



City of Sachse, Texas

3815 Sachse Road,
Building B
Sachse, TX 75048

Meeting Agenda

City Council

Monday, June 18, 2018

6:30 PM

Council Chambers

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

The City Council reserves the right to reconvene, recess or realign the workshop meeting, regular meeting, call 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.

6:30 PM WORKSHOP MEETING - CALL TO ORDER

1. Executive Session

[18-4303](#)

The City Council shall convene into Executive Session pursuant to the Texas Government Code, Section §551.071(2) Consultation with City Attorney regarding legal matters related to bids received and award of an agreement for the contractor for construction of the new Sachse Community Center.

2. Discuss any City Council meeting agenda items.

Please note: These items are for discussion purposes only and no City Council action will be taken. The workshop session is for City Council and staff discussion. Citizen input is not permitted on this agenda.

3. Adjournment

7:30 PM REGULAR MEETING - CALL TO ORDER

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

2. CONSENT AGENDA

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

[18-4284](#)

Approve the minutes of the June 4, 2018 workshop meeting.

Attachments: [06.04.18 Minutes Workshop](#)

[18-4285](#)

Approve the minutes of the June 4, 2018 regular meeting.

Attachments: [06.04.18 Minutes](#)

2. MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS, CURRENT ACTIVITIES, AND LOCAL ACHIEVEMENTS.**3. CITIZEN INPUT**

The public is invited at this time to address the Council. The Mayor will ask you to come to the microphone and state your name and address for the record. If your remarks pertain to a specific agenda item, please hold them until that item, at which time the Mayor may solicit your comments. Time limit is 3 minutes per speaker. The City Council is prohibited by state law from discussing any item not posted on the agenda according to the Texas Open Meetings Act, but may take them under advisement.

4. REGULAR AGENDA ITEMS

18-4303 Take any necessary action as a result of Executive Session.

[18-4281](#) Receive a presentation regarding the new live-streaming upgrades in the City Council Chambers.

[18-4286](#) Consider appointments to the City's Boards and Commissions to include the Municipal Development District Board (MDD).

[18-4290](#) Consider a resolution approving the terms and conditions of the Funding Agreement in order to contract for the implementation of the major capital transportation improvement project with Dallas County for the preliminary engineering of Pleasant Valley Road.

Attachments: [Attachment A - Location Map](#)
[Attachment B - Presentation](#)
[Attachment C - Resolution and Agreement](#)

[18-4291](#) Receive an update on the Merritt Road project.

Attachments: [Presentation](#)

[18-4304](#) Discuss the draft Capital Improvement Plan (CIP) for Fiscal Year 2018-2019.

5. ADJOURNMENT

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

I certify the above agenda was posted on the bulletin board at Sachse City Hall on Friday, June 15, 2018 by 5:00 p.m.

Michelle Lewis Sirianni, City Secretary

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



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4303	Version:	1	Name:	Executive Session: Community Center Bids
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	6/14/2018	In control:		In control:	City Council
On agenda:	6/18/2018	Final action:		Final action:	
Title:	The City Council shall convene into Executive Session pursuant to the Texas Government Code, Section §551.071(2) Consultation with City Attorney regarding legal matters related to bids received and award of an agreement for the contractor for construction of the new Sachse Community Center.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

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

Title

Executive Session: Community Center Bids

Policy Considerations

There are no policy considerations affiliated with this item.

Budgetary Considerations

There are no budgetary considerations affiliated with this item.

Staff Recommendations

Conduct Executive Session as appropriate and take any necessary action as a result.



City of Sachse, Texas

Legislation Details (With Text)

File #: 18-4284 **Version:** 1 **Name:** June 4, 2018 Council Workshop Minutes.
Type: Agenda Item **Status:** Agenda Ready
File created: 6/6/2018 **In control:** City Council
On agenda: 6/18/2018 **Final action:**
Title: Approve the minutes of the June 4, 2018 workshop meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [06.04.18 Minutes Workshop](#)

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

Title

June 4, 2018 workshop minutes.

Background

Minutes of the June 4, 2018 workshop meeting.

Policy Considerations

There are no policy considerations affiliated with this item.

Budgetary Considerations

There are no budgetary considerations affiliated with this item.

Staff Recommendations

Approve the minutes of the June 4, 2018 workshop meeting.

CITY COUNCIL OF THE CITY OF SACHSE
WORKSHOP MEETING MINUTES
JUNE 4, 2018

The City Council of the City of Sachse held a workshop meeting on Monday, June 4, 2018 at 6:30 p.m. at the City Council Chambers, 3815 Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Mayor Pro Tem Paul Watkins, Councilmembers Brett Franks, Charlie Ross, Bill Adams, Cullen King, and Jeff Bickerstaff; City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; Fire Chief, Marty Wade; and Police Chief, Bryan Sylvester.

Mayor Felix opened the meeting to order at 6:31 p.m.

BOARD/COMMISSION INTERVIEWS: Conduct interviews for the City's Boards and Commissions.

The City Council interviewed candidates to serve on a City board or commission.

No further discussion or action was taken.

ADJOURNMENT:

At 8:02 p.m., Mayor Felix adjourned the meeting.

MIKE J. FELIX, MAYOR

ATTEST:

Michelle Lewis Sirianni, City Secretary



City of Sachse, Texas

Legislation Details (With Text)

File #: 18-4285 **Version:** 1 **Name:** June 4, 2018 Council Minutes.

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

File created: 6/6/2018 **In control:** City Council

On agenda: 6/18/2018 **Final action:**

Title: Approve the minutes of the June 4, 2018 regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [06.04.18 Minutes](#)

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

Title

June 4, 2018 regular minutes.

Background

Minutes of the June 4, 2018 regular meeting.

Policy Considerations

There are no policy considerations affiliated with this item.

Budgetary Considerations

There are no budgetary considerations affiliated with this item.

Staff Recommendations

Approve the minutes of the June 4, 2018 regular meeting.

CITY COUNCIL OF THE CITY OF SACHSE

MEETING MINUTES

JUNE 4, 2018

The City Council of the City of Sachse held a regular meeting on Monday, June 4, 2018 at 7:30 p.m. at the City Council Chambers, 3815 Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Mayor Pro Tem Paul Watkins, Councilmembers Brett Franks, Charlie Ross, Bill Adams, Cullen King, and Jeff Bickerstaff; City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; Assistant to the City Manager, Lauren Rose; Development Services Director, Dusty McAfee; Finance Director, Teresa Savage; Parks and Recreation Director, Lance Whitworth; Human Resources Director, Melinda Walter; Fire Chief, Marty Wade; Fire Marshal, Robert Knappage, and Police Chief, Bryan Sylvester.

