



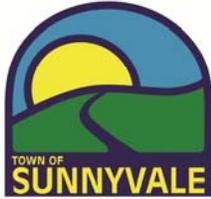
Town of Sunnyvale

Town Council

July 11, 2016

Town Council Special Meeting 6:00 P.M.

Town Council Regular Meeting 7:00 P.M.



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
SPECIAL MEETING
CONFERENCE ROOM - 127 N. COLLINS RD
MONDAY, JULY 11, 2016
6:00 P.M.**

CALL MEETING TO ORDER

Mayor calls the Workshop to order, state the date and time. State Councilmember's present and declare a quorum present.

EXECUTIVE SESSION

Recess into executive session pursuant to Chapter 551, Subchapter D of the Texas Government Code:

EXECUTIVE SESSION AGENDA:

A. SECTION 551.072 REAL PROPERTY

To deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

PROPERTY LOCATED AT OR ABOUT U.S. HWY 80 AND COLLINS RD.

END OF EXECUTIVE SESSION

Reconvene into open session and take any action necessary as a result of the Executive Session.

1. SECTION 551.072 - REAL PROPERTY LOCATED AT OR ABOUT U.S. HWY 80 AND COLLINS RD.

ADJOURN

ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING.

THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.087 (ECONOMIC DEVELOPMENT).

THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.

TCS
07/11/2016

I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON JULY 8, 2016, IN THE FOLLOWING LOCATION AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING:

TOWN HALL AT 127 N. COLLINS ROAD

LESLIE BLACK, TOWN SECRETARY



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
REGULAR MEETING
MONDAY, JULY 11, 2016
TOWN HALL - 127 N. COLLINS RD.
7:00 P.M.**

INVOCATION

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER

Mayor calls the Meeting to order, state the date and time. State Councilmembers present and declare a quorum present.

PUBLIC FORUM

Citizens may speak on any matter other than personnel matters or matters under litigation. No Town Council actions or discussion will be taken until such matter is placed on the agenda and posted in accordance with law.

CONSENT AGENDA ITEMS 1 THROUGH 2:

- 1. MINUTES OF TOWN COUNCIL REGULAR MEETING – MAY 23, 2016.**
- 2. MINUTES OF TOWN COUNCIL REGULAR MEETING – JUNE 27, 2016.**

PUBLIC HEARING

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

PUBLIC WORKS

- 3. DISCUSS AND HOLD PUBLIC HEARING ON 2015 ANNUAL DRINKING WATER QUALITY REPORT (CONSUMER CONFIDENCE REPORT).**

DISCUSSION/ACTION ITEMS:

DEVELOPMENT SERVICES

- 4. DISCUSS AND CONSIDER APPROVAL OF ADDITIONAL SERVICE REQUEST FOR PLANNING SERVICES FOR THE COMPREHENSIVE PLAN UPDATE.**

ENGINEERING

- 5. HEAR A PRESENTATION, DISCUSS, AND PROVIDE STAFF FEEDBACK ON THE TOWN'S SPEED LIMIT ORDINANCE AND POSTED SPEED LIMITS.**

6. **HEAR A PRESENTATION AND DISCUSS THE WATER MASTER PLAN AND WATER SUPPLY EVALUATION THAT IS BEING PREPARED BY FREESE AND NICHOLS, INC.**

FIRE & EMS

7. **DISCUSS AND CONSIDER FIRST READING OF ORDINANCE 16-10: AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES OF THE TOWN OF SUNNYVALE BY DELETING SECTIONS 5.101 THROUGH 5.108 IN THEIR ENTIRETY AND ADDING NEW SECTIONS 5.101 THROUGH 5.108, THEREBY ADOPTING THE INTERNATIONAL FIRE CODE, 2009 EDITION, BY PROVIDING CERTAIN AMENDMENTS AND DELETIONS THERETO; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

TOWN SECRETARY

8. **DISCUSS AND CONSIDER CITIZEN FEEDBACK ON TOWN FLAG DESIGNS.**

TOWN MANAGER

9. **DISCUSS AND PROVIDE DIRECTION ON FINANCING AND TIMING OF ISSUING DEBT FOR RIGHT OF WAY ACQUISITION AND/OR CONSTRUCTION COSTS FOR THE WIDENING OF COLLINS ROAD.**

MAYOR & COUNCIL

10. **MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS.**

ADJOURN

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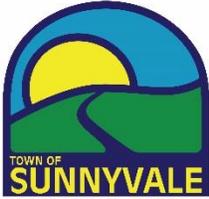
THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.087 (ECONOMIC DEVELOPMENT).

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I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON JULY 8, 2016, IN THE FOLLOWING LOCATION AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING:

TOWN HALL AT 127 N. COLLINS ROAD

LESLIE BLACK, TOWN SECRETARY



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
REGULAR MEETING
MONDAY, MAY 23, 2016
TOWN HALL - 127 N. COLLINS RD.
7:00 P.M.**

ABSENT	MAYOR	JIM PHAUP
	MAYOR PRO-TEM, & PLACE 2	SAJI GEORGE
	COUNCILMEMBER, PLACE 1	KARA RANTA
	COUNCILMEMBER, PLACE 3	MARK EGAN
ABSENT	COUNCILMEMBER, PLACE 4	JIM WADE
	COUNCILMEMBER, PLACE 5	KAREN HILL
	COUNCILMEMBER, PLACE 6	CHRIS MCNEILL

INVOCATION

Councilmember McNeill led the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro-Tem George led the Pledge of Allegiance.

CALL MEETING TO ORDER

Mayor Pro-Tem George called the meeting to order at 7:10 p.m. Mayor Phaup and Councilmember Wade were absent.

PUBLIC FORUM

Citizens may speak on any matter other than personnel matters or matters under litigation. No Town Council actions or discussion will be taken until such matter is placed on the agenda and posted in accordance with law.

None

PUBLIC HEARING

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

- 1. APPLICANT: TERESA MYERS-LAND RESOLUTIONS, INC.**
AT OR ABOUT: 320 TOWN EAST BLVD. (7.4 ACRES)
REQUEST: FINAL PLAT – HAWKINS ESTATES, LOT 1 BLOCK1

Director of Development Services Rashad Jackson stated the applicant is the representative for a residential property located at or about 320 Town East Blvd. The parcel of land is approximately 7.4 acres. The property is surrounded by a residential property to the east, The Homestead Phase 2D-S to the south and the future phase of The Homestead Phase 7 to the west. The applicant proposes to plat the subject lot for the development of a single residence. The property is zoned for residential development. The applicant has established the

necessary easements, setbacks and buffers required for the development of the subject lot. The applicant received preliminary plat approval in March 2016.

Right of way dedication for possible future Town East Blvd expansion – 50 feet
Front setback – 80 feet
Side setbacks – 50 feet
Rear setback – 120 feet

Notice was published within the Town's Official Newspaper on Wednesday, April 27th. Letters were also provided to surrounding properties meeting the distance requirements as provided within the Town Ordinance. Sixteen (16) letters were sent out. As of the writing of this staff memo, three (3) letters had been returned in favor of the request.

Town staff recommends approval. The proposed plat meets the standards set forth in the Town of Sunnyvale zoning ordinance and subdivision ordinance.

Mayor Pro-Tem George opened public hearing. Mayor Pro-Tem George closed public hearing.

Councilmember Egan made a motion, seconded by Councilmember Ranta to approve a request by Teresa Myers – Land Resolutions, Inc., final plat – Hawkins Estate, Lot 1 Block 1, and with all members present voting affirmative, the item passed 5/0. Mayor Phaup and Councilmember Wade were absent.

DISCUSSION/ACTION ITEMS:

DEVELOPMENT SERVICES

- 2. DISCUSS AND CONSIDER SECOND READING OF ORDINANCE 15-12: AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS; AMENDING THE SUNNYVALE TOWN CODE BY REPEALING CHAPTER 2, ANIMAL CONTROL OF THE CODE IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 2, ANIMAL CONTROL, PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Director of Development Services Rashad Jackson stated that in 2014, Town staff received notification from the Texas Department of State Health Services, Zoonosis Control Program, that the Town had not established an Animal Shelter Advisory Committee and had not identified a Local Rabies Control Authority. In response, the town revised its ordinance and established the required committee and rabies control authority per state standards.

During the review process, Town staff found that the existing Animal Control Ordinance within the Town of Sunnyvale Code of Ordinances appeared to be dated and needed to be revised. Some of the issues that were revised with the drafting of this ordinance are noted below:

Clarity of definitions
Consistency with state regulations
Non-conforming uses, and
Housing, Stabling or Pasturing of Livestock

A revised ordinance was initially presented at the August 10, 2015 Town Council meeting. At the meeting direction was provided to create a committee to finalize some of the issues noted by Town residents and Council with the proposed ordinance. With the committee's assistance, Town staff drafted an ordinance that is more up to date with current animal control practices and more consistent with the wants of Sunnyvale residents want.

A second public hearing was held for review of the proposed ordinance on December 14, 2015. At the hearing, staff was directed to work with the Sunnyvale FFA in order to gain input on any issues the organization may have with the keeping of animals. Town staff has returned with a draft ordinance that addresses the concerns of the Sunnyvale FFA.

An updated ordinance was presented at the April 25th Town Council meeting. At the meeting, direction was provided to staff to meet with the Town Council animal control committee to finalize some additional issues that were noted by Town residents and Council with the proposed ordinance. The committee met on May 12th to revise and finalize some minor details dealing with the keeping of bees, the number of animals allowed per acre and ordinance language.

Staff recommends approval.

Councilmember Ranta stated one item we updated was in relation to violation fees and that fees are intended to be assessed for each violation, not each animal.

Councilmember Egan stated that putting together any ordinance is not easy but it has been cleaned up. It was difficult in such a diverse town such as Sunnyvale with a broad range of applicability when it comes to animals and pets. It is difficult for towns like Sunnyvale that change from extremely rural to urban suburban to deal with the increase in density of animals.

Councilmember McNeill stated on page 23, under Prohibited Animal, (C) Class Mammalia prohibits camels and on page 18, under the definitions of Livestock camels are listed. Camel should come out of the Livestock definition. On Page 26 Section 2.301 (A) 4 the information in parenthesis conflicts with the language.

Councilmember Egan made a motion, seconded by Councilmember McNeill to approve Ordinance 15-12 with the changes noted, and with all members present voting affirmative, the item passed 5/0. Mayor Phaup and Councilmember Wade were absent.

FINANCE

3. DISCUSS AND CONSIDER SECOND READING OF ORDINANCE 16-09: AN ORDINANCE AMENDING AN ORDINANCE WHICH MADE APPROPRIATIONS FOR THE SUPPORT OF THE TOWN OF SUNNYVALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; AND AMENDING THE ANNUAL BUDGET OF THE TOWN OF SUNNYVALE FOR THE 2015-2016 FISCAL YEAR.

Finance Director Liz Hopkins presented the following information concerning the mid-year budget review.

GENERAL FUND

Excess or (Deficit) Revenue/Expenditure:

Budget	(\$145,246)	229 Days	77%
Mid Year	(\$520,850)	191 Days	63%
Difference	(\$375,578)		

Revenues: Increase \$528,378

Transfer In From Assigned/Restricted Funds	\$407,722
Increase to Property Tax/Other Revenues to Actual	<u>\$120,656</u>
Total Increase to Revenues	\$528,378

Expenses: Increase \$898,635

Roads	\$519,091
Beltline/Creekside Traffic Light	\$250,000
Department Line Items Changes (Net)	<u>\$134,864</u>
Total Increase to Expenses	\$903,955

General Fund Revenue: Total Revenues are in line at 76% of the annual budget amount and we are recommending budget amendments that result in a total increase in the General Fund Revenues of \$528,378. The increase is due to transferring the assigned fund balance that was set aside in previous years for road maintenance, Stoney Creek road maintenance, and the Beltline Creekside traffic light. Property tax collections, developer fees and the gain on the sale of assets, primarily the sale of 527 Long Creek, were increased to actual.

General Fund Expenditures: General Fund Expenditures total 41% of the annual budget amount. Staff recommends adjustments that will result in a net increase of \$903,955 of which \$769,091 is road maintenance expenses and the traffic light at Beltline and Creekside. The adjustments are as follows:

Town Manager: Decrease of \$23,270 by reducing the level of legal fees due to settled litigation, lower newsletter and web page services costs. Increases include personnel, moving expenses and the final payment on the traffic light at Tripp and Collins.

Town Secretary: Decrease of \$5,517 to lower the Election Services line item to due to the cancelled May election, due to candidates running unopposed. Employee training was increased \$1,700.

Finance: Increase \$12,301 for payroll costs and the annual subscription for the OpenGov platform.

Court: Increase \$38,050 to purchase six (6) Ticket Writers to replace the current equipment that will become obsolete and unsupported due to changes in technology. The current Ticket Writers are approximately 8 years old.

Parks & Streets: Increase \$5,000 includes the addition of funds to replenish the special events line item due to the unforeseen parade expenses. The increase is offset by a reduction in fuel costs, general operating supplies and equipment maintenance.

Development Services: Reallocation of certain line items with no overall increase.

Contract Police: Increase \$69,800 for the anticipated costs of foundation work on the DSO substation and utility costs. The increase is offset in part by discontinuing manned traffic control at Raider Lane.

Fire & EMS: Reallocation of certain line items with no overall increase.

Library: Increase \$500 for the increase in the Unemployment Rate.

Non-Departmental: Increase \$38,000 for tornado related expenses, projector for the Council chambers and telephone expenses related to the conversion from AT&T. Staff is working with AT&T to resolve charges for cross over coverage during the conversion. AT&T issued a credit against future charges as opposed to a refund, which will take 3 years to clear and staff is seeking a more appropriate solution.

- Roads: Increase \$519,091 to rebuild 5 miles of road in partnership with Dallas County. Original budget was for 1.5 miles.
- \$1,003,992
1. Town East from Belt Line to Polly Road including the Town East Collins intersection.
 2. Tripp Road from the Falls to East Fork Road.
 3. East Fork Road from Tripp to HWY 80.
\$ 225,000
1. Long Creek, N. Collins and Tripp Road.
 2. Road repair equipment.
 3. Street Sign replacement.
 4. Equipment rental as needed.
- Transfers: Increase \$250,000 for transfer from the assigned fund for the installation of the traffic light at Beltline and Creekside in the current fiscal year.
- Utility Fund Revenue: Total Revenues are at 46% of the annual budget amount and we are not recommending any budget amendments.
- Utility Fund Expenditures: Total Expenditures are 50% of the annual budget amount and we are recommending budget amendments that result in a total increase to Utility Fund Expenditures by \$328,100. The adjustments are as follows:
- Unemployment Tax: Increase \$100 to increase the unemployment insurance line item to reflect the notice of a rate increase received in March 2016.
- Supplies: Increase credit card processing charges by \$4,000 to reflect the increase of online and over the counter transactions.
- Contractual Services: Increase sewer purchases from the City of Mesquite and the City of Garland to reflect increase in rates per 1000 gallons which was 5% and 10% respectively.
- Projects: Increase \$52,000 engineering services to fund the Water Master Plan contract started in the prior year.
- Water System Maint: Reallocated \$11,000 savings in fuel costs to road maintenance and water system maintenance.

Depreciation Expense: Increase to \$75,000 to reflect the completion of the waterline rehabilitation program and anticipated developer contributions of capital assets that will be expensed over their useful lives.

Councilmember Hill made a motion, seconded by Councilmember Egan to approve Ordinance 16-09, an Ordinance amending an Ordinance which made appropriations for the support of the Town of Sunnyvale for the Fiscal year beginning October 1, 2015 and ending September 30, 2016, and with all members present voting affirmative, the item passed 5/0. Mayor Phaup and Councilmember Wade were absent.

ENGINEERING

4. DISCUSS AND CONSIDER AWARDING A CONSTRUCTION CONTRACT TO LANDMARK STRUCTURES I, L.P. FOR THE CONSTRUCTION OF A NEW 1.25 MILLION GALLON WATER STORAGE TANK.

Town Engineer Justin Brown stated that In August 2015 the Town Council awarded a professional services contract to Freese and Nichols, Inc. for the design of a new 1.25 million gallon water storage tank and water mains in the amount of \$281,000. Once the design was complete, Town staff advertised for the water tank bids in April and received three sealed bids. The lowest qualified bidder is Landmark Structures I, L.P. with a bid of \$3,203,000.00 which includes the base bid plus the interior and exterior paint upgrades;

Bidder	Bid Amount with Painting Alternates
Caldwell Tanks, Inc	\$4,237,000.00
Landmark Structures I, L.P.	\$3,203,000.00
Phoenix Fabricators & Erectors, Inc.	\$4,265,556.00

In addition to the base bid and paint alternatives the bid included items for single sided and dual sided bowl mounted lighting. The bid for single sided lighting is \$25,000 and the bid for dual sided lighting is \$40,000; the operating cost of the LED lighting is estimated as shown below. The bid for the Town of Sunnyvale logo is \$10,000.

One side: $2.8\text{kWh} * \$0.08 * 365 = \$81.76/\text{year}$
 Two sides: $5.6\text{kWh} * \$0.08 * 365 = \$163.52/\text{year}$
 (Assumes 11 hour/day operation at \$0.08/kwh)

Landmark Structures I, L.P. is a local contractor and has built numerous elevated water storage facilities throughout the Dallas-Fort Worth area. Staff recommends the award of the construction contract, base bid plus paint alternatives, to Landmark Structures I, L.P.

The total project for the design, water tower construction and water lines is \$4,510,237.36. The contractor will be given 15 months to complete the project after the contract is signed. Therefore, the water tank should be in full operation by September 2017.

Staff would recommend awarding a construction contract to Landmark Structures I, L.P. in the amount of \$3,203,000.00 for the construction of the new 1.25 million gallon elevated water storage tank.

Councilmember Ranta asked for an estimate on bulb replacement.

Town Engineer Justin Brown stated the bulk of the cost would be on the initial construction of the project. The majority of the cost in replacing bulbs is getting someone on a crane or scaffold.

Mayor Pro-Tem George asked if any of the companies provided warranty on workmanship.

Town Engineer Justin Brown stated that performance and payment bonds are required before construction begins. Once construction has been completed it is required that they submit affidavits of all bills that have been paid, consent of surety and a two year maintenance bond. They are responsible for all maintenance, warranty issues, and any punch list items for two years after the acceptance of the tank.

Mayor Pro-Tem George asked if we received any feedback from other cities concerning Landmark.

Town Engineer Justin Brown stated the design engineers that handled this project did not solicit this information because they have extended experience with this company.

Councilmember Egan stated that you typically do not see failure in these. He asked what causes failures.

Town Engineer Justin Brown stated the only failure he has ever witnessed is a water leak. Inspections will be performed throughout the process testing welds. The budget is in line for the Town.

Councilmember McNeill asked if only one logo is done what direction would the logo be facing.

Town Engineer Justin Brown stated that he would recommend the direction it is currently facing (southwest).

Mayor Pro-Tem George asked for approval of one logo, one lighting, facing southwest and upgraded paint and lighting.

Councilmember McNeill made a motion, seconded by Councilmember Hill, to approve awarding the construction contract to Landmark Structures, I, L.P for the construction of a new 1.25 million gallon water storage tank, not to exceed \$3,228,000, with one logo and lighting to be facing southwest, with all members present voting affirmative, and item passed 5/0. Mayor Phaup and Councilmember Wade were absent.

5. DISCUSS AND CONSIDER THE APPROVAL OF A WHOLESALE WASTEWATER SERVICES CONTRACT WITH THE CITY OF GARLAND.

Town Engineer Justin Brown stated the Town of Sunnyvale currently discharges wastewater into the City of Garland wastewater collection system at multiple locations throughout the Town. The Town of Sunnyvale and City of Garland had been operating under a wastewater treatment contract that was signed in June of 1991 but expired in 2011. The new contract will allow the Town of Sunnyvale to meter

wastewater flow at five locations where flow discharges into the Garland system; the metered flows will then be billed to Sunnyvale at the City of Garland wastewater billing rate based on the actual volume of wastewater metered. The locations that will be unmetered will still be billed by Garland at a flow rate of 80% of the resident's water usage. The new wastewater contract will be for a period of 20 years.

In order to meter the wastewater flow, the Town of Sunnyvale will be required to fund and construct the wastewater flow meters and then turn ownership of the meters over to the City of Garland once they are in operation. Town staff is currently in the process of reviewing proposals for the wastewater metering stations and plans to bring an Engineering and Construction contract for the metering stations to Council in June 2016.

Also, as a condition of the wastewater services contract with Garland the Town of Sunnyvale must adopt an industrial waste ordinance within 120 days of execution of the wastewater services contract. The intent of the industrial waste ordinance is to monitor industrial wastewater flows and establish pretreatment programs where needed.

Staff would recommend that Town Council approve the Wholesale Wastewater Contract with the City of Garland.

Councilmember McNeill asked since the last meeting has Town Engineer Justin Brown been able to firm up the costs of the meters.

Town Engineer Justin Brown stated he is still working through that process with Garland. They are very particular on their requirements.

Councilmember Egan made a motion, seconded by Councilmember Hill to approve a wholesale wastewater services contract with the City of Garland as presented, and with all members present voting affirmative, the item passed 5/0. Mayor Phaup and Councilmember Wade were absent.

TOWN SECRETARY

6. DISCUSS AND PROVIDE STAFF DIRECTION ON BOARD AND COMMISSION APPOINTMENT PROCESS.

Town Secretary Leslie stated that each year the Town Council must fill or reappoint positions to the Town's Boards/Commissions. Staff is seeking direction as to how the Council would prefer to move forward with the appointment process.

In 2013, Staff posted the application on the Town website, and the Council chose to interview everyone seeking reappointment or a new appointment to a board or commission. In 2014 and 2015, Staff posted the application on the Town website, and the Council chose to interview only new applicants for the Town's Boards and Commissions.

Town Secretary Leslie Black provided information to show the positions that are up for appointment. Staff will check with Board/Commission members to receive an indication if the member is willing to serve another term.

Staff recommends placing Board/Commission information on the Town Website to solicit applications and interviewing new applicants.

Councilmember Hill asked if any of the previous members would like to serve again. Town Secretary Leslie Black stated that she was waiting for direction from Council before she contacted the previous members about serving another term.

Councilmember Egan stated it would be a good idea to put this in the newsletter for an early start to get more people actively involved.

Councilmember McNeill stated he would like to interview the new applicants only.

In response to a question from Mayor Pro-Tem George, Town Secretary Leslie Black stated she does have enough direction to move forward at this point.

7. DISCUSS AND CONSIDER RESOLUTION 16-09: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, PROVIDING FOR THE REPEAL OF THE EXISTING TOWN PERSONNEL POLICIES AND ADOPTING NEW TOWN PERSONNEL POLICIES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Town Secretary Leslie Black stated that over the past several months, staff has worked to revise the Town's personnel policies in an effort to modernize practices, address issues, and ensure policies and procedures are enforced fairly and equitably.

On May 9, 2016, the Town Council reviewed the proposed policies and suggested the following changes that are reflected in the attached policies:

Remove Veteran's Day as a holiday.

Adjust the limit to accrued compensatory time to 24 hours (in lieu of 24 hours per year).

Address employees carrying weapons

Councilmember Ranta stated she would like to see the Whistle Blower section to have a channel for anonymous whistle blowing, so people feel completely comfortable and safe doing that.

Councilmember Hill made a motion, seconded by Councilmember Egan to approve Resolution 16-09 as presented with the clarification of the Whistle Blowing Section, and with all members present voting affirmative, the item passed 5/0. Mayor Phaup and Councilmember Wade were absent.

TOWN MANAGER

8. DISCUSS AND CONSIDER SPONSORSHIP OF SISD ATTENDING THE KENNETH E. BEHRING NATIONAL HISTORY DAY.

Town Manager Sean Fox stated on April 30, 2016, four Sunnyvale ISD students participated and won first place in the 2016 Texas History Day contest at the University of Texas, Austin, and the Bullock Texas State History Museum for their interpretative website, "Glenn Miller: The Band Leader Who Marched for Morale." The four students were Naina Davis, Alina Mathew, Radhika Nune, and Sharon Thomas.

As State winners, they are wanting to participate and represent Sunnyvale and the State of Texas in the Kenneth E. Behring National History Day Contest at the University of Maryland, in College Park, Maryland, June 14-16.

As it is an academic competition, SISD has allocated \$2,000, but a total of \$3,240 is required for the transportation and housing of the four students and their chaperone. They are conducting fundraisers on campus, but are asking for Council's help to defray the costs.

Financial sponsorship of students/residents within the municipality is allowed, as their participation would bring credit and positive publicity upon themselves and the community.

Mayor Pro-Tem George stated a teacher sent an e-mail to him personally in an attempt to reach out to different organizations seeking personal support. Mayor Pro-Tem George stated it is his opinion that this is more for personal support than for spending tax money.

Mayor Pro -Tem suggested pulling the item from the agenda.

Councilmember Egan made a motion; seconded by Councilmember Ranta to pull this item from the agenda, and with all members present voting affirmative, the motion passed 5/0. Mayor Phaup and Councilmember Wade were absent.

Councilmember Ranta stated she does not want to discourage the residents from coming to Council for support and she hopes they will continue to ask for support. It is hard to draw the line on where to support financially. Councilmember Egan stated this is not about not caring about what happens in education. Education is very important. The financial support needs to come from outside of the Council as a body.

