



**SEAGOVILLE, TEXAS  
CITY COUNCIL MEETING AGENDAS  
MONDAY, APRIL 3, 2017**

**City Council Chambers, City Hall  
702 N. Hwy 175  
Seagoville, Texas 75159**

**WORK SESSION – 6:30 P.M.**

**Call to Order**

- A. Community CPR Program (Fire Chief)**
- B. Discuss Regular Session Agenda Items**

**Adjourn**

**REGULAR SESSION – 7:00 P.M.**

**ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS**

**Call to Order**

**Invocation**

**Pledge of Allegiance**

**Proclamation- Public Safety Telecommunicator Week**

**Presentation from the Keep Seagoville Beautiful Board**

**Mayor's Report**

**Citizens Public Comment Period for Posted Agenda Items-** Each speaker will be allowed six (6) minutes to address the council on any item on the agenda except for Public Hearing items. Those wishing to speak shall submit a Speaker Request Form to the City Secretary.

**CONSENT AGENDA-** The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

- 1. Consider approving City Council meeting minutes for March 20 and March 27, 2017 (City Secretary)**
- 2. Consider approving a resolution authorizing the City Manager to sign an Interlocal Cooperation Agreement by and between the Seagoville Police Department and the**

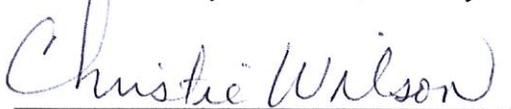
**Dallas Independent School District Police Department for the purpose of clarifying jurisdiction, defining parameters and areas of responsibility, and establishing a spirit of cooperation to enhance the services that both agencies provide to the citizens and DISD schools located in the City of Seagoville (Police)**

**REGULAR AGENDA-**

- 3. Discuss the current Code of Ordinances, Article 9.04 “Fireworks”, Section 9.04.001(b)(2), regarding expiration of provisions, and provide direction to staff regarding potential amendments (Councilmember Fruin)**
- 4. Discuss enforcement of established residential speed limits, and provide direction to staff regarding additional measures and/or options (City Manager)**
- 5. Discuss and consider approving an ordinance amending the Code of Ordinances, Chapter 19, Division 2. “Parking Regulations for Specific Streets”, by repealing and replacing Subsection 17.04.064 to provide for extended no parking on the north and south sides of the westbound U.S. Highway 175 service road, from FM 1389 to the Kaufman County/Dallas County line (Police)**
- 6. Discuss and consider approving a resolution suspending the April 17, 2017 effective date of Oncor Electric Delivery Company’s requested rate change (City Manager)**
- 7. Receive Councilmember Reports/Items of Community Interest-** as authorized by Section 551.0415 of the Texas Government Code.
- 8. Receive Citizen Comments** – Citizens may speak 6 minutes each on any matter not on the agenda, other than personnel matters or matters under litigation. The council may not discuss these items, but may respond with factual data or policy information, or place the item on a future agenda. Those wishing to speak shall submit a Speaker Request Form to the City Secretary.
- 9. Future Agenda Items** – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

**Adjourn**

Posted Thursday, March 30, 2017 by 5:00 P.M.



Christie Wilson, Interim City Secretary



As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

The City of Seagoville does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. If you have a request for services that will make this program accessible to you, please contact the City of Seagoville at least 72 hours in advance at (972) 287-6819. (TDD access 1-800-RELAY-TX)

**DATES TO REMEMBER**

- **Monday, April 17, 2017 is the next regular City Council meeting.**



## *Mayoral Proclamation*

**WHEREAS**, emergencies can occur at any time that require police, fire or emergency medical services; and,

**WHEREAS**, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and,

**WHEREAS**, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Seagoville Police-Fire Communications Center; and,

**WHEREAS**, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and,

**WHEREAS**, Public Safety Telecommunicators of the City of Seagoville have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and,

**WHEREAS**, each Public Safety Telecommunicator has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

**NOW, THEREFORE, IT IS PROCLAIMED** by the Mayor and City Council of the City of Seagoville, Texas, the **week of April 9-15, 2017** to be **National Public Safety Telecommunicators Week** in Seagoville, Texas, in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Seagoville to be affixed this the 3<sup>rd</sup> day of April, 2017.

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*Mayor Dennis K. Childress*

*The City of Seagoville, Texas*

# ***Consent Agenda Item: 1***

**Meeting Date:** April 3, 2017

***Consider approving City Council meeting minutes for March 20 and March 27, 2017 (City Secretary)***

## **ITEM DESCRIPTION:**

Approve work session and regular session city council meeting minutes for March 20, and special session minutes for March 27, 2017.