Mayor Felix opened the meeting at 8:09 p.m.

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

OATH OF OFFICE: Administer the oath of office to the recently elected Councilmember.

Mayor Felix conducted oath of office to Councilman Franks.

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

18-4279 - Approve the minutes of the May 21, 2018 workshop meeting.

18-4280 – Approve the minutes of the May 21, 2018 regular meeting.

18-4277 – Accept the Monthly Revenue and Expenditure Report for the period ending April 30, 2018.

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

MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS:

Councilman Ross announced that the Library will kick-off the 2018 Summer Reading Club program on Saturday, June 9 at 10:00 a.m.

18-4282 – Presentation of scholarship award to Sachse High School Senior, Brandon Ramirez.

Mayor Felix awarded Sachse High School Senior Brandon Ramirez with a \$1,000 scholarship, furnished by Republic Services.

18-4273 – Recognize the winners of the 2018 Fired Up for Literature Program.

Fire Marshal Robert Knappage announced the winners from the 2018 Fired Up for Literature reading contest. For 10 days, students tracked their reading time and the student with the most logged reading time from each school would receive a ride to school in a firetruck and a backpack. The school with the most read hours/minutes received the school trophy for one year.

The reading times for all four schools totaled 1,199 hours in 10 days. The winning school was Sewell Elementary with a total of 661 hours.

The individual winners recognized are as follows:

- Cicilia McKinney – Armstrong Elementary – 60.25 hours
- Charlotte Duckworth – Cox Elementary – 38 hours
- Sophia Vu – Whitt Elementary – 16 hours
- Kevin Nguyen – Sewell Elementary – 75 hours

CITIZENS INPUT:

No comments were made.

REGULAR AGENDA ITEMS:

18-4275 Receive a presentation regarding the new My Sachse Community Connect platform.

Mrs. Nash stated the City was able to collaborate with Imaginuity that has been working with the Sachse EDC to create *My Sachse Community Connect*. The platform allows users to utilize their Amazon or Google virtual assistants to seek information about the community.

Mrs. Rose demonstrated abilities of the platform by asking Amazon Alexa questions.

Mrs. Nash commented the City will work with Imaginuity to change topics and is a way to market the community. Sachse is the second city in Texas to offer this tool to residents.

Councilman Adams asked if there was a plan for getting this out to citizens. Mrs. Nash responded the City will use their social media platforms and the City website to promote the application.

Councilman King asked if there was a specific date of when it would be available. Mrs. Rose replied that Imaginuity will submit the utterances to Amazon and Google for approval, which can take from five to 10 days. Staff anticipates that the platform will be available to residents later this month.

18-4283 Receive and discuss a presentation of the City's Multi-Year Financial Plan.

Mrs. Nash stated Becky Brooks with Government Resource Associates met with City Council in February and presented Phase I of the plan as part of its strategic planning retreat. She will be presenting an abbreviated version to the public in preparation of the upcoming budget process.

Ms. Brooks presented the findings of Phase I, which consisted primarily of the General Fund and Debt Fund. Phase II and III will continue in 2019-2020 with expansion to other funds and CIP enhancements with the project transitioning from the consultant to staff.

Mrs. Brooks highlighted and presented the following:

- Financial stewardship policies, which contained revenue and expenditure management, budget balancing, tax strategy, and debt management
- Revenue projection strategies, which included property value, sales tax, and all other assumptions
- Revenue graphs regarding growth assumptions, population estimates, impacts to property tax base, "current" property tax revenues for the General Fund, and total General Fund revenues
- Expenditure strategies, which included baseline expenditures by category and supplemental programs projections
- Expenditure graphs depicting total General Fund expenses by category and projected General Fund
- Fund balance: projected versus target
- Capital projects
- Debt service projections
- Financing capital

Ms. Brooks stated the City has a solid financial management plan and fund stability, and is favorably positioned for the future.

Mayor Pro Tem Watkins commented on the growth assumption of materials having a 2-3% growth rate, but he believes should be more around 10-12%. Councilman Adams added as the plan is refreshed each year, he likes being able to keep an eye on the long term.

18-4278 Receive citizen input for the 2018-2019 fiscal year budget.

Mrs. Nash stated in preparation of the budget, the City added two visual boards reflecting the distribution of a tax bill and a tax rate comparison. These will be added to the City's social media and website for residents.

Mayor Felix invited citizens to speak and provide input for the 2018-2019 fiscal year budget.

No comments were made.

EXECUTIVE SESSION: The City Council shall convene into Executive Session pursuant to the Texas Government Code, Section §551.074: Personnel: regarding the annual review of the City Manager.

At 9:03 p.m., the City Council recessed into Executive Session.

At 9:51 p.m., the City Council reconvened back into Regular Session.

No action was taken.

ADJOURNMENT:

Mayor Felix adjourned the meeting at 9:53 p.m.

MIKE J FELIX, MAYOR

ATTEST:

Michelle Lewis Sirianni, City Secretary



City of Sachse, Texas

Legislation Details (With Text)

File #: 18-4281 **Version:** 1 **Name:** Chamber Upgrades Update
Type: Agenda Item **Status:** Agenda Ready
File created: 5/29/2018 **In control:** City Council
On agenda: 6/18/2018 **Final action:**
Title: Receive a presentation regarding the new live-streaming upgrades in the City Council Chambers.
Sponsors:
Indexes:
Code sections:
Attachments:

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

Title

Receive a presentation regarding the new live-streaming upgrades provided by Swagit Productions in the City Council Chambers.

Background

On April 2, City staff briefed the City Council on a three-pronged solution to address the audio-visual challenges in the City Council Chambers. The three components presented included audio-visual upgrades, agenda management/voting upgrades, and live-streaming upgrades.

The audio-visual and live-streaming upgrades are now complete. A representative from Swagit will provide an overview of the new live-streaming system at the regular City Council meeting. The agenda management/voting upgrades are scheduled for training in June with full implementation tentatively slated for mid-July.

Policy Considerations

Sachse residents, staff, and guests will now be able to view a high quality live-stream of the City Council meetings. They will also be able to review meeting content after the fact with a recording of the meeting that is synced up with its corresponding agenda. This system will offer a new level of service to Sachse.

Budgetary Considerations

There are no budgetary considerations affiliated with this item.

Staff Recommendations

There are no staff recommendations affiliated with this item. This is a presentation only.



