responsibilities; and shall then receive not less than eight (8) hours of investment-related instruction within each subsequent two-year period aligned with SACHSE's fiscal year end.

XXIII. Donated Investments

This Policy does not apply to an investment donated to SACHSE for a particular purpose or under terms of use specified by the donor.

XXIV. Investment Policy Certification

The qualified representative of any business organization (including investment pool and discretionary investment management firm) offering to engage in an investment transaction must execute a written instrument substantially to the effect that the business organization has received and reviewed the Investment Policy and that the business organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the organization and SACHSE.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas this ____ day of _____, 2021.

Mike J. Felix, Mayor
City of Sachse, Texas

ATTEST:

Leah K Granger, Interim City Secretary
City of Sachse, Texas

Acknowledged by the Sachse Economic Development Corporation, Texas this ____ day of _____, 2021.

Spencer Hauenstein, President
Sachse Economic Development Corporation

ATTEST:

Gina Nash, Executive Director
Sachse Economic Development Corporation

Acknowledged by the Sachse Municipal Development District, Texas this ____ day of _____, 2021.

Jermaine McDaniel, President
Sachse Municipal Development District

ATTEST:

Lindsay Buhler, Vice President
Sachse Municipal Development District

Acknowledged by the President George Bush Turnpike Reinvestment Zone Tax Increment Fund, Texas this _____ day of _____, 2021.

Bobby Tillman, Chairman
President George Bush Turnpike
Reinvestment Zone Tax Increment Fund*

ATTEST:

Ed Brown, Vice Chairman
President George Bush Turnpike Reinvestment Zone Tax Increment Fund

Acknowledged by the Reinvestment Zone Number Two Fund, Texas this _____ day of _____, 2021.

Mike J. Felix, President
Reinvestment Zone Number Two

ATTEST:

Leah K Granger, Interim City Secretary
Reinvestment Zone Number Two

Appendix A

Authorized Broker/Dealer Firms

FHN Financial

Hilltop Securities

Oppenheimer & Co.

SAMCO Capital Markets

Wells Fargo Securities



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	F. Regular Agenda Items
Subject	2. Discuss and consider authorizing the renewal of employee medical and dental insurance coverage policies with United Healthcare and authorizing the City Manager to execute such agreement for coverage.
Access	Public
Type	Action, Discussion, Information
Recommended Action	Approve as presented.
Goals	Provide excellent government services to Sachse citizens.

Public Content

BACKGROUND

HUB International is the City's benefits consultant. An update was provided on claims to the City Council in July 2021 by Andrew Weeger.

OVERVIEW

Mr. Weeger will be in attendance to present to the City Council an update and recommendation on the renewal strategy for employee group medical and dental insurance benefits.

POLICY CONSIDERATIONS

There are no policy considerations affiliated with this item.

RECOMMENDATION

Approve the renewal of employee medical and dental insurance coverage policies with United Healthcare.



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	F. Regular Agenda Items
Subject	3. Consider an ordinance amending the Code of Ordinances by amending Chapter 3 titled "Building Regulations" by amending Article II titled "Reserved" by retitling Article II "Municipal Court Jurisdiction Regarding Substandard Buildings"; by amending and retitling Sections 3-41 through 3-49 to provide procedures for the Municipal Court's jurisdiction relating to substandard buildings.
Access	Public
Type	Action, Discussion
Preferred Date	Nov 01, 2021
Absolute Date	Nov 01, 2021
Recommended Action	Approve as presented.

Public Content

BACKGROUND

From time to time, City staff encounters properties that are dilapidated and dangerous, requiring abatements. "Abatement" means any action the City may take on public or private property and any adjacent property as may be necessary to remove or alleviate a nuisance, including but not limited to demolition, removal, repair, boarding and securing of property. Abatements are one of many tools in the City's toolkit that allow staff to address ongoing issues at properties and enforce the City Code. Abatements take place when no compliance is able to be achieved after going through the normal due process enforcement procedures. At a minimum, there are at least three different attempts that are made in order to achieve compliance and have violations corrected. The code officer always has discretion to speed up the process for more egregious situations (situations that pose health/safety risks), and likewise, to extend the process in situations where progress is being made, and a sincere attempt is being made to come into compliance.

In cases in which the violations are unusually egregious, the City is currently limited in the actions it may take. When the issues at a property exceed a contractor's ability to address the issue, staff is not currently able to move forward without the case coming before the City Council. This ordinance amendment would alter the process through which elevated code cases are handled, routing them through the municipal court instead of through City Council. Routing these elevated cases through municipal court would complement the City's current process for addressing basic code issues that are not addressed by the property owners. In these standard cases, when property owners fail to bring the property into compliance, staff can issue a citation, requiring them to appear in municipal court to develop a path towards resolution or, in some cases, pay a fine for failing to bring the property into compliance. It is not common in other cities for these cases to come before the City Council, but rather to either go through a Building Standards Board or through the municipal court of record.