9. DISCUSS AND CONSIDER FIRST READING OF ORDINANCE 16-07: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, AMENDING THE CODE OF ORDINANCES TO CREATE ARTICLE 8.11 IN CHAPTER 8 OF THE CODE OF ORDINANCES; PROHIBITING A PROPERTY OWNER OR OCCUPANT FROM ALLOWING PROPERTY, RESIDENCES, AND STRUCTURES TO BE USED FOR GATHERINGS WHERE MINORS CONSUME ALCOHOL OR CONTROLLED SUBSTANCES; PROVIDING FOR A PENALTY NOT TO BE LESS THAN \$1,000.00 NOR EXCEED \$2,000.00; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Sean Fox stated Town Staff was asked to work with concerned SISD parents and residents and to propose an ordinance to address social hosting and underage drinking within the Town.

Taking language and best practices from neighboring communities, the draft ordinance was presented to Council on March 14, 2016. Council directed changes to the minimum and maximum fine allowed, adding language related to trespassing in the presumption and defenses section, and that the draft ordinance be placed on the Town's website and Facebook page.

An updated draft was presented to Council on April 11th but was tabled until April 25th to allow additional questions and comments. At the meeting, Council posed questions regarding the difference between criminal and civil penalties, the overall applicability of social hosting laws pertaining to minors and the definition of real property.

According to research by staff, there are several differences between civil and criminal cases, but key differences pertain to who or whom was harmed, the burden of proof and the protection afforded defendants. Civil cases usually involve private disputes between persons or organizations whereas criminal cases involve an action that is considered to be harmful to society as a whole. Civil cases require a lower standard of proof such as "the preponderance of the evidence," whereas criminal case must generally be proved "beyond a reasonable doubt." And finally, the protections afforded to defendants under criminal law are considerable (such as the protection against illegal searches and seizures under the 4th Amendment), whereas many of these well-known protections are not available to a defendant in a civil case.

Currently, 33 states have social hosting statutes pertaining to minors and according to research conducted by staff, the applicability or acceptance of those laws is overwhelmingly favorable. The two articles mentioned by a resident during the Council meeting expressed concerns of applying social hosting laws and ordinances to adults or minors between the ages of 18 & 21, citing that "courts and legislatures should refuse to extend the rationale of minor cases to permit a cause of action against a private host who serves alcoholic beverages to an adult guest."

According to the research conducted by staff, the following examples are provided as to how they have defined personal property:

Connecticut - Having possession of, or exercising dominion and control over, any dwelling unit or private property.

Florida - A person having control of any residence.

Alaska - Physically in possession and exercising dominion and control over a dwelling.

Arizona - "Occupant" means a person who has legal possession or the legal right to exclude others from the unlicensed premises.

Arkansas - A person who is present and in control of the private property at the time the consumption occurs.

Illinois - His or her residence, or any other private property under his or her control.

Kansas - Person's residence or any land, building, structure or room owned, occupied or procured by such person to be used.

Maine - A place under that person's control.

Michigan - Within that premises, residence, or other real property.

New Hampshire - Person owns or has control of the occupied structure, dwelling, or curtilage, where a drug or underage alcohol house party is held.

New Jersey - A person who makes real property owned, leased or managed by him available to, or leaves that property in the care of, another person with the purpose that alcoholic beverages will be made available.

Oklahoma - A person's residence, any building, structure, or room owned, occupied, leased or otherwise procured by the person or on any land owned, occupied, leased or otherwise procured by the person, to possess or consume any alcoholic beverage.

Oregon - A person who is present and in control of the location at the time the consumption occurs but does not apply to the owner of rental property, or the agent of an owner of rental property, unless the consumption occurs in the individual unit in which the owner or agent resides.

Rhode Island - His or her residence or on his or her real property.

Tennessee - Any owner, occupant or other person having a lawful right to the exclusive use and enjoyment of property to knowingly allow a person to consume alcoholic beverages, wine or beer on the property.

Washington – "Premises" includes real property, houses, buildings, and other structures, and motor vehicles and watercraft.

Wyoming - The residence or premises by any minor and the person knowingly permitted the residence or premises to be used for that purpose.

At the April 24, 2016 Town Council meeting, Staff was directed to work with attorneys Gordon Foote, Councilmember McNeill, and David Goodhart to address remaining concerns.

Councilmember McNeil stated that Town Manager Sean Fox, Town Attorney David Dodd, Mr. Foote and Councilmembers had a meeting to move some of the language so the Ordinance is not redundant. They created a definition section to make the Ordinance easier to read. The definition for property now includes all property in Town, regardless of zoning, and whether the property is improved or unimproved. There is now a definition for prohibited underage social gathering. The offense stayed the same with a few points being clarified as to how the citation is given. Only one citation is given per occurrence. If all minors are trespassing on the land then it is not considered an offense.

Councilmember Ranta asked to scratch out "reasonably should have known" under section, 8.1103 paragraph A and from the Ordinance caption. She also asked under 8.1103 paragraph E to include legal guardianship.

Mr. Foote 127 N. Paschall, wants to thank everyone for working on this Ordinance. It was good that voices were heard. This is a good step for the Town.

Mayor Pro-Tem George asked Town Staff to make changes that as discussed and put the Ordinance on agenda again for June 13, 2016. Mayor Phaup and Councilmember Wade were absent.

MAYOR & COUNCIL

10. MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS.

Mayor Pro-Tem George asked when the signal will be finished at Creekside and Beltline.

Public Works Director Johnny Meeks stated it will be about a month.

ADJOURN

Mayor Pro-Tem George adjourned the meeting at 8:25 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Mayor Jim Phaup

ATTEST:

Leslie Black, Town Secretary



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
REGULAR MEETING
MONDAY, JUNE 27, 2016
TOWN HALL - 127 N. COLLINS RD.
7:00 P.M.**

	MAYOR	JIM PHAUP
	MAYOR PRO-TEM, & PLACE 2	SAJI GEORGE
	COUNCILMEMBER, PLACE 1	KARA RANTA
	COUNCILMEMBER, PLACE 3	MARK EGAN
ABSENT	COUNCILMEMBER, PLACE 4	JIM WADE
	COUNCILMEMBER, PLACE 5	KAREN HILL
	COUNCILMEMBER, PLACE 6	CHRIS MCNEILL

INVOCATION

Councilmember Hill led the invocation.

PLEDGE OF ALLEGIANCE

Mayor Phaup led the Pledge of Allegiance.

CALL MEETING TO ORDER

Mayor Phaup called the meeting to order at 7:01 p.m. Councilmember Wade was absent.

PUBLIC FORUM

Citizens may speak on any matter other than personnel matters or matters under litigation. No Town Council actions or discussion will be taken until such matter is placed on the agenda and posted in accordance with law.

None

CONSENT AGENDA:

- 1. MINUTES OF REGULAR MEETING – JUNE 13, 2016.**
- 2. DEPARTMENT MONTHLY REPORTS – MAY, 2016.**

Councilmember Egan stated he wanted to remove Item 1 Minutes of Regular Meeting – June 13, 2016.

Mayor Pro-Tem George stated on page 6 there is an omission for second of motion on item 2.

Councilmember Egan made a motion, seconded by Councilmember Hill, to approve Item 2 Department Monthly Reports – May, 2016, and with all members present voting affirmative

item passed 5/0. Councilmember Wade was absent and Councilmember McNeill arrived at 7:05 p.m.

Councilmember Egan stated on page 12 he wanted to ensure that he intended to convey 12 consecutive months that are not in the annual calendar. It is not tied to the calendar, but it is a rolling 12 months.

Councilmember McNeill stated on page 12, paragraph 2 where it states he appreciates and wished there had been more community input, he felt like what he actually stated was he is always asking citizen for citizen input and he appreciates the input we have on this issue.

Motion was made by Mayor Pro-Tem George, seconded by Councilmember Egan to approve Item 1 Minutes of Regular Meeting of Town Council June, 13, 2016 with the three changes, and with all members present voting affirmative item passed 6/0. Councilmember Wade was absent.

PUBLIC HEARING:

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

- 3. APPLICANT: BILL FOOSE**
AT OR ABOUT: 2718 BELTLINE ROAD APPROX. 11.53 ACRES
REQUEST: SITE PLAN

Director of Development Services Rashad Jackson stated the subject property is located at or about 2718 Belt Line Road. The applicant requests approval of a proposed site plan for the future development of a Salons Elite establishment. Salons Elite is a beauty salon that is comprised of multiple independent salon owners, with their own private, individual suites to perform hair and spa services. The subject property, located within a Local Retail zoning district is 11.53 acres in size. The individual building site is approximately 2 acres of the overall 11.53 acre property. The proposed use is allowed by right within the Local Retail District.

Beltline Road Overlay District: The proposed building lies within the Beltline Road Design Overlay District. The primary objectives of the overlay districts are to create and reflect a high level of architectural design appeal throughout the Town. The applicant proposes to construct a 12,435 square feet building on the subject property. The building is subject to regulations noted in the corresponding design overlay district criteria for site design details. The building is also subject to general zoning district regulations for the proposed non-residential use.

Plans show a one-story masonry building with an articulated facade and one main entry. The main entry will face Beltline Road. The entry will be recessed underneath a protruding roof supported by a colonnade. Details of the design are as follows:

Building height: Single story with hip style roof

Access: The main entry will face Beltline Road. Two access points will be provided for along Beltline Road. The service entrance and trash pickup will be in the rear on the east side of the development.

Building exterior / façade: The proposed building exterior will be cladded primarily in brick and stone. Various masonry styles will be used as accents to create visual appeal on all facades. A metal roof will be located above the main entry to provide variety in roof style.

Building articulation: The design guidelines require building elevations that face the right of way to have articulation. The applicant has addressed this articulation requirement along the north, south and west elevations as required.

Sidewalks: Per development requirements, a sidewalk should be located along Beltline Road right of way. A 6 foot curvilinear sidewalk has been shown along right of way. Paving plans show interior sidewalks throughout the development to accommodate pedestrian activity to and from the building.

Off-street parking: Required parking shall be 1 space per 200 sq.ft. (62 required spaces). The applicant has submitted plans exceeding this requirement (136 parking spaces proposed). The parking will accommodate the proposed use and additional future uses of the development.

Lighting: At this time the applicant does not plan to use pole lighting throughout the development. The building itself will be lighted with down lights. If and when pole lights are proposed, the lights will be subject to review by staff for compliance with town standards.

Parking lot plantings/Perimeter parking lot plantings: Design guidelines require parking areas to be screened. All parking lot screening will be maintained at least thirty six inches (36") in height. Berming, planting screens or low profile walls are allowed per design criteria standards. The applicant has used plant screens and shrubbery.

Landscape Buffer and Land Use Screening: Proposed details shown meet the standards set forth in the zoning and overlay districts. Shrubs will screen the parking spaces and additional trees will be added throughout the site. Landscape plans show that the site will be heavily landscaped.

Future Development Details

When developed in the future, the property owner (Beltline Venture) should be aware of the following regulations for screening and buffering of land uses. In accordance with zoning requirements, landscaping and a masonry wall should screen the non-residential development from abutting residential uses. The Town zoning ordinance stipulates the following for land use buffers and screening.

Residential buffer for non-residential uses:

One large tree shall be planted on 40-foot centers or one small tree planted on 30-foot centers. The developer of any commercial property adjacent to any residentially zoned property shall provide a ten (10) foot wide buffer between the residential property and the building or parking areas.

Industrial and Commercial Screening :

Where a proposed industrial or commercial use abuts land planned or zoned for residential use, a solid masonry screening wall not less than eight (8) feet in

height in I and HC districts and not less than six (6') feet in height for all other nonresidential districts shall be erected and maintained along or within one (1) foot of the property line that divides the two districts.

Masonry Walls :

Masonry walls shall be of the height specified and be constructed from natural stone, cast stone, face brick or pierced brick. Precast or prefabricated panels or cast-in-place concrete shall not be used. All masonry walls and foundations shall be designed by a registered professional engineer and construction plans for the wall shall bear the seal of the design engineer. Match existing masonry screening wall.

Notice was published within the Town's Official Newspaper on May 25th, 2016. Letters were also provided to surrounding properties meeting the distance requirements as provided within the Ordinance. Nineteen (19) letters were sent. As of the writing of this staff memo, no letters had been returned either in favor or in opposition of the request.

Councilmember Hill asked for clarification map. She asked if the applicant owns the land to the east. She also asked if it is creating a flag lot. Director of Development Services Rashad Jackson stated no the applicant does not own the land and it is not creating a flag lot because the southern end provides access to the baseball field area.

Mayor Phaup asked if the parking area would be lit and if the Town has requirements for lighting a parking lot. Director of Development Services Rashad Jackson stated no the parking area will not be lit and the requirements he has noted are for lighting along the public right of way, but not within a development.

Mayor Phaup stated he was unclear about the landscaping. Director of Development Services Rashad Jackson stated yes he is meeting the Town's landscaping requirements.

Councilmember Egan asked if the adjacent lot had been properly reviewed for potential future development. Director of Development Services Rashad Jackson stated yes, it has been reviewed.

Bill Foose, 3129 Hanover, Dallas, Texas, is the representative of the property owner. Owner and architect have met all the conditions that have been required by the Town.

Councilmember Egan asked if Mr. Foose understood and agrees with the staff letter provided after the Planning and Zoning meeting.

Applicant Bill Foose stated yes, he understands and accepts the requirements.

Mayor Pro-Tem George asked how many suites will be in the building. Applicant Bill Foose stated 50 plus. It is a 12,000 square foot building.

Mayor Phaup stated he was concerned about the lighting in the parking lot.

Mayor Phaup opened Public Hearing.

Ted Meredith at 304 Parkview stated he has done several of these projects. They are usually successful. They are excellent looking buildings. He asked why this is considered prior to plat. Director of Development Services Rashad Jackson stated it is the subdivision requirements that the site plan first, and then preliminary plat, and lastly the final plat be submitted. Ted Meredith asked who would be required to screen along the easement.

Mayor Phaup closed Public Hearing.

Councilmember McNeill stated he remembered specifically discussing lighting requirements for parking lots.

Councilmember Egan could not remember when he served on Planning and Zoning coming across a land-lock situation. Councilmember McNeill asked if this parcel is land locked today or if the re-platting is creating the land lock situation. Mayor Phaup stated it is land-locked today.

Councilmember McNeill asked Director of Development Services Rashad Jackson to double check and confirm parking lot lighting requirements.

Councilmember McNeill made a motion, seconded by Councilmember Ranta to approve 2718 Beltline Road approximately 11.53 acres, site plan contingent upon completion of items noted in the staff letter and verification of parking lot lighting requirements. Councilmember Egan stated the builder said adding parking lot lighting was not a problem, and he would like to suggest modification to the motion to require parking lot lighting. Councilmember McNeill and Councilmember Ranta approved the modification, and with all members voting affirmative the item passed 6/0. Councilmember Wade was absent.

4. APPLICANT: BILL FOOSE
AT OR ABOUT: 2718 BELTLINE ROAD APPROX. 11.53 ACRES
REQUEST: PRELIMINARY PLAT – BELTLINE VENTURE ADDITION, LOTS 1 & 2, BLOCK A

Director of Development Services Rashad Jackson stated the subject property is located at or about 2718 Beltline Road. The applicant requests approval for a proposed preliminary plat creating 2 new lots. Lot 1 will remain vacant and Lot 2 will be used for the future development of a Salons Elite establishment. The individual building site is 2 acres in size. The overall subject property, located within a Local Retail zoning district is 11.53 acres in size. The proposed use is allowed by right within the Local Retail District. The plat contains 3 easements that will be recorded by separate instrument: a 60' mutual access easement along the southern property line, a 24' fire lane/mutual access easement throughout the interior portions of the property, and a detention pond easement as required by Town development standards.

All other details of the proposed plat meet the requirements of the Sunnyvale zoning ordinance and subdivision ordinance.

Notice was published within the Town's Official Newspaper on May 25th, 2016. Letters were also provided to surrounding properties meeting the distance requirements as provided within the Ordinance. Nineteen (19) letters were sent. As of the writing of the staff memo, no letters had been returned either in favor or in opposition of the request.

Town staff has the following comments/recommendation for consideration:

Town staff recommends approval contingent to all Town comments being satisfactorily addressed prior to construction. In the future, Town engineering does not recommend accepting the proposed 60' southern access drive as a public right of way. In the future it should continue to be noted and used as a mutual access drive for the development.

Mayor Phaup opened Public Hearing. Mayor Phaup closed Public Hearing.

Councilmember Ranta made a motion, seconded by Councilmember McNeill to approve 2718 Beltline Road approximately 11.53 acres, Preliminary Plat - Beltline Venture Addition, Lots 1& 2, Block A subject to completion of all staff comments, and with all members present voting affirmative, item passed 6/0. Councilmember Wade was absent.

5. APPLICANT: BILLY DUCKWORTH
AT OR ABOUT: 323 BARNES BRIDGE ROAD
REQUEST: PRELIMINARY PLAT – SNEED ADDITION, LOT 1 BLOCK A

Director of Development Services Rashad Jackson stated the applicant is the representative for a residential property located at 323 Barnes Bridge Road. The applicant proposes to subdivide and create a single 5 acre lot (The Sneed Addition) out of an existing 10 acre parcel. The preliminary plat will create a 5 acre lot with a lot width of approximately 185'. The applicant proposes to subdivide the property for the development of a proposed residence. Prior to submission of this plat application, the property received a lot width variance from the Board of Adjustment. The variance, received on May 24th, allows for a lot width of 184 feet for the subject property.

The proposed preliminary plat has been submitted in accordance with the Board of Adjustment variance approval and all other Town zoning and subdivision ordinance requirements.

Notice was published within the Town's Official Newspaper on Wednesday, May 25th, 2016. Letters were also provided to surrounding properties meeting the distance requirements as provided within the Ordinance. Eight (8) letters were sent out. As of the writing of this staff memo, no letters had been returned either in favor or in opposition of the request.

Variance from Section 3.7 Area Standards for Detached Single Family Dwellings, Chart 3.2 Area Standards for Residential Lots to reduce the lot width requirement from 250' to 184' for two (2) proposed residential lots located at or about 323 Barnes Bridge Road.

Chairman Hoffman called for a motion. Member Turner made a motion to approve the request. Member Noster seconded. Chairperson Hoffman called for a vote, and with all members voting affirmative, the motion passed unanimously 5-0.

Commissioner Daniel made a motion to approve the request, seconded by Commissioner Noster. Chairman Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

Town staff recommends approval contingent to all Town comments being satisfactorily addressed prior to construction.

Applicant James Sneed 4527 Harpinger, Mesquite, Texas felt that everything was covered and he had nothing to add.

Mayor Phaup opened Public Hearing.

Mayor Phaup closed Public Hearing.

Councilmember Hill made a motion, seconded by Councilmember Egan to approve 323 Barnes Bridge Road, Preliminary Plat – Sneed Addition, Lot 1 Block A, and with all members present voting affirmative the item passed 6/0. Councilmember Wade was absent and Councilmember McNeill arrived at 7:05 p.m.

- 6. APPLICANT: DALE HOELTING – DEH CONSULTING, LTD.**
AT OR ABOUT: 182 S. COLLINS ROAD APPROX 4.11 ACRES
REQUEST: REPLAT – SUNNYVALE COLLINS RETAIL, LOTS 1R, 2R, & 3R, BLOCK A

Director of Development Services Rashad Jackson stated the subject property is located within the Collins Corner (Sunnyvale Collins Retail) development. The zoning district designation for the property is General Business. The applicant has submitted a replat for the subject property with the intentions to create three lots. The property was originally platted as one single lot. The applicant plans to subdivide the property so that individual lots may be sold. The subject property is already developed as a shopping center consisting of two existing buildings and two concrete foundations. The site plan for the property shall remain as approved unless a new site plan proposal is submitted at a later date.

Access will be provided to all lots via a mutual access easement shown on the plat. The easement will serve as a 24' fire lane, access and utility easement. Staff requests a cross access/mutual access agreement be drafted and recorded as a separate instrument to allow for continued development and access to the northern and southern abutting properties. As a shopping center area, continued access should be allowed to foster development of the shopping district. The northern entrance will likely be used by multiple properties in the future. A mutual/cross access agreement will guarantee access and foster the development of the abutting properties.

Staff has not found any other revisions related to this request. Town engineering staff has reviewed the proposed change and has no comments.

Public notice was provided to the Town's Official Newspaper for publication on May 25th, 2016. Letters were also sent to property owners' within 400' on June 8th, 2016. The total number of letters sent was thirty-two (32). As of the release of the staff memo, one (1) response had been received in favor.

Staff recommends approval contingent to the following conditions below. The request does not appear to have any detrimental effects to the development. Town staff has found that the request meets the requirements of the Subdivision Ordinance as well as the regulations.

Staff requests a cross access/mutual access agreement be drafted and recorded as a separate instrument to allow for continued development and access to the northern and southern abutting properties.

For the subject property, staff has requested a shared parking agreement be drafted to assure mutual parking access amongst the properties. Parking between the lots should not be an issue but to assure no future problems an agreement should be drafted.

Alan Smith 1701 Hearn Lane Van Alstyne, Texas stated we appreciate Planning and Zoning and looking forward to moving ahead. He has worked with the Town Attorney concerning the shared parking agreement and is ready to move forward.

Mayor Phaup opened Public Hearing. Mayor Phaup closed Public Hearing.

Councilmember Egan made a motion, seconded by Councilmember Ranta, to approve Dale Hoelting – DEH Consulting, LTD., 182 S. Collins Road approximately 4.11 acres, Replat – Sunnyvale Collins Retail, Lots 1R, 2R & 3R, Block A subject to cross access shared parking agreement contingent upon completion of staff as discussed, and with all members present voting affirmative the item passed 6/0. Councilmember Wade.

DISCUSSION/ACTION ITEMS:

FINANCE

7. DISCUSS AND CONSIDER ENGAGING THE SERVICES OF CONWAY COMPANY CPA'S P.C. FOR THE AUDIT OF THE ANNUAL FINANCIAL STATEMENT FOR THE YEAR ENDING SEPTEMBER 30, 2016.

Finance Director Liz Hopkins stated in accordance with the Town Charter Conway Company CPA's, P.C. were engaged in May 12, 2014 to audit the Town of Sunnyvale's financial statements for the fiscal year ending September 30, 2014, with the option of auditing its financial statement for each of the four subsequent fiscal years.

Conway Company CPA's, P.C has presented an Engagement Letter to perform the 2015-2016 audit. The fee for 2015-2016 Audit = \$27,400 which is an increase from the previous year of \$4,400 broken down as follows:

	2014-2015	2015-2016
Town:	\$19,000	\$20,155 = 6%
4A & 4B:	\$ 4,000	\$ 4,245 = 7%
CAFR-GFOA:	<u>\$ 000</u>	<u>\$ 3,000</u> = 100%
Total:	\$23,000	\$27,400

The GFOA Certificate of Achievement for Excellence in Financial Reporting Program (CAFR) encourages governments to go beyond the minimum requirements in financial reporting. The GFOA Distinguished Budget Presentation Awards Program encourages governments to prepare budget documents of the very highest quality. Staff desires to apply for these programs.

Staff recommends engaging Conway Company CPA's, P.C. to perform the audit of Town books and accounts for the year ending September 30, 2016.

Councilmember Hill stated she assumed this amount is covered in the budget for July. Finance Director Liz Hopkins stated it is in next year's budget.

Councilmember Ranta asked if they have increased the amount in previous years. Finance Director Liz Hopkins stated she believes this is the first year they have increased.

Mayor Pro-Tem George made a motion, seconded by Councilmember Hill to approve engaging the services of Conway Company CPA's, P.C. for the audit of the annual financial statement for the year ending September 30, 2016, and with all members present voting affirmative, the item passed 6/0. Councilmember Wade was absent.

MAYOR & COUNCIL

8. MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS.

Mayor Phaup announced that Sunnyfest will be Friday July 1, 2016 at 6:00 p.m.

ADJOURN

Mayor Phaup adjourned the meeting at 7:49 p.m.

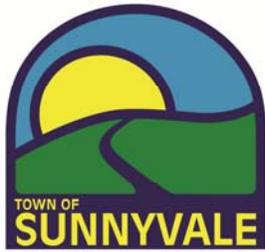
The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Mayor Jim Phaup

ATTEST:

Leslie Black, Town Secretary

Minutes



Town of Sunnyvale

Prepared By: Johnny Meeks

Summary:

PUBLIC HEARING AND DISCUSSION OF ANNUAL DRINKING WATER QUALITY REPORT (CONSUMER CONFIDENCE REPORT)

Background:

The Annual Consumer Confidence Report is attached. A postcard providing the link to the Report was mailed to all residents.

Analysis:

The water quality report meets standards set by TCEQ. Should the public have any questions, they may present them at this meeting, or by contacting Town staff.

Fiscal Impact:

None.

Staff Recommendation:

None.



Town of Sunnyvale

127 N. Collins Rd.
Sunnyvale, Texas 75182
(972) 226-7177

Your 2015 Water Quality Consumer Confidence Report

Issued June 2016

www.townofsunnyvale.org



ABOUT OUR DRINKING WATER

This Consumer Confidence Report includes information on the water source, contaminants found in the water, special health effects, and any drinking water violations.

The Town of Sunnyvale wants water customers to know they receive safe, high-quality drinking water.

This report provides an analysis and summary for recent tests performed as required by the Texas Commission on Environmental Quality (TCEQ) and describes our employees' efforts to provide you with safe drinking water through the operation of our water distribution system.

Through the 1996 Safe Drinking Water Act Amendments, the United States Environmental Protection Agency (EPA) requires every public water system to provide this information to each water customer annually.