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4286	Version:	1	Name:	MDD Board Appointments.
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	6/6/2018	In control:		In control:	City Council
On agenda:	6/18/2018	Final action:		Final action:	
Title:	Consider appointments to the City's Boards and Commissions to include the Municipal Development District Board (MDD).				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

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

Title

Appointments to the City's Boards and Commissions.

Background

The City Council approved the composition of the Municipal Development District Board (MDD) at the March 19, 2018 meeting. The City Council agreed that all applicants would be interviewed. Once the members of the Board are appointed, the MDD Board will meet, set rules of governance, and appoint officers. The City Council will then have the opportunity to review and consider the rules of governance established by the MDD Board.

At the April 2, 2018 City Council meeting, the City Council amended the composition of the MDD Board to consist of the following:

- One (1) seat held by a City Councilmember.
- One (1) seat held by the City Manager.
- Two (2) seats minimum held by Park Board members.
- Three (3) seats held by any qualified residents.

The City Council met on three different occasions to interview applicants. A total of twelve applicants were interviewed with four (4) of them being from the current Parks and Recreation Board and eight (8) being brand new applicants.

Policy Considerations

There are no policy considerations affiliated with this item.

Budgetary Considerations

There are no budgetary considerations affiliated with this item.

Staff Recommendations

Consider appointments to the Municipal Development District Board (MDD) as appropriate.



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4290	Version:	1	Name:	Preliminary Engineering Funding Agreement: Pleasant Valley Road
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	6/11/2018	In control:		In control:	City Council
On agenda:	6/18/2018	Final action:		Final action:	
Title:	Consider a resolution approving the terms and conditions of the Funding Agreement in order to contract for the implementation of the major capital transportation improvement project with Dallas County for the preliminary engineering of Pleasant Valley Road.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Attachment A - Location Map Attachment B - Presentation Attachment C - Resolution and Agreement				

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

Title

Preliminary Engineering Funding Agreement: Pleasant Valley Road.

Background

Dallas County is seeking to partner with both the City of Sachse and the City of Wylie on the preliminary engineering of Pleasant Valley Road. The project scope is shown in Attachment A.

Based upon past discussion on this item at the January 16, 2018 City Council Meeting, Dallas County has made minor alterations to the agreement language to reflect its understanding that the City of Garland is responsible for the maintenance of the current road.

Staff met with the City of Garland to discuss both the current maintenance concerns and the future partnership to improve the road. Staff will continue to coordinate with the City of Garland, with the goal of meeting the needs of our citizens.

Preliminary engineering is required to determine the necessary improvements within the corridor when the project is constructed in the future. The scope of the preliminary engineering project will include alignment studies, traffic volume (current and future) assessments, drainage and utility analysis, floodplain analysis and bridge studies at the two bridge crossings, and right-of-way studies.

Dallas County has recommended that the preliminary engineering be completed in order to better understand the project needs so that a budget can be established for final engineering and construction. This will allow City of Sachse, Dallas County, and the City of Wylie to work with additional stakeholders, including the City of Garland, to determine funding contributions.

The resolution and proposed Funding Agreement for preliminary engineering is shown in Attachment

C.

Policy Considerations

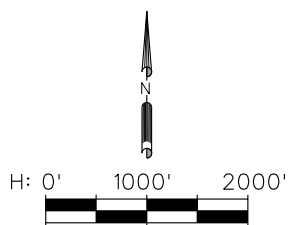
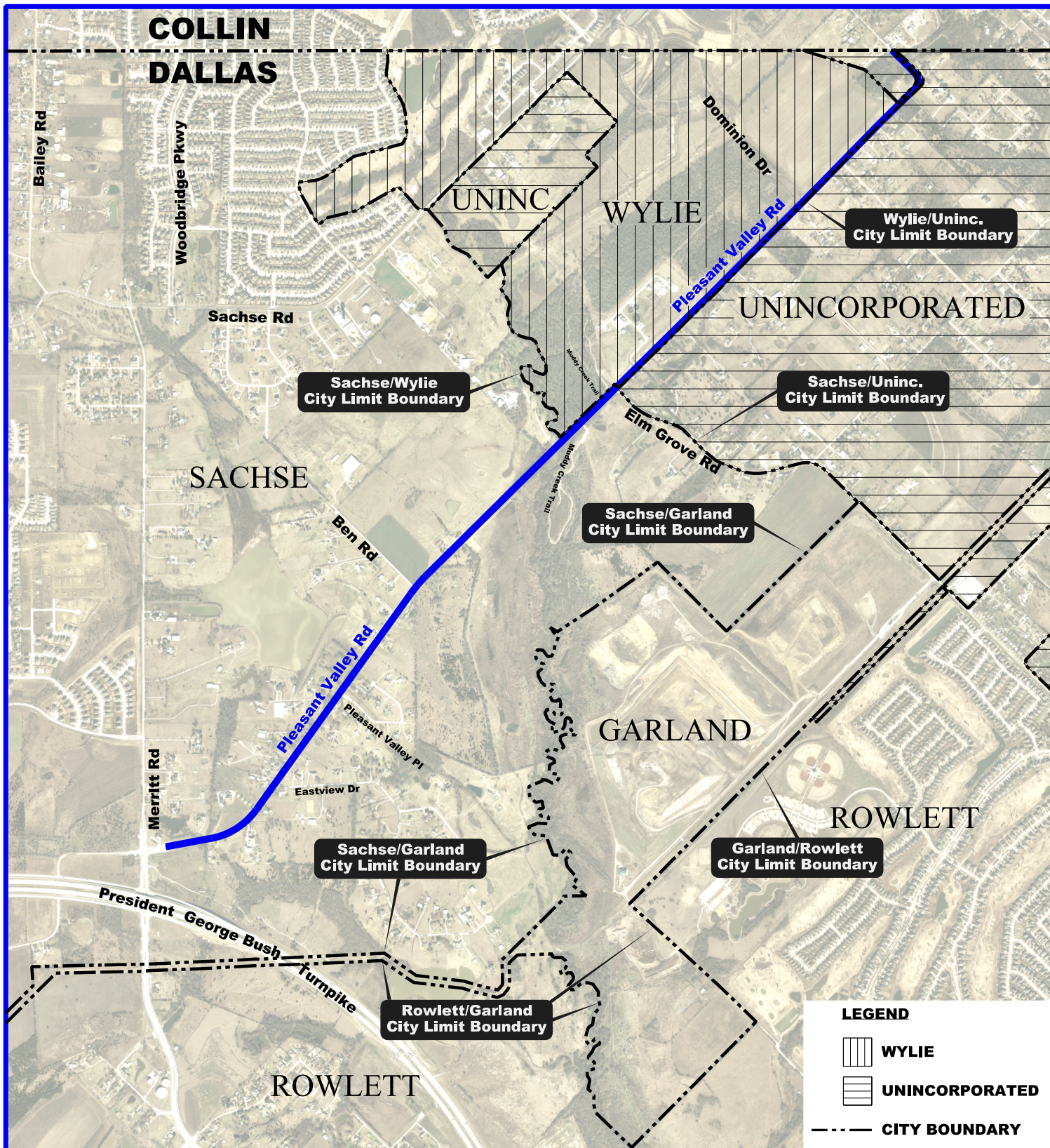
The City of Sachse and Dallas County regularly partner on the design and construction of major roadway projects in the city. The project is listed in the City of Sachse's Capital Improvement Plan and Dallas County's Major Capital Improvement Program.