OVERVIEW

Chapter 214.001 of the Texas Local Government Code gives the municipal court of record the power and the duty to hold a public hearing to determine whether a structure complies with minimum standards set out in the chapter.

POLICY CONSIDERATIONS

Currently, Chapter 3, Article II, Section 3-7 "Dangerous buildings" requires that abatement proceedings be conducted before the City Council. At those hearings, the property owners must show cause, if any exist, why the said building or structure should not be repaired, demolished, or removed.

RECOMMENDATION

Approve an ordinance amending the Code of Ordinances by amending Chapter 3 titled "Building Regulations" by amending Article II titled "Reserved" by retitling Article II "Municipal Court Jurisdiction Regarding Substandard Buildings"; by amending and retitling Sections 3-41 through 3-49 to provide procedures for the Municipal Court's jurisdiction relating to substandard buildings.

[Presentation - Substandard Structures-November 1, 2021.pdf \(1,239 KB\)](#)

[20200707-SACHSE Ordinance Amending Chapter 3 Adding Municipal Court Jurisdiction Re Substandard Buildings-116637.pdf \(178 KB\)](#)

Substandard Structures

City Council

November 1, 2021



Overview

- Substandard structures
- Abatements
- Current process
- Recommended change
- Next steps



Substandard Structures



- Typical substandard property
- Structurally unsound, in overall poor condition, not safe to inhabit
- Substandard = does not meet minimum standards
- These are normally handled through the abatement process; however in some cases additional corrective action/intervention is needed

Substandard Structures



Abatements

- "Abatement" means any action the City may take on public or private property and any adjacent property as may be necessary to remove or alleviate a nuisance, including but not limited to demolition, removal, repair, boarding and securing of property
- Abatements are one of many tools in the City's toolkit that allow staff to address ongoing issues at properties and enforce the City Code
- Abatements take place when no compliance is able to be achieved after going through the normal due process enforcement procedures



Current Process

- Staff is able to handle most cases through its normal process of:
Notice → Correction period → Re-inspection → *Citation (if needed)*
- In some cases, staff uses a contractor after following the required notice period to abate the property and address the issues
 - In most cases for Sachse, these abatements are for mowing grass
- On more egregious cases, staff needs additional permissions to take action on private property because it is a more extensive project where property needs to be removed to complete the abatement
- Example of such a case on the following slide



Example



Current Process

- Currently, Chapter 3, Article I, Section 3-7 requires that staff issue a notice to the property owner requiring them to appear before the City Council in order to make their case to address substandard property issues
- This presents challenges with timing and puts often sensitive issues with residents on display at public meetings that are live-streamed
- In other cities, this process is typically handled at the municipal court level or through a designated building standards board



Recommended Change

- Staff recommends approving an ordinance moving the authority to address substandard property issues from the City Council to the municipal court, and adding a new section to the powers and duties for municipal court that provide for:
 - Reduction in occupancy
 - Require the repair of a structure
 - Require the demolition of a structure
 - Removal of property to be demolished
 - Secure a vacant structure
 - Require correction of dangerous conditions



Next Steps

- If Council approves the ordinance as presented, the authority to address substandard properties will be moved over to the municipal court
- Staff will process these cases through the court system



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 3 TITLED “BUILDING REGULATIONS” BY AMENDING ARTICLE II TITLED “RESERVED” BY RETITLING ARTICLE II “MUNICIPAL COURT JURISDICTION REGARDING SUBSTANDARD BUILDINGS”; BY AMENDING AND RETITLING SECTIONS 3-41 THROUGH 3-49 TO PROVIDE PROCEDURES FOR THE MUNICIPAL COURT’S JURISDICTION RELATING TO SUBSTANDARD BUILDINGS; BY RESERVING SECTIONS 3-50 THROUGH 3-53; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The City of Sachse Code of Ordinances is amended by amending Chapter 3 titled “Building Regulations” by amending Article II titled “Reserved” by retitling Article II “Municipal Court Jurisdiction Regarding Substandard Buildings”, to read as follows:

“Chapter 3

AMEND ARTICLE II AS FOLLOWS:

**ARTICLE II. ~~RESERVED~~
MUNICIPAL COURT JURISDICTION REGARDING SUBSTANDARD BUILDINGS**

Sec. 3-41. ~~Reserved~~ Municipal court powers and duties regarding substandard buildings.

A. The municipal court of record has the power and duty to hold a public hearing pursuant to Chapter 214.001 of the Texas Local Government Code to determine whether a structure complies with the minimum standards set out in this chapter.