The Town of Sunnyvale strives to provide high quality drinking water that is both safe and reliable and is proud to provide the following report to our customers. The Town of Sunnyvale Water System maintains a "superior" water system rating with the Texas Commission on Environmental Quality.

Public Participation

July 11, 2016

7 p.m.

127 N. Collins Road
Sunnyvale, Texas 75182
Sunnyvale Town Hall
Phone: (972) 226-7177



Espanol

Este informe incluye informacion importante sobre el agua potable. Si tiene preguntas o comentarios sobre este informe en espanol, favor de llamar al telefono (972) 226-7177. Para obtener una copia de esta reporte en espanol favor visite: www.townofsunnyvale.org.

Why this Report is Important?

This report describes the susceptibility and types of constituents, or small amounts of contaminants, that may come into contact with your drinking water source based on human activities and natural conditions. The presences of these substances in drinking water does not necessarily pose a health risk.

MESSAGE ABOUT YOUR WATER

Water Sources:

The sources of drinking water (both tap and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of land or through the ground, it dissolves naturally-occurring minerals, and in some cases, radioactive material. Water can also pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water before treatment include:

- Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- Pesticides and herbicides, which may come from a variety of sources such as agriculture, storm water runoff, and residential uses.
- Radioactive contaminants, which can be naturally-occurring or the result of oil and gas production and mining activities.
- Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, storm water runoff, and septic systems.



Where do we get our drinking water?

Sunnyvale is a customer of the North Texas Municipal Water District (NTMWD). The primary source of Sunnyvale's water is surface water. Water is delivered from Lake Lavon and supplemented with water from Lake Texoma, Jim Chapman Lake, Lake Tawakoni, and East Fork Raw Water Supply (Wetland). Sunnyvale's water is treated at the NTMWD facility in Wylie, Texas. The NTMWD conducts daily tests on both the raw and treated water delivered to the Town of Sunnyvale. In addition, the Texas Commission on Environmental Quality (TCEQ) has completed a Source Water Susceptibility Assessment for all drinking water systems that own their own sources. This report describes the susceptibility and types of constituents that may come into contact with the drinking water source based on human activities and natural conditions. The information contained in the assessment allows us and/or the system from which we receive water to focus on source water protection strategies. For more information on source water assessment and protection efforts at our system, please contact us at (972) 226-7177.

Information on Contaminants

All drinking water may contain contaminants:

When drinking water meets federal standards, there may not be any health based benefits to purchasing bottled water or point of use devices. Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline at (800) 426-4791.

Secondary Contaminants:

Many constituents (such as calcium, sodium, or iron) which are often found in drinking water can cause taste, color, and odor problems. The taste and odor constituents are called secondary constituents and are regulated by the State of Texas, not the EPA. The constituents are not causes for health concern; therefore, secondary constituents are not required to be reported in this document, but they may greatly affect the taste and appearance for your water. For more information on taste and odor or color of your drinking water, please call 972-226-7177.

The tables provided within this report list the contaminants detected in the drinking water during calendar year 2014. The water quality surpasses standards for each contaminant as required by law.



The most common problem with sprinklers? OVERWATERING

Avoid run-off and help conserve by setting your sprinkler zones on shorter cycle times and letting the water soak into the ground for several hours. Then, if needed, you can run another short cycle. This will keep the irrigation water on your lawn and not running down the street and in the storm drain. We can also save water by manually turning off our irrigation systems during a rain event.

Irrigating your lawn for 30 minutes is the equivalent of taking a four hour shower.

Special Notice for People with Weakened Immune Systems

You may be more vulnerable than the general population to certain microbial contaminants, such as Cryptosporidium, in drinking water.

Infants, some elderly or immunocompromised persons such as those undergoing chemotherapy for cancer, those who have undergone organ transplants, those who are undergoing treatment with steroids, and people with HIV/AIDS or other immune system disorders can be particularly at risk from infections.

You should seek advice about drinking water from your physician or health care provider. Additional guidelines on appropriate means to lessen the risk of infection by Cryptosporidium are available from the Safe Drinking Water Hotline at (800) 426-4791.

Abbreviations

The abbreviations listed below appear on the tables on the following pages.

NTU - Nephelometric Turbidity Units

MFL - Million Fibers per liter (a measure of asbestos)

pCi/l - Picocuries per liter (measure of radioactivity)

ppm - Parts per million or milligrams per liter (mg/l)

ppb - Parts per billion, or micrograms per liter (ug/l)

ppt - Parts per trillion

ppq - Parts per quadrillion

mrem/year - Millirems per year (measure of radiation absorbed by the body)

ND - None detected

Definitions

Maximum Contaminant Level (MCL)

The highest permissible level of a contaminant in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

Maximum Contaminant Level Goal (MCLG)

The level of a contaminant in drinking water below which there is no known or expected risk to health.

Maximum Residual Disinfectant Level (MRDL)

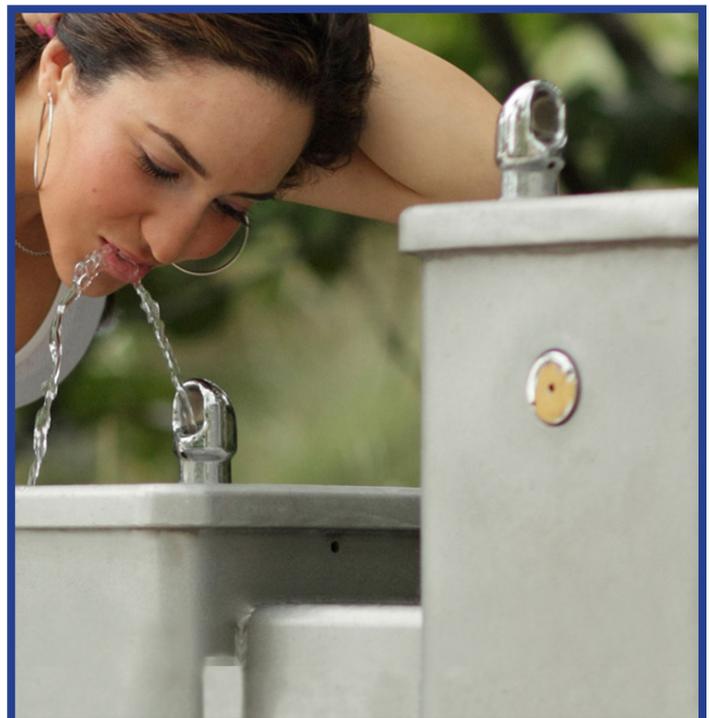
The highest level of disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum Residual Disinfectant Level Goal (MRDLG)

The level of a contaminant in drinking water below which there is no known or expected risk to health.

Treatment Technique

A required process intended to reduce the level of a contaminant in drinking water.



TOWN OF SUNNYVALE CCR REPORT

Coliform Bacteria

Maximum Contaminant Level Goal	Total Coliform Maximum Contaminant Level	Highest No. of Positive	Fecal Coliform or E. Coli Maximum Contaminant Level	Total No. of Positive Coliform Samples	Violation	Likely Source of Contamination
0	1 positive monthly sample	1	0	0	No	Naturally present in the environment.

NOTE: Reported monthly tests found no fecal coliform bacteria. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present.

Regulated Contaminants

Disinfectants and Disinfection By-Products	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
Total Haloacetic Acids (HAA5)	2015	20	5.1-40.2	No goal for the total	60	ppb	NO	By-product of drinking water disinfection.
Total Trihalomethanes (TTHM)	2015	48	17.6-45.3	No goal for the total	80	ppb	NO	By-product of drinking water disinfection.
Bromate	2015	8.9	0.0 - 8.9	5	10	ppb	No	By-product of drinking water ozonation.

NOTE: Not all sample results may have been used for calculating the Highest Level Detected because some results may be part of an evaluation to determine where compliance sampling should occur in the future.

Inorganic Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
Antimony	2015	0.2	0-0.2	6	6	ppb	No	Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder; and test addition.
Arsenic	2015	0.7	0.0-0.7	0	10	ppb	No	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes.
Barium	2015	0.055	0.039-0.055	2	2	ppm	No	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits.
Beryllium	2015	Levels lower than detect level	0 - 0	4	4	ppb	No	Discharge from metal refineries and coal-burning factories; discharge from electrical, aerospace, and defense industries.
Cadmium	2015	Levels lower than detect level	0 - 0	5	5	ppb	No	Corrosion of galvanized pipes; erosion of natural deposits; discharge from metal refineries; runoff from waste batteries and paints.
Chromium	2015	0.92	0.53 - 0.92	100	100	ppb	No	Discharge from steel and pulp mills; erosion of natural deposits.
Fluoride	2015	0.86	0.25 - 0.86	4	4	ppm	No	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories.
Mercury	2015	Levels lower than detect level	0 - 0	2	2	ppb	No	Erosion of natural deposits; discharge from refineries and factories; runoff from landfills; runoff from cropland.
Nitrate (measured as Nitrogen)	2015	1.79	0.05 - 1.79	10	10	ppm	No	Runoff from fertilizer use; leaching from septic tanks; sewage; erosion of natural deposits.
Selenium	2015	2	0 - 2	50	50	ppb	No	Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines.
Thallium	2015	Levels lower than detect level	0 - 0	0.5	2	ppb	No	Discharge from electronics, glass, and leaching from ore-processing sites; drug factories.

NITRATE ADVISORY: Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than six months of age. High nitrate levels in drinking water can cause blue baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant you should ask advice from your health care provider.

Radioactive Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
Beta/photon emitters	04/29/2010	4.4	4.4 - 4.4	0	50	pCi/L	No	Decay of natural and man-made deposits.
Gross alpha excluding radon and uranium	04/29/2010	Levels lower than detect level	0 - 0	0	15	pCi/L	No	Erosion of natural deposits.
Radium	NA	NA	NA	0	5	pCi/L	No	Erosion of natural deposits.

Synthetic organic contaminants including pesticides and herbicides	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
2,4,5 - TP (Silvex)	2013	Levels lower than detect level	0 - 0	50	50	ppb	No	Residue of banned herbicide.
2,4 - D	2013	Levels lower than detect level	0 - 0	70	70	ppb	No	Runoff from herbicide used on row crops.
Alachlor	2015	Levels lower than detect level	0 - 0	0	2	ppb	No	Runoff from herbicide used on row crops.
Atrazine	2015	0.19	0.13-0.19	3	3	ppb	No	Runoff from herbicide used on row crops.
Benzo (a) pyrene	2015	Levels lower than detect level	0 - 0	0	200	ppt	No	Leaching from linings of water storage tanks and distribution lines.
Carbofuran	2013	Levels lower than detect level	0 - 0	40	40	ppb	No	Leaching of soil fumigant used on rice and alfalfa.
Chlordane	2015	Levels lower than detect level	0 - 0	0	2	ppb	No	Residue of banned termiticide.
Dalapon	2013	Levels lower than detect level	0 - 0	200	200	ppb	No	Runoff from herbicide used on rights of way.
Di (2-ethylhexyl) adipate	2015	Levels lower than detect level	0 - 0	400	400	ppb	No	Discharge from chemical factories.
Di (2-ethylhexyl) phthalate	2015	0.7	0.0 - 0.7	0	6	ppb	No	Discharge from rubber and chemical factories.
Dibromochloropropane (DBCP)	2013	Levels lower than detect level	0 - 0	0	0	ppt	No	Runoff / leaching from soil fumigant used on soybeans, cotton, pineapples, and orchards.
Dinoseb	2013	Levels lower than detect level	0 - 0	7	7	ppb	No	Runoff from herbicide used on soybeans and vegetables.
Endrin	2015	Levels lower than detect level	0 - 0	2	2	ppb	No	Residue of banned insecticide.
Ethylene dibromide	2013	Levels lower than detect level	0 - 0	0	50	ppt	No	Discharge from petroleum refineries.
Heptachlor	2015	Levels lower than detect level	0 - 0	0	400	ppt	No	Residue of banned termiticide.
Heptachlor epoxide	2015	Levels lower than detect level	0 - 0	0	200	ppt	No	Breakdown of heptachlor.
Hexachlorobenzene	2015	Levels lower than detect level	0 - 0	0	1	ppb	No	Discharge from metal refineries and agricultural chemical factories.
Hexachlorocyclopentadiene	2015	Levels lower than detect level	0 - 0	50	50	ppb	No	Discharge from chemical factories.
Lindane	2015	Levels lower than detect level	0 - 0	200	200	ppt	No	Runoff / leaching from insecticide used on cattle, lumber, and gardens.
Methoxychlor	2015	Levels lower than detect level	0 - 0	40	40	ppb	No	Runoff / leaching from insecticide used on fruits, vegetables, alfalfa, and livestock.
Oxamyl [Vydate]	2013	Levels lower than detect level	0 - 0	200	200	ppb	No	Runoff / leaching from insecticide used on apples, potatoes, and tomatoes.
Pentachlorophenol	2015	Levels lower than detect level	0 - 0	0	1	ppb	No	Discharge from wood preserving factories.
Simazine	2015	Levels lower than detect level	0 - 0	4	4	ppb	No	Herbicide runoff.
Toxaphene	2015	Levels lower than detect level	0 - 0	0	3	ppb	No	Runoff / leaching from insecticide used on cotton and cattle.

Volatile Organic Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
1,1,1 - Trichloroethane	2015	Levels lower than detect level	0 - 0	200	200	ppb	No	Discharge from metal degreasing sites and other factories.
1,1,2 - Trichloroethane	2015	Levels lower than detect level	0 - 0	3	5	ppb	No	Discharge from industrial chemical factories.
1,1 - Dichloroethylene	2015	Levels lower than detect level	0 - 0	7	7	ppb	No	Discharge from industrial chemical factories.
1,2,4 - Trichlorobenzene	2015	Levels lower than detect level	0 - 0	70	70	ppb	No	Discharge from textile-finishing factories.
1,2 - Dichloroethane	2015	Levels lower than detect level	0 - 0	0	5	ppb	No	Discharge from industrial chemical factories.
1,2 - Dichloropropane	2015	Levels lower than detect level	0 - 0	0	5	ppb	No	Discharge from industrial chemical factories.
Benzene	2015	Levels lower than detect level	0 - 0	0	5	ppb	No	Discharge from factories; leaching from gas storage tanks and landfills.
Carbon Tetrachloride	2015	Levels lower than detect level	0 - 0	0	5	ppb	No	Discharge from chemical plants and other industrial activities.
Chlorobenzene	2015	Levels lower than detect level	0 - 0	100	100	ppb	No	Discharge from chemical and agricultural chemical factories.
Dichloromethane	2015	Levels lower than detect level	0 - 0	0	5	ppb	No	Discharge from pharmaceutical and chemical factories.
Ethylbenzene	2015	Levels lower than detect level	0 - 0	0	700	ppb	No	Discharge from petroleum refineries.
Styrene	2015	Levels lower than detect level	0 - 0	100	100	ppb	No	Discharge from rubber and plastic factories; leaching from landfills.
Tetrachloroethylene	2015	Levels lower than detect level	0 - 0	0	5	ppb	No	Discharge from factories and dry cleaners.
Toluene	2015	Levels lower than detect level	0 - 0	1	1	ppm	No	Discharge from petroleum factories.
Trichloroethylene	2015	Levels lower than detect level	0 - 0	0	5	ppb	No	Discharge from metal degreasing sites and other factories.
Vinyl Chloride	2015	Levels lower than detect level	0 - 0	0	2	ppb	No	Leaching from PVC piping; discharge from plastics factories.
Xylenes	2015	Levels lower than detect level	0 - 0	10	10	ppm	No	Discharge from petroleum factories; discharge from chemical factories.
cis - 1,2 - Dichloroethylene	2015	Levels lower than detect level	0 - 0	70	70	ppb	No	Discharge from industrial chemical factories.

o - Dichlorobenzene	2015	Levels lower than detect level	0 - 0	600	600	ppb	No	Discharge from industrial chemical factories.
p - Dichlorobenzene	2015	Levels lower than detect level	0 - 0	75	75	ppb	No	Discharge from industrial chemical factories.
trans - 1, 2 - Dichloroethylene	2015	Levels lower than detect level	0 - 0	100	100	ppb	No	Discharge from industrial chemical factories.

Turbidity

	Limit (Treatment Technique)	Level Detected	Violation	Likely Source of Contamination
Highest single measurement	1 NTU	0.65 NTU	No	Soil runoff.
Lowest monthly percentage (%) meeting limit	0.3 NTU	99.00%	No	Soil runoff.

NOTE: Turbidity is a measurement of the cloudiness of the water caused by suspended particles. We monitor it because it is a good indicator of water quality and the effectiveness of our filtration.

Maximum Residual Disinfectant Level

Chemical Used	Year	Average Level of Quarterly Data	Lowest Result of Single Sample	Highest Result of Single Sample	MRDL	MRDLG	Units	Source of Chemical
Chlorine Residual (Chloramines)	2015	1.2	0.5	2.2	4.0	<4.0	ppm	Disinfectant used to control microbes.
Chlorine Dioxide	2015	0	0	0.03	0.8	0.8	ppm	Disinfectant.
Chlorite	2015	0.03	0	0.33	1.0	N/A	ppm	Disinfectant.

Total Organic Carbon

	Collection Date	Highest Level Detected	Range of Levels Detected	Units	Likely Source of Contamination
Source Water	2015	7.6	3.82 - 7.60	ppm	Naturally present in the environment.
Drinking Water	2015	6.32	1.45 - 6.32	ppm	Naturally present in the environment.
Removal Ratio	2015	62.0%	21.9 - 62.0	% removal *	N/A

NOTE: Total organic carbon (TOC) has no health effects. The disinfectant can combine with TOC to form disinfection by-products. Disinfection is necessary to ensure that water does not have unacceptable levels of pathogens. By-products of disinfection include trihalomethanes (THMs) and haloacetic acids (HAA) which are reported elsewhere in this report.

* Removal ratio is the percent of TOC removed by the treatment process divided by the percent of TOC required by TCEQ to be removed.

Lead and Copper

Lead and Copper	Date Sampled	Action Level (AL)	90th Percentile	# Sites Over AL	Units	Violation	Likely Source of Contamination
Copper	2012	1.3	0.624	0	ppm	Y	Erosion of natural deposits; leaching from wood preservatives; corrosion of household plumbing systems.
Lead	2012	15	2.15	0	ppb	Y	Corrosion of household plumbing systems; erosion of natural deposits.

ADDITIONAL HEALTH INFORMATION FOR LEAD: If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing [Customer] is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

Cryptosporidium And Giardia

Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	Units	Likely Source of Contamination
Cryptosporidium	2015	0	0 - 0	(Oo) Cysts/L	Human and animal fecal waste.
Giardia	2015	0	0 - 0	(Oo) Cysts/L	Human and animal fecal waste.

NOTE: Taken on treated water samples.

Unregulated Contaminants

Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	Units	Likely Source of Contamination
Chloroform	2015	24.40	10.1-24.40	UG/L	By-product of drinking water disinfection.
Bromoform	2015	3.30	0-3.30	UG/L	By-product of drinking water disinfection.
Bromodichloromethane	2015	15.10	6.80-15.10	UG/L	By-product of drinking water disinfection.
Dibromochloromethane	2015	3.00	3.50-8.10	UG/L	By-product of drinking water disinfection.

NOTE: Bromoform, chloroform, dichlorobromomethane, and dibromochloromethane are disinfection by-products. There is no maximum contaminant level for these chemicals at the entry point to distribution.

Unregulated Contaminant Monitoring Rule 2 (UCMR2)

Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	Units	Likely Source of Contamination
N-nitrosodimethylamine (NDMA)	2009	0.0023	0 - 0.0023	ppb	By-product of manufacturing process.

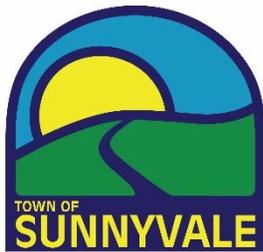
NOTE: Unregulated contaminants are those for which EPA has not established drinking water standards. The purpose of unregulated contaminant monitoring is to assist EPA in determining the occurrence of unregulated contaminants in drinking water and whether future regulations are warranted.

Secondary and Other Constituents Not Regulated

Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	Units	Likely Source of Contamination
Calcium	2015	113	45.3 - 113	ppm	Abundant naturally occurring element.
Chloride	2015	142	16.1 - 142	ppm	Abundant naturally occurring element; used in water purification; by-product of oil field activity.
Hardness as Ca/Mg	2015	190	106 - 190	ppm	Naturally occurring calcium and magnesium.
Iron	2015	Levels lower than detect level	0 - 0	ppm	Erosion of natural deposits; iron or steel water delivery equipment or facilities.
Magnesium	2015	9.36	3.22 - 9.36	ppm	Abundant naturally occurring element.
Manganese	2015	0.011	0.0014 - 0.011	ppm	Abundant naturally occurring element.
Nickel	2015	0.0065	0.0028 - 0.0065	ppm	Erosion of natural deposits.
pH	2015	9.88	6.75 - 9.88	units	Measure of corrosivity of water.
Sodium	2015	76.7	53.2 - 76.7	ppm	Erosion of natural deposits; by-product of oil field activity.
Sulfate	2015	117	110 - 117	ppm	Naturally occurring; common industrial by-product; by-product of oil field activity.
Total Alkalinity as CaCO3	2015	154	38 - 154	ppm	Naturally occurring soluble mineral salts.
Total Dissolved Solids	2015	620	158 - 620	ppm	Total dissolved mineral constituents in water.
Total Hardness as CaCO3	2015	300	100 - 300	ppm	Naturally occurring calcium.
Zinc	2015	0.004	0.000 - 0.004	ppm	Moderately abundant naturally occurring element used in the metal industry.

Violations Table - Lead and Copper Rule

The Lead and Copper Rule protects public health by minimizing lead and copper levels in drinking water, primarily by reducing water corrosivity. Lead and copper enter drinking water mainly from corrosion of lead and copper containing plumbing materials.				
Violation Type	Violation Begin	Violation End	Violation Explanation	
FOLLOW-UP OR ROUTINE TAP M/R (LCR)	10/01/2015	2015	We failed to test our drinking water for the contaminant and period indicated. Because of this failure, we cannot be sure of the quality of our drinking water during the period indicated.	



Town of Sunnyvale

Prepared By: Sean Fox, Town Manager

Summary:

DISCUSS AND CONSIDER APPROVAL OF ADDITIONAL SERVICE REQUEST FOR PLANNING SERVICES FOR THE COMPREHENSIVE PLAN UPDATE.

Background:

In October 2014, Council authorized a fee for services contract with la terra studio to update Sunnyvale's Comprehensive Plan.

The Comprehensive Plan is the single most important document for managing Sunnyvale's physical growth, coordinating our planning needs, goals and policies for development. The plan is comprehensive in scope, general in nature and long-range in perspective and will act as Sunnyvale's official statement on policy regarding its desired future, based on a shared vision of the community and is intended to meet and maintain the town's vision and values

The majority of services outlined in the scope of work were completed, but la terra's final draft fell short of Council's expectations and was unable to be adopted. Having received additional input and guidance from Council, la terra is confident they can complete a Plan rewrite that would address Council's concerns and be able to be adopted. La terra has submitted an Additional Service Request (ASR) to cover costs of providing the rewrite.

Additionally, Staff reached out to Dan Sefko with Freese and Nichols, Inc. to seek an alternative bid for taking the work product to date and completing an acceptable rewrite and seeing it through the adoption process. Dan Sefko is the original author of the 2000 Comprehensive Plan and has a strong understanding and familiarity with the community, its vision and values.

Fiscal Impact

La terra studio – 6,500.00

Freese & Nichols Inc. - \$35,665.00

There is \$6,000 remaining within the current year Community Development budget under Capital Outlay and Projects. Any amount greater than \$6,000 would be unbudgeted and would need to be included in the 2016-2017 budget submission.

Staff Recommendation:

Staff acknowledges both firms are reputable and capable of producing a Comprehensive Plan that can be adopted, but understands the frustration with services to date and the possibility Council may prefer to get a fresh, but familiar perspective going forward.

Attachments:

la terra studio proposed Additional Service Request #2

Freese & Nichols, Inc. proposed contract

la terra studio 2700 swiss avenue, dallas, texas 75204 :: 214.749.0333 :: www.laterrastudio.com

June 17th, 2016

Mr. Sean P. Fox
Town Manager
Town of Sunnyvale
127 N. Collins Rd.
Sunnyvale, TX 75182

Re: Additional Services Request #2
Sunnyvale Comprehensive Plan

Dear Mr. Fox:

la terra studio has been requested to provide professional services on the above referenced project that we consider not a part of the original Scope of Work of our initial contract dated October 20th, 2014. ASR#2 includes services that may be required to complete the plan and process. Each item will be completed upon your written (email) notice and this completed agreement. These services are as follows:

1. **Rewrite comprehensive plan to a tone defined by town leadership.**
la terra studio, will:

- Attend a meeting to define the tone of rewritten plan document. Assume little to no change in future land use plan.
- Rewrite plan document
- One review of document at 95% complete / input received incorporated into document
- Complete plan document
- Present comprehensive plan at one Town Council meeting.

Total Additional Service \$ 6,500.00

la terra studio, inc.