Budgetary Considerations

The total project budget for the preliminary engineering of Pleasant Valley Road is \$1,000,000.00. The City of Sachse's portion of the costs of preliminary engineering will be \$300,000.00. Dallas County has pledged \$500,000.00 and the City of Wylie has pledged \$200,000.00. Project funding is proposed to come from Roadway Impact Fees.

Staff Recommendations

Staff recommends approving a resolution regarding the terms and conditions of the Funding Agreement in order to contract for the implementation of the major capital transportation improvement project with Dallas County for the preliminary engineering of Pleasant Valley Road.



Attachment A Project Location Map

PLEASANT VALLEY ROAD

MCIP 28201
Merritt Rd to County Line
Length - 2.9 Miles

Pleasant Valley Road Funding Agreement

CITY COUNCIL

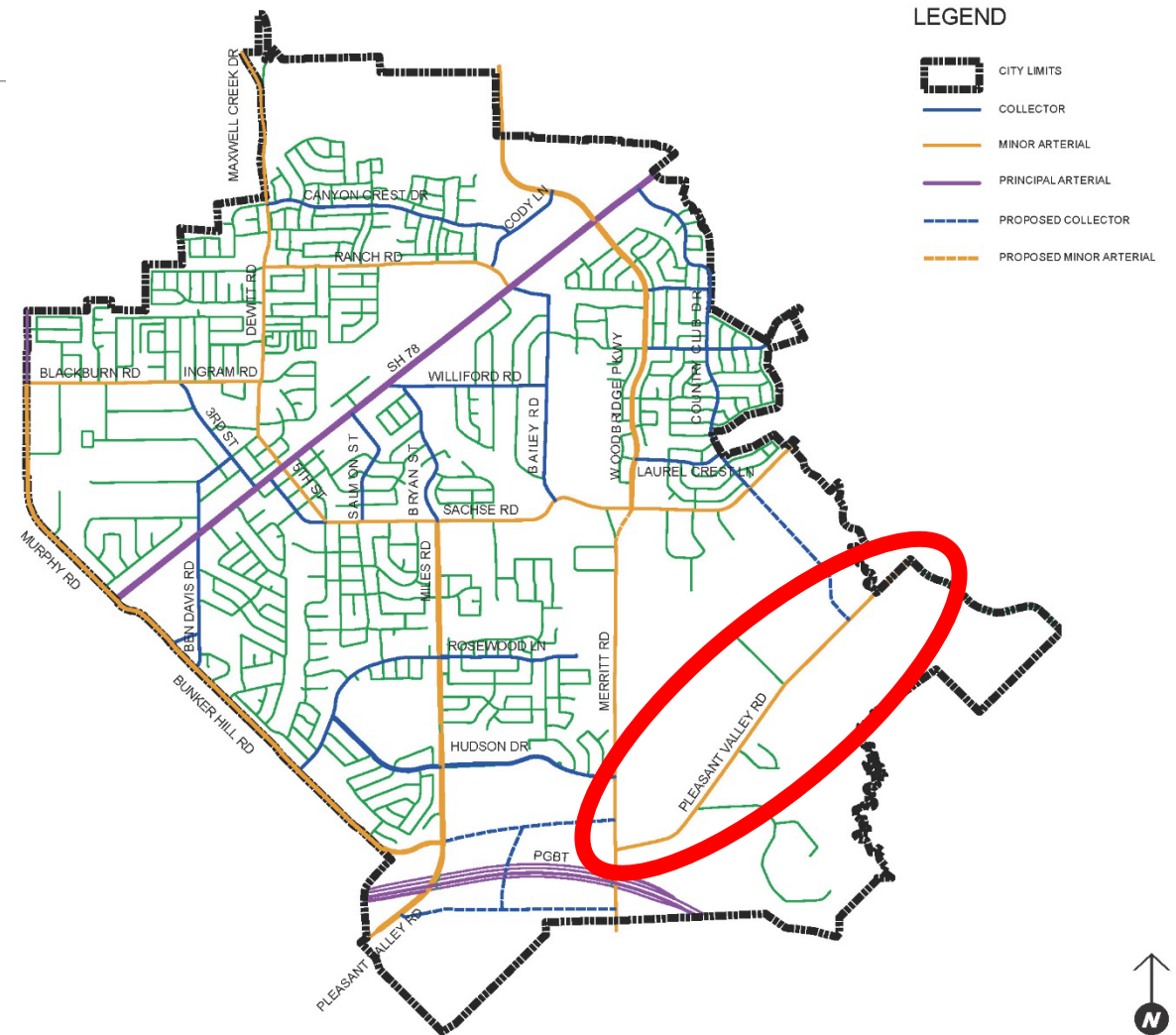
JUNE 18, 2018

Overview

- Master Thoroughfare Plan
- Dallas County MCIP
- Project Overview
- Project Map
- Proposed Preliminary Engineering
- Involvement of Adjacent Cities
- Next Steps

Master Thoroughfare Plan

- Pleasant Valley Road is listed as a minor arterial in the Master Thoroughfare Plan.
- The road is currently a 2-lane asphalt roadway.
- The proposed preliminary engineering project will identify the needed improvements of the road and an estimated cost of the improvements.