B. The municipal court of record has the following powers and duties:

- (1) To require the reduction in occupancy load of an overcrowded structure or the vacation of a structure found to be an urban nuisance.
- (2) To require the repair of a structure found to be substandard.
- (3) To require the demolition of a structure found to be substandard.
- (4) To require the removal of personalty from a structure ordered vacated or demolished. Removal may be accomplished by use of City forces or a private

transfer company if the owner of the personalty is not known, or the whereabouts of the owner cannot be ascertained, or the owner fails to remove the personalty. Costs of any removal and storage are the responsibility of the owner of the personalty.

- (5) To require that an open and vacant structure or open and vacant portion of a structure be secured.
- (6) To require or cause the correction of a dangerous condition on the land. Correction of a dangerous condition may be accomplished by City forces or a private contractor. Costs of correction are the responsibility of the owner.
- (7) To assess a civil penalty, not to exceed \$1,000.00 a day per violation or, if the property is the owner's lawful homestead, \$10.00 a day per violation, against a property owner for each day or part of a day that the owner fails to repair or demolish a structure in compliance with a court order issued under this article.
- (8) Any additional authority as prescribed by Chapter 214 Subchapter A of the Texas Local Government Code.

Sec. 3-42. ~~Reserved~~ Initiation of proceeding; petition requirements.

A. A petition filed with the municipal court by the city attorney initiates a civil proceeding under this article. The proceeding must be kept and organized separately from the criminal dockets of the municipal court.

B. The petition must include:

- (1) An identification, which is not required to be a legal description, of the structure and the property on which it is located; and
- (2) A description of the alleged violation or violations of minimum standards that are present on the property.

C. The proceeding will be styled "City of Sachse, Texas, Plaintiff v. (Property Description), Defendant." The municipal court shall set the matter for a hearing not less than 30 days nor more than 60 days after the filing of the petition.

Sec. 3-43 ~~Reserved~~ Notice of hearing before municipal court.

A. The city attorney or the building official shall give notice of a municipal court hearing on the repair, demolition, vacation, or securing of a structure, or the relocation of the occupants of a structure, to any owner, mortgagee, or lienholder of the structure. A diligent effort must be made to discover each owner, mortgagee, or lienholder of the structure and to give such persons notice of the hearing.

B. Notice of the hearing must include:

- (1) The date, time, and place of the hearing;
- (2) An identification, which is not required to be a legal description, of the structure and the property on which it is located;
- (3) A description of the alleged violation or violations of minimum standards that are present on the property; and
- (4) A statement that the owner, mortgagee, or lienholder must submit at the hearing proof of the scope of any work that may be required to comply with this chapter and the time it will take to reasonably perform the work.

C. On or before the tenth day before the hearing date, notice of the hearing must be:

- (1) Mailed, by certified mail, return receipt requested, to the record owners of the affected property, and each holder of a recorded lien against the property, as shown by the records in the office of the county clerk of the county in which the property is located if the address of the lienholder can be ascertained from the deed of trust establishing the lien or any other applicable instruments on file in the office of the county clerk;
- (2) Posted, to all unknown owners, on the front door of each improvement situated on the affected property or as close to the front door as practicable; and
- (3) Published on one occasion in a newspaper of general circulation in the city.

D. The city attorney or the building official may file in the official public records of real property in the county in which the property is located a notice of hearing that contains:

- (1) The name and address of the property owner, if that information can be determined;
- (2) A legal description of the property; and
- (3) A description of the hearing.

E. A notice issued under this section or section 3-46, or an order entered by the municipal court under this article, that is filed in accordance with subsection (d) is binding on any subsequent grantee, lienholder, or other transferee of an interest in the property who acquires such interest after the filing of the notice or order and constitutes notice of the matter or order to any subsequent grantee, lienholder, or other transferee.

Sec. 3-44. ~~Reserved~~ Request for continuance of hearing.

A continuance of a hearing requested and set under this article may only be considered and granted in open court by the presiding judge of the court on the date and time of the originally scheduled hearing. A continuance must be requested in writing and may only be granted for good cause shown. The court may continue the hearing no more than 60 days and must notify the parties appearing in open court of the new date and time of the hearing. No other notice of the continued hearing date and time is required to be filed, sent, published, or posted.

Sec. 3-45. ~~Reserved~~ Hearing procedures before the municipal court; court orders.

A. At the civil hearing in municipal court:

- (1) The city attorney shall present evidence of notice of the hearing, the violation or violations of minimum standards that are present on the property, and other relevant issues;
- (2) An owner, lienholder, mortgagee, or other person shown to have an interest in the property may present evidence of the scope of work and time required to comply with minimum standards under this chapter, present evidence on other relevant issues, and cross-examine witnesses;
- (3) The owner, lienholder, or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with the provisions of this chapter and the time it will take to reasonably perform the work; and
- (4) The city attorney may cross-examine or rebut any evidence offered by an opposing party or other witness.