Accepted By:

Brad Moulton, ASLA, RLA - Principal

Sean P. Fox - Town Manager

06.17.2016
Date

Date

Rev. 06/10P

AGREEMENT FOR PROFESSIONAL SERVICES

STATE OF TEXAS §

COUNTY OF TARRANT §

This AGREEMENT is entered into by Town of Sunnyvale hereinafter called "TOWN" and Freese and Nichols, Inc., hereinafter called "FNI." In consideration of the AGREEMENTS herein, the parties agree as follows:

- I. **EMPLOYMENT OF FNI:** In accordance with the terms of this AGREEMENT: TOWN agrees to employ FNI; FNI agrees to perform professional services in connection with the Project; TOWN agrees to pay to FNI compensation. The Project is described as follows: Comprehensive Plan Update
- II. **SCOPE OF SERVICES:** FNI shall render professional services in connection with Project as set forth in Attachment SC - Scope of Services and Responsibilities of TOWN which is attached to and made a part of this AGREEMENT.
- III. **COMPENSATION:** TOWN agrees to pay FNI for all professional services rendered under this AGREEMENT. FNI shall perform professional services as outlined in the "Scope of Services" for a lump sum fee of \$35,665.00.

If FNI's services are delayed or suspended by TOWN, or if FNI's services are extended for more than 60 days through no fault of FNI, FNI shall be entitled to equitable adjustment of rates and amounts of compensation to reflect reasonable costs incurred by FNI in connection with such delay or suspension and reactivation and the fact that the time for performance under this AGREEMENT has been revised.
- IV. **TERMS AND CONDITIONS OF AGREEMENT:** The Terms and Conditions of Agreement as set forth as Attachment TC shall govern the relationship between the TOWN and FNI.

Nothing under this AGREEMENT shall be construed to give any rights or benefits in this AGREEMENT to anyone other than TOWN and FNI, and all duties and responsibilities undertaken pursuant to this AGREEMENT will be for the sole and exclusive benefit of TOWN and FNI and not for the benefit of any other party.

This AGREEMENT constitutes the entire AGREEMENT between TOWN and FNI and supersedes all prior written or oral understandings.

This contract is executed in two counterparts.

IN TESTIMONY HEREOF, they have executed this AGREEMENT, the ____ day of _____, 2016.

ATTEST:

Town of Sunnyvale
(TOWN)

By: _____

Print Name and Title

ATTEST:

Freese and Nichols, Inc.
(FNI)

By: _____

Print Name and Title

ATTACHMENT SC

SCOPE OF SERVICES AND RESPONSIBILITIES OF TOWNARTICLE I

BASIC SERVICES: FNI shall render the following professional services in connection with the development of the Project:

Overview and Purpose

The purpose of this effort is to reformat and complete the Comprehensive Plan for the Town of Sunnyvale, which prior phases have already been completed. FNI will use existing plan document and mapping data from the previous phases.

The Comprehensive Plan Document*Expectations of the Town*

The TOWN shall provide FNI with the work products completed in the previous phases in electronic and GIS format.

Plan Elements

The update will result in a Comprehensive Plan document containing the following elements:

- Community Snapshot
- Vision
- Future Land Use
- Transportation
- Community Character
- Implementation

Plan Document

This document will be created in digital format, including both text and mapping, such that it will be easily reproducible. It will also have the ability to be integrated into Sunnyvale's website, if desired. Integration of document maps or files to the Town's website will be conducted by the TOWN.

Draft documents will be prepared as part of the plan process. It is anticipated that drafts of the plan will be prepared for review by the TOWN and the Town Council and one consolidated set of comments will be provided to FNI for each review. Based on comments provided by Town Staff to FNI, a final document will be prepared. For cost estimate purposes, we have assumed ten (10) copies of the final Comprehensive Plan will be prepared for final submittal to the TOWN. Electronic files of the final Comprehensive Plan will also be provided to the TOWN. All document text will be produced in Microsoft Word or Adobe InDesign and Adobe PDF format.

Plan Mapping

Project mapping is vital to both dissemination of information at meetings as well as to the Comprehensive Plan document. All mapping will be prepared using ESRI's ArcGIS software. It is assumed that the TOWN will provide all existing mapping data in compatible electronic format in order to generate necessary mapping.

Plan Product

The results of the Comprehensive Plan documentation will be:

- Ten (10) color copies of the final Comprehensive Plan, and
- One (1) CD or flash drive with digital files of the final Comprehensive Plan, including mapping data.

Meetings

This scope includes a total of three (3) meetings in Sunnyvale. The meetings will be used to meet with the Mayor or Town Council to review the draft of the Comprehensive Plan. Meetings with Town Staff to review the plan will be conducted via conference call.

Any meeting that FNI is required to attend above and beyond the three (3) meetings included within this Scope of Services will be billed to the TOWN at the applicable hourly rates as outlined in Attachment CO. These additional billable hours would include travel expenses incurred during travel to and from the Town of Sunnyvale.

ARTICLE II

ADDITIONAL SERVICES: Additional Services to be performed by FNI, if authorized by TOWN, which are not included in the above described basic services, are described as follows:

- A. GIS mapping services or assistance with these services.
- B. Making property, boundary and right-of-way surveys, preparation of easement and deed descriptions, including title search and examination of deed records.
- C. Providing services to investigate existing conditions or facilities, or to make measured drawings thereof, or to verify the accuracy of drawings or other information furnished by TOWN.
- D. Investigations involving consideration of operation, maintenance and overhead expenses, and the preparation of rate schedules, earnings and expense statements, feasibility studies, appraisals, evaluations, assessment schedules, and material audits or inventories required for certification of force account construction performed by TOWN.
- E. Preparing applications and supporting documents for government grants, loans, or planning advances and providing data for detailed applications.
- F. Preparing data and reports for assistance to TOWN in preparation for hearings before regulatory agencies, courts, arbitration panels or any mediator, giving testimony, personally or by deposition, and preparations therefore before any regulatory agency, court, arbitration panel or mediator.
- G. Assisting OWNER in the defense or prosecution of litigation in connection with or in addition to those services contemplated by this AGREEMENT. Such services, if any, shall be furnished by FNI on a fee basis negotiated by the respective parties outside of and in addition to this AGREEMENT.
- H. Design, contract modifications, studies or analysis required to comply with local, State, Federal or other regulatory agencies that become effective after the date of this agreement.
- I. Providing basic or additional services on an accelerated time schedule. The scope of this service include cost for overtime wages of employees and consultants, inefficiencies in work sequence and plotting or reproduction costs directly attributable to an accelerated time schedule directed by the TOWN.
- J. Preparing statements for invoicing or other documentation for billing other than for the standard invoice for services attached to this professional services agreement.

ARTICLE III

TIME OF COMPLETION: FNI is authorized to commence work on the Project upon execution of this AGREEMENT and agrees to complete the services within five (5) months.

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in TOWN or regulatory reviews, delays on the flow of information to be provided to FNI, governmental approvals, etc. These delays may result in an adjustment to compensation as outlined on the face of this AGREEMENT and in Attachment CO.

ARTICLE IV

RESPONSIBILITIES OF TOWN: TOWN shall perform the following in a timely manner so as not to delay the services of FNI:

- A. Provide meeting space and coordinate equipment needs, room set up, and logistics for meetings outlined in Article 1.
- B. Contact meeting invitees for stakeholder and public meeting. This includes email, mail, newsletter or other forms of notification.
- C. Designate in writing a person to act as TOWN's representative with respect to the services to be rendered under this AGREEMENT. Such person shall have contract authority to transmit instructions, receive information, interpret and define TOWN's policies and decisions with respect to FNI's services for the Project.
- D. Arrange for access to and make all provisions for FNI to enter upon public and private property as required for FNI to perform services under this AGREEMENT.
- E. Examine and provide prompt feedback on all submittals, draft reports, sketches, drawings, and other documents presented by FNI within a reasonable time so as not to delay the services of FNI.
- F. Furnish, or direct FNI to provide, Additional Services as stipulated in Attachment SC, Article II of this AGREEMENT or other services as required.
- G. Bear all costs incident to compliance with the requirements of this Article IV.

ARTICLE V

DESIGNATED REPRESENTATIVES: FNI and TOWN designate the following representatives:

TOWN's Designated Representative –

Name: _____

Address: _____

Phone: _____

Email: _____

TOWN's Accounting Representative –

Name: _____

Address: _____

Phone: _____

Email: _____

FNI's Designated Representative –

Daniel Harrison
2711 North Haskell Avenue, Suite 3300
Dallas, Texas 75204
(214) 217-2374
deh@freese.com

FNI's Accounting Representative –

Stephanie Steinmetz
4055 International Plaza, Suite 200
Fort Worth, Texas 76109
(214) 217 2212
Stephanie Steinmetz@freese.com

ATTACHMENT CO

COMPENSATION

Compensation to FNI shall be the lump sum fee of Thirty-Five Thousand Six Hundred Sixty-Five Dollars (\$35,665.00). If FNI sees the Scope of Services changing so that additional services are needed, including but not limited to those services described as Additional Services in Attachment SC, FNI will notify OWNER for OWNER'S approval before proceeding. Additional Services shall be computed based on the Schedule of Charges.

Schedule of Charges:

<u>Position</u>	<u>Min</u>	<u>Max</u>
Professional - 1	65	110
Professional - 2	83	135
Professional - 3	102	163
Professional - 4	133	187
Professional - 5	164	231
Professional - 6	138	319
Construction Manager - 1	82	91
Construction Manager - 2	98	140
Construction Manager - 3	130	158
Construction Manager - 4	104	211
CAD Technician/Designer - 1	55	94
CAD Technician/Designer - 2	80	118
CAD Technician/Designer - 3	106	156
Corporate Project Support - 1	38	93
Corporate Project Support - 2	62	163
Corporate Project Support - 3	76	290
Intern/ Coop	32	53

Rates for In-House Services**Technology Charge**

\$8.50 per hour

Travel

Standard IRS Rates

Bulk Printing and Reproduction

	<u>B&W</u>	<u>Color</u>
Small Format (per copy)	\$0.10	\$0.25
Large Format (per sq. ft.)		
Bond	\$0.25	\$0.75
Glossy / Mylar	\$0.75	\$1.25
Vinyl / Adhesive	\$1.50	\$2.00
Mounting (per sq. ft.)	\$2.00	
Binding (per binding)	\$0.25	

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.0. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

These ranges and rates will be adjusted annually in February. Last updated February 2016.

310022016

10-25-07

ATTACHMENT TC

TERMS AND CONDITIONS OF AGREEMENT

1. **DEFINITIONS:** The term Town as used herein refers to the Town of Sunnyvale. The term FNI as used herein refers to Freese and Nichols, Inc., its employees and agents; also its subcontractors and their employees and agents. As used herein, Services refers to the professional services performed by Freese and Nichols pursuant to the AGREEMENT.
2. **CHANGES:** Town, without invalidating the AGREEMENT, may order changes within the general scope of the WORK required by the AGREEMENT by altering, adding to and/or deducting from the WORK to be performed. If any change under this clause causes an increase or decrease in FNI's cost of, or the time required for, the performance of any part of the Services under the AGREEMENT, an equitable adjustment will be made by mutual agreement and the AGREEMENT modified in writing accordingly.
3. **TERMINATION:** The obligation to provide services under this AGREEMENT may be terminated by either party upon ten days' written notice. In the event of termination, FNI will be paid for all services rendered and reimbursable expenses incurred to the date of termination and, in addition, all reimbursable expenses directly attributable to termination.
4. **CONSEQUENTIAL DAMAGES:** In no event shall FNI or its subcontractors be liable in contract, tort, strict liability, warranty, or otherwise for any special, indirect, incidental or consequential damages, such as loss of product, loss of use of the equipment or system, loss of anticipated profits or revenue, non-operation or increased expense of operation or other equipment or systems.
5. **INFORMATION FURNISHED BY TOWN:** Town will assist FNI by placing at FNI's disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project. FNI shall have no liability for defects or negligence in the Services attributable to FNI's reliance upon or use of data, design criteria, drawings, specifications or other information furnished by Town and Town agrees to indemnify and hold FNI harmless from any and all claims and judgments, and all losses, costs and expenses arising therefrom. FNI shall disclose to Town, prior to use thereof, defects or omissions in the data, design criteria, drawings, specifications or other information furnished by Town to FNI that FNI may reasonably discover in its review and inspection thereof.
6. **INSURANCE:** FNI shall provide to Town certificates of insurance which shall contain the following minimum coverage (All limits in thousands):

Commercial General Liability	Workers' Compensation
General Aggregate \$2,000	Each Accident \$500
Automobile Liability (Any Auto)	Professional Liability
CSL \$1,000	\$3,000 Annual Aggregate
7. **SUBCONTRACTS:** If, for any reason, at any time during the progress of providing Services, Town determines that any subcontractor for FNI is incompetent or undesirable, Town will notify FNI accordingly and FNI shall take immediate steps for cancellation of such subcontract. Subletting by subcontractors shall be subject to the same regulations. Nothing contained in the AGREEMENT shall create any contractual relation between any subcontractor and Town.
8. **OWNERSHIP OF DOCUMENTS:** All drawings, reports data and other project information developed in the execution of the Services provided under this AGREEMENT shall be the property of the Town upon payment of FNI's fees for services. FNI may retain copies for record purposes. Town agrees such documents are not intended or represented to be suitable for reuse by Town or others. Any reuse by Town or by those who obtained said documents from Town without written verification or adaptation by FNI will be at Town's sole risk and without liability or legal exposure to FNI, or to FNI's independent associates or consultants, and Town shall indemnify and hold harmless FNI and FNI's independent associates and consultants from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom. Any such verification or adaptation will entitle FNI to further reasonable compensation. FNI may reuse all drawings, report data and other project information in the execution of the Services provided under this AGREEMENT in FNI's other activities. Any reuse by FNI will be at FNI's sole risk and without liability or legal exposure to Town, and FNI shall indemnify and hold harmless Town from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom.

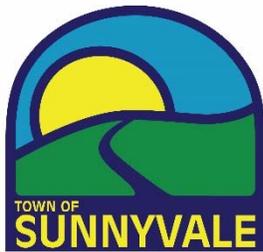
9. **POLLUTANTS AND HAZARDOUS WASTES:** It is understood and agreed that FNI has neither created nor contributed to the creation or existence of any hazardous, radioactive, toxic, irritant, pollutant, or otherwise dangerous substance or condition at the site, if any, and its compensation hereunder is in no way commensurate with the potential risk of injury or loss that may be caused by exposures to such substances or conditions. The parties agree that in performing the Services required by this AGREEMENT, FNI does not take possession or control of the subject site, but acts as an invitee in performing the services, and is not therefore responsible for the existence of any pollutant present on or migrating from the site. Further, FNI shall have no responsibility for any pollutant during clean-up, transportation, storage or disposal activities.
10. **OPINION OF PROBABLE COSTS:** FNI will furnish an opinion of probable project development cost based on present day cost, but does not guarantee the accuracy of such estimates. Opinions of probable cost, financial evaluations, feasibility studies, economic analyses of alternate solutions and utilitarian considerations of operations and maintenance costs prepared by FNI hereunder will be made on the basis of FNI's experience and qualifications and represent FNI's judgment as an experienced and qualified design professional. It is recognized, however, that FNI does not have control over the cost of labor, material, equipment or services furnished by others or over market conditions or contractors' methods of determining their prices.
11. **CONSTRUCTION REPRESENTATION:** If required by the AGREEMENT, FNI will furnish Construction Representation according to the defined scope for these services. FNI will observe the progress and the quality of work to determine in general if the work is proceeding in accordance with the Contract Documents. In performing these services, FNI will endeavor to protect Town against defects and deficiencies in the work of Contractors; FNI will report any observed deficiencies to Town, however, it is understood that FNI does not guarantee the Contractor's performance, nor is FNI responsible for the supervision of the Contractor's operation and employees. FNI shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor, or the safety precautions and programs incident to the work of the Contractor. FNI shall not be responsible for the acts or omissions of any person (except his own employees or agent) at the Project site or otherwise performing any of the work of the Project. If Town designates a person to serve in the capacity of Resident Project Representative who is not a FNI's employee or FNI's agent, the duties, responsibilities and limitations of authority of such Resident Project Representative(s) will be set forth in writing and made a part of this AGREEMENT before the Construction Phase of the Project begins.
12. **PAYMENT:** Progress payments may be requested by FNI based on the amount of services completed. Payment for the services of FNI shall be due and payable upon submission of a statement for services to TOWN and in acceptance of the services as satisfactory by the TOWN. Statements for services shall not be submitted more frequently than monthly. Any applicable new taxes imposed upon services, expenses, and charges by any governmental body after the execution of this AGREEMENT will be added to FNI's compensation.

If TOWN fails to make any payment due FNI for services and expenses within thirty (30) days after receipt of FNI's statement for services therefore, the amounts due FNI will be increased at the rate of one percent (1%) per month from said thirtieth (30th) day, and, in addition, FNI may, after giving seven (7) days' written notice to TOWN, suspend services under this AGREEMENT until FNI has been paid in full, all amounts due for services, expenses and charges.

13. **ARBITRATION:** No arbitration arising out of, or relating to, this AGREEMENT involving one party to this AGREEMENT may include the other party to this AGREEMENT without their approval.
14. **SUCCESSORS AND ASSIGNMENTS:** TOWN and FNI each are hereby bound and the partners, successors, executors, administrators and legal representatives of TOWN and FNI are hereby bound to the other party to this AGREEMENT and to the partners, successors, executors, administrators and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements and obligations of this AGREEMENT.

Neither TOWN nor FNI shall assign, sublet or transfer any rights under or interest in (including, but without limitation, moneys that may become due or moneys that are due) this AGREEMENT without the written consent of the other, except to the extent that any assignment, subletting or transfer is mandated by law or the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this AGREEMENT. Nothing contained in this paragraph shall prevent FNI from employing such independent associates and consultants as FNI may deem appropriate to assist in the performance of services hereunder.

15. **PURCHASE ORDERS:** If a Purchase Order is used to authorize FNI's Services, only the terms, conditions/instructions typed on the face of the Purchase Order shall apply to this AGREEMENT. Should there be any conflict between the Purchase Order and the terms of this AGREEMENT, then this AGREEMENT shall prevail and shall be determinative of the conflict.



Town of Sunnyvale

Prepared By: Justin Brown, P.E.

Summary:

HEAR A PRESENTATION, DISCUSS, AND PROVIDE STAFF FEEDBACK ON THE TOWN'S SPEED LIMIT ORDINANCE AND POSTED SPEED LIMITS.

Background & Analysis:

The Town of Sunnyvale's speed limit ordinance, Article 12.300, is needing to be updated due to its inconsistency and because the posted speed limits in Sunnyvale do not comply with the Texas Transportation Code. There are currently speed limits posted on the streets that are not consistent with what is shown in the speed limit ordinance. For example, the ordinance shows Clay Road to have a posted speed limit of 40 mph at all locations but it is actually posted at 35 mph at one location and 40 mph at another location. Also, there are streets listed that have multiple speed limit changes. For example, Collins Road has four areas with different speed limits and East Fork Road has five areas with different speed limits.

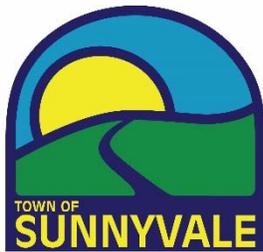
The Texas Transportation Code, Title 7 Chapter 545.356, does not allow speed limits to be posted at less than 25 mph. However, there are numerous streets in Sunnyvale that are posted at 20 mph and thus do not comply with state transportation code. The majority of Sunnyvale's residential streets are posted at 25 mph which are allowed under state law as long as the Town produces an annual report that compares the two previous years (1) the number of traffic citations issued by peace officers of the municipality and the alleged speed of the vehicles, for speed limit violations (2) the number of warning citations issued by peace officers of the municipality and (3) the number of vehicular accidents that resulted in injury or death and were attributable to speed limit violations. Since Sunnyvale does not currently produce the required report for the 25 mph streets we are not in compliance with the state transportation code.

Staff Recommendation:

Staff recommends rescinding the current speed limit ordinance and adopting a new speed limit ordinance that is compliant with the Texas Transportation Code and has consistent speed limits set for the various roadway types. Staff recommends the following speed limits be set:

1. Residential Streets – 25 mph, with annual report, or 30 mph without the annual report
2. Collector Streets – 35 mph or 40 mph (Jobson, Tripp, Barnes Bridge, East Fork)
3. Minor Arterial – 35 mph or 40 mph (Stoney Creek, Town East, Collins, HWY 352)
4. Major Arterial – 40 mph or 45 mph (Clay, Beltline)
5. HWY 80 and Service Roads – As currently posted

If the Town Council desires to change the current speed limit ordinance then Town staff will bring forth a new ordinance in late July or early August for Council consideration.



Town of Sunnyvale

Prepared By: Justin Brown, P.E.

Summary:

HEAR A PRESENTATION AND DISCUSS THE WATER MASTER PLAN AND WATER SUPPLY EVALUATION THAT IS BEING PREPARED BY FREESE AND NICHOLS, INC.

Background & Analysis:

The Town of Sunnyvale contracted with Freese and Nichols, Inc to develop a Water Master Plan which includes a task to evaluate future potable water supply alternatives to meet the Town's projected water demands. The scope of work for the water supply includes development of water demand projections through the Town's buildout population and evaluating of the possibility of a connection to DWU.

Staff Recommendation:



Innovative approaches
Practical results
Outstanding service



WATER SUPPLY EVALUATION

JUNE 2016

Prepared for:

Town of Sunnyvale



Prepared by:

FREESE AND NICHOLS, INC.
2711 North Haskell Ave, Suite 3300
Dallas, TX 75204
(214) 217-2200



Innovative approaches
Practical results
Outstanding service

WATER SUPPLY EVALUATION

JUNE 2016

Prepared for:

Town of Sunnyvale

127 N. Collins Road
Sunnyvale, TX 75182
(972) 226-7177



06/24/16

FREESE AND NICHOLS, INC.
TEXAS REGISTERED
ENGINEERING FIRM
F-2144



6/24/2016

Melissa R. Brunger

FREESE AND NICHOLS, INC.
TEXAS REGISTERED
ENGINEERING FIRM
F-2144

Prepared by:

FREESE AND NICHOLS, INC.
2711 North Haskell Ave, Suite 3300
Dallas, TX 75204
(214) 217-2200

FNI Project Number: SNV14617

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APPENDICES

Appendix A Recommended Alternative Opinion of Probable Construction Cost

1.0 INTRODUCTION

The Town of Sunnyvale is a growing community located east of Dallas, Texas in Dallas County. The Town currently receives water supply from the North Texas Municipal Water District (NTMWD). The purpose of this study is to assist the Town of Sunnyvale with evaluating Dallas Water Utilities (DWU) as a future water supply source.

1.1 BACKGROUND AND SCOPE OF WORK

The Town of Sunnyvale contracted with Freese and Nichols, Inc. (FNI) to develop a Water Master Plan, which includes a task to evaluate future potable water supply alternatives to meet projected water demands. The Town of Sunnyvale is a direct customer of NTMWD, and the Town's current contract with NTMWD ends in 2027. Elements of the scope of work for the water supply evaluation include:

- Development of water demand projections through Buildout
- Coordination meetings with DWU
- Evaluation of a connection to DWU
- Water Supply Evaluation Report
- Town Council presentation

1.2 ABBREVIATIONS

Table 1-1 provides a list of abbreviations used in this report.

Table 1-1 List of Abbreviations

Abbreviation	Full Nomenclature
CIP	Capital Improvements Plan
DWU	Dallas Water Utilities
GPCD	Gallons Per Capita per Day
GPED	Gallons Per Employee per Day
FNI	Freese and Nichols, Inc.
MG	Million Gallons
MGD	Million Gallons per Day
NCTCOG	North Central Texas Council of Government
NTMWD	North Texas Municipal Water District
PS	Pump Station
WTP	Water Treatment Plant

2.0 LAND USE ASSUMPTIONS

Population and land use are important elements in the analysis of a water system. Water demands depend on the residential population and commercial development served by the system. Water demands also determine the sizing and location of system infrastructure. A thorough analysis of historical and projected populations, along with land use, provides the basis for projecting future water demands.

2.1 HISTORICAL POPULATION

Table 2-1 presents the historical populations for the Town of Sunnyvale. Populations for 2006 through 2009 are from North Central Texas Council of Government (NCTCOG) estimates. Populations for 2010 through 2013 are from the *2014 Land Use Assumptions for Update of Roadway Impact Fees Report* developed by FNI.

Table 2-1 Historical Populations

Year	Water Service Population ⁽¹⁾
2006	3,950
2007	3,950
2008	4,300
2009	4,600
2010	5,130
2011	5,353
2012	5,493
2013	5,610

⁽¹⁾Populations for 2006-2009 are from NCTCOG estimates. Populations for 2010 -2013 are from the 2014 Land Use Assumptions Report developed by Freese and Nichols, Inc.

2.2 GROWTH PROJECTIONS

Population and employment projections were developed by FNI in the *2014 Land Use Assumptions for Update of Roadway Impact Fees Report*. **Table 2-2** presents the growth projections for the Town of Sunnyvale water service area.

Table 2-2 Growth Projections

Year	Water Service Population	Employees
2014	5,649	4,421
2024	8,362	7,353
Buildout	14,000	15,567

3.0 WATER DEMANDS

A water utility must be able to supply water at rates that fluctuate over a wide range. Yearly, monthly, daily, and hourly variations in water use occur, with higher use during dry years and in hot months. Also, water use typically follows a diurnal pattern, being low at night and peaking in the early morning and late afternoon or evening. Rates most important to the hydraulic design and operation of a water distribution system are average day, maximum day, and peak hour. Average day use is the total annual water use divided by the number of days in the year. Maximum day demand is the maximum quantity of water used on any one day of the year. Supply facilities are typically designed based on the maximum day rate. Peak hour use is the peak rate at which water is required during any one hour of the year. Since minimum distribution pressures are usually experienced during peak hour, the sizes and locations of distribution facilities are generally determined based on this condition.