## **BACKGROUND OF ISSUE:**

N/A

## **FINANCIAL IMPACT:**

N/A

## **RECOMMENDATION:**

Staff recommends approval.

## **EXHIBITS**

March 20, 2017 Work Session Meeting Minutes  
March 20, 2017 Regular Session Meeting Minutes  
March 27, 2017 Special Session Minutes



**MINUTES OF CITY COUNCIL  
WORK SESSION  
MARCH 20, 2017**

**The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:32 p.m. on Monday, March 20, 2017, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

|                  |               |
|------------------|---------------|
| Dennis Childress | Mayor         |
| Jose Hernandez   | Mayor Pro Tem |
| Rick Howard      | Councilmember |
| Harold Magill    | Councilmember |
| Mike Fruin       | Councilmember |
| Jon Epps         | Councilmember |

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Alexis Allen, Finance Director Patrick Harvey, Seagoville Economic Development Director Kirk Clennan, Fire Chief Todd Gilcrease, and Interim City Secretary Christie Wilson.

**A. MetLoop Weather Notification Presentation (Fire Chief)**

Chief Gilcrease introduced Markus Young, Director of Client Relations for MetLoop, which is a privately owned company the city has contracted with to provide more precise weather notifications than the National Weather Service can provide. Mr. Young showed a video featuring WFAA Meteorologist Pete Delkus who explained how MetLoop can pinpoint “focus zones” and be able to provide severe weather information (Outlooks) to subscribers with 95% accuracy. The service is available by subscription to residents as well and the city will pass along the information through water bill and Facebook notifications.

**B. Laserfiche Document Imaging Demonstration (City Secretary)**

Interim City Secretary reviewed the newly installed document imaging system with the council.

**C. Discuss Regular Session Agenda Items**

1. Consider approving City Council meeting minutes for March 6, 2017 (City Secretary)
2. Consider approving a resolution authorizing the City Manager to sign an Interlocal Cooperation/Mutual Aid Agreement with the Southern Regional Response Group for

Specialized Emergency Response Services and Resources and authorize the expense of \$7,500 to participate, as budgeted in the FY 2016-17 municipal budget (Police)

3. Consider approving a resolution authorizing the Mayor to sign an Interlocal Cooperative contract with the Texas Department of Public Safety for the purchase of certain supplies (Police)
4. Consider approving a resolution supporting House Bill 1427 which amends Section 41.005 of the Texas Utilities Code to clarify that a municipality may regulate the operations of an electric cooperative through the city's zoning ordinance (Council)
5. Receive presentation on the Dallas Independent School District P-Tech Program and consider approving a resolution in support of the P-Tech Program (City Manager)
6. Discuss and consider approving a resolution awarding a bid and authorizing the city manager to execute a construction services contract for paving of four streets in the Woodhaven Addition (Community Development)

*Director Ladis Barr reviewed this project. Engineer Andy Martin answered questions relating to the planned construction of the streets. Mr. Martin said there will be a 10" lime subgrade and 2" of asphalt on the surface. Concrete curb and gutters will help stabilize the construction materials. Lifespan of the roads is expected to be 20 years, if they are properly maintained. The benefits of crack sealing were discussed. Water and wastewater lines have already been replaced on these streets.*

7. Discuss, consider and take action on Seagoville Economic Development Board recommendation of Kaufman Street area change orders related to utility infrastructure improvements (SEDC)

*Director Kirk Clennan told the council that recent renovations to 103 N. Kaufman revealed the need for sewer line replacement for the adjacent addresses due to poor design of the original installation several years ago. Seven change orders were included in the packet however only six (6) are being requested at this time.*

8. Discuss and consider approving an ordinance amending the FY 2015-2016 municipal budget (Finance)

*Director Harvey explained this ordinance will redistribute some revenues to cover expenses in other areas, resulting in a more accurate budget.*

9. Discuss and consider approving a resolution authorizing the City Manager to purchase electricity by negotiating the lowest possible price, and entering into an agreement with a retail electricity provider (Finance)

*Director Harvey stated that in anticipation of future cost increases in electricity, he is recommending the city enter into a five (5) year contract with ENGIE beginning in 2018.*

*The rate will be only slightly higher than the city is currently paying. He requested that a provision in the contract regarding location of dispute resolution be changed from Harris County to Dallas County. There was considerable discussion among council members regarding the pass through surcharge, or congestion fee, that might be added to the rate in the event of peak usage times.*

10. Discuss and consider approving an ordinance amending the Code of Ordinances, Chapter 21, "Building Regulations" by repealing and replacing Article 21.08, "Fences", in its entirety and replacing with a new Article 21.08, "Fences", Sections 21.08.001 through 21.08.018, adding definitions, permissible types, permissible locations, required maintenance, and required building permits (Community Development)