B. At the close of evidence at the hearing, the municipal court judge may do one or more of the following:

- (1) Find by a preponderance of the evidence that the structure is substandard, specifically describing each minimum standard found to be violated, and order one or more of the following:
 - (a) Demolition of the structure by the owner, lienholder, or mortgagee within 30 days, unless an extension is granted under subsection (c);
 - (b) Repair of the structure by the owner, lienholder, or mortgagee as needed to correct every violation of minimum standards found by the court to exist at the structure, the repair to be accomplished within 30 days, unless an extension is granted under subsection (c);
 - (c) Vacation of the structure by the owner, lienholder, or mortgagee, within a specified period of time; or
 - (d) The assessment of a civil penalty against the owner for each day or part of a day that the owner fails to repair or demolish the structure in compliance with a court order issued under this subsection.

- (2) Find that the structure is open and vacant and order securing of the structure from unauthorized entry by the owner, lienholder, or mortgagee.
- (3) Order relocation of the occupants of a structure affected by a court order, within a specified period of time, by the owner, lienholder, or mortgagee.

C. Time extensions for complying with an order to repair or demolish a structure.

- (1) The court may allow more than 30 days to comply with an order to repair or demolish a structure under subsection (b)(1), if the owner, lienholder, or mortgagee establishes at the hearing that the work cannot reasonably be performed within 30 days. The court shall establish a specific time schedule for the commencement and performance of the work and require the owner, lienholder, or mortgagee to secure the property from unauthorized entry while the work is being performed.
- (2) The court may not allow more than 90 days to comply with an order issued under subsection (b)(1) unless the owner, lienholder, or mortgagee:
 - (a) Submits at the hearing a detailed plan and time schedule for the work; and
 - (b) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work.
- (3) If the court allows more than 90 days to complete any part of the work required to repair or demolish the structure under subsection (b)(1), it shall require the owner, lienholder, or mortgagee to regularly submit progress reports to the court demonstrating compliance with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder, or mortgagee appear before the court to demonstrate compliance with the time schedules.
- (4) If the owner, lienholder, or mortgagee owns property, including structures and improvements on property, within the city boundaries that exceeds \$100,000.00 in total value, the court may require the owner, lienholder, or mortgagee to post a cash or surety bond in an amount adequate to cover the cost of repairing or demolishing a structure under subsection (c)(3). In lieu of a bond, the court may require the owner, lienholder, or mortgagee to provide a letter of credit from a financial institution or a guaranty from a third party approved by the city. The bond must be posted, or the letter of credit or third-party guaranty provided, not later than the 30th day after the date the court issues the order. The court shall establish rules and procedures, to be approved by the city attorney, governing when a bond, letter of credit, or third-party guaranty will be required under this paragraph.

D. Demolition, vacation, and securing of a structure, and the relocation of the occupants of a structure, may be accomplished by the City if not timely accomplished by the owner, lienholder, or mortgagee. Repair of a structure may be accomplished by the City if not timely accomplished by the owner, lienholder, or mortgagee, but only to the extent necessary to bring the structure into

compliance with minimum standards. If, at the close of evidence at the hearing, the court orders a structure to be repaired, vacated, secured, or demolished, or orders relocation of the occupants of a structure, the court shall in its order also authorize the City, through its agents or contractors, to enter the property and repair, vacate, secure, or demolish the structure on the property, or relocate the occupants of the structure, whichever applies, if the ordered action is not accomplished by the owner, lienholder, or mortgagee by the deadline given by the court pursuant to subsection (b) or (c). Performance of work by the City under this subsection does not limit the ability of the City to collect on a bond or other financial guaranty that may be required from the property owner, lienholder, or mortgagee under subsection (c)(4) of this section.

E. An order entered by the court must also include a statement that any order entered by the municipal court, when filed in the official public real property records of the county in which the property is located, binds any subsequent grantee, lienholder, or other transferee of an interest in the property who acquires the interest after the filing of the order.

F. After the hearing, the city attorney or the building official shall promptly mail by certified mail, return receipt requested, or personally deliver with proof of delivery, a copy of the order to each owner, lienholder, and mortgagee of the structure and shall file a copy of the order in the official public real property records of the county in which the property is located. Best efforts must be made to determine the identity and address of any owner, mortgagee, or lienholder and to give such persons notice of the order. If an order to repair, demolish, vacate, reduce in occupancy load, or secure a structure, or to relocate the occupants of a structure, is timely effected, the building official shall, upon written request and payment of the cost by the owner, file a notice of compliance in the deed records of the county in which the property is located. Every notice given under this subsection must include an identification, which is not required to be a legal description, of the structure and property on which it is located, and a description of the violation of minimum standards that is present at the property.

G. Within ten days after the date the order is issued, the city attorney or the building official shall:

- (1) File a copy of the order in the office of the city secretary; and
- (2) Publish in a newspaper of general circulation in the city an abbreviated copy of the order containing:
 - (a) The street address or legal description of the property;
 - (b) The date of the hearing;
 - (c) A brief statement indicating the results of the order; and
 - (d) Instructions stating where a complete copy of the order may be obtained.