3.1 HISTORICAL WATER DEMANDS

The Town's historical water usage records were analyzed for years 2006 through 2014. **Table 3-1** summarizes the historical average day water usage and average day per capita water consumption for 2006 through 2014.

Table 3-1 Historical Average Day Water Demands

Year	Population ⁽¹⁾	Average Day Usage (MGD) ⁽²⁾	Overall Average Day Per Capita Consumption (gpcd)
2006	3,950	1.4	350
2007	3,950	1.0	249
2008	4,300	1.3	310
2009	4,600	1.2	265
2010	5,130	1.6	305
2011	5,353	1.7	320
2012	5,493	1.4	258
2013	5,610	1.3	234
2014	5,649	1.2	212
Minimum	-	1.0	212
Average	-	1.3	278
Maximum	-	1.7	350

⁽¹⁾Populations for 2006-2009 are from NCTCOG estimates. Populations for 2010 -2014 are from the 2014 Land Use Assumptions Report developed by Freese and Nichols, Inc.

⁽²⁾ Water Usage is from NTMWD Appendix D files.

Table 3-2 shows the historical maximum day water demand and maximum day to average day peaking factors for 2008 through 2014.

Table 3-2 Historical Maximum Day Water Demands

Year	Maximum Month Daily Usage (MGD) ⁽¹⁾	Maximum Month to Average Day Peaking Factor	Maximum Day Usage (MGD) ⁽¹⁾	Maximum Day to Average Day Peaking Factor
2008	3.0	2.2	-	-
2009	2.5	2.0	-	-
2010	3.6	2.3	-	-
2011	3.8	2.2	-	-
2012	2.3	1.7	-	-
2013	2.3	1.8	3.8	2.9
2014	2.2	1.7	3.5	2.8
Minimum	2.2	1.7	3.5	2.8
Average	2.8	2.0	3.6	2.9
Maximum	3.8	2.3	3.8	2.9

3.2 PROJECTED WATER DEMANDS

Water demands were projected for 2014, 2024, and Buildout. Water demand projections for 2014 and 2024 were developed by FNI in the *2015 Water & Wastewater Impact Fee Report*. Water demand projections for Buildout were developed as part of this study. The evaluation of historical data provided a basis for determining the design criteria used to project water demands. An average day demand of 250 gallons per capita per day (gpcd) was selected based on historical data. An average day demand of 100 gallons per employee per day (gped) was selected to estimate non-residential water demands. A maximum day to average day peaking factor of 2.75 was selected for future year demands based on historical patterns. A peak hour to maximum day peaking factor of 1.5 was selected for future year demands based on data from similar sized cities. The water design criteria for the Town of Sunnyvale is summarized in **Table 3-3**, and the projected water demands are presented in **Table 3-4**.

Table 3-3 Water Demand Projections Design Criteria

Average Day Residential Per Capita Usage (gpcd)	Average Day Employment Per Capita Usage (gped)	Maximum Day to Average Day Peaking Factor	Peak Hour to Maximum Day Peaking Factor
250	100	2.75	1.5

Table 3-4 Projected Water Demands

Year	Population⁽¹⁾	Employees⁽²⁾	Average Day Usage (MGD)	Average Day Overall Per Capita (gpcd)	Maximum Day Usage (MGD)	Peak Hour Usage (MGD)
2014	5,649	4,421	1.85	328	5.10	7.65
2024	8,362	7,353	2.83	338	7.77	11.66
Buildout	14,000	15,567	5.06	361	13.91	20.86

⁽¹⁾ Population projections are from the 2014 *Land Use Assumptions for Update of Roadway Impact Fees Report*.

⁽²⁾ 2014 and 2024 employment numbers are from the *Land Use Assumptions for Update of Roadway Impact Fees Report*. The 2014 commercial acreage was assumed to be 639 acres resulting in 6.92 employees per acre. The Buildout employment was calculated assuming 2,250 acres of commercial development and 6.92 employees per acre.

4.0 WATER SUPPLY EVALUATION

FNI evaluated the Town purchasing water from DWU at or near DWU's Eastside Water Treatment Plant (WTP) located in the Town of Sunnyvale. **Figure 4-1** displays the location of DWU's Eastside WTP and water lines. Meetings were held between Town of Sunnyvale and DWU Staff in October 2015 and in March 2016 to identify viable water supply alternatives, which are described in the subsequent **Section 4.1**. DWU requested that Sunnyvale also explore backup water supply options to allow flexibility for DWU operations and sufficient reliability for Sunnyvale during planned supply outages or emergency scenarios, which are described in the subsequent **Section 4.2**.

A second delivery point on the east side of the Town was considered and deemed to be cost prohibitive due to the additional distribution system water lines needed in addition to a second pump station and ground storage tank(s). Potential interconnections were evaluated as part of this study and deemed better investments for water supply redundancy.

With only one water service area and pump station site, it is recommended that the Town use a single supplier for normal use and only use the secondary supplier under emergency situations. If two suppliers are used on a regular basis, there will be challenges with system operations including filling the ground storage tank(s) and peaking charges. In addition, it is recommended that treated water compatibility be studied in more detail if the Town wants to pursue taking water from both suppliers on a regular basis.

4.1 DWU SUPPLY ALTERNATIVES

4.1.1 Direct Connection to 96-inch Line (DWU Alternative 1)

The shortest route from the DWU system to the Sunnyvale Riverstone Ground Storage Tank and PS site is to tie into the 96-inch transmission line in Long Creek Road, shown as DWU Alternative 1 on **Figure 4-1**. The 96-inch transmission line conveys water from the Eastside WTP to the Jim Miller Reservoir. The connection would be located less than one mile from the Eastside WTP and approximately 10 miles from the Jim Miller reservoir. Water elevations in the Jim Miller reservoir range from 522 to 542 feet. There are no other direct customer connections to the 96-inch line, and it may be difficult for DWU to provide continuous water service to Sunnyvale. DWU expressed operational concerns about maintaining service for Sunnyvale's demand using their very large high service pumps when not supplying Jim Miller reservoir, during maintenance shutdowns of the high service pump stations, during inspection and maintenance of the 96-inch Jim Miller pipeline, or under other emergency conditions.

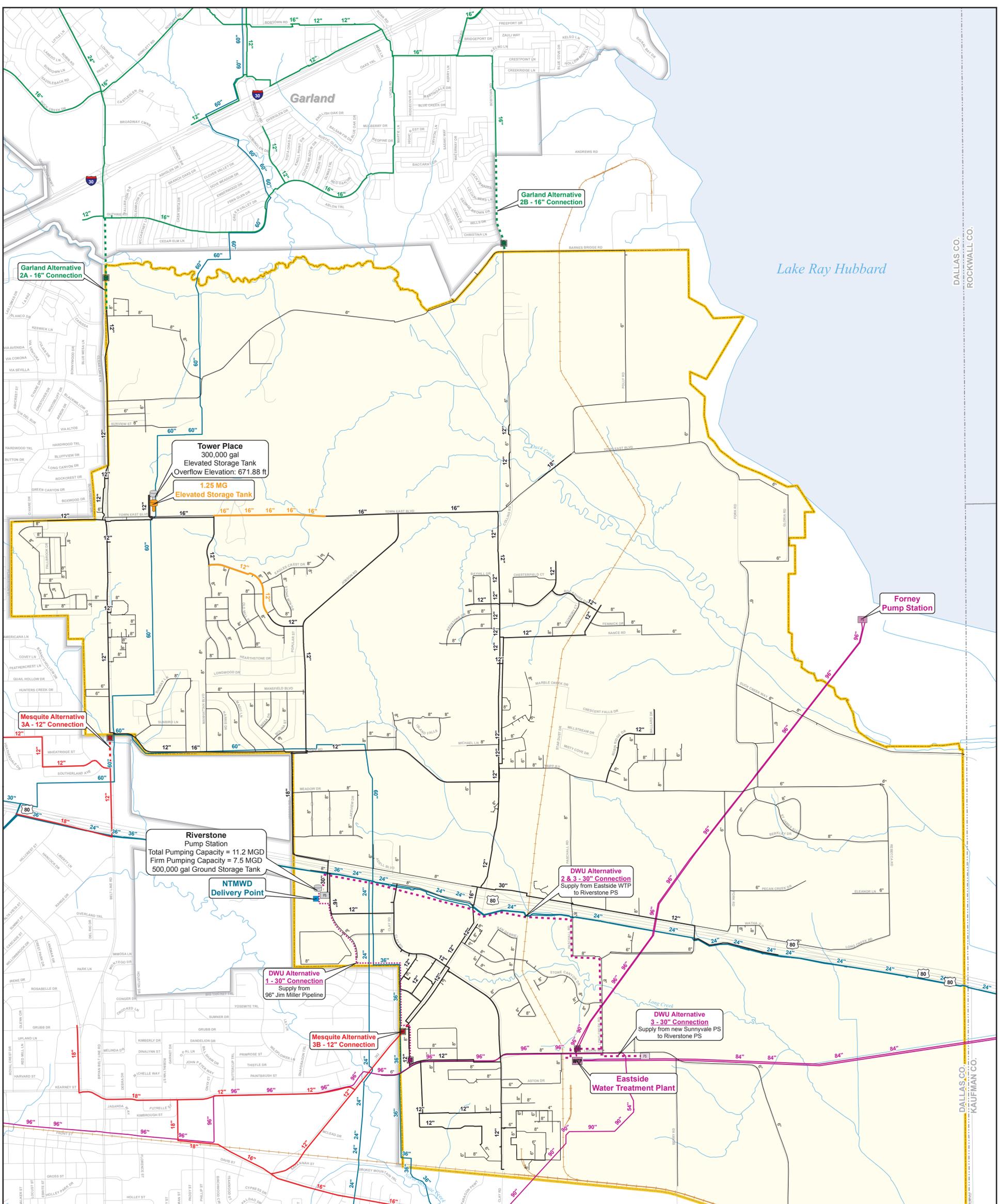
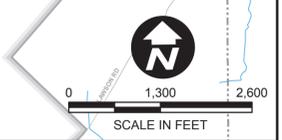


FIGURE 4-1
TOWN OF SUNNYVALE
PROPOSED WATER SUPPLY ALTERNATIVES
LEGEND

Sunnyvale Water System	Dallas Water Utilities System	North Texas Municipal Water System
Under Design/Construction Elevated Storage Tank	Proposed DWU Meter Vault	NTMWD Delivery Point
Under Design/Construction Water Line	DWU Water Treatment Plant	NTMWD Water Line
Existing Pump Station	DWU Pump Station	Road
Existing Ground Storage Tank	DWU Alternative Pump Station	Railroad
Existing Elevated Storage Tank	DWU Alternative 1 - 30" Connection	Stream
8" and Smaller Water Line	DWU Alternative 2 & 3 - 30" Connection	Lake
10" and Larger Water Line	DWU Water Line	Parcel
Proposed Garland Meter Vault	City of Mesquite Water System	Sunnyvale Town Limit
Proposed Garland Alternative Connection	Proposed Mesquite Meter Vault	Other City Limit
City of Garland Water Line	Proposed Mesquite Alternative Connection	County Boundary
City of Mesquite Water Line	City of Mesquite Water Line	



Several approaches have been discussed with DWU to mitigate operational hurdles for DWU as well as improve reliability of supply for Sunnyvale. The first step is to determine the appropriate number of isolation valves at the proposed connection with the 96-inch pipe. An isolation valve is recommended to be installed on the proposed 30-inch line to Sunnyvale. A 96-inch isolation butterfly valve is recommended to be installed on the west (downstream) side of the connection.

This will allow DWU to close the valve and dewater the 10 miles of pipeline between Sunnyvale connection and Jim Miller reservoirs. A second 96-inch butterfly valve was reviewed for installation on the east (upstream) side of the connection. This valve would allow DWU to shutdown the high service pumping and maintain the 96-inch between Eastside WTP and the connection, while allowing water to flow back from the Jim Miller reservoirs. Based on a review of the pipeline profile and the elevations of the Jim Miller and Sunnyvale storage, this does not seem to be feasible and a second valve may not be necessary.

The second part of the supply approach discussed is to utilize an existing DWU pipeline connecting the Jim Miller and Lake June pipelines on the Eastside WTP site to assist with maintaining service during maintenance shutdowns or under other emergency conditions. While this would not aid a pipeline shutdown between Eastside WTP and Sunnyvale, it would allow DWU to supply Sunnyvale from the Eastside WTP transfer pump stations serving the Lake June reservoir. There is a difference in head and discharge pressure between the two pipelines that should be considered. Water elevations in the Lake June reservoir range from 494 to 516 feet, which is approximately 25 feet lower than Jim Miller reservoir. Based on a review of the Lake June pipeline profile and the elevations of the Lake June reservoir and Sunnyvale storage, it appears to be feasible to supply Sunnyvale from the Lake June pipeline. There is a proposed DWU 120-inch line that will be supplied by Transfer Pump Station No. 3. The proposed DWU 120-inch pipeline alignment runs south and is similar to the Lake June pipeline alignment. Due to the southern alignment and distance from the Sunnyvale Riverstone PS site, it is not recommended for Sunnyvale to connect to this proposed line.

The third part of the supply approach discussed is for Sunnyvale to construct sufficient storage volume to meet their needs during a 24 to 48-hour shutdown period. During low demand times of the year, DWU may shutdown the pipeline, Eastside WTP transfer pump stations, or treatment plant facilities for maintenance. While DWU does not have a policy on required ground storage volume, DWU indicated they would require Sunnyvale to maintain storage volume greater than 36 hours of their ultimate winter demand. This translates to approximately 4.5 MG of ground storage at the Riverstone PS site. Sunnyvale currently has a 0.5 MG ground storage tank, and an additional 3 MG ground storage tank was identified

in the 10-year impact fee capital improvement plan. A minimum of 4.5 MG of total ground storage at the Riverstone PS site is recommended to meet buildout needs. In addition, the Town has a 1.25 MG elevated storage tank under design.

The direct connection to the Jim Miller pipeline would include a flow meter and control valve to regulate flow and break head between the DWU system and Sunnyvale's ground storage tanks. The location of this valve and meter has not been evaluated, but it is planned to be in close proximity to the 96-inch line. Sunnyvale's existing ground storage tank already includes an air gap between their current NTMWD supply. The opinion of probable construction cost for this alternative is **\$3,439,030**, and a summary of improvements is included in **Table 4-1**. This cost estimate does not include the recommended ground storage since it is recommended for either water supplier. Opinion of probable construction costs are included in **Appendix A**.

Table 4-1 Summary of Recommended Improvements (DWU Alternative 1)

Description	Cost
Meter and Control Valve Vault	\$742,660
30-inch Water Line from DWU 96-inch Line to Riverstone PS	\$2,696,370
Total	\$3,439,030

4.1.2 Direct Connection at the Eastside WTP Site (DWU Alternative 2)

A site visit to DWU's Eastside WTP was conducted in November 2015 to determine the feasibility of a direct connection to the 96-inch Jim Miller pipeline at DWU's Eastside WTP site. This option would include a 30-inch supply line from Eastside WTP to Riverstone PS site with a connection made to the discharge lines of the Eastside WTP transfer pump stations, shown as DWU Alternative 2 on **Figures 4-1 and 4-2**. There is an existing 30-inch tap on the 96-inch Jim Miller water pipeline on the north side of the Eastside WTP site that can be utilized. This option has few advantages for Sunnyvale as the supply pipeline needed from Eastside WTP to Riverstone PS site is over one mile longer. The advantage for DWU is it would allow for shutdown and maintenance of an additional one mile of the Jim Miller pipeline without interrupting supply to Sunnyvale. The disadvantages for DWU are that a customer's facilities for pipe, valve, and meter would be co-located on the Eastside WTP site meaning greater coordination is required for operations, maintenance, and security of the site between DWU and Sunnyvale. In general, this option does not seem more attractive than Alternative 1 for Sunnyvale but may be advantageous for DWU.

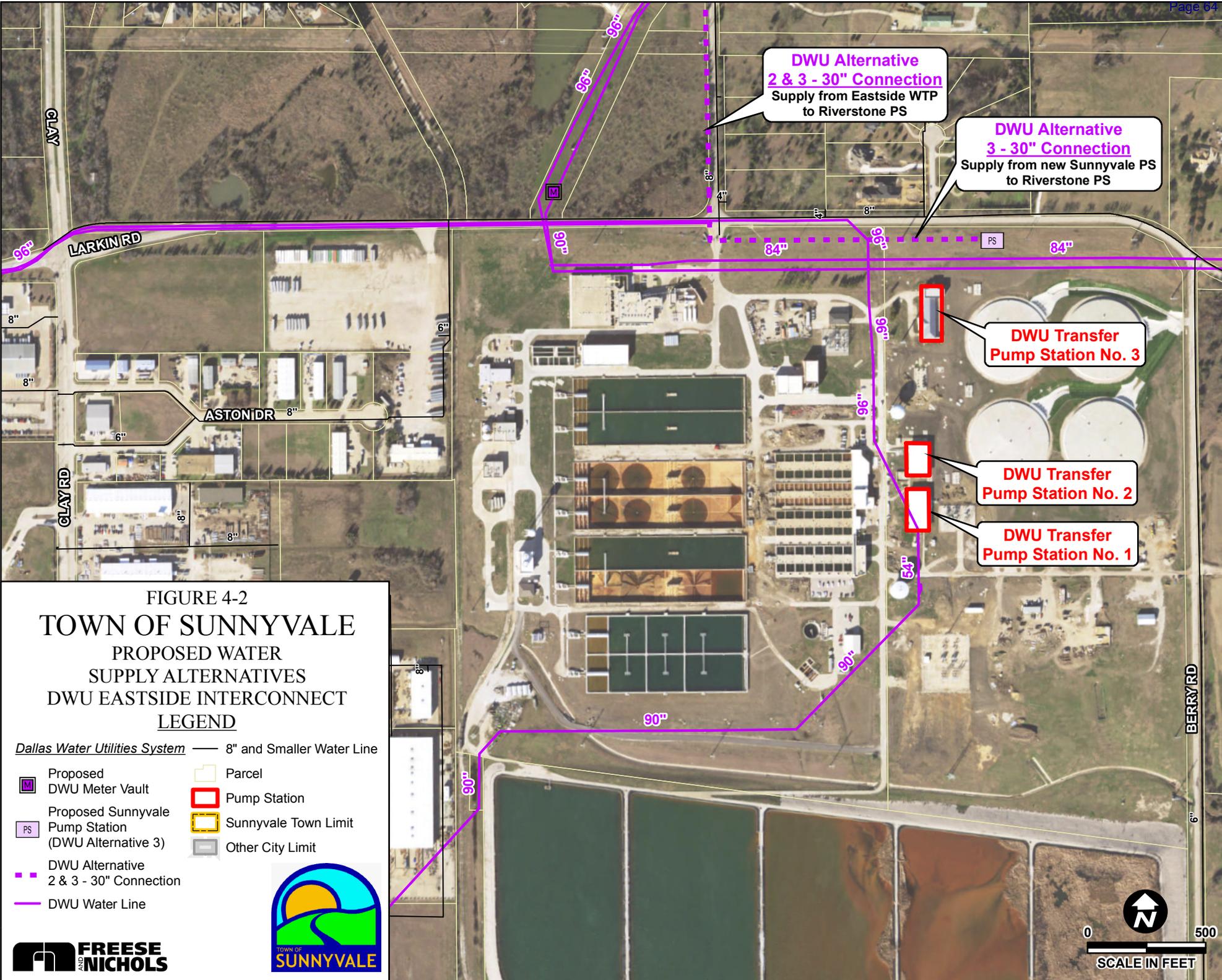


FIGURE 4-2
TOWN OF SUNNYVALE
 PROPOSED WATER
 SUPPLY ALTERNATIVES
 DWU EASTSIDE INTERCONNECT
 LEGEND

- Dallas Water Utilities System* — 8" and Smaller Water Line
- Proposed DWU Meter Vault
 - Proposed Sunnyvale Pump Station (DWU Alternative 3)
 - DWU Alternative 2 & 3 - 30" Connection
 - DWU Water Line
 - Parcel
 - Pump Station
 - Sunnyvale Town Limit
 - Other City Limit



Created By: Freese and Nichols, Inc.
 Job No.: SNV13884
 Location: H:\W_P\PLANNING\Deliverables\03_Draft_Report\Figure_4-2-Proposed_Eastside_DWU_interconnect.mxd
 Updated: Monday, June 13, 2016 11:21:32 AM

4.1.3 New Sunnyvale PS at the Eastside WTP Site (DWU Alternative 3)

A site visit to DWU's Eastside WTP was conducted in November 2015 to determine the feasibility of constructing a new Sunnyvale Pump Station (PS) at DWU's Eastside WTP site. This would be a low head pump station for Sunnyvale to supply water to the Riverstone PS. A high head pump station to supply the whole Sunnyvale distribution system would require a much greater number of water line improvements.

It was determined that a new pump station at the Eastside WTP site would be too difficult to construct based on existing infrastructure and available space. The new pump station would need a connection to the new flumes between the clearwell and transfer pump station. These flumes are very large and deep structures and would be difficult to tap for a supply to a Sunnyvale PS. Connections would be needed to allow supply for Sunnyvale from either of the north clearwells. DWU would need to set aside a portion of the plant site for Sunnyvale to construct and operate a pump station. Sunnyvale would need access through the plant site or from Larkin Road and power supply from the plant substation or from local utility. This option has numerous cost, constructability, and operational disadvantages for DWU and Sunnyvale and is not recommended.

4.1.4 Recommendation

DWU Alternative 1 is recommended based on constructability, operational considerations, and cost. The opinion of probable construction cost for this alternative is **\$3,439,030**, and a summary of improvements is included in **Table 4-1**. The cost estimate does not include the recommended ground storage since it is recommended for either water supplier. Opinion of probable construction costs are included in **Appendix A**.

4.2 POTENTIAL INTERCONNECTIONS

Potential interconnections were identified to allow flexibility for DWU operations and sufficient reliability for Sunnyvale during planned supply outages or emergency scenarios. Based on a review of surrounding water systems, it was determined that the Town of Sunnyvale has three potential options for emergency water supply including:

- Addition of connection(s) to the City of Garland water system
- Addition of connection(s) to the City of Mesquite water system
- Maintaining the connection to the NTMWD water system at the Riverstone PS site.

4.2.1 City of Garland

The only existing feasible connection to the City of Garland water system is the Garland 16-inch water line and Sunnyvale 12-inch water line on Beltline Road in northwest Sunnyvale, shown as Garland Alternative 2A on **Figure 4-1**. Approximately 2,500 feet of pipeline is required to make the proposed connection. The overflow elevation of the elevated storage tank in the City of Garland water system supplying the potential connection point is 711 feet, and a valve may need to be installed to break head entering the Sunnyvale water system since the overflow elevation of the Town of Sunnyvale's elevated storage tank is 672 feet.

A second connection to the City of Garland water system was explored on Bobtown/Collins Road in the northeast part of Sunnyvale, shown as Garland Alternative 2B on **Figure 4-1**. Currently there are only 6-inch water lines in Collins Road and Barnes Bridge Road in Sunnyvale's water system, and these lines would not provide sufficient capacity to fill Sunnyvale's Tower Place Elevated Storage Tank. A 12-inch water line along the proposed SH 190 was identified in the 2015 water system impact fee capital improvement plan and can potentially be extended west along Barnes Road to Collins Road. In addition, this line can potentially be upsized to a 16-inch water line. The overflow elevation of the elevated storage tank in the City of Garland water system supplying this potential connection point is also 711 feet, which makes it a viable option with the construction of a new 12-inch or 16-inch water line in Sunnyvale's system.

The alternatives above have not been discussed with the City of Garland and should be explored further by the Town of Sunnyvale Staff.

4.2.2 City of Mesquite

Two feasible connections to the City of Mesquite water system have been identified. The first is a connection to the Mesquite 12-inch water line and Sunnyvale 12-inch/16-inch water line on Beltline Road at Tripp Road in west Sunnyvale, shown as Mesquite Alternative 3A on **Figure 4-1**. Approximately 1,000 feet of pipeline is required to make the proposed connection. The overflow elevation of the elevated storage tanks in the City of Mesquite water system supplying the potential connection point is unknown, so this alternative may not be feasible from a system hydraulics standpoint.

The second is a connection to the Mesquite 12-inch water line and Sunnyvale 12-inch water line on SH-352 (South Collins Road) in southwest Sunnyvale, shown as Mesquite Alternative 3B on **Figure 4-1**. Approximately 500 feet of pipeline is required to make the proposed connection. The overflow elevation

of the elevated storage tanks in the City of Mesquite water system supplying the potential connection point is unknown, so this alternative may not be feasible from a system hydraulics standpoint.

The alternatives above have not been discussed with the City of Mesquite and should be explored further by the Town of Sunnyvale Staff.

4.2.3 North Texas Municipal Water District

Sunnyvale could also choose to maintain their water supply contract with the NTMWD and re-negotiate this supply as a backup to the DWU supply. This would not require any new infrastructure to be constructed by Sunnyvale or NTMWD. The capacity of this supply would be at least equal to the current supply from NTMWD and provide ability to meet Sunnyvale's demands. The NTMWD standard customer contract conditions may make this a more costly option than those with Garland or Mesquite. This is the Town's preferred emergency treated water connection as it does not require any additional infrastructure, allows the largest amount of water based on the capacity of NTMWD and Sunnyvale pipelines and delivery to a ground storage tank, and the water will not have to go through an additional distribution system prior to entering Sunnyvale. This alternative has not been discussed with the NTMWD and should be explored further by the Town of Sunnyvale Staff.