Dallas County MCIP

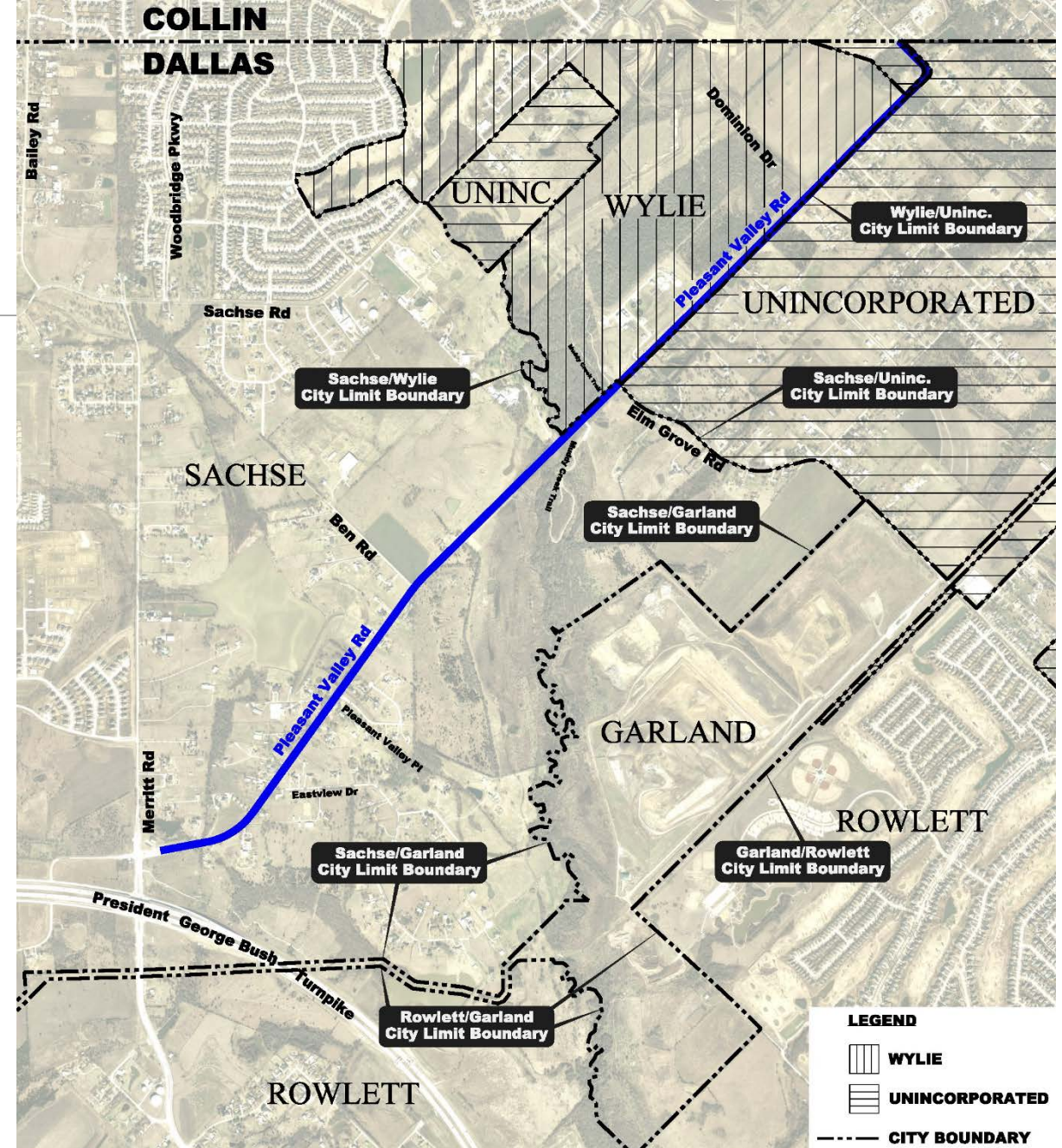
- Dallas County regularly partners with cities to improve major road corridors throughout the County. This work is done through their Public Works Major Capital Improvement Program (MCIP).
- The City of Sachse has benefited greatly from the strong relationship that we have had with Dallas County Commissioner Mike Cantrell and the staff at Dallas County Public Works.
- Through this relationship we have successfully recently completed the widening of Merritt Road south, the preliminary engineering of Sachse Road, and are beginning construction on the widening of Sachse Road/5th Street.
- The Dallas County MCIP program is a great way to make our citizen's tax dollars go further through the 50/50 match.

Project Overview

- Based on feedback from the January 16, 2018 City Council meeting, Dallas County tweaked the language of the Funding Agreement based on its understanding that the City of Garland provides maintenance of Pleasant Valley Road.
- Preliminary engineering is required to determine the necessary improvements within the corridor when the project is constructed in the future.
- The scope of the preliminary engineering project will include alignment studies, traffic volume (current and future) assessments, drainage and utility analysis, floodplain analysis and bridge studies at the two bridge crossings, and right-of-way studies.
- The project budget is \$1,000,000.00. The proposed funding breakdown is:
 - Dallas County - \$500,000.00
 - City of Sachse - \$300,000.00
 - City of Wylie - \$200,000.00 (already approved)

Project Map

- Pleasant Valley Road in Dallas County traverses through both the City of Sachse and the City of Wylie.
- Approximately 3/5 of the road is in Sachse, with the other 2/5 of the road being in/adjacent to the City of Wylie.



City of Garland Involvement

- Staff has met with the City of Garland to discuss both the current maintenance concerns and future partnership to improve the road. Staff will continue to coordinate with the City of Garland, with the goal of meeting the needs of our citizens.
- The preliminary engineering will allow Sachse to better understand the ultimate needs of the roadway, and thus be in a position to work with Dallas County and the City of Garland to negotiate Garland's involvement in funding final design and construction.

Staff Recommendation

Staff recommends the approval of a resolution authorizing the terms and conditions of the Funding Agreement in order to contract for the implementation of the major capital transportation improvement project with Dallas County for the preliminary engineering of Pleasant Valley Road.

Next Steps

- City Council to consider approval of the Resolution.
- Dallas County will go through their selection process to put together a team of County staff and outside consultants for the project.
- Staff will begin coordination with Dallas County on kicking off the project in the fall/winter of 2018/2019.
- The project will be included in the Capital Improvement Plan as a part of the FY 2018-2019 budget.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE FUNDING AGREEMENT IN ORDER TO CONTRACT FOR THE IMPLEMENTATION OF THE MAJOR CAPITAL TRANSPORTATION IMPROVEMENT PROJECT BETWEEN THE CITY OF SACHSE AND DALLAS COUNTY, FOR MCIP PROJECT 28201, KNOWN AS PLEASANT VALLEY ROAD WITHIN THE CITY OF SACHSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented with a proposed Funding Agreement (“FA”) for MCIP Project 28201, which is known as Pleasant Valley Road from Merritt Road to the Dallas County Line; and

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

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

SECTION 1. That the City Manager is hereby authorized to execute the Funding Agreement, attached hereto as Exhibit “A”.