Sec. 3-46 ~~Reserved~~ Noncompliance with court orders; civil penalties; liens.

A. If the City of Sachse determines that the owner, lienholder, or mortgagee of a structure has not timely complied with a municipal court order issued under section 3-45 and the order included a provision authorizing the City to perform work upon failure of the owner, lienholder, or

mortgagee to comply with the order, the City may, in addition to other remedies provided by law, repair, demolish, vacate, or secure the structure, or relocate the occupants of the structure, whichever is applicable, in accordance with the court order. Before the City begins performance of the work, the city attorney or the building official shall issue a notice including:

- (1) An identification, which is not required to be a legal description, of the structure and the property on which it is located;
- (2) An identification of the court order;
- (3) A description of each violation of minimum standards found by the court to be present on the property when the court order was issued;
- (4) A description of any work ordered by the court to correct each violation on the property;
- (5) A statement that the owner, lienholder, or mortgagee has not timely complied with the court order and a description of the provisions of the court order that still require compliance;
- (6) A statement of the City's intent to cause the repair, demolition, vacation, or securing of the structure, or the relocation of the occupants of the structure, whichever is applicable; and
- (7) The date and time the City will begin performance of the work in accordance with the court order.

B. At least ten days before the City begins the performance of work under this section, the notice required under subsection (a) must be:

- (1) Mailed by certified mail, return receipt requested, to each owner, lienholder, and mortgagee of the structure;
- (2) Posted on the front door of the structure or as close to the front door as practicable; and
- (3) Published on one occasion in a newspaper of general circulation in the city.

C. Any costs incurred by the City in performing work under this article may be enforced in accordance with subsection E of this section and through any other remedies provided by city ordinance or state law.

D. Assessment of civil penalties.

- (1) If the city attorney or the building official determines that the owner, lienholder, or mortgagee of a structure has not timely complied with a municipal court order

issued under section 3-45, the city attorney may file an action in municipal court for the assessment of a civil penalty against the property. The city attorney or the building official shall promptly give notice to each owner, lienholder, and mortgagee of the hearing to assess a civil penalty. The notice must include:

- (a) An identification, which is not required to be a legal description, of the structure and the property on which it is located;
 - (b) An identification of the court order affecting the property;
 - (c) A description of each violation of minimum standards found by the court to be present on the property when the court order was issued;
 - (d) A description of any work ordered by the court to correct each violation on the property;
 - (e) A statement that the city attorney or the building official has determined that an owner, lienholder, or mortgagee has not timely complied with the court order and a description of the provisions of the court order that still require compliance; and
 - (f) A statement that the court will conduct a hearing to consider assessment of a civil penalty on the property and the date, time, and place of the hearing.
- (2) The notice required under subsection D(1) for a municipal court hearing to consider the assessment of a civil penalty on property subject to a court order must be given in compliance with the notice requirements set forth in section 3-43 for other hearings under this article.
 - (3) A hearing to consider the assessment of a civil penalty on property subject to a court order must be conducted in compliance with the requirements and procedures set forth in this article for other hearings before the municipal court, except that, in addition to any other evidence presented, an owner, lienholder, or mortgagee may present evidence of any work performed or completed on the property to comply with the court order.
 - (4) The court, after hearing evidence from each interested person present, may assess a civil penalty against the owner in a specific amount in accordance with section 3-41B(7) of this article.
 - (5) Notice of a court order issued under this subsection must comply with the requirements and procedures of section 3-45F and G and section 3-49 for notice of other board orders.
 - (6) A civil penalty assessed under this subsection may be enforced in accordance with subsection E of this section.
 - (7) A civil penalty assessment hearing may be combined with any other hearing before the municipal court concerning the same property.