4.3 WATER QUALITY CONSIDERATIONS

4.3.1 DWU and NTMWD Treated Water Comparison

It is assumed that Sunnyvale will not receive water from NTMWD and DWU at the same time under normal operating conditions. Both the NTMWD Wylie WTP and the DWU Eastside WTP have ozone disinfection and provide finished water with chloramine residual, and there are no major issues anticipated with occasional blending. NTMWD introduced an annual free chlorine burn in 2010 that has been completed in the first quarter of every year with the exception of 2012. Sunnyvale cannot take water concurrently from DWU and NTMWD when NTMWD is conducting a free chlorine burn. Based on a review of water quality data by DWU Staff, Sunnyvale will receive water with higher phosphate and fluoride levels from DWU. It is recommended that treated water compatibility be studied in more detail if the Town wants to pursue taking water from both suppliers on a regular basis.

4.3.2 Chlorine Residual Levels

DWU reported chlorine residuals at the Eastside WTP around 5.0 mg/L, and the maximum disinfectant residual level (MDRL) is 4.0 mg/L. Dechlorination can be done if necessary and involves regular maintenance to switch containers and check instrument calibration. It requires a liquid chemical metering pump setup and an analyzer to monitor residuals. As with natural residual decay, there would be leftover ammonia with potential risk of nitrification, but this should not be a worse condition than encountered by the DWU customers with higher water age receiving the reduced residual.

Both NTMWD Wylie WTP and DWU Eastside WTP are on a course to convert to biologically active filtration, which should eventually reduce the chlorine decay rate. This may allow DWU to reduce the residual leaving the Eastside WTP. DWU plans to implement biologically active filters at Eastside WTP in fall 2017. The timing for NTMWD to convert to biologically active filtration at Wylie WTP is unknown.

APPENDIX A
RECOMMENDED ALTERNATIVE
OPINION OF PROBABLE CONSTRUCTION COST



PROPOSED DWU METER AND CONTROL VALVE VAULT
TOWN OF SUNNYVALE

OPINION OF PROBABLE CONSTRUCTION COST

02/05/16

ESTIMATOR		CHECKED BY		ACCOUNT NO	
CEL		SAM		SNV14617	
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
A	DWU Meter Vault (15-20 MGD)				
1	Mobilization	1	LS	\$ 24,472.50	\$ 24,470.00
2	Meter Vault Standard (Venturi Meter) w/ Modicon 340	1	LS	\$ 79,000.00	\$ 79,000.00
3	30" BFV with AUMA Motor Actuator	1	EA	\$ 15,050.00	\$ 15,050.00
4	30" Sleeve Valve with Motor	1	EA	\$ 340,000.00	\$ 340,000.00
5	30" Flow Conditioner	1	EA	\$ 55,400.00	\$ 55,400.00
6	30" Pipe in Vault	15	LF	\$ 490.00	\$ 7,350.00
7	New Vault Above Grade Building	1	EA	\$ 16,500.00	\$ 16,500.00
8	Site Improvements	1	LS	\$ 50,000.00	\$ 50,000.00
		SUBTOTAL:			\$ 537,770.00
		CONTINGENCY		25%	\$ 134,440.00
		TOTAL:			\$ 672,210.00
9	Land Acquisition	0.13	AC	\$ 25,000.00	\$ 3,230.00
10	Engineering Cost	ENGINEERING		10%	\$ 67,220.00
		TOTAL:			\$ 742,660.00



WATER LINE 1A - 30" CONNECTION FROM 96" JIM MILLER
PIPELINE TO RIVERSTONE P.S.

OPINION OF PROBABLE CONSTRUCTION COST

02/05/16

ESTIMATOR		CHECKED BY		ACCOUNT NO	
CEL		SAM		SNV14617	
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
A	30" Water Line 1 A				
1	Mobilization	1	LS	\$ 91,437.50	\$ 91,440.00
2	30" Dia. AWWA C303 Bar Wrapped Pipe	6825	LF	\$ 170.00	\$ 1,160,250.00
3	Air Release Valve (2")	2	EA	\$ 15,000.00	\$ 30,000.00
4	Blow Off Valve (6")	2	EA	\$ 15,000.00	\$ 30,000.00
5	30" Isolation Valve (BFV)	2	EA	\$ 8,500.00	\$ 17,000.00
6	Connection to Existing 96" Prestressed WL	1	EA	\$ 150,000.00	\$ 150,000.00
7	96" BFV	1	EA	\$ 165,000.00	\$ 165,000.00
8	Alternative Second 96" BFV	1	EA	\$ 165,000.00	\$ 165,000.00
9	Connection to Existing GST	1	EA	\$ 40,000.00	\$ 40,000.00
10	Concrete Replacement	783	SY	\$ 75.00	\$ 58,750.00
11	Jack, Bore or Tunnel Existing NTMWD 24" (Steel Casing)	15	LF	\$ 850.00	\$ 12,750.00
12	Jack, Bore or Tunnel Existing NTMWD 36" (Steel Casing)	15	LF	\$ 850.00	\$ 12,750.00
		SUBTOTAL:			\$ 1,932,940.00
		CONTINGENCY 25%			\$ 483,240.00
		TOTAL:			\$ 2,416,180.00
13	Easement Acquisition	1.6	AC	\$ 24,000.00	\$ 38,570.00
14	Engineering Costs	ENGINEERING 10%			\$ 241,620.00
		TOTAL:			\$ 2,696,370.00



Town of Sunnyvale

Prepared By: Richard Berkobien – Fire Chief

Summary:

DISCUSS AND CONSIDER AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, ADOPTING THE 2009 INTERNATIONAL FIRE CODE WITH RECOMMENDED NORTH TEXAS COUNCIL OF GOVERNMENTS AMENDMENTS.

Background & Analysis:

In 1992 the Town and the Fire Department adopted the 1992 Southern Building Code Congress International Fire Code. This is currently the code that the Fire Department is working under. However, in 2011 the town adopted the 2009 versions of the International Building code, Residential code, Plumbing code, Mechanical code, along with several others that virtually rendered the 1992 SBC Fire Code obsolete. The town has enforced fire code related requirements through the 2009 Building code and through zoning ordinances. By adopting the 2009 International Fire Code, it allows the town to present a consistent set of codes for future and current business to follow. It will bring the town in line with the surrounding jurisdictions and the fire codes they are enforcing. With the current building code and zoning ordinances, the adoption of the 2009 fire code will not diminish the current requirements enforced by the town.

Financial Impact:

The 2009 International Fire Code contains a Permit requirement and Fee Schedule, that when adopted, will require the need for permits to be pulled for certain fire protection systems, inspections, and approvals. There will be a fee associated with each permit that is determined by the size and scope of the work being performed. These would be in addition to any current building permit fees that are being collected. The financial impact to the town will be an increase in revenue that is tied the amount of commercial development in a given year. The current Fine Schedule will remain for violations that are cited by the Fire Prevention personnel. There are no negatives that I can see that will impact the town financially.

Staff Recommendation:

Staff recommends approval.

Attachment:

Proposed ordinance adopting the 2009 International Fire Code with recommended North Texas Council of Governments amendments.

ORDINANCE 16-10

AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF THE TOWN OF SUNNYVALE BY DELETING SECTIONS 5.101 THROUGH 5.107 IN THEIR ENTIRETY AND ADDING NEW SECTIONS 5.101 THROUGH 5.107 THEREBY ADOPTING THE INTERNATIONAL FIRE CODE, 2009 EDITION, BY PROVIDING CERTAIN AMENDMENTS AND DELETIONS THERETO; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, Ordinance No. 324 contained certain provisions related to residential fire suppression, among others, and it is the intent of the Town Council to retain those same provisions in all subsequent editions, and local amendments thereto, of the International Fire Code; and,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS:

SECTION 1. That Chapter 5 of the Code of the Town of Sunnyvale, Texas, is hereby amended by deleting Sections 5.101 through 5.107 in their entirety and adding new Sections 5.101 through 5.107 to read as follows, in all other respects said Code and Chapter to remain in full force and effect.

(1) Sec. 5.101. Adoption of the International Fire Code, 2009 Edition.

(a) The International Fire Code, 2009 Edition, including Appendix B, Appendix C and Appendix D attached thereto, as published by the International Code Council (I.C.C.), and as amended as set forth in Section 5.107 below, is hereby adopted and designated as the official fire code of the Town of Sunnyvale, Texas, to the same extent as if such code were copied verbatim in this Chapter 5, subject to the amendments prescribed in Section 5.107 below. A copy of the International Fire Code, 2009 Edition, including Appendix B, Appendix C and Appendix D attached thereto and all amendments thereto adopted pursuant to Section 5.107 below shall be maintained in the office of the Town Secretary as an original document and ordinance of the Town of Sunnyvale, Texas. All italicized terms used in this Chapter 5 and not otherwise defined herein shall have the meanings set forth in the International Fire Code, 2009 Edition.

(2) Sec. 5.102. Duties of Fire Prevention Division.

(a) The International Fire Code shall be enforced by the Fire Prevention Division of the Fire Department of the Town of Sunnyvale, Texas, under the supervision of the Chief of the Fire Department.

(b) The Fire Marshal in charge of the Fire Prevention Division shall be the Fire Chief with the consent and approval of the Town Manager.

(c) The Chief of the Fire Department may detail such members of the Fire Department as Inspectors as shall from time to time be necessary.

(3) Secs. 5.103-5.106. Reserved.

(4) Sec.5.107. Amendments to the International Fire Code, 2009 Edition.

- (a) The following amendments are made to the International Fire Code, 2009 Edition and all references in this Section 5.108 to the term "International Fire Code" shall be deemed to refer to the

(5) International Fire Code, 2009 Edition, as published by the I.C.C. and as adopted by Section 5.101 above and amended by this Section 5.108:

(6) General Terms.

- (a) JURISDICTION. All references to "jurisdiction" shall mean the Town of Sunnyvale, Texas, located in the County of Dallas, and in the State of Texas.
- (b) CITY. All references to "City" shall mean the Town of Sunnyvale, Texas located in the County of Dallas, and in the State of Texas.
- (c) PERSON or PERSONS. All references to "person" or "persons" as used herein shall mean and include every person as defined in Chapter 2, Section 202 of the International Fire Code and shall also include every "person" as defined in Chapter 1, Section 1-2 of the Code of the Town of Sunnyvale, Texas, as amended.

(7) Chapter 1, Scope and Administration.

- (a) Section 101.1. Section 101.1 shall be amended by inserting the name "Town of Sunnyvale, Texas" as the "Name of Jurisdiction" and accordingly, Section 101.1 shall be amended to read as follows:
- (b) 101.1. These regulations shall be known as the Fire Code of the Town of Sunnyvale, Texas, hereinafter referred to as "this code."
- (c) Section 102.1. Section 102.1 shall be amended by deleting #3 in its entirety and adding a new #3 to read as follows:
- (d) 3.Existing structures, facilities and conditions when required in Chapter 46 or in specific sections of this code.
- (e) Section 102.4. Section 102.4 shall be amended by deleting Section 102.4 in its entirety and adding a new Section 102.4 to read as follows:
- (f) 102.4 Application of building and other codes. The design and construction of new structures shall comply with this code, the International Building Code, 2009 Edition, as amended and adopted by the City (hereinafter the "International Building Code"), and all other codes now and hereafter adopted by the City and any alterations, additions, changes in use or changes in structures required by this code which are within the scope of this code, the International Building Code and other codes adopted by the City shall be made in accordance therewith. Section 102.7. Section 102.7 shall be amended by deleting Section 102.7 in its entirety and adding a new Section 102.7 to read as follows:

- (g) 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 47 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.
- (h) Section 105.1.4. Section 105 shall be amended by adding a new Section 105.1.4 to read as follows:
- (i) Permit fee shall be paid prior to conducting activities as follows:
 - (ii) Fire alarm systems. The installation, addition to or alteration of a fire alarm system.
 - (iii) Fire sprinkler systems. The installation, addition to or alteration of a fire sprinkler system.
 - (iv) Fire suppression systems. The installation of, addition to or alteration of a fire suppression system.
 - (v) Underground storage tanks. The installation, removal, addition to or alteration of underground storage tanks and piping for the storage of hazardous materials especially flammable liquids.
 - (vi) Aboveground storage tanks. The installation, removal, addition to or alteration of aboveground storage tanks and piping for the storage of hazardous materials especially flammable liquids.
 - (vii) Fireworks displays. To conduct fireworks and pyrotechnics displays
 - (viii) Access control gates. To install new or alter existing access control gates across access roads and fire lanes
 - (ix) Explosive materials. The storage, use or detonation of explosive materials.
 - 1. Exception: Permit fees shall not be required on work on any building or structure, the title to which is directly vested in the federal government, state, county, city or a public school district.
- (i) Section 105.1.5. Section 105 shall be amended by adding a new Section to read as follows:
- (i) Permit fee schedule.
 - (ii) Permit fee schedule. The following permit fee schedule shall be charged for the installation, addition to or alteration of the following:

(iii) Fire sprinkler systems:

1. 1 - 19 heads \$100.00
2. 20 - 100 heads \$150.00
3. 100 -200 heads \$200.00
4. Fire Sprinkler Systems exceeding 200 heads will be \$200.00 plus \$0.50 for each additional head. An additional fee of \$50.00 shall be charged for each test exceeding one per permit. The testing fee shall be paid prior to conducting the test.

(iv) Fire alarm systems:

1. 1- 10 devices \$100.00
2. 11 - 25 devices \$150.00
3. 26 - 100 devices \$200.00
4. Fire Alarm Systems exceeding 100 devices shall be \$200.00 plus \$1.00 for each additional device. An additional fee of \$50.00 shall be charged for each test exceeding one per permit. The testing fee shall be paid prior to conducting the test.

(v) Fire suppression systems: \$75.00 per system.

(j) Underground or aboveground storage tanks (does not include temporary tanks or residential propane): \$100.00 per tank for installation of or removal of underground tanks. \$100.00 for the permit and inspection of underground piping

(k) Access control gates (across a fire lane). The installation of or alteration of an access control gate across a fire lane or access road shall be \$100.00 per gate.

(l) Open burning.

(i) Explosive materials. See fee for fireworks and pyrotechnics displays in 105.1.5 below

1. Permit fees. A fee of \$50.00 shall be charged for the following permits:
 - a. Fireworks and pyrotechnics displays.
 - b. Temporary aboveground tanks to include:
 - c. Propane exchange stations.
 - d. Residential propane.
 - e. Temporary tank at a construction site.

(m) Reinspections. A \$50.00 Reinspection fee shall be charged for each reinspection of a fire alarm system, fire sprinkler system, fire suppression system, underground storage tank and aboveground storage tanks.

(n) Investigation fee. An investigation shall be made whenever any work for which a permit is required by this code has commenced without first obtaining a permit. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law. The investigation fee shall be equal to the amount of the permit fee required by this code not to exceed \$2,000.00.

- (o) Third party review fee. A third party review fee shall be paid in addition to the permit fee where an impartial third party reviews a permit submittal and makes code-related comments. The third party shall be selected by the fire code official and have extensive experience and knowledge in the field to be reviewed. This review process shall be utilized for permit submittals with fire system technology not normally permitted. The third party review fee shall be the cost of the review plus associated shipping or courier cost.
- (p) Inspection after normal business hours' fee. Inspections may be conducted after hours or on Saturdays at the request of a contractor if inspection personnel are available. The fee for such inspections shall be \$100.00 per hour per inspector with a two-hour minimum per inspector.
- (q) Section 105.3.3. Section 105.3.3 shall be amended by deleting Section 105.3.3 in its entirety and adding a new Section 105.3.3 to read as follows:
 - (i) 105.3.3 Occupancy prohibited before approval. The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.
- (r) Section 105.7.15. Section 105 shall be amended by adding a new Section 105.7.15 to read as follows:
 - (i) 105.7.15 Smoke control or exhaust systems. Construction permits are required for smoke control or exhaust systems as specified in Section 909 and Section 910 respectively. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.
- (s) Section 105.7.16. Section 105 shall be amended by adding a new Section to read as follows:
 - (i) 105.7.16 Electronic access control systems. Construction permits are required for the installation or modification of an electronic access control system, as specified in Section 503 and Section 1008. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.
- (t) Section 108. Section 108 shall be amended by deleting Section 108 in its entirety and adding a new Section 108 to read as follows:
 - (i) 108.1 Appeals. Whenever the fire code official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the fire prevention code do not apply or that the true intent and meaning of this Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the code official to the Town Council within thirty (30) days from the date of the decision appeals

(u) Section 109.3. Section 109.3 shall be amended by deleting Section 109.3 in its entirety and adding a new Section 109.3 to read as follows:

(i) 109.3 Violation Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements of this code or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Class C Misdemeanor and upon conviction, shall be subject to a fine not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense, provided, however, if the maximum penalty provided for by this code for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this code for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this code continues shall constitute a separate offense.

(v) Section 111.4. Section 111.4 shall be amended by deleting Section 111.4 in its entirety and adding a new Section 111.4 to read as follows:

(i) 111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine upon conviction not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense, provided, however, if the maximum penalty provided for by this code for disobeying a stop work order is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this code for disobeying a stop work order shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this code continues shall constitute a separate offense.

(8) Chapter 2, Definitions.

(a) Section 202. Section 202 shall be amended by deleting the definitions of "fire watch", "ambulatory health care facility," and "atrium" in their entirety and replacing them with the definitions set forth below and adding definitions for "addressable fire detection system," "analog addressable fire detection system, " "high-rise building, " "self-service storage facility" and "standby personnel" as new definitions to the existing list of definitions in Section 202 to read as follows:

(b) ADDRESSABLE FIRE DETECTION SYSTEM. Any system capable of providing identification of each individual alarm-initiating device. The identification shall be in plain English and as descriptive as possible to specifically identify the location of the device in alarm. The system shall have the capability of alarm verification.

(c) AMBULATORY HEALTH CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to individuals who are rendered incapable of self-preservation. This group may include but not be limited to the following:

- (i) Dialysis centers
 - (ii) Sedation dentistry
 - (iii) Surgery centers
 - (iv) Colonic centers
 - (v) Psychiatric centers
- (d) ANALOG ADDRESSABLE FIRE DETECTION SYSTEM. Any system capable of calculating a change in value by directly measurable quantities (voltage, resistance, etc.) at the sensing point. The physical analog may be conducted at the sensing point or at the main control panel. The system shall be capable of compensating for long-term changes in sensor response while maintaining a constant sensitivity. The compensation shall have a preset point at which a detector maintenance signal shall be transmitted to the control panel. The sensor shall remain capable of detecting and transmitting an alarm while in maintenance alert.
- (e) ATRUIM. An opening connecting three or more stories other than enclosed stairways, elevators, hoist ways, escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505 of the International Building Code.
- (f) FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the fire code official, for the purpose of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.
- (g) HIGH-RISE BUILDING. A building having any floors used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access.
- (h) SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.
- (i) STANDBY PERSONNEL. Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

(9) Chapter 3, General Requirements.

- (a) Section 307.2. Section 307.2 shall be amended by deleting Section 307.2 in its entirety and adding a new Section 307.2 to read as follows:
- (i) Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized agricultural or range or wildlife management practices, prevention or control of disease or pests, or open burning. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.
- (b) Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

- (i) Texas Commission on Environmental Quality guidelines and/or restrictions.
 - (ii) State, county or local temporary or permanent bans on open burning.
 - (iii) Local written policies as established by the fire code official.
- (c) Section 307.4.3 Section 307.4.3 shall be amended by deleting the Exception in its entirety and adding new Exceptions to Section 307.4.3 to read as follows:
- (d) Exceptions:
- (i) Portable outdoor fireplaces used at one- and two-family dwellings.
 - (ii) Where buildings, balconies and decks are protected by an approved automatic sprinkler system.
- (e) Section 307.5. Section 307.5 shall be amended by deleting Section 307.5 in its entirety and adding a new Section 307.5 to read as follows:
- (i) 307.5 Attendance Open burning, trench burns, bonfires or recreational fires shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved onsite fire-extinguishing equipment such as dirt, sand, water barrel, garden hose or water truck shall be available for immediate utilization.
- (f) Section 308.1.4. Section 308.1.4 shall be amended by deleting Section 308.1.4. including all Exceptions stated therein in their entirety and adding a new Section 308.1.4 to read as follows:
- (i) Open-flame cooking devices. Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used on combustible balconies, decks or within 10 feet of combustible construction.
 - (ii) Exceptions:
 1. One-and-two family dwellings, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP gas capacity] with an aggregate LP gas capacity not to exceed 100 lbs. (5 containers).
 2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP gas capacity], with an aggregate LP gas capacity not to exceed 40 lbs. (2 containers).
 3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 112 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

(g) Section 308.1.6.2. Section 308.1.6.2 shall be amended by deleting Exception #3 in its entirety and adding a new Exception #3 to Section 308.1.6.2 to read as follows:

(i) Torches or flame-producing devices in accordance with Section 308.1.3.

(h) Section 311.5. Section 311.5 shall be amended by deleting Section 311.5 in its entirety and adding a new Section 311.5 to read as follows:

(i) 311.5 Placards The fire code official is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

(i) Sections 311.5.1- through 311.5.5 remain unchanged.

(10) Chapter 4, Emergency Planning and Preparedness.

(a) Section 401.3.4. Section 401 shall be amended by adding a new Section 401.3.4 to read as follows:

(i) 401.3.4 Fire alarms and nuisance alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted, or caused or permitted to be given, signaled or transmitted in any manner.

(11) Chapter 5, Fire Service Features.

(a) Section 501.4. Section 501.4 shall be amended by deleting Section 501.4 in its entirety and adding a new Section 501.4 to read as follows:

(i) 501.4 Timing of installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

(b) Section 503.1.1. Section 503.1.1 shall be amended by adding two sentences at the end of the first paragraph of Section 503.1.1 to read as follows:

(i) Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a ten feet (10') wide unobstructed pathway around the external walls of the structure.

(ii) An existing. Fire lane shall not be altered, abandoned or obstructed without the approval of the fire code official and only upon a showing that adequate fire protection will not be compromised.

(c) Section 503.2.1. Section 503.2.1 shall be amended by deleting Section 503.2.1 in its entirety and adding a new Section 503.2.1 to read as follows:

(i) Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet.

1. Exception: Vertical clearance may be reduced provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.
- (d) Section 503.2.2. Section 503.2.2 shall be amended by deleting Section 503.2.2. in its entirety and adding a new Section 503.2.2 to read as follows:
- (i) 503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.
 - (ii) Section 503.3. Section 503.3 shall be amended by deleting Section 503.3 in its entirety and adding a new Section 503.3 to read as follows:
 1. Marking. Striping approved by the fire code official shall be provided for fire apparatus access roads as required. In addition to striping, signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof where deemed necessary by the fire code official for clear identification of a fire apparatus access road. Signs or notices and striping shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.
 2. Striping. Fire apparatus access roads shall be marked by painted lines of red traffic paint six inches in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four-inch white letters at 25-foot intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
 3. Signs. Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12 inches wide and 18 inches high. Signs shall be painted on a white background with letters and borders in red using not less than two-inch lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches above finished grade. Signs shall be spaced not more than 50 feet apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief
- (e) Section 503.4. Section 503.4 shall be amended by deleting Section 503.4 in its entirety and adding a new Section 503.4 to read as follows:
- (i) 503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner including the parking, stopping, standing, loading or unloading of vehicles. The minimum widths and clearances established in Section 503.2.1 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times. The installation of speed reducing devices (speed bumps, speed humps, etc.) across. Fire lanes shall require the approval of the Fire Chief

- (f) Section 503.4.1. Section 503 shall be amended by adding a new Section 503.4.1 to read as follows:
- (i) 503.4.1 Loading zone. A loading zone cannot coexist with a fire lane.
 - (ii) A loading zone shall not be established within a fire lane.
- (g) Section 503.6. Section 503.6 shall be amended by adding the following text at the end of Section 503.6 to read as follows:
- (i) Security gates across access roads shall meet the requirements of Sunnyvale Fire/Rescue Department Rules and Regulations, Gates Across Fire Lanes. A Sunnyvale Fire/Rescue Department permit is required prior to the installation of a gate across an access road.
- (h) Section 505.1. Section 505.1 shall be amended by deleting Section 505.1 in its entirety and adding a new Section 505.1 to read as follows:
- (i) 505.1 Address identification. Approved numerals of a minimum six-inch height and of a color contrasting with the background designating the address shall be placed on all new and existing building or structures in a position as to be plainly visible and legible from the street or road fronting the property and from all rear alleyways/access.
 - (ii) Where buildings do not immediately front a street, approved six-inch in height building numerals or addresses and three-inch height suite/apartment numerals of a color contrasting with the background of the building shall be placed on all new and existing buildings or structures. Numerals or addresses shall be posted on a minimum 20-inch by 30-inch background on border.
 - (iii) Address numbers shall be Arabic numerals or alphabet letters. The minimum stroke width shall be 0.5 inches.
 - (iv) Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.
 - 1. Exception: R-3 Single Family occupancies shall have approved numerals of a minimum 3 inches in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists
- (i) Section 507.4. Section 507.4 shall be amended by deleting Section 507.4 in its entirety and adding a new Section 507.4 to read as follows:

- (i) 507.4 Water supply test date and information. The water supply test used for hydraulic calculation of fire protection system shall be conducted in accordance with NFPA 291 "Recommended Practice for Fire Flow Testing and Marking of Hydrants" and within one year of sprinkler plan submittal. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, as required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the water flow test report, or as approved by the fire code official. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard.
- (j) Section 507.5.4. Section 507.5.4 shall be amended by deleting Section 507.5.4 in its entirety and adding a new Section 507.5.4 to read as follows:
 - (i) 507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.
- (k) Section 509.1.1. Section 509 shall be amended by adding a new Section 509.1.1 to read as follows:
 - (i) 509.1.1 Sign requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of two (2) inches when located inside a building and four (4) inches when located outside, or as approved by the fire code official. The letters shall be of a color that contrasts with the background.