SECTION 2. That 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 _____ day of _____, 2018.

CITY OF SACHSE, TEXAS

Mike J. Felix, Mayor

ATTEST:

Michelle Lewis Sirianni, City Secretary

EXHIBIT “A”
Funding Agreement

DALLAS COUNTY CAPITAL IMPROVEMENT PROGRAM FUNDING AGREEMENT

The City of Sachse, Texas, hereinafter called "City", and the County of Dallas, Texas, hereinafter called "County", desire to enter into a Funding Agreement, hereinafter called "FA", in order to contract for the implementation of the Major Capital Improvement Project authorized by Court Order 2011-896 dated May 17, 2011, which approved specified projects including Pleasant Valley Road MCIP 28201 Project from Merritt Road to the Dallas County Line, hereinafter called "Project".

Witnesseth

WHEREAS, the Project is located within the Cities of Sachse and Wylie; and

WHEREAS, the County has requested that it be designated as the Lead Agency for the Project and will provide the Project Manager; and

WHEREAS, City and County entered into a Master Agreement Governing Major Capital Improvement Program (Master Agreement) on May 17, 2011, by Commissioners Court Order 2011-896, for the purpose of transportation improvements on roads inside Dallas County; and

WHEREAS, Chapter 791 of the Texas Government Code and Chapters 251 and 472 of the Texas Transportation Code provide authorization for local governments to contract with each other for the performance of governmental functions and services, and joint funding of road or street projects.

NOW THEREFORE THIS FUNDING AGREEMENT is made by and entered into by the City and the County for the mutual consideration stated herein.

Article I Project Funding Agreement

This FA is between the County and the City to establish a preliminary proposed budget for the Project which will facilitate the movement of public transportation to benefit both the City and County. This FA is to specifically identify the Project as well as any changes in the rights and responsibilities of each of the parties as set forth in the Master Agreement which is hereby incorporated herein as if written word for word and any additions thereto. All terms of the Master Agreement remain in full force and effect except as modified herein. In the event of any conflict between the Master Agreement and this FA, this FA shall control.

Article II Incorporated Documents

This FA incorporates, as if fully reproduced herein word for word and number for number, the following items:

1. Master Agreement authorized by Commissioners Court Order 2011-896, dated May 17, 2011, and additions thereto as incorporated herein.
2. Attachment "A", the Project Location Map, which is attached hereto and incorporated herein by reference.

3. Attachment “B”, the Current Cost Estimates and Funding Sources, which is attached hereto and incorporated herein by reference.

Article III **Term of Agreement**

This FA shall become effective when signed by the last party whose signature makes the respective agreement fully executed. This FA will remain in effect until:

1. Incorporation into the Project Specific Agreement; or
2. Termination upon the terms and conditions as set forth in the Master Agreement, Article IV Section A, Termination.

Article IV **Project Description**

This FA is entered into by the parties to provide the Preliminary Feasibility Study and/or the final approved preliminary engineering, specifications and estimates (hereinafter “PS&E”) which will define the Project. The Project is defined as the widening of the existing Pleasant Valley Road from a two lane asphalt roadway to a planned four lane concrete section from Merritt Road to the Dallas County Line. The Project also includes three bridges and stormwater improvements. The City does hereby give its approval for expenditure of County funds for the construction, improvement, maintenance, or repair of a street located within the municipality.

The Preliminary Feasibility Study and/or PS&E will be submitted to the City for approval, prior to proceeding with the final design and any right-of-way acquisition. The City shall review and comment on the PS&E within thirty (30) days after delivery to the City. If the County has not received comments within thirty (30) days of the PS&E’s delivery to the City, the County will assume the City has reviewed the plans, had no comments and proceed with the Project. Upon PS&E approval, this FA shall be incorporated into a Project Specific Agreement (PSA), and continue as the source of authorization for proceeding with the Project pending approval of the PSA.

Article V **Fiscal Funding**

Notwithstanding anything to the contrary herein, this FA is expressly contingent upon the availability of County funding for each item and obligation contained herein. City shall have no right of action against the County of Dallas as regards this FA, specifically including any funding by County of the Project in the event that the County is unable to fulfill its obligations under this FA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this FA or failure of any funding party to budget or authorize funding for this FA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the County, at its sole discretion, may provide funds from a separate source or terminate this FA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Notwithstanding anything to the contrary herein, this FA is expressly contingent upon the availability of City funding for each item and obligation contained herein. County shall have no right of action against the City as regards this FA, specifically including any funding by City of the Project in the event that the City is unable to fulfill its obligations under this FA as a result of the lack of

sufficient funding for any item or obligation from any source utilized to fund this FA or failure of any funding party to budget or authorize funding for this FA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the City, as its sole discretion, may provide funds from a separate source or terminate this FA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Article VI **Agreements**

I. County and City Responsibilities:

1. County will be the Lead Agency for the Project.
2. City and County have mutually agreed that the Project limits are from Merritt Road to Elm Grove Road in the City of Sachse and from Elm Grove Road to the Dallas County Line in the City of Wylie.
3. County and City will execute the necessary agreements for the implementation of design and construction of the Project mutually agreed-upon and incorporated herein by this FA.
4. The Project may require the acquisition of road right-of-way within the alignment which is all real property needed or convenient for roadway purposes as shown in the Project design or right-of-way plans and shall include all real property outside of the designed right-of-way needed or convenient to the construction, drainage, interface with adjoining streets or alleys, driveways or other access ways or other Project permanent or temporary easements which is approved by the City and County. Such right-of-way acquisition shall be the responsibility of the County as Lead Agency, and shall be funded as part of the Project costs. Such acquisitions will be transferred into the City's name as owner as the City will be solely responsible for maintenance after construction is completed.

II. City Responsibilities:

1. City of Sachse will attend all Project task force meetings and public meetings.
2. City of Sachse shall review and comment on all drawings and documents within thirty (30) days after delivery to the City. If the County has not received comments within thirty (30) days after delivery to the City, the County will assume the City has reviewed the plans, had no comments, and proceed with the Project.
3. City of Sachse is the owner of the property listed in Article IV Project Description, which is incorporated herein by reference.
4. City of Sachse will continue to be the owner of the property listed in Article IV Project Description, which is incorporated herein by reference, after the project is completed.
5. City or its designee shall be responsible for maintaining the roadway, improvements, grading area, drainage structures, striping, and signage after the Project is complete.