E. Liens.

- (1) The expense of the repair, demolition, vacation, or securing of a structure or the relocation of the occupants of a structure, when performed under contract with the City or by City forces, and any civil penalty assessed against the owner of the structure, constitute a nontransferable lien against the real property on which the structure stands or stood and runs with the land, unless it is a homestead as protected by the Texas Constitution. The City's lien attaches when notice of the lien is recorded and indexed in the office of the county clerk in the county in which the property is located. The notice must contain the name and address of the owner, if reasonably determinable, a legal description of the real property, the amount of expenses incurred by the City, and the balance due.
- (2) The City's lien for the expenses is a privileged lien subordinate only to tax liens, if each mortgagee and lienholder is given notice and an opportunity to repair, demolish, vacate, or secure the structure, or relocate the occupants of the structure, whichever applies. Otherwise, the City's lien for expenses, or for any civil penalties imposed, is superior to all other previously recorded judgment liens except for any previously recorded bona fide mortgage lien attached to the real property, if the mortgage lien was filed for record in the county clerk's office of the county in which the real property is located before the date the civil penalty was assessed or the action for which the expenses were incurred was begun by the City.
- (3) A lien acquired by the City under this section for repair expenses may not be foreclosed if the structure upon which the repairs were made is occupied as a residential homestead by a person 65 years of age or older.
- (4) The City may use lawful means to collect expenses and civil penalties assessed under this article from an owner. Any civil penalty or other assessment imposed under this article accrues interest at the rate of ten percent a year from the date of the assessment until paid in full. The City may petition a court of competent jurisdiction in a civil suit for a final judgment in accordance with the assessed civil penalty. To enforce the civil penalty, the City must file with the district clerk of a county in which the city is located a certified copy of the municipal court order assessing the civil penalty, stating the amount and duration of the penalty. The assessment of a civil penalty under this article is final and binding and constitutes prima facie evidence of the penalty. No other proof is required for the district court to enter final judgment on the penalty.

Sec. 3-47 Reserved. Modification of court orders.

A. Within 15 days after the municipal court enters an order under this article, the City of Sachse or an owner, lienholder, or mortgagee of a structure that is the subject of the order may request that the court modify its order. The request must be in writing and filed with the court.

B. The court shall schedule a hearing on the motion not less than five days or more than ten days after the request for modification is filed. The movant must promptly deliver a copy of the request and notice of the hearing date and time, in writing, to the city attorney and each owner, lienholder, and mortgagee by either personal service or certified mail, return receipt requested.

C. If circumstances have changed and the court finds good cause, the court may modify the order. The city attorney or the building official shall notify the owner, lienholder, and mortgagee of the structure of the modified order in accordance with section 3-45 F and G.

Sec. 3-48 Reserved Appeal of court orders.

Any owner, lienholder, or mortgagee of record who is jointly or severally aggrieved by a municipal court order issued under this article may appeal by filing in state district court a verified petition setting forth that the municipal court's decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder, or mortgagee of record within 30 calendar days after the respective dates a copy of the municipal court order is mailed to each in compliance with section 3-45 F; otherwise, the order will become final as to each person upon expiration of each person's respective 30-calendar-day period. An appeal in state district court is a trial de novo.

Sec. 3.49 Reserved Miscellaneous Notice Provisions.

A. Any notice required by this article to be given to the owner, lienholder, or mortgagee of any structure must also be given to any legal occupant of the structure, if the subject of the notice involves the demolition, vacation, or reduction of occupancy load of the structure or the relocation. Notice required under this subsection must be given to the legal occupants either:

- (1) In the same manner required by this article for notice to the owner, lienholder, or mortgagee of the structure; or
- (2) By personal service, using the time and procedural requirements set forth in this article for notice to the owner, lienholder, or mortgagee of the structure.

B. For purposes of this article, a requirement to use "best efforts" or "a diligent effort" is satisfied by a search of the following records:

- (1) County real property records of the county in which the structure is located;
- (2) Appraisal district records of the appraisal district in which the structure is located;
- (3) Records of the Secretary of State for the State of Texas;
- (4) Assumed name records of the county in which the structure is located;
- (5) Tax records of the City of Sachse; and

(6) Utility records of the City of Sachse.

C. If any notice, order, or other document is mailed by certified mail, return receipt requested, as required by this article, and is returned by the United States Postal Service as "refused" or "unclaimed," the validity of the notice, order, or other document is not affected, and the notice, order, or other document will be deemed as delivered.

Sec. 3.50 – 3.53 “Reserved”

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

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

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

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provides.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the _____ day of _____, 2021.

APPROVED:

Mike J. Felix, Mayor

DULY ENROLLED:

Leah K. Granger, Interim City Secretary

APPROVED AS TO FORM:

Joseph J. Gorfida, Jr., City Attorney
(07-22-2020:TM 116637)



Agenda Item Details

Meeting	Nov 01, 2021 - City Council Combined Meeting
Category	F. Regular Agenda Items
Subject	4. Consider authorizing the City Manager to execute an amendment to the professional service contract for the Maxwell Creek Pump Station Improvements between the City of Sachse and Hazen-Sawyer Engineering in the amount not to exceed One Hundred Twenty-Seven Thousand, Three Hundred and No/100 Dollars (\$127,300.00).
Access	Public
Type	Action, Discussion
Preferred Date	Nov 01, 2021
Absolute Date	Nov 01, 2021
Fiscal Impact	Yes
Dollar Amount	127,300.00
Budgeted	Yes
Budget Source	The project is funded through Water Impact Fees
Recommended Action	Authorize the City Manager to execute an amendment to the professional service contract for the Maxwell Creek Pump Station Improvements between the City of Sachse and Hazen-Sawyer Engineering in the amount not to exceed One Hundred Twenty-Seven Thousand, Three Hundred and No/100 Dollars (\$127,300.00).
Goals	Strategically invest in the City's existing and future infrastructure.