*Director Barr told the council the fence ordinance is essentially the one they first saw in June 2016. He told the council he wants to change wording in one section, plus the ordinance now includes an appeal process.*

**Adjourned at 7:24 p.m.**

**APPROVED:**

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**Mayor Dennis K. Childress**

**ATTEST:**

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**Christie Wilson, Interim City Secretary**



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
MARCH 20, 2017**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:33 p.m. on Monday, March 20, 2017, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

|                  |                        |
|------------------|------------------------|
| Dennis Childress | Mayor                  |
| Jose Hernandez   | Mayor Pro Tem          |
| Rick Howard      | Councilmember          |
| Harold Magill    | Councilmember          |
| Mike Fruin       | Councilmember          |
| Jon Epps         | Councilmember (absent) |

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Alexis Allen, Finance Director Patrick Harvey, Seagoville Economic Development Director Kirk Clennan, and Interim City Secretary Christie Wilson.

**ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS**

**Call to Order**

**Invocation** – Mayor Childress

**Pledge of Allegiance**

**Mayor's Report-** Mayor Childress acknowledged that Councilmember Fruin should be congratulated for being unopposed in the election and that he will serve another term.

**Citizens Public Comment Period for Posted Agenda Items-** No speakers.

**CONSENT AGENDA-** The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

- 1. Consider approving City Council meeting minutes for March 6, 2017 (City Secretary)**
- 2. Consider approving a resolution authorizing the City Manager to sign an Interlocal Cooperation/Mutual Aid Agreement with the Southern Regional Response Group for Specialized Emergency Response Services and Resources and authorize the expense of \$7,500 to participate, as budgeted in the FY 2016-17 municipal budget (Police)**
- 3. Consider approving a resolution authorizing the Mayor to sign an Interlocal Cooperative contract with the Texas Department of Public Safety for the purchase of certain supplies (Police)**

4. **Consider approving a resolution supporting House Bill 1427 which amends Section 41.005 of the Texas Utilities Code to clarify that a municipality may regulate the operations of an electric cooperative through the city's zoning ordinance (Council)**

*Motion to approve above Consent Agenda items- Magill; second by Hernandez; motion passed with all ayes.*

#### **REGULAR AGENDA-**

5. **Receive presentation on the Dallas Independent School District P-Tech Program and consider approving a resolution in support of the P-Tech Program (City Manager)**

Representatives from Seagoville High School came to explain the P-Tech Program and how it addresses the needs of students in Seagoville. The components of the program were provided as well as statistics. Mayor Childress read a resolution in support of the program.

*Motion to approve- Hernandez; second by Howard; motion passed with all ayes.*

6. **Discuss and consider approving a resolution awarding a bid and authorizing the city manager to execute a construction services contract for paving of four streets in the Woodhaven Addition (Community Development)**

Community Development Director Ladis Barr reviewed the scope of this roadway replacement project. There were no questions from council.

*Motion to approve- Hernandez; second by Howard; motion passed with all ayes except for Magill who voted no; [Epps was absent].*

7. **Discuss, consider and take action on Seagoville Economic Development Board recommendation of Kaufman Street area change orders related to utility infrastructure improvements (SEDC)**

Director Kirk Clennan reviewed the requested changed orders. It was noted that #7 should not have been included in this request. Councilmember Fruin requested the item be tabled until the corrections to the information could be made. Councilmember Hernandez, who is also an SEDC board member, explained the funding source is the EDC reserve fund. Councilmember Fruin further expressed that with spending the amount of money on the buildings as requested, it would take a long time to realize a return on the investment.

*Motion to approve \$50,000 for six (6) change orders (not #7)- Hernandez; second by Magill; motion passed with all ayes except for Fruin who voted no. [Epps was absent].*

**8. Discuss and consider approving an ordinance amending the FY 2015-2016 municipal budget (Finance)**

Finance Director Patrick Harvey explained that moving funds from revenue accounts will help to correct an imbalance that occurred due to overages in Sanitation and Non-Departmental accounts.

*Motion to approve- Hernandez; second by Howard; motion passed with all ayes.*

**9. Discuss and consider approving a resolution authorizing the City Manager to purchase electricity by negotiating the lowest possible price, and entering into an agreement with a retail electricity provider (Finance)**

Director Harvey requested the city take advantage of an opportunity to secure electric rates for the city beginning 2018 that are similar to the current contract rates. The rate is locked in for 5 years with the exception of added "congestion" rates that might occur during peak usage time. The consultant retained by the city to aid in searching for a new contract, Mark Boyd with Victory Power Solutions, was present and answered questions from the council.