III. County Responsibilities:

1. County shall use the total funding committed by the City and the County solely for the purpose of eligible Project costs.
2. County shall inform the City of all Project activity and approvals.
3. County shall provide a final accounting of Project costs once the planning is complete and accepted by the City. The accounting shall have sufficient detail for the Auditor to verify Project costs.

4. Dallas County will not maintain the roadway, improvements, grading area, drainage structures, striping, and signage after the Project is complete.

Article VII

Funding

County and City mutually agree to proportionately fund the Direct Project and Program cost as follows and as summarized in Attachment “B”:

1. Notwithstanding any provision in the Master Agreement, this FA, any amendment thereto, or any other agreement between the parties regarding this Project, the total Project cost is estimated to be One Million Dollars and Zero Cents (\$1,000,000.00), as shown in Attachment “B.” The County’s total obligation to this Project is to provide funding in the amount not to exceed Five Hundred Thousand Dollars and Zero Cents (\$500,000.00), reduced by all County in-house delivery costs of the total Project cost.
2. The County’s in-house Preliminary Design and Project Delivery costs may include all County in-house Project delivery costs (“IHPD”) including but not limited to preliminary scoping and research, preliminary design services, special services, primary design services, right-of-way acquisition, administration, inspection, laboratory services and construction.
3. The City agrees to provide funding for the Project in the amount not to exceed Three Hundred Thousand Dollars and Zero Cents (\$300,000.00). City agrees to encumber an amount adequate for total estimated Project costs as determined prior to the commencement of each Project milestone as determined by County within thirty (30) days of notification by the County. The City will pay Project costs as invoiced by the County.
4. County shall execute a Funding Agreement with the City of Wylie for the remaining Two Hundred Thousand Dollars and Zero Cents (\$200,000.00) of the total Project cost.
5. Any payments to be made by any party hereto shall be from current revenue or other lawfully available funds in accordance with Chapter 791, Texas Government Code.
6. Preliminary cost estimates will be generated to review the adequacy of the project budget. The Project scope will be modified as agreed by City and County to remain within the estimated cost, if necessary.

Article VIII

Miscellaneous

- I. No Third Party Beneficiaries. The terms and provisions of this FA are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of City and County that any entity other than City or County receiving services or benefits under this FA shall be deemed an incidental beneficiary only. This FA is intended only to set forth the contractual right and responsibilities of the parties hereto.
- II. Applicable Law. This FA is and shall be expressly subject to the Sovereign Immunity of County and Governmental Immunity of City, Title 5 of the Texas Civil Practice and Remedies Code, as amended, and all applicable federal and state laws. This FA shall be governed by and construed in accordance with the laws and case decisions of the State of Texas. Exclusive venue for any legal action regarding this FA filed by either City or County shall be in Dallas County, Texas.
- III. Notice. Any notice provided for in this Agreement to be given by either party to the other, shall be required to be in writing and shall be deemed given when personally delivered, or two

(2) business days after being deposited in the United States Mail, postage prepaid, by certified mail, return receipt requested; or by registered mail and addressed as follows:

To County: County of Dallas
Ms. Alberta L. Blair, P.E.
Director of Public Works
Dallas County Administration Building
411 Elm Street, Fourth Floor
Dallas County, Texas 75202-3389

To City: City of Sachse
Mr. Greg Peters, P.E.
Director of Public Works and Engineering
3815-B Sachse Road
Sachse, Texas 75048

Either party may change its address for notice by giving the other party notice thereof.

- IV. Assignment. This FA may not be assigned or transferred by either party without the prior written consent of the other party.
- V. Binding Agreement; Parties Bound. This FA has been duly executed and delivered by both parties and constitutes a legal, valid and binding obligation of the parties, their successors and permitted assigns.
- VI. Amendment. This FA may not be amended except in a written instrument specifically referring to this FA and signed by the parties hereto.
- VII. Number and Gender. Words of any gender used in this FA shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise.
- VIII. Effective Date. This FA shall commence on the Effective Date. The Effective Date of this FA shall be the date it is executed by the last of the parties. Reference to the date of execution shall mean the Effective Date.
- IX. Counterparts. This FA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- X. Severability. If one or more of the provisions in this FA shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this FA to be invalid, illegal or unenforceable, but this FA shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this FA, which shall remain in full force and effect.
- XI. Entire Agreement. This FA embodies the complete agreement of the parties, supersedes all oral or written previous and contemporary agreements between the parties and relating to matters in the FA.
- XII. Contingent. This Agreement is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City Council.

The City of Sachse, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____, dated the ____ day of _____, 2018.

The County of Dallas, State of Texas, has executed this agreement pursuant to Commissioners Court Order Number _____ and passed on the ____ day of _____, 2018.

City of Sachse

By

Title

Date

Attest:

City Secretary\Attorney

County of Dallas

Clay Lewis Jenkins
County Judge

Date

Approved as to Form*:
Faith Johnson
District Attorney

By: _____
Jana Prigmore Ferguson
Assistant District Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).



City of Sachse, Texas

Legislation Details (With Text)

File #: 18-4291 **Version:** 1 **Name:** Merritt Road Update
Type: Agenda Item **Status:** Agenda Ready
File created: 6/11/2018 **In control:** City Council
On agenda: 6/18/2018 **Final action:**
Title: Receive an update on the Merritt Road project.
Sponsors:
Indexes:
Code sections:
Attachments: [Presentation](#)

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

Title
Merritt Road Project Update

Background
The City of Sachse has been working with the North Central Texas Council of Governments (NCTCOG) on creating regional partnerships to fully fund the construction of Merritt Road, from Sachse Road to Pleasant Valley Road. The project scope will also include traffic and pedestrian improvements along Woodbridge Parkway to the north.

Staff has been regularly attending the Regional Transportation Council and Surface Transportation Technical Committee meetings in Arlington as the project has gone through the state and local funding processes. In addition, staff has been meeting with TxDOT as well as completing the paperwork and preparations necessary to finalize the project later this year.

Policy Considerations
There are no policy considerations affiliated with this item.

Budgetary Considerations
The total estimated project budget is \$21,000,000.00. The City of Sachse has provided \$5,000,000.00 in project funding. The NCTCOG Regional Transportation Council has allocated \$10,000,000.00 in project funding toward the project for 2018-2019, in order to get the project moving forward and fully fund engineering, environmental, right-of-way, and utilities. NCTCOG plans to do an update to the project funding at a future date to allocate the remaining \$6,000,000.00 needed to complete construction.

Staff Recommendations
There are no staff recommendations at this time for this item.