Public Content

BACKGROUND

The City of Sachse has a major Capital Improvement Project for the reconstruction of the Maxwell Creek Pump Station. This item is to consider an amendment to the professional services agreement to expand the design and add construction inspection and observation of the project.

In October 2019, City Council awarded the original professional service contract to Hazen-Sawyer in the amount of \$336,275. This design project helps to address the need for improved water delivery throughout the city. These improvements are critical to serve the increased population and water demands throughout the city as well provide for the long-term infrastructure needs of the city.

OVERVIEW

Through the design of the project, several changes were required to facilitate structural design, electrical requirements, and additional instrumentation and control elements. This Contract Amendment No. 1 will also add professional services for the construction management and inspection of the facility during the construction phase.

POLICY CONSIDERATIONS

Design and construction of this project is in accordance with the 10-year Capital Improvement Plan and the FY 2017-2018 and FY 2021-2022 Capital Improvement Plan. Funding for this amendment will be paid from Water Impact Fees.

RECOMMENDATION

Authorize the City Manager to execute an amendment to the professional service contract for the Maxwell Creek Pump Station Improvements between the City of Sachse and Hazen-Sawyer Engineering in the amount not to exceed One Hundred Twenty-Seven Thousand, Three Hundred and No/100 Dollars (\$127,300.00).

[Presentation - Maxwell Creek PS Improvements Amendment #1.pdf \(361 KB\)](#)

Maxwell Creek Pump Station Professional Service Contract Amendment #1

City Council
November 1, 2021

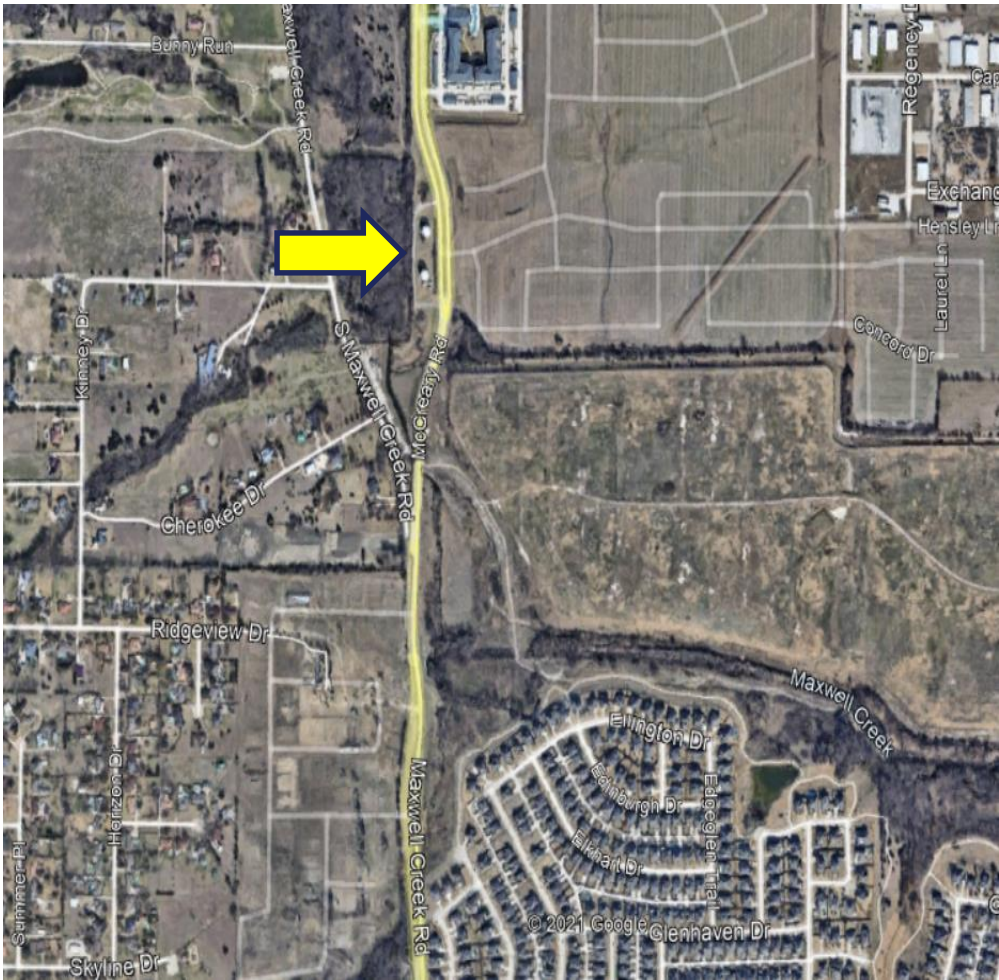


Overview

- Project Location
- Pump Station Rendering
- Contract Amendment Items
- Next Steps