*Motion to approve with a change to the venue for disputes being changed to Dallas County-Fruin; second by Howard; motion passed with all ayes except for Hernandez who voted no; [Epps was absent]*

**10. Discuss and consider approving an ordinance amending the Code of Ordinances, Chapter 21, "Building Regulations" by repealing and replacing Article 21.08, "Fences", in its entirety and replacing with a new Article 21.08, "Fences", Sections 21.08.001 through 21.08.018, adding definitions, permissible types, permissible locations, required maintenance, and required building permits (Community Development)**

Councilmember Magill requested a change to the definition for decorative fence in areas zone Agricultural so those property owners could install a fence in the front of residences taller than 42". It was requested the change be applied to residential properties one (1) acre or larger. Director Barr also advised of another change staff is recommending to Section 21.08.010 (5) to allow replacement with 4x4 wood posts.

*Motion to approve as discussed (re: 1 acre or more) and include the recommended change to 21.08.010 (5)- Hernandez; second by Fruin; motion passed with all ayes.*

**11. Receive Councilmember Reports/Items of Community Interest-** Councilmember Hernandez announced the Small Farm & Ranch Roundup on March 23, 2017 and the Inaugural North Texas Poultry Showcase on April 8, 2017.

**12. Receive Citizen Comments** – No speakers.

**13. Future Agenda Items** – Councilmember Magill requested crack seal on Prescott Lane.

**Adjourned at 8:50 p.m.**

**APPROVED:**

\_\_\_\_\_  
Mayor Dennis K. Childress

**ATTEST:**

\_\_\_\_\_  
Christie Wilson, Interim City Secretary



MINUTES OF CITY COUNCIL  
SPECIAL SESSION  
MARCH 27, 2017

The Special Session of the City Council of the City of Seagoville, Texas was called to order at 12:01 p.m. on Monday, March 27, 2017, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

|                  |                                    |
|------------------|------------------------------------|
| Dennis Childress | Mayor                              |
| Jose Hernandez   | Mayor Pro Tem (absent)             |
| Rick Howard      | Councilmember                      |
| Harold Magill    | Councilmember (arrived 12:15 p.m.) |
| Mike Fruin       | Councilmember                      |
| Jon Epps         | Councilmember                      |

The following staff members were also present: City Manager Patrick Stallings, Interim City Secretary Christie Wilson, Human Resources Director Cindy Brown, Library Director Liz Gant, and Shirley Booth, Payroll Administrator. Katie Corder from SGR was present as well.

1. Executive Session

Council shall convene into a closed executive session pursuant to Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Secretary.

Executive Session was convened at 12:02 p.m.

2. Reconvened Open Session at 4:43 p.m.

Any action as a result of executive session regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Secretary.

*Motion to make an employment officer to Kandi Jackson as discussed in executive session- Magill; second by Epps; motion passed with all ayes [Hernandez absent]*

Adjourned at 4:44 p.m.

APPROVED:

\_\_\_\_\_  
Dennis K. Childress, Mayor

ATTEST:

\_\_\_\_\_  
Christie Wilson, Interim City Secretary

## ***Consent Agenda Item: 2***

**Meeting Date:** April 3, 2017

*Consider approving a resolution authorizing the City Manager to sign an Interlocal Cooperation Agreement by and between the Seagoville Police Department and the Dallas Independent School District Police Department for the purpose of clarifying jurisdiction, defining parameters and areas of responsibility, and establishing a spirit of cooperation to enhance the services that both agencies provide to the citizens and DISD schools located in the City of Seagoville (Police)*

### **ITEM DESCRIPTION:**

*This resolution authorizes the City Manager to sign an Interlocal Agreement with the Dallas Independent School District for the purpose of setting out a common understanding of the policies and procedures that the Seagoville Police Department and the Dallas I.S.D. Police Department will follow in providing police service to Dallas I.S.D. Schools located in the City of Seagoville, Dallas County, Texas. This Inter-local Agreement is intended to clarify jurisdiction, defined parameters and areas of responsibility, and to establish a spirit of cooperation to enhance the services that both agencies provide to the citizens residing within the city limits of Seagoville, in accordance with the provisions of the Texas Education Code, Section 37.081.*

### **BACKGROUND OF ISSUE:**

The Dallas Independent School District operates three (3) elementary schools and owns one inactive school site within the city limits of Seagoville. At some point, these locations may need law enforcement service of one form or another to deal with situations that require a law enforcement response. The proposed Interlocal Agreement sets out defined responsibilities for and expectations of both the Seagoville Police Department and the Dallas ISD Police Department. Having a formal Interlocal Agreement, allows law enforcement to have clear expectations of their authority when called upon.