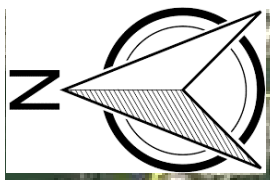
Merritt Road Update

CITY COUNCIL

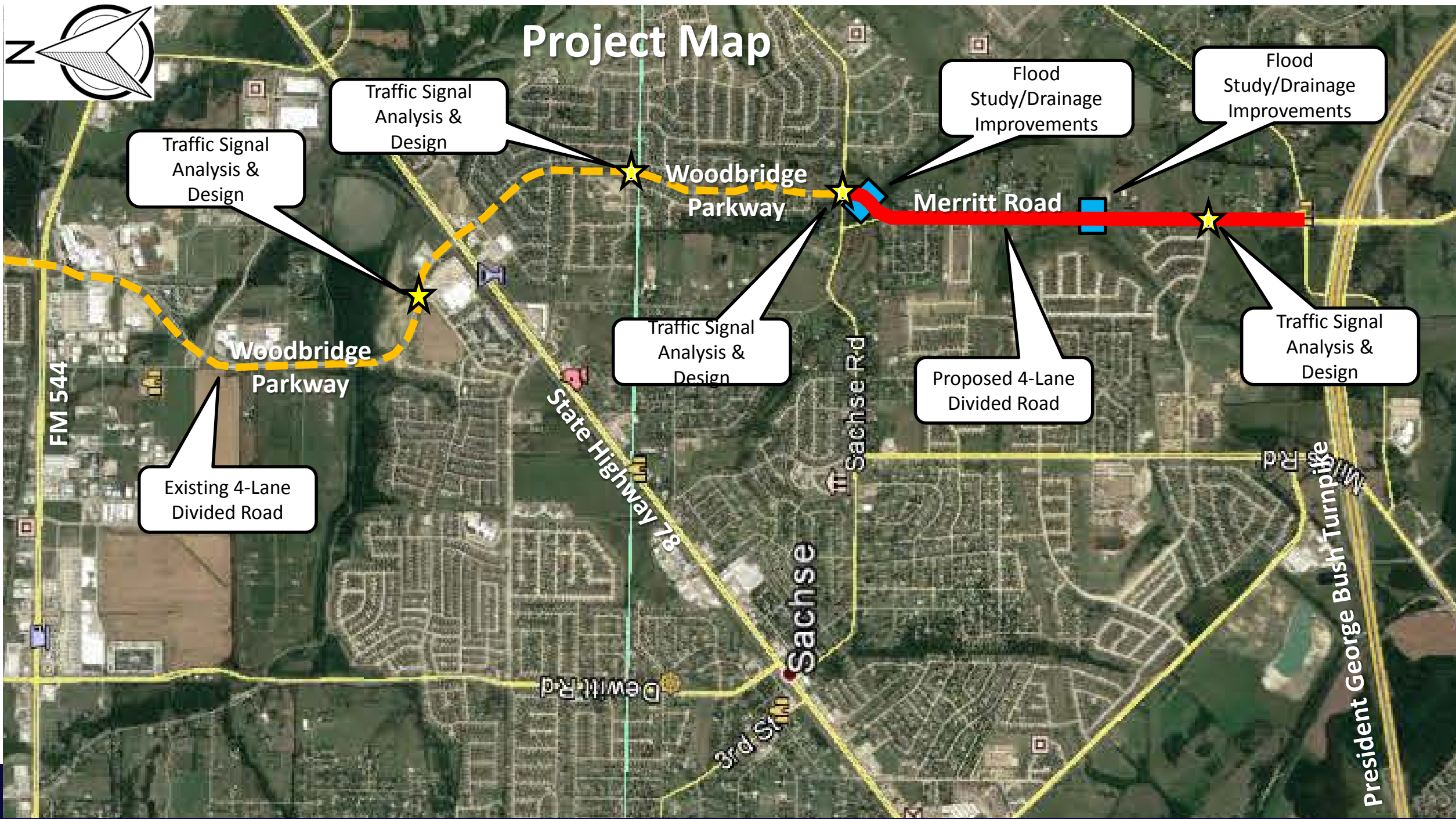
JUNE 18, 2018

Overview

- Project Map
- NCTCOG Coordination
- TxDOT Coordination
- Funding Overview
- Next Steps



Project Map



NCTCOG Coordination

- Staff has been regularly attending the Regional Transportation Council and Surface Transportation Technical Committee meetings in Arlington as the project has gone through the NCTCOG and state processes.
- The project was recommended to be added to the State's Transportation Improvement Plan (STIP) at the May 10, 2018 RTC meeting.
- Project funding was approved by the RTC at the June 14, 2018 meeting.
- The project is anticipated to receive state approval in August/September, and Federal approval in October/November.

TxDOT Coordination

- TxDOT will be the reviewing authority for all processes as the project moves through environmental clearance, right-of-way, engineering design, and construction.
- Staff has been meeting and coordinating regularly with TxDOT staff over the past 4 months, and is working on processing all of the documents that TxDOT requires to formally begin a major transportation project.
- A formal advanced funding agreement (AFA) with TxDOT will be brought to the City Council for approval later this year. This agreement defines each organization's role, and creates the funding mechanism for the project.

Next Steps

- Staff will return to the City Council with a finalized AFA and budget for projects in August.
- An RFQ for consultant services will be finalized this summer and put out for responses in late summer/early fall.
- Once the Federal approval is received, staff will be able to move forward with preparing a consultant agreement for the City Council to approve, which will kick off the environmental and engineering design processes.



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4304	Version:	1	Name:	Draft Capital Improvement Plan for Fiscal Year 2018-2019
Type:	Agenda Item	Status:			Agenda Ready
File created:	6/14/2018	In control:			City Council
On agenda:	6/18/2018	Final action:			
Title:	Discuss the draft Capital Improvement Plan (CIP) for Fiscal Year 2018-2019.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

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

Title

Draft Capital Improvement Plan for Fiscal Year 2018-2019.

Background

Staff will present the draft project list for the FY 2018-2019 Capital Improvement Plan. Staff will return to the City Council with a final plan in August of this year. The finalized plan will be adopted as part of the FY 2018-2019 budget.

Policy Considerations

The City of Sachse updates the Capital Improvement Plan annually to identify projects for funding, design, and construction in the upcoming fiscal year.

Budgetary Considerations

The proposed project funding amounts and funding sources are shown for each project.

Staff Recommendations

Staff is seeking feedback on the proposed projects to include in the Fiscal Year 2018-2019 Capital Improvement Plan.