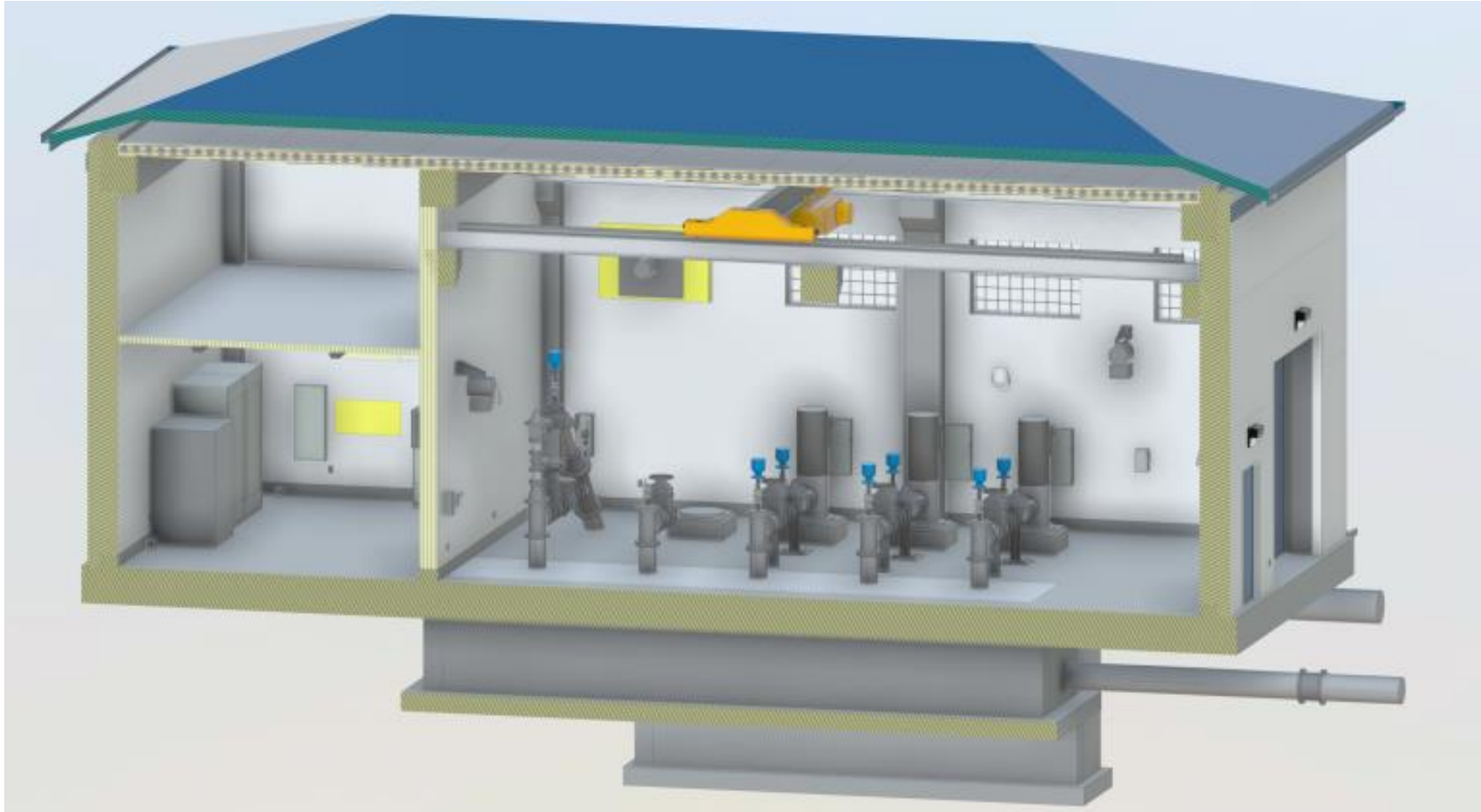
Project Location



Pump Station Rendering



Pump Station Rendering



Contract Amendment #1 Items

- Expansion of design plans and specification documents to include:
 - Additional structural design to accommodate pump hoist crane
 - Pump instrumentation and control design
 - Radio communications and camera/video monitoring
- Additional Observation and Special Inspection Services
 - Hazen-Sawyer will inspect and observe installation of electrical components, instrumentation, pump controls, and structural construction related items during the construction process
 - Staff does not have the technical abilities to perform this specialized inspection in-house



Next Steps

- Staff recommends authorizing the City Manager to execute an amendment to the professional service contract for the Maxwell Creek Pump Station improvements between the City of Sachse and Hazen-Sawyer Engineering in the amount not to exceed One Hundred Twenty-Seven Thousand, Three Hundred and No/100 Dollars (\$127,300.00)
- Funding for this amendment is available through Water Impact Fees