### **FINANCIAL IMPACT:**

There are no financial impacts concerning this proposed agreement.

### **LEGAL ISSUES**

The City Attorney has reviewed and approved the attached Interlocal Agreement with Dallas Independent School District.

### **EXHIBITS**

Interlocal Agreement  
Resolution

## INTERLOCAL AGREEMENT

Between

**CITY OF SEAGOVILLE, on behalf of its POLICE DEPARTMENT**

AND

**DALLAS INDEPENDENT SCHOOL DISTRICT, on behalf of its POLICE DEPARTMENT**

This Interlocal Agreement (IA) is being executed by the Dallas Independent School District, on behalf of its Police Department in conjunction with the City of Seagoville, on behalf of its Police Department. These departments agree to abide by the terms and provisions of this IA throughout the duration of this agreement.

### PURPOSE

The purpose of this IA is to set out a common understanding of the policies and procedures that the Seagoville Police Department, and the Dallas ISD Police Department will follow in providing police service to Dallas ISD schools in the City of Seagoville, Dallas County and/or The State of Texas. This IA is a formal agreement to clarify jurisdiction, define parameters and areas of responsibilities, and to establish a spirit of cooperation to enhance the services that both agencies provide to the citizens residing within the city limits of Seagoville, in accordance with the provisions of the *Texas Education Code, Section 37.081*.

### MISSION

The mission of this IA is to provide better utilization of resources by the Seagoville Police Department and Dallas ISD Police Department. Further, it will substantially increase cooperation between these two departments eliminating waste of public resources and resulting in better accumulation of crime analysis data and ultimately providing the safest environment possible for the school children of Dallas ISD and reducing crime in the Seagoville city limits.

### SERVICES PROVIDED AND RESPONSIBILITIES OF THE SEAGOVILLE POLICE DEPARTMENT

- Seagoville Police Department Public Information Office shall notify the Dallas ISD Communications Office, prior to releasing information to the media or public, in joint cases involving students, district employees, crimes involving district property or where the investigation involves the mutual interest of both the Dallas ISD and Seagoville Police Department.
- The Seagoville Police Department will continue as the lead agency in the reporting and investigating of major crimes against person crimes reported by Dallas ISD, including homicide, kidnapping, and suicide.
- Seagoville Police Department agrees to coordinate warrant service on Dallas ISD property with the Dallas ISD Police Department.
- The Seagoville Police Department agrees to continue as the lead agency in response to barricaded person or hostage incidents occurring on Dallas ISD campuses.
- The Seagoville Police Department will provide Gang unit assistance as available, and share intelligence information regarding campus crime with Dallas ISD Police Department.

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF SEAGOVILLE, on behalf of its POLICE DEPARTMENT AND THE DALLAS INDEPENDENT SCHOOL DISTRICT, on behalf of its POLICE DEPARTMENT**

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- The Seagoville Police Department will notify Dallas ISD Police Department of any “undercover” investigation prior to commencing on any Dallas ISD campus(s) or facilities, for safety of officers and students.
- The Seagoville Police Department will agree to provide officer safety assistance and assist officer back-up to officers employed by the Dallas ISD Police Department when requested, and to the degree necessary to ensure the safety of Dallas ISD Police Officers.
- The Seagoville Police Department agrees to provide continued access to specialized services for all campuses and facilities in the interest of public safety.
- The Seagoville Police Department agrees to be the lead agency in responding to active shooter calls on Dallas ISD campuses located within the city limits of Seagoville, Texas.
- The Seagoville Police Department agrees to provide the Dallas ISD Police Department with Uniform Crime Report and crime analysis and statistics of offenses occurring on Dallas ISD property.

**SERVICES PROVIDED AND RESPONSIBILITIES OF THE DALLAS INDEPENDENT SCHOOL DISTRICT POLICE DEPARTMENT:**

- Dallas ISD Police Department will initiate a crime offense report and investigate all crimes on Dallas ISD campuses and facilities.
- The Dallas ISD Police Department will provide officer safety assistance and assist with officer back-up to officers employed by the Seagoville Police Department when requested, and to the degree necessary to ensure the safety of Seagoville Police Officers.
- Dallas ISD Police Department agrees to coordinate warrant service with the appropriate Seagoville Police Department Patrol Division.
- Dallas ISD Police Department will share gang intelligence with the Seagoville Police Department on a continuous basis.
- Dallas ISD Police Department or Dallas ISD Communications Department shall notify the Seagoville Police Department Public Information Officer, prior to releasing information to the media or public, in joint cases where the investigation involves the mutual interest of both Seagoville Police Department and the Dallas ISD.