(12) Chapter 7, Fire-Resistance-Rated Construction.

- (a) Section 704.1. Section 704.1 shall be amended by deleting Section 704.1 in its entirety and adding a new Section 704.1 to read as follows:
 - (i) 704.1 Enclosure. Interior vertical shafts, including but not limited to stairways, elevator hoist ways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 46. New floor openings in existing buildings shall comply with the International Building Code.

(13) Chapter 8, Interior Finish, Decorative Materials and Furnishings.

- (a) Section 807.4.3.2. Section 807.4.3.2 shall be amended by deleting Section 807.4.3.2 in its entirety and adding a new Section 807.4.3.2 to read as follows:

(i) 807.4.3.2. Artwork. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area and on the walls of classrooms to not more than 50 percent of each wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

1. Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

(b) Section 807.4.4.2. Section 807.4.4.2 shall be amended by deleting Section 807.4.4.2 in its entirety and adding a new Section 807.4.4.2 to read as follows:

(i) 807.4.4.2 Artwork. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area and on the walls of classrooms to not more than 50 percent of each wall area. Such materials shall not be continuous from floor to ceiling or wall to wall.

(ii) Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

1. Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

(14) Chapter 9, Fire Protection Systems.

(a) Section 901.6.1.1. Section 901 shall be amended by adding a new Section 901 to read as follows:

(i) Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every five years:

(ii) The piping between the Fire Department Connection (FDC) and the standpipe shall be hydrostatically tested for all FDCs on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems

(iii) For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the fire code official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There are no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.

- (iv) Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
 - (v) If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the fire code official.
 - (vi) Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local authority having jurisdiction (fire code official) shall be followed. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
 - (vii) Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
 - (viii) Contact the fire code official for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the fire code official.
- (b) Section 901.7. Section 901.7 shall be amended by deleting Section 901.7 in its entirety and adding a new Section 901.7 to read as follows:
- (i) Systems out of service. Where a required. Fire protection system is out of service or in the event of an excessive number of activations, the Fire Department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service.
 - (ii) Where utilized, fire watches shall be provided with at least one approved means for notification of the Fire Department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.
- (c) Section 901.10. Section 901 shall be amended by adding a new Section 901.10 to read as follows:
- (i) 901.10 Discontinuation or change of service. Notice shall be made to the fire code official whenever contracted alarm services for monitoring of any fire alarm system is terminated for any reason, or a change in alarm monitoring provider occurs. Notice shall be made in writing to the fire code official by the building owner and alarm service provider prior to the service being terminated.

- (d) Section 903.1.1. Section 903.1.1 shall be amended by deleting Section 903.1.1 in its entirety and adding a new Section 903.1.1 to read as follows:
- (i) Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as approved by the fire code official.
- (e) Section 903.2. Section 903.2 shall be amended by deleting the first paragraph of Section 903.2 in its entirety and adding a new first paragraph in Section 903.2 to read as follows:
- (i) 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoist ways. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY -NO STORAGE ALLOWED."
- (f) Section 903.2. Section 903.2 shall be amended by deleting the Exception in Section 903.2 in its entirety. Sections 903.2.1 through 903.2.1.5 remain unchanged.
- (g) Section 903.2.9.3. Section 903 shall be amended by adding a new Section 903.2.9.3 to read as follows:
- (i) 903.2.9.3 Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.
 1. Exception: One-story self-service storage facilities that have no interior corridors with a one-hour fire barrier separation wall installed between every storage compartment.
- (h) Section 903.2.11.3. Section 903.2.11.3 shall be amended by deleting Section 903.2.11.3, including the Exception set forth in Section 903.2.11.3, in its entirety and adding a new Section 903.2.11.3 to read as follows:
- (i) 903.2.11.3 Buildings 24 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level other than penthouses in compliance with Section 1509 of the International Building Code, that is located 24 feet or more above the lowest level of fire department vehicle access.
 1. Exception: Open parking structures in compliance with Section 406.3 of the International Building Code.
- (i) Section 903.2.11.7. Section 903 shall be amended by adding a new Section 903.2.11.7 to read as follows:
- (i) High-piled combustible storage. For any buildings with a clear height exceeding 12 feet, see Chapter 23 to determine if those provisions apply.

- (j) Section 903.2.11.8. Section 903 shall be amended by adding a new Section 903.2.11.8 to read as follows:
 - (i) Spray booths and rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire- extinguishing system.
- (k) Section 903.2.11.9. Section 903 shall be amended by adding a new Section 903.2.11.9 to read as follows:
 - (i) Buildings over 6,000 square feet. An automatic sprinkler system shall be installed throughout all buildings with a building area over 6,000 square feet. For the purpose of this provision, fire walls shall not define separate buildings.
 - 1. Exception: Open parking garages in compliance with Section 406.3 of the International Building Code.
- (l) Section 903.3.1.1.1. Section 903.3.1.1.1 shall be amended by deleting Section 903.3.1.1.1 in its entirety and adding a new Section 903.3.1.1.1 to read as follows:
 - (i) Exempt locations. When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.
 - (ii) Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
 - (iii) Any room or space where sprinklers are considered undesirable because of the nature of the contents when approved by the fire code official.
 - (iv) Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than two hours.
 - (v) Elevator machine rooms, machinery spaces, and hoist ways.
- (m) Section 903.3.1.2. Section 903.3.1.2 shall be amended by deleting Section 903.3.1.2 in its entirety and adding a new Section 903.3.1.2 to read as follows:
 - (i) NFPA 13R sprinkler systems. The installation of NFPA 13R sprinkler systems is prohibited. Where such reference is found in this code, NFPA 13 sprinkler system materials, design and installation shall be installed instead of NFPA 13R. Sprinkler coverage of voids between floors as required by NFPA 13 may be omitted when replacing a NFPA 13R system.
- (n) Section 903.3.1.3. Section 903.3.1.3 shall be amended by deleting Section 903.3.1.3 in its entirety and adding a new Section 903.3.1.3 to read as follows: NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one- and two-family dwellings and townhouses shall be installed throughout in accordance with NFPA 13D or in accordance with state law.

- (o) Section 903.3.5. Section 903.3.5 shall be amended by adding the following text at the end of Section 903.3.5 to read as follows:
 - (i) The water supply required for automatic sprinkler systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi safety factor.
- (p) Section 903.3.7. Section 903.3.7 shall be amended by adding the following text at the end of Section 903.3.7 to read as follows:
 - (i) The fire department connection shall be located within 50 feet of a fire apparatus access road
- (q) Section 903.4. Section 903.4 shall be amended by adding a paragraph after the Exceptions in Section 903.4 to read as follows:
 - (i) Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to an automatic sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering. Sprinkler systems in multi-story buildings shall be designed to identify a water flow for each floor and attic. A separate and distinct signal shall be transmitted to an approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72 to identify each floor and attic area.
- (r) Section 903.4.2. Section 903.4.2 shall be amended by adding the following text at the end of Section 903.4.2 to read as follows:
 - (i) The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.
- (s) Section 903.6.3. Section 903 shall be amended by adding a new Section 903.6.3 to read as follows:
 - (i) 903.6.3. Spray booths and rooms. New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 1504.
- (t) Section 905.2. Section 905.2 shall be amended by deleting Section 905.2 in its entirety and adding a new Section 905.2 to read as follows:
 - (i) 905.2 Installation standards. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.
- (u) Section 905.3.8. Section 905 shall be amended by adding a new Section 905.3.8 to read as follows:

- (i) 905.3.8 Building area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet of travel, vertically and horizontally, from the nearest point of fire department vehicle access.
 - 1. Exception: Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14
- (v) Section 905.4. Section 905.4 shall be amended by deleting Item #5 in its entirety and adding a new Item #5 to Section 905.4 to read as follows:
 - (i) Where the roof has a slope less than four unit's vertical in 12 unit's horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either on the roof or at the highest landing of a stairway with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.
- (w) Section 905.4. Section 905.4 shall be amended by adding a new Item #7 to Section 905.4 to read as follows:
 - (i) When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter.
- (x) Section 905.9. Section 905.9 shall be amended by adding the following text after the Exceptions in Section 905.9 to read as follows:
 - (i) Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to an automatic sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering. Sprinkler systems in multi-story buildings shall be designed to identify a water flow for each floor and attic. A separate and distinct signal shall be transmitted to an approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72 to identify each floor and attic area.
- (y) Section 906.1. Section 906.1 shall be amended by deleting Item #1 in its entirety and adding a new Item #1 to Section 906.1 to read as follows:
 - (i) In new and existing Group, A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.
 - 1. Exception: In R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C
- (z) Section 907.1.4. Section 907 shall be amended by adding a new Section 907.1.4 to read as follows:

- (i) 907.1.4 Design standards. All alarm systems new or replacement shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.
 - 1. Exception: Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 18 months of permit application.
- (aa) Section 907.2.1. Section 907.2.1 shall be amended by deleting Section 907.2.1 including the Exception stated therein in their entirety and adding a new Section 907.2.1 to read as follows:
 - (i) Group A. A manual fire alarm system that activates the occupant notification system in accordance with new Section 907.6 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy. Activation of fire alarm notification appliances shall:
 - 1. Cause illumination of the means of egress with light of not less than one-foot candle (11 lux) at the walking surface level, and stop any conflicting or confusing sounds and visual distractions. (cc) Section 907.2.3. Section 907.2.3 shall be amended by deleting the first paragraph and Exception "1" in Section 907.2.3 in their entirety and adding a new first paragraph and Exceptions "1" and "1.1" to Section to read as follows:
- (bb) Group E. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group E educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100 feet of open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.
 - (i) Exceptions:
 - 1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.
 - 2. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children or less years of age, see Section 907.2.6.)
 - (ii) Exceptions 2 and 3 remain unchanged.

- (cc) Section 907.2.13. Section 907.2.13 shall be amended by deleting the first paragraph and Exception "3" in Section 907.2.13 in their entirety and adding a new first paragraph and Exception "3" in Section 907.2.13 to read as follows:
- (i) 907.2.13 High-rise buildings. Buildings with a floor used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communications system in accordance with Section 907.6.2.2.
 - 1. Exceptions: Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the International Building Code, when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.
- (dd) Section 907.5.2.6. Section 907 shall be amended by adding a new Section 907.5.2.6 to read as follows:
- (i) 907.5.2.6 Type. Manual alarm initiating devices shall be an approved double-action type.
- (ee) Section 907.7.1.1. Section 907 shall be amended by adding a new Section 907.7.1.1 to read as follows:
- (i) 907.7.1.1 Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All initiating circuit conductors shall be Class "A" wired with a minimum of six feet separation between supply and return circuit conductors. IDC - Class "A" Style D; SLC - Class "A" Style 6; NAC - Class "B" Style Y. The IDC from an addressable device used to monitor the status of a suppression system may be wired Class B, Style B provided the distance from the addressable device is within 10 feet of the suppression system device
- (ff) Section 907.7.5.2. Section 907 shall be amended by adding a new Section 907.7.5.2 to read as follows:
- (i) 907.7.5.2 Communication requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.
- (gg) Section 907.10. Section 907 shall be amended by adding a new Section 907.10 to read as follows:
- (i) 907.10. Storage Group S occupancies. All Storage Group S occupancies two- or more stories in height that are open to the general public shall have a fire alarm system.

(hh) Section 910.1. Section 910.1 shall be amended by deleting Exception "2" in its entirety and adding a new Exception "2" .in Section 910.1to read as follows:

(i) Where areas of buildings are equipped with early suppression fast response (ESFR) sprinklers, only manual smoke and heat vents shall be required within these areas. Automatic smoke and heat vents are prohibited.

(ii) Section 910.2.3. Section 910 shall be amended by adding a new Section to read as follows:

(i) Group H. Buildings and. portions thereof used as a Group H occupancy as follows:

(ii) In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet in single floor area.

1. Exception: construction materials.

(jj) Section 912.2.3. Section 912 shall be amended by adding a new Section 912.2.3 to read as follows:

(i) 912.2.3 Hydrant distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays.

(kk) Section 913.1. Section 913.1 shall be amended by adding the following text and Exception to Section 913.1 to read as follows:

(i) When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than three feet in width and six feet eight inches in height, regardless of any interior doors that are provided. A key box shall be provided at this door as required by Section 506.1.

1. Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room or as approved by the fire code official. Access keys shall be provided in the key box as required by Section 506.1.

(15) Chapter 10, Means of Egress.

(a) Section 1004.1.1. Section 1004.1.1 shall be amended by deleting the Exception in its entirety.

(b) Section 1007.1. Section 1007.1 shall be amended by adding a new Exception #4 to read as follows:

(i) Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1007.

- (c) Section 1008.1.9.3. Section 1008.1.9.3 shall be amended by deleting Item #3 in Section 1008.1.9.3 in its entirety and adding a new Item #3 to Section 1008.1.9.3 to read as follows:
- (i) Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware.
 - (ii) 3.1 Where egress doors are used in pairs and positive latching is required, approved automatic flush bolts shall be permitted to be used, provided that both leaves achieve positive latching regardless of the closing sequence and the door leaf having the automatic flush bolts has no doorknobs or surface mounted hardware.
- (d) Section 1008.1.9.4. Section 1008.1.9.4 shall be amended by deleting Exception #3 and Exception #4 in Section 1008.1.9.4 in their entirety and adding a new Exception #3 and Exception #4 in Section 1008.1.9.4 to read as follows:
- (i) Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy, manually operated edge- or surface-mount bolts are permitted on the inactive leaf. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.
 - (ii) Where a pair of doors serves a Group B, F, M, or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress width requirements and the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.
- (e) Section 1008.1.9.8. Section 1008.1.9.8 shall be amended by deleting the first paragraph in Section 1008.1.9.8 in its entirety and adding a new first paragraph in Section 1008.1.9.8 to read as follows:
- (i) 1008.1.9.8 Electromagnetically locked egress doors. Doors in the means of egress that are not otherwise required to have panic hardware in buildings with an occupancy in Group A, B, E, 1-1, 1-2, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, 1-1, 1-2, M, R-1 or R-2 shall be permitted to be electromagnetically locked if equipped with listed hardware that incorporates a built-in switch and meet the requirements below:
 - 1. The requirements listed as numbers 1, 2, 3 and 4 in Section 1008.1.9.8 remain unchanged.
- (f) Section 1015.7. Section 1015 shall be amended by adding a new Section 1015.7 to read as follows:
- (i) 1015.7 Electrical rooms. For electrical rooms, special existing requirements may apply. Reference the electrical code as adopted.
- (g) Section 1016.3. Section 1016 shall be amended by adding a new Section 1016.3 to read as follows:

- (i) 1016.3. Roof vent increase. In buildings that are one story in height, equipped with automatic heat and smoke roof vents complying with Section 910 and equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the maximum exit access travel distance shall be 400 feet (122 m) for occupancies in Group F-1 or S-1.
- (h) Section 1018.1. Section 1018.1 shall be amended by adding an Exception "5" to Section 1018.1 to read as follows:
 - (i) In Group B office buildings, corridor walls and ceilings need not be of fire-resistive construction within office spaces of a single tenant when the space is equipped with an approved automatic fire alarm system with corridor smoke detection. The actuation of any detector shall activate alarms audible in all areas served by the corridor. The smoke-detection system shall be connected to the building's fire alarm system where such a system is provided.
- (i) Section 1018.6. Section 1018.6 shall be amended by deleting the first paragraph in Section 1018.6 in its entirety and adding a new first paragraph in Section 1018.6 to read as follows:
 - (i) 1018.6 Corridor continuity. All corridors shall be continuous from the point of entry to an exit, and shall not be interrupted by intervening rooms.
- (j) The Exception set forth in Section 1018.6 remains unchanged.
- (k) Section 1022.1. Section 1022.1 shall be amended by adding an Exception #8 and Exception #9 to Section 1022.1 to read as follows:
 - (i) In other than occupancy Groups H and I, a maximum of 50 percent of egress stairways serving one adjacent floor are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Any two such interconnected floors shall not be open to other floors.
 - (ii) In other than occupancy Groups H and I, interior egress stairways serving only the first and second stories of a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Such interconnected stories shall not be open to other stories.
- (l) Section 1022.9. Section 1022.9 shall be amended by deleting the first paragraph in Section 1022.9 in its entirety and adding a new paragraph in 1022.9 to read as follows:
 - (i) 1022.9 Smoke-proof enclosures and pressurized stairways. In buildings required to comply with Section 403 or 405 of the International Building Code, each of the exit enclosures serving a story with a floor surface located more than 55 feet above the lowest level of fire department vehicle access or more than 30 feet below the finished floor of a level of exit discharge serving such stories shall be a smoke proof enclosure or pressurized stairway in accordance with Section 909.20 of the International Building Code.

- (m) Sections 1022.9.1 and 1022.9.2 and their Exceptions remain unchanged.
- (n) Section 1024.1. Section 1024.1 shall be amended by deleting the first paragraph in Section 1024.1 in its entirety and adding a new first paragraph in Section 1024.1 to read as follows:
 - (i) 1024.1 General. Approved luminous egress path markings delineating the exit path shall be provided in buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than 55 feet above the lowest level of fire department vehicle access in accordance with Sections 1024.1 through 1024.5.
 - 1. The Exceptions in Section 1024.1 remain unchanged.
- (o) Section 1026.6. Section 1026.6 shall be amended by deleting Exception #4 in Section 1026.6 in its entirety and adding a new Exception #4 in Section 1026.6 to read as follows:
 - (i) Separation from the open-ended corridors of the building is not required for exterior ramps or stairways connected to open-ended corridors, provided that Items 4.1 through 4.4 are met:
 - (ii) The building, including corridors and ramps and stairs, shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
 - (iii) The open-ended corridors comply with Section 1018.
 - (iv) The open-ended corridors are connected on each end to an exterior exit ramp or stairway complying with Section 1026.
 - (v) At any location in an open-ended corridor where a change of direction exceeding 45 degrees (0.79 rad) occurs, a clear opening of not less than 35 square feet (3.3 m²) or an exterior ramp or stairway shall be provided. Where clear openings are provided, they shall be located so as to minimize the accumulation of smoke or toxic gases
- (p) Section 1030.2. Section 1030.2 shall be amended by deleting Section 1030.2 in its entirety and adding a new Section 1030.2 to read as follows:
 - (i) 1030.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.
- (16) Chapter 15, Flammable Finishes.
 - (a) Section 1501.2. Section 1501.2 shall be amended by deleting Section 1501.2 in its entirety.
 - (b) Section 1504.4. Section 1504.4 shall be amended by deleting Section 1504.4 in its entirety and adding a new Section 1504.4 to read as follows:

- (i) 1504.4 Fire protection. New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9. Protection shall also extend to exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used.

(c) Section 1504.4.1 remains unchanged.

(17) Chapter 22, Motor Fuel-Dispensing Facilities and Repair Garages.

- (a) Section 2202.1. Section 2202.1 shall be amended by deleting the definition of "Repair Garage" in Section 2202.1 in its entirety and adding a new definition of "Repair Garage" to read as follows:

- (i) 2202.1 Repair garage. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

- (b) Section 2204.1. Section 2204.1 shall be amended by deleting Section 2204.1 in its entirety and adding a new Section 2204.1 to read as follows:

- (i) Supervision of dispensing. The dispensing of fuel at motor fuel- dispensing facilities shall be in accordance with the following:

1. Conducted by a qualified attendant; and/or
2. Shall be under the supervision of a qualified attendant; and/or shall be an unattended self-service facility in accordance with Section 2204.3.

- (ii) At any time, the qualified attendant of Item #1 or #2 above is not present, such operations shall be considered as an unattended, self-- service facility and shall also comply with Section 2204.3.

- (c) Section 2206.2.1.2. Section 2206 shall be amended by adding a new Section 2206.2.1.2 to read as follows:

- (i) Aboveground tanks. The following provisions shall apply to the dispensing of Class I, Class II and Class IIIA liquids from an aboveground tank:

1. There shall be no dispensing to the general public.
2. Tanks shall not be located within 100 feet of the property line of any occupancy Group A, E, I or R.

- (ii) For the purposes of this provision, used motor oil that has not been contaminated by other flammable or combustible substances shall be classified as a Class IIIB liquid.

(18) Chapter 23, High-Piled Combustible Storage.

(a) Section 2302.1. Section 2302.1 shall be amended by adding the following text to the definition of "High-Pile D Combustible Storage" to read as follows:

(i) Any building classified as a Group S Occupancy or Speculative Building exceeding 6,000 square feet that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities to the maximum pile height.

(ii) Table 2306.2. Table 2306.2 shall be amended by deleting the text of Footnote (j) in its entirety and adding a new Footnote (j) to read as follows:

1. J. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

(19) Chapter 33, Explosives and Fireworks.

(a) Section 3301.1.1. Section 3301.1.1 shall be amended by adding a sentence at the end of Section 3301.1.1 to read as follows:

(i) The manufacture of explosives is prohibited.

(b) Section 3301.1.3. Section 3301.1.3 shall be amended by deleting Section 3301.1.3 including the Exceptions stated in Section 3301.1.3 in their entirety and adding a new Section 3301.1.3 to read as follows:

(i) Fireworks. The possession, manufacturing, storage, sale, handling and use of fireworks are prohibited.

1. Exceptions:

a. Only when approved for fireworks displays, storage and handling of fireworks as allowed in Sections 3304 and 3308

b. The use of fireworks for approved displays as allowed in Section 3308.

(c) Section 3302.1. Section 3302.1 shall be amended by deleting the first paragraph of the definition of "Fireworks" in Section 3302.1 in its entirety and adding a new first paragraph of the definition for "Fireworks" to Section 3302.1 to read as follows:

(i) 3302.1 Fireworks. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, detonation and/or activated by ignition with a match or other heat-producing device that meets the definition of 1.40 fireworks or 1.30 fireworks as set forth herein.

(d) The remainder of the definition of "Fireworks" in Section 3302.1 titled "Fireworks, 14.G" and "Fireworks, 130" remain unchanged.

(20) Chapter 34, Flammable and Combustible Liquids.

(a) Section 3403.6. Section 3403.6 shall be amended by adding a sentence at the end of Section 3403.6 to read as follows:

(i) An approved method of secondary containment shall be provided for underground tank and piping systems.

(b) Section 3404.2.9.5.1. Section 3404 shall be amended by adding a new Section 3404.2.9.5.1 to read as follows:

(i) 3404.2.9.5.1 Combustible liquid storage tanks inside of buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 3404.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallons (11 356 L) quantity shall be stored in protected above-ground tanks;
2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;
3. The tanks shall be located in a room protected by an automatic sprinkler system complying with Section 903.3.1.1; and
4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an approved closed piping system.
5. The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 2703.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.

(c) Section 3404.2.11.5. Section 3404.2.11.5 shall be amended by adding a sentence at the end of Section. 3404.2.11.5 to read as follows:

(i) An approved method of secondary containment shall be provided for underground tank and piping systems.

(d) Section 3404.2.11.5.2. Section 3404.2.11.5.2 shall be amended by deleting Section 3404.2. 11.5.2 in its entirety and adding a new Section 3404.2.11.5.2 to read as follows:

(i) Leak detection. Underground storage tank systems shall be provided with an approved method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 3404.2.11.5.3.

(e) Section 3404.2.11.5.3. Section 3404 shall be amended by adding a new Section 3404.2.11.5.3 to read as follows:

- (i) Observation wells. Approved sampling tubes of a minimum six inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling sump at the corners of the excavation with a minimum of four sumps. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.
- (f) Section 3404.2.13.1.4. Section 3404.2. 13.1.4 shall be amended by deleting Section 3404.2.13. 1.4 in its entirety and adding a new Section 3404.2.13. 1.4 to read as follows:
- (i) Tanks abandoned in place. Tanks shall not be permitted to be abandoned in place.
 - 1. Exception: Removal is not possible due to the proximity to a building foundation or another tank, or other practical constraints. In such case, the tanks shall be abandoned as follows:
 - a. Flammable and combustible liquids shall be removed from the tank and connected piping.
 - b. The suction, inlet, gauge, vapor return and vapor lines shall be disconnected.
 - c. The tank shall be filled completely with an approved inert solid material.
 - d. Remaining underground piping shall be capped or plugged.
 - e. A record of tank size, location and date of abandonment shall be retained.
 - f. All exterior above-grade fill piping shall be permanently removed when tanks are abandoned or removed.
- (g) Section 3406.5.4.5. Section 3406.5.4.5 shall be amended by deleting Section 3406.5.4.5 in its entirety and adding a new Section 3406.5.4.5 to read as follows:
- 1. 3406.5.4.5 Commercial, industrial, governmental or manufacturing. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted provided such dispensing operations are conducted in accordance with Sections 3406.5.4.5.1 through 3406.5.4.5.3.
- (h) Section 3406.5.4.5.1. Section 3406 shall be amended by adding a new Section 3406.5.4.5.1 to read as follows:
- (i) Site requirements. Dispensing may occur at sites that have been permitted to conduct mobile fueling.