**DURATION:**

This agreement will be effective from the date that the agreement has been fully executed by both parties to September 01, 2020. This agreement may be renewed for 3 one-year terms by the Dallas ISD Police Department providing Seagoville Police Department with a written notice of its intention to renew not later than thirty (30) days prior to the expiration of the then current term.

Each party will be responsible for their own costs and expenses related to the services provided in the Interlocal Agreement.

Nothing contained in this agreement shall waive the respective immunities of the City of Seagoville and Dallas Independent School District.

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF SEAGOVILLE, on behalf of its POLICE DEPARTMENT AND THE DALLAS INDEPENDENT SCHOOL DISTRICT, on behalf of its POLICE DEPARTMENT**

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**SIGNATORIES**

For the City of Seagoville:

\_\_\_\_\_  
City Manager  
City of City of Seagoville

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
City Secretary  
City of City of Seagoville

\_\_\_\_\_  
Date

Approved as to form:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

For the Dallas Independent School District:

\_\_\_\_\_  
Board President  
Dallas ISD

\_\_\_\_\_  
Date

ATTEST BY:

\_\_\_\_\_  
Board President

Approved as to form:

\_\_\_\_\_  
School Attorney

\_\_\_\_\_  
Date

**CITY OF SEAGOVILLE, TEXAS**  
**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO SIGN AN INTERLOCAL AGREEMENT WITH THE DALLAS INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF SETTING OUT A COMMON UNDERSTANDING OF THE POLICIES AND PROCEDURES THAT THE SEAGOVILLE POLICE DEPARTMENT WILL FOLLOW IN PROVIDING SERVICE TO THE DALLAS ISD SCHOOLS LOCATED WITHIN THE CITY OF SEAGOVILLE, TEXAS INCORPORATED CITY LIMITS; APPROVING CONDITIONS OF THE INTERLOCAL AGREEMENT; CLARIFYING JURISDICTION; DEFINING PARAMETERS AND AREA OF RESPONSIBILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Seagoville City Council supports a cooperative working relationship with Dallas Independent School District; and

**WHEREAS**, the City Council recognizes the efforts of the Seagoville Police Department to work collaboratively with the Dallas Independent School District to provide police service to the Dallas Independent School District schools located within the City of Seagoville incorporated city limits; and

**WHEREAS**, the City Council further recognizes the need to clarify jurisdiction, define parameters and areas of responsibilities and to establish a spirit of cooperation to enhance the services that both agencies provide to the citizens residing in the City of Seagoville.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS THAT:**

**Section 1.** That the City Council hereby approves the terms and conditions of the Interlocal Agreement between the City of Seagoville and the Dallas Independent School District, which is attached hereto and incorporated herein as Exhibit "A", and authorizes the City Manager to execute such Agreement by and between the City of Seagoville and the Dallas Independent School District.

**Section 2.** That this Resolution shall take effect immediately from and after its adoption and it is so resolved.

**PASSED AND APPROVED** by the City Council of the City of Seagoville, Texas, this the 3rd day of April, 2017.

APPROVED:

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Dennis K. Childress, Mayor

ATTEST:

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Christie Wilson, Interim City Secretary

APPROVED AS TO FORM:

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Alexis G. Allen, City Attorney

## ***Regular Agenda Item: 3***

**Meeting Date:** April 3, 2017

*Discuss the current Code of Ordinances, Article 9.04 "Fireworks", Section 9.04.001(b)(2), regarding expiration of provisions, and provide direction to staff regarding potential amendments (Councilmember Fruin)*

### **ITEM DESCRIPTION:**

Councilmember Fruin requested a discussion on possibly extending the deadline stated in 9.04.001(b) (2) beyond 2022.

### **BACKGROUND OF ISSUE:**

Article 9.04 of the Code of Ordinances was adopted on December 19, 2016. Section 9.04.001(b) provides that the ordinance shall not apply to

(1)....

(2) property continuous on the north side of SH 175 which was annexed into the city after May 1, 2012. The provision of that section expires on April 30, 2022.

The area in question on this matter is Planned Development 13-01.

### **FINANCIAL IMPACT:**

NA

### **RECOMMENDATION:**

### **EXHIBITS:**

Ordinance 37-16 adopted December 19, 2016 amending Chapter 9 of the Code of Ordinances, Article 9.04, "Fireworks"

**THE CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. 37-16**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING CHAPTER 9, FIRE PREVENTION AND PROTECTION, ARTICLE 9.04, "FIREWORKS", OF THE CODE OF ORDINANCES BY AMENDING SUBSECTION 9.04.001 (A) TO PROHIBIT THE POSSESSION, USE OR DISCHARGE OF FIREWORKS WITHIN THE CITY; AMENDING SUBSECTION 9.04.001 (B) TO PROVIDE AN EXCEPTION FOR THE SALE OF FIREWORKS ON PROPERTY ZONED AS PLANNED DEVELOPMENT WITH LIGHT MANUFACTURING USES; AND ADOPTING A NEW SUBSECTION 9.04.001 (C) TO PROVIDE AN AFFIRMATIVE DEFENSE TO THE POSSESSION OF FIREWORKS FOR TRANSPORTING FIREWORKS IN A MOTOR VEHICLE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the City of Seagoville desires to provide an exception to allow for the sale of fireworks in certain areas of the City; and

WHEREAS, the City Council further desires to amend its ordinance to prohibit the ignition, possession or use of fireworks within the City; and

WHEREAS, the City Council finds that it would be in the best interest of its citizens to amend Chapter 9, "Fire Prevention and Protection", Article 9.04 of Seagoville's Code of Ordinances as set forth below.

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

**SECTION 1:** Chapter 9, "Fire Prevention and Protection", Article 9.04, "Fireworks", Section 9.04.001 of Seagoville's Code of Ordinances is hereby amended as set forth below:

## "ARTICLE 9.04 FIREWORKS

### **Sec. 9.04.001 Sale; Display; Storage**

(a) No person, firm, corporation shall sell, offer for sale, display, barter or exchange, store, use, discharge, cause to be discharged, ignite, detonate, fire or have in their possession any fireworks, as defined by International Fire Code, adopted Article 9.03 Fire Code, Section 9.03.001 of the Code of Ordinance, within the jurisdiction limits of the City.

(b) The provisions of this ordinance as to sale or display shall not apply to the following:

(1) Property zoned as a Planned Development with allowable uses consistent with light manufacturing districts and a regulation allowing the sale, display and storage of the fireworks under specific conditions.

(2) Property contiguous on the north side of State Highway 175 which was annexed into the City after May 1, 2012. The provisions of this subsection shall expire on April 30, 2022.

(c) It shall be an affirmative defense to prosecution under this article for the possession of fireworks if:

(1) The defendant was operating or was a passenger in a motor vehicle that was being operating in a public place; and

(2) the fireworks were not in the passenger area of the vehicle.”

**SECTION 3:** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 4:** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full

force and effect. The City hereby declares that it would have passed this Ordinance, and each section, paragraph, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 5:** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 6:** That any person violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville as heretofore amended and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

**SECTION 7:** This Ordinance shall become effective from and after its adoption and publication as required by law.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, this the 19th day of December, 2016.

**APPROVED:**

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DENNIS K. CHILDRESS, MAYOR

**ATTEST:**

---

CHRISTIE WILSON, INTERIM CITY SECRETARY

**APPROVED AS TO FORM:**

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ALEXIS G. ALLEN, CITY ATTORNEY

## ***Regular Agenda Item: 4***

**Meeting Date:** April 3, 2017

*Discuss enforcement of established residential speed limits and provide direction to staff regarding additional measures and/or options (City Manager)*

**ITEM DESCRIPTION:**

**BACKGROUND OF ISSUE:**

This item was requested by Councilmember Hernandez on March 6, 2017.

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

N/A

**EXHIBITS:**

N/A

## ***Regular Agenda Item: 5***

**Meeting Date:** April 3, 2017

*Discuss and consider approving an ordinance amending the Code of Ordinances, Chapter 19, Division 2. "Parking Regulations for Specific Streets", by repealing and replacing Subsection 17.04.064 to provide for extended no parking on the north and south sides of the westbound U.S. Highway 175 service road, from FM 1389 to the Kaufman County/Dallas County line (Police)*

### **ITEM DESCRIPTION:**

Staff is requesting council consider extending the No Parking areas along the service road further west than is currently established.

### **BACKGROUND OF ISSUE:**

The No Parking regulation currently in place for this area was established November 14, 2016 by Ordinance 34-16. The ordinance covers the westbound service road of Hwy 175 from FM 1389 to the 1800 block of Hwy 175. Recently, motorists have been parking along the service road beyond the restricted area and staff believes this area continues to be a dangerous location for vehicles to park.

### **FINANCIAL IMPACT:**

N/A

### **RECOMMENDATION:**

Approve ordinance.