- (ii) A detailed site plan shall be submitted with each application for a permit. The site plan must indicate:
 - 1. All buildings, structures and appurtenances on site and their use or function;
 - 2. All uses adjacent to the property lines of the site;
 - 3. The locations of all storm drain openings, adjacent waterways or wetlands;
 - 4. Information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and
 - 5. The scale of the site plan.
 - 6. The fire code official is authorized to impose limits upon the times and/or days during which mobile fueling operations are allowed to take place and specific locations on a site where fueling is permitted. Mobile fueling operations shall be conducted in areas not generally accessible to the public. Mobile fueling shall not take place within 15 feet of buildings, property lines or combustible storage.

- (i) Section 3406.5.4.5.2. Section 3406 shall be amended by adding a new Section 3406.5.4.5.2 to read as follows:
 - (i) Refueling operator requirements. The owner of a mobile fueling operation shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill, carry out appropriate mitigation measures, and to indicate its process to properly dispose of contaminated materials when circumstances require.

 - (ii) The tank vehicle shall comply with the requirements of NFPA 385 and Local, State and Federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.

 - (iii) Signs prohibiting smoking or open flames within 25 feet of the tank vehicle or the point of fueling shall be prominently posted on three sides of the vehicle including the back and both sides.

 - (iv) A fire extinguisher with a minimum rating of 40: BC shall be provided on the vehicle with signage clearly indicating its location.

 - (v) The dispensing nozzles and hoses shall be of an approved and listed type.

 - (vi) The dispensing hose shall not be extended from the reel more than 100 feet in length.

 - (vii) Absorbent materials, non-water absorbent pads, a 10-foot-long containment boom, an approved container with lid and a non-metallic shovel shall be provided to mitigate a minimum five-gallon fuel spill.

- (viii) Tanker vehicles shall be equipped with a fuel limit switch such as a count-back switch, limiting the amount of a single fueling operation to a maximum of 500 gallons (1893 L) between resetting of the limit switch.
 - 1. Exception: Tankers utilizing remote emergency shut-off device capability where the operator constantly carries the shut-off device which, when activated, immediately causes flow of fuel from the tanker to cease.
- (ix) Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak or spill. Training records shall be maintained by the dispensing company and shall be made available to the fire code official upon request.
- (x) Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.
- (j) Section 3406.5.4.5.3. Section 3406 shall be amended by adding a new Section 3406.5.4.5.3 to read as follows:
 - (i) Operational requirements. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.
 - (ii) Prior to beginning dispensing operations, precautions shall be taken to assure ignition sources are not present.
 - (iii) The engines of vehicles being fueled shall be shut off during dispensing operations.
 - (iv) Night time fueling operations shall only take place in adequately lighted areas.
 - (v) The tank vehicle shall be positioned with respect to vehicles being fueled so as to preclude traffic from driving over the delivery hose and between the tank vehicle and the motor vehicle being fueled.
 - (vi) During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.
 - (vii) Motor vehicle fuel tanks shall not be topped off.
 - (viii) The dispensing hose shall be properly placed on an approved reel or in an approved compartment prior to moving the tank vehicle.
 - (ix) The fire code official and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.

(21) Chapter 38, Liquefied Petroleum Gases.

(a) Section 3803.2.1.8. Section 3803 shall be amended by adding a new Section 3803.2. 1.8 to read as follows:

(i) 3803.2.1.8 Jewelry repair, dental labs and similar occupancies. Where natural gas service is not available, portable LP-gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20-pound water capacity. Aggregate capacity shall not exceed 60-pound water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.

1. Exception: Propane shall not be used for this purpose within a covered mall.

(b) Section 3804.2. Section 3804.2 shall be amended by renumbering the Exception stated in Section 3804.2 as Exception "1" and adding a new Exception "2" to Section 3804.2 to read as follows:

(i) Exceptions:

1. In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.

2. Except as permitted in Sections 308 and 3804.3.2, LP-gas containers are not permitted in residential areas.

(c) Section 3804.3.2. Section 3804 shall be amended by adding a new Section 3804.3.2 to read as follows:

(i) 3804.3.2 Spas and pool heaters and other listed devices. Where natural gas service is not available, a LP-gas container is allowed to be used to supply spa and pool heaters and other listed devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 3804.3 for location of containers. A Sunnyvale Fire/ Rescue permit is required prior to installation.

1. Exception: Lots where LP can be off loaded wholly on the property where the tank is located; may install 500 gallons above ground or 1,000 gallon underground approved containers.

(d) Section 3805.3. Section 3805 shall be amended by adding a new Section 3805.3 to read as follows:

(i) 3805.3 Restricted uses of LP gas. New installations of LP gas shall not be allowed for building services to include heating, water heater, cooking, etc., in areas other than zoned Agricultural. LP-gas is allowed in Agricultural zoning if natural gas service is not available.

(22) Chapter 46, Construction Requirements for Existing Buildings.

(a) Section 4603.7.3. Section 4603.7.3 shall be amended by deleting Section 4603.7.3 including the Exceptions stated in Section 4603.7.3 in their entirety and adding a new Section 4603.7.3 to read as follows:

(i) Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection. Locations where smoke alarms are permitted to be solely battery operated shall utilize a lithium type battery or equivalent with a functional life expectancy of ten (10) years or more. All lithium battery or equivalent smoke alarms shall be one in which the battery is sealed within the smoke alarm and cannot be removed from the smoke alarm without damage to the smoke alarm. No damaged or inoperative smoke alarm shall meet the requirements of this section. Mass-market battery powered smoke alarms including those powered by 9 volt batteries or lithium batteries (or equivalent) not sealed within the smoke alarm do not comply with the requirements of this section for required smoke alarms. Smoke alarms must be equipped with a hush feature. A permit for each smoke alarm permitted by this Section shall be required pursuant to Section 4601.3 of this code.

1. Exceptions:

- a. Smoke alarms are permitted to be solely battery operated in existing buildings where no construction is taking place.
- b. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
- c. Smoke alarms are permitted to be solely battery operated in existing area of buildings undergoing alterations or repairs. that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

(b) Section 4603.7.4. Section 4603 shall be amended by adding a new Section 4603.7.4 to read as follows:

(i) Maintenance. The fire code official shall have the right to conduct regular inspections of all smoke alarms including, without limitation, all smoke alarms in dwelling units and all smoke alarms shall be operational at the time of inspection.

(c) Table 4604.7. Table 4604.7 shall be amended by deleting Footnote "a" in its entirety and adding a new Footnote "a" to read as follows:

(i) Buildings constructed under the 2003 or 2006 International Building Code and equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

(d) Section 4604.23. Section 4606.23 shall be amended by deleting Section 4604.23 including the Exception stated therein in their entirety and adding a new Section 4604.23 to read as follows:

(i) 4604.23 Egress path markings. Existing buildings of Groups A, B, E, I, M, and R-1 having occupied floors located more than 55 feet above the lowest level of fire department vehicle access shall be provided with luminous egress path markings in accordance with Section 1024.

1. Exception: Open, unenclosed stairwells in historic buildings designated as historic under a state or local historic preservation program.

(e) Appendices. Amend by adding Appendix B, Appendix C and Appendix D attached to the International Fire Code, 2009 Edition, to the same extent as if Appendix B, Appendix C and Appendix D were copied verbatim and set forth herein. Appendix A, Appendix E, Appendix F, Appendix G, Appendix H, Appendix I and Appendix J shall be deleted in their entirety.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. That any person as defined in Chapter 2, Section 202 of the International Fire Code, 2009 Edition and any person as defined in Chapter 1, Section 1-2 of the Code of the Town of Sunnyvale, Texas, as amended, violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

SECTION 5. This ordinance shall become effective August 1, 2016

Introduced and read at the Town Council meeting on July 11, 2016.

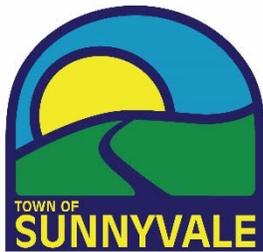
PASSED AND APPROVED BY THE TOWN COUNCIL ON THIS 25th DAY OF JULY, 2016.

APPROVED:

By: _____
Jim Phaup, Mayor

ATTEST:

Leslie Black, Town Secretary



Town of Sunnyvale

Prepared By: Leslie Black, Town Secretary

Summary:

DISCUSS AND CONSIDER CITIZEN FEEDBACK ON TOWN FLAG DESIGNS.

Background & Analysis:

Sunnyvale resident, Ross Miracle, submitted a proposed design and draft resolution for a new official Town Flag in March 2015 but the resolution failed by a vote of 3/3.

In December 2015, Mr. Miracle submitted a petition requesting Council reconsider the proposal of adopting a new official Town Flag. Council directed Staff to devise a rough plan to accommodate Mr. Miracle's proposal for consideration.

In January of 2016, Staff presented a recommendation that included presenting the submissions to an ad-hoc committee to narrow down the selections to two designs plus the current Town flag for citizen feedback. The Council asked for citizens to provide submissions to be considered and solicit feedback from the community. Three designs were submitted by Sunnyvale residents. In the June utility bills, the three submitted designs along with the current Town flag were presented for feedback.

During the month of June, the Town received a total of 249 returned newsletters. 157 people recommended keeping the current flag design. 74 people recommended the flag designed by Ross Miracle, 1 person recommended the flag designed by Christine Tadlock, and 17 people recommended the design by Ilde Lopez.

Staff Recommendation:

None.

Attachment:

June 2016 Newsletter front.

Newsletter



June 2016

Considerations for Town Flag Design

The Town Council has been approached about considering a new design for the Town Flag. The Council solicited designs from Sunnyvale residents during the month of April. Three residents submitted designs for consideration, and now the Town Council is requesting your feedback on the designs. Please review the designs below, and provide your feedback by June 30th. The Town Council will discuss and consider the feedback provided on July 11th.



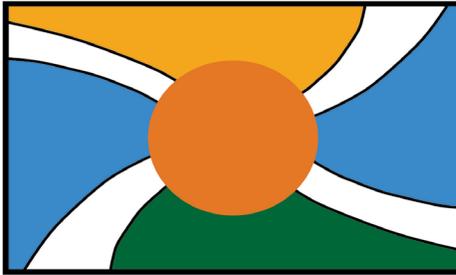
Flag Design #1 - Current Town Flag

The current Town Flag consists of the Town Logo on a field of white.



Flag Design #2 - Submitted By: Ross Miracle

This flag follows the pattern of the Texas flag, but is uniquely Sunnyvale. The blue stands for loyalty, white for purity, and yellow for wisdom. Blue, yellow, and white also honor the Town's school colors. The sun honors the Town's name, and the sun's four longer rays represent the towns of Long Creek, New Hope, Hattersville, and Tripp that united in 1953 to create Sunnyvale. This flag follows the five basic guidelines of flag design: (1) be simple, (2) use meaningful symbols, (3) only 2-3 colors, (4) no lettering or seals, and (5) honor one's heritage while being distinctive.



Flag Design #3 - Submitted By: Christine Tadlock

I felt the need for a fresher take in the design of a flag. The four sections moving toward the center represent the four historic communities that made up the present town, Hattersville, Long Creek, New Hope, and Tripp. While these sections do have borders or outlines, the central circle where the four join does not have a boundary. All have come together and are welcomed. The colors are representative of what is gorgeous in Sunnyvale: the warm morning sky, the green rolling hills, the beautiful sky and the lakes and creeks nearby.



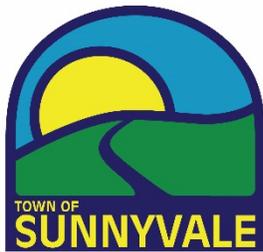
Flag Design #4 - Submitted By: Ilde Lopez

The blue and green colors represent the blue skies and green pastures of our rural community. These combined with the sun in the middle make up the name of the town, Sunny(sun)vale(valley). The 4 big points of the sun represent the 4 hamlets that came together to form our town (Long Creek, New Hope, Hattersville, and Tripp). The 4 small points of the sun represent what keeps us together: our schools, our faith, our sense of family and our sense of community. And since there is no pride bigger than Texas pride, the Texas star in the middle with the Texas flag colors.

Please detach and return to Town Hall either included with your bill payment, in the drop box, or at the counter.

I prefer flag design # ____.

Comments: _____



Town of Sunnyvale

Prepared By: Sean Fox

Summary:

DISCUSS AND PROVIDE DIRECTION ON FINANCING AND TIMING OF ISSUING DEBT FOR RIGHT OF WAY ACQUISITION AND/OR CONSTRUCTION COSTS FOR THE WIDENING OF COLLINS ROAD.

Background & Analysis:

To anticipate any additional borrowing that would affect the data used to calculate the Effective Tax Rates and Rollback Rates by Dallas County Tax Office due on July 15, 2016, First Southwest provided financing options, summarized below, for the approved final design alternative for the Tripp and Collins Road intersection.

Two impact schedules illustrating an issuance to produce \$4.65 million in proceeds are included. Schedule 1a assumes issuance of the full \$4.765 million prior to setting the tax rate for 2016/17. Schedule 2a illustrates \$800,000 issued for ROW prior to setting the tax rate, with the remaining \$3.95 million issued spring of 2017. Both assume 20 year repayment (\$800,000 ROW assumes 15 year) with assumed financing costs included in sizing. Due to the uncertainty of interest rates, the \$3.95 million issued in Schedule 2a assumes a slightly higher interest rate than assumed in Schedule 1a. For illustration, the schedules assume that final FY 2017 values come in around \$1.025 billion with assumed percentage growth to reduce incrementally over time (column C). Columns K and N, respectively, illustrate contributions from the road impact fund in FY 2017 and FY 2018 in order to maintain the tax rate at the current FY 2016 level of \$.0688. Given assumed value growth and descending existing tax supported debt service, the calculated tax rates would begin to decline over time beginning in FY 2019. Due to current interest rates being at all-time lows, it may be advisable to issue the full amount this Fall and avoid uncertainty of rates when the second phase would be needed.

If the Town would like to move forward with issuance of Certificates, below is suggested timing in order to issue prior to setting the tax rate:

- 7/25: council consider and approve notice of intent to issue certificates
- 7/29: first newspaper publication (will need to confirm exact date with newspaper)
- 8/5: second newspaper publication (same day one week later)
- Week of 8/15: rating agency conference call
- 9/12: pricing overseen by FirstSouthwest
- 9/12: council approval and sale of certificates
- 9/12: adopt tax rate (after approval of certificates)
- 10/13: closing; receipt of funds

Fiscal Impact:

Current Opinion of Probable Construction Costs	\$6,230,000
ROW Acquisition	<u>\$ 780,000</u>
Total Project	\$7,010,000
Dallas County Participation	\$2,900,000
Estimated Costs Expended since project inception	- 300,000
½ of Engineering Costs currently underway	<u>- 266,000</u>
Remaining Contribution	\$2,334,000
Remaining Construction Costs to be financed	\$4,676,000

The I&S rate would remain at current year levels and the Road Impact Fund would provide the first two years of debt service.

Staff Recommendation:

To proceed with proposed schedule and issuance of debt as outlined by First Southwest.

Collins Road Intersection Control Evaluation

Summary Evaluation of Quantitative Criteria for the Roundabout Alternatives

	Evaluation Criteria	Roundabout Alternative 4.1	Roundabout Alternative 5	Roundabout Alternative 6
Tripp Road (west) to northern project terminus	Build-Out Traffic Peak Hour Approach Leg Delay – critical approach(es) , (sec)	Up to 35 seconds	Up to 15 seconds	Up to 15 seconds
	Estimated Parcels Affected	9	10	14
	Estimated Property to be Acquired, (SF)	79,000	57,000	96,000
	*Estimated ROW Costs, (\$)	\$780,000	\$680,000	\$1,040,000
	Estimated Constr Cost, (\$)	\$2,130,000	\$1,810,000	\$2,080,000
	Estimated 20-Year Maintenance Cost, (PC, \$)	\$17,000	\$34,000	\$17,000
	Estimated 20-Year Collision Costs, (PC, \$)	\$1,941,000	\$1,746,000	\$1,941,000
Collins Road Widening US Hwy 80 to Tripp Road (west)	Estimated Constr Cost, (\$)	\$4,100,000	\$4,100,000	\$4,100,000
Collins Road Widening US Hwy 80 to northern project terminus	Estimated Constr Cost, (\$)	\$6,230,000	\$5,910,000	\$6,180,000

*ROW Costs include ROW acquisition, ROW and easement documentation, appraisal and review appraisal services, and improvement costs.

Schedule 1a
Town of Sunnyvale, Texas
Tax Rate Impact Analysis

\$4,650,000 Proceeds - Series 2016 Certificates of Obligation - 20 year Repayment

A	B	C	D	E	F	G	H	I	J	K	L	M	N	
FYE	Taxable Assessed Valuation	Growth	Existing Debt Service	less: Utility Fund and 4A/4B Supported Debt Service	Existing Net Tax Supported Debt Service	Calculated I&S Tax Rate ⁽¹⁾	\$4,765,000 - Series 2016 10/13/2016 - 3.40%			less: Impact Fee Contribution	Aggregate Tax Supported Debt Service		Calculated I&S Tax Rate ⁽¹⁾	FYE
							Principal	Interest	Debt Service					
2016	\$ 924,290,514		\$ 1,221,785	\$ 551,117	\$ 670,668	0.0688	\$ -	\$ -	\$ -	\$ -	\$ 670,668	0.0688	2016	
2017	1,025,000,000	10.90%	1,249,616	558,055	691,561	0.0696	-	135,908	135,908	143,000	684,469	0.0688	2017	
2018	1,081,375,000	5.50%	1,084,172	386,290	697,882	0.0665	-	162,010	162,010	138,000	721,892	0.0688	2018	
2019	1,130,036,875	4.50%	781,588	364,970	416,618	0.0380	160,000	159,290	319,290	-	735,908	0.0671	2019	
2020	1,180,888,534	4.50%	774,388	365,401	408,986	0.0357	170,000	153,680	323,680	-	732,666	0.0640	2020	
2021	1,228,124,076	4.00%	786,538	366,467	420,071	0.0353	165,000	147,985	312,985	-	733,056	0.0615	2021	
2022	1,277,249,039	4.00%	658,975	367,201	291,774	0.0236	180,000	142,120	322,120	-	613,894	0.0496	2022	
2023	1,321,952,755	3.50%	662,788	367,160	295,627	0.0231	185,000	135,915	320,915	-	616,542	0.0481	2023	
2024	1,368,221,102	3.50%	670,850	370,785	300,065	0.0226	185,000	129,625	314,625	-	614,690	0.0463	2024	
2025	1,402,426,629	2.50%	677,150	371,368	305,782	0.0225	185,000	123,335	308,335	-	614,117	0.0451	2025	
2026	1,437,487,295	2.50%	682,650	370,655	311,995	0.0224	185,000	117,045	302,045	-	614,040	0.0440	2026	
2027	1,459,049,604	1.50%	682,400	371,709	310,691	0.0220	195,000	110,585	305,585	-	616,276	0.0435	2027	
2028	1,480,935,348	1.50%	681,475	370,240	311,235	0.0217	200,000	103,870	303,870	-	615,105	0.0428	2028	
2029	1,488,340,025	0.50%	221,850	137,288	84,562	0.0059	325,000	94,945	419,945	-	504,507	0.0349	2029	
2030	1,495,781,725	0.50%	218,494	135,211	83,282	0.0057	340,000	83,640	423,640	-	506,922	0.0349	2030	
2031	1,503,260,634	0.50%	219,569	135,877	83,692	0.0057	350,000	71,910	421,910	-	505,602	0.0347	2031	
2032	1,510,776,937	0.50%					360,000	59,840	419,840	-	419,840	0.0286	2032	
2033	1,518,330,822	0.50%					375,000	47,345	422,345	-	422,345	0.0287	2033	
2034	1,525,922,476	0.50%					390,000	34,340	424,340	-	424,340	0.0287	2034	
2035	1,533,552,088	0.50%					400,000	20,910	420,910	-	420,910	0.0283	2035	
2036	1,541,219,849	0.50%					415,000	7,055	422,055	-	422,055	0.0282	2036	
			<u>\$ 11,274,286</u>	<u>\$ 5,589,793</u>	<u>\$ 5,684,492</u>		<u>\$ 4,765,000</u>	<u>\$ 2,041,353</u>	<u>\$ 6,806,353</u>	<u>\$ 281,000</u>	<u>\$ 12,209,846</u>			

(1) Tax collection percentage: 97.0%. Actual FY 2016 tax rate.

Maximum project I&S rate: 0.0688
 Increase above FY 2016 I&S rate: 0.0000

Schedule 2a
Town of Sunnyvale, Texas
Tax Rate Impact Analysis

\$800,000 Proceeds - Series 2016 Certificates of Obligation - 15 year Repayment
\$3,850,000 Proceeds - Series 2017 Certificates of Obligation - 20 year Repayment

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	
FYE	Taxable Assessed Valuation	Growth	Existing Debt Service	less: Utility Fund and 4A/4B Supported Debt Service	Existing Supported Debt Service	Calculated I&S Tax Rate ⁽¹⁾	\$840,000 - Series 2016 10/13/2016 - 3.00%			\$3,950,000 - Series 2017 5/1/2017 - 3.75%			less: Impact Fee Contribution	Aggregate Tax Supported Debt Service		Calculated I&S Tax Rate ⁽¹⁾	FYE
							Principal	Interest	Debt Service	Principal	Interest	Debt Service					
2016	\$ 924,290,514		\$ 1,221,785	\$ 551,117	\$ 670,668	0.0688	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 670,668	0.0688	2016
2017	1,025,000,000	10.90%	1,249,616	558,055	691,561	0.0696	-	21,140	21,140	-	-	-	28,657	684,044	0.0688	2017	
2018	1,081,375,000	5.50%	1,084,172	386,290	697,882	0.0665	-	25,200	25,200	-	190,917	190,917	192,000	721,998	0.0688	2018	
2019	1,130,036,875	4.50%	781,588	364,970	416,618	0.0380	55,000	24,375	79,375	90,000	146,438	236,438	-	732,430	0.0668	2019	
2020	1,180,888,534	4.50%	774,388	365,401	408,986	0.0357	55,000	22,725	77,725	100,000	142,875	242,875	-	729,586	0.0637	2020	
2021	1,228,124,076	4.00%	786,538	366,467	420,071	0.0353	55,000	21,075	76,075	95,000	139,219	234,219	-	730,365	0.0613	2021	
2022	1,277,249,039	4.00%	658,975	367,201	291,774	0.0236	60,000	19,350	79,350	105,000	135,469	240,469	-	611,593	0.0494	2022	
2023	1,321,952,755	3.50%	662,788	367,160	295,627	0.0231	60,000	17,550	77,550	105,000	131,531	236,531	-	609,709	0.0475	2023	
2024	1,368,221,102	3.50%	670,850	370,785	300,065	0.0226	60,000	15,750	75,750	110,000	127,500	237,500	-	613,315	0.0462	2024	
2025	1,402,426,629	2.50%	677,150	371,368	305,782	0.0225	65,000	13,875	78,875	105,000	123,469	228,469	-	613,126	0.0451	2025	
2026	1,437,487,295	2.50%	682,650	370,655	311,995	0.0224	65,000	11,925	76,925	100,000	119,625	219,625	-	608,545	0.0436	2026	
2027	1,459,049,604	1.50%	682,400	371,709	310,691	0.0220	70,000	9,900	79,900	105,000	115,781	220,781	-	611,373	0.0432	2027	
2028	1,480,935,348	1.50%	681,475	370,240	311,235	0.0217	70,000	7,800	77,800	110,000	111,750	221,750	-	610,785	0.0425	2028	
2029	1,488,340,025	0.50%	221,850	137,288	84,562	0.0059	75,000	5,625	80,625	280,000	104,438	384,438	-	549,624	0.0381	2029	
2030	1,495,781,725	0.50%	218,494	135,211	83,282	0.0057	75,000	3,375	78,375	290,000	93,750	383,750	-	545,407	0.0376	2030	
2031	1,503,260,634	0.50%	219,569	135,877	83,692	0.0057	75,000	1,125	76,125	300,000	82,688	382,688	-	542,505	0.0372	2031	
2032	1,510,776,937	0.50%								310,000	71,250	381,250	-	381,250	0.0260	2032	
2033	1,518,330,822	0.50%								325,000	59,344	384,344	-	384,344	0.0261	2033	
2034	1,525,922,476	0.50%								335,000	46,969	381,969	-	381,969	0.0258	2034	
2035	1,533,552,088	0.50%								350,000	34,125	384,125	-	384,125	0.0258	2035	
2036	1,541,219,849	0.50%								360,000	20,813	380,813	-	380,813	0.0255	2036	
2037	1,548,925,948	0.50%								375,000	7,031	382,031	-	382,031	0.0254	2037	
			<u>\$ 11,274,286</u>	<u>\$ 5,589,793</u>	<u>\$ 5,684,492</u>		<u>\$ 840,000</u>	<u>\$ 220,790</u>	<u>\$ 1,060,790</u>	<u>\$ 3,950,000</u>	<u>\$ 2,004,979</u>	<u>\$ 5,954,979</u>	<u>\$ 220,657</u>	<u>\$ 12,479,605</u>			

(1) Tax collection percentage: 97.0%. Actual FY 2016 tax rate.

Maximum project I&S rate: 0.0688
 Increase above FY 2016 I&S rate: 0.0000