### **EXHIBITS:**

Proposed Ordinance

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES, DIVISION 2. PARKING REGULATIONS ON SPECIFIC STREETS”, BY REPEALING AND REPLACING SUBSECTION 17.04.064 TO PROVIDE FOR EXTENDED NO PARKING ON THE NORTH AND SOUTH SIDES OF THE WESTBOUND U.S. HIGHWAY 175 SERVICE ROAD, BEGINNING AT ITS POINT OF INTERSECTION WITH FM 1389 WESTWARD FOR A DISTANCE OF APPROXIMATELY 7/10ths OF A MILE, OR APPROXIMATELY 3,696 FEET TO THE KAUFMAN COUNTY/DALLAS COUNTY LINE; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO CAUSE THE APPROPRIATE SIGNAGE TO BE ERECTED; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City provides for no stopping, standing or parking on specific streets within the City when signs are erected or curbs are painted on such street providing notice; and,

**WHEREAS**, the City has determined that it is necessary to extend the prohibited areas for the stopping, standing and parking on the westbound U.S. Highway 175 Service Road, as described herein;

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

**SECTION 1.** That Chapter 17 of the Code of Ordinances of the City of Seagoville, Texas, be and is hereby amended by amending Division 2. “Parking Regulations on Specific Streets”, by repealing and replacing Subsection 17.04.064 to provide for extended no parking on the north and south sides of the westbound U.S. Highway 175 Service Road, beginning at its point of intersection with FM 1389 westward for a distance of approximately 7/10ths of a mile, or approximately 3,696 feet to the Kaufman County/Dallas County line, which shall read as follows:

## **“Division 2. Parking Regulations for Specific Streets**

.....

### **Sec. 17.04.064 U.S. Highway 175 Westbound Service Road at FM 1389**

It shall be unlawful for any person to leave, stand, or park any motor vehicle or other vehicle or impediment at any time on the north and south sides of the westbound U.S. Highway 175 Service Road, beginning at its point of intersection with FM 1389 westward for a distance of approximately 7/10ths of a mile, or approximately 3,696 feet to the Kaufman County/Dallas County line.

### **Secs. 17.04.065-17.04.090 Reserved”**

**SECTION 2.** That the City Manager or designee is hereby directed to cause appropriate signs to be erected giving notice of the no parking zone established herein and such provision shall not be effective unless such signs or markings are in place at the time of an alleged offense.

**SECTION 3.** That all ordinances of the City of Seagoville in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Seagoville not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 5.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 6.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of

Ordinances of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two hundred dollars (\$200.00) for each offense.

**SECTION 7.** This ordinance shall take effect from and after its passage and the publication of the caption as the law and Charter in such cases provide.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, this the 3<sup>rd</sup> day of April, 2017.

**APPROVED:**

\_\_\_\_\_  
Dennis K. Childress, Mayor

**ATTEST:**

\_\_\_\_\_  
Christie Wilson, Interim City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alexis G. Allen, City Attorney  
(cdb 11/07/2016)

## ***Agenda Item: 6***

**Meeting Date:** April 3, 2017

***Discuss and consider approving a resolution suspending the April 17, 2017 effective date of Oncor Electric Delivery Company's requested rate change (City Manager)***

### **ITEM DESCRIPTION:**

This is a request to adopt a resolution suspending the effective date of the requested Oncor rate change for 90 days. Without action by the council the new rate will go into effect April 21, 2017.

### **BACKGROUND OF ISSUE:**

On March 17, 2017 Oncor delivered to the City of Seagoville City Secretary a Statement of Intent to Increase Rates. Without action by the council the new rate will go into effect April 21, 2017.

In response, Thomas Brocato with Lloyd Gosselink Attorneys at Law, submitted a recommendation to the Steering Committee member cities to suspend the effective date for 90 days. This will allow time to review the application and decide on final action.

### **FINANCIAL IMPACT:**

### **RECOMMENDATION:**

Approve suspension resolution.

### **EXHIBITS:**

Oncor cover letter and Petition and Statement of Intent o Oncor Electric Delivery Co. LLC for Authority to Change Rates.

Thomas Brocato Memorandum and Staff Report

Resolution suspending the effective date and authorizing negotiation.



Stephen N. Ragland  
Vice President  
Regulatory

March 17, 2017

City of Seagoville  
702 N Highway 175  
Seagoville, TX 75159

To the Honorable Mayor for the City of Seagoville:

Attached for filing please find a Petition and Statement of Intent of Oncor Electric Delivery Company LLC ("Oncor") for Authority to Change Rates in accordance with PURA § 36.102. This rate request is identical to those being filed today with other regulatory authorities and affects all customers served by Oncor.

Enclosed is a single volume that contains the Petition and Statement of Intent filed with the Public Utility Commission of Texas ("Commission") (including a Summary of Proposed Rates by Customers and Rate Class), proposed tariffs, and summaries of testimony.

As a regulatory authority with jurisdiction over Oncor's rates, operations and services within your city limits, Oncor is requesting that the City take action with regard to this rate change request as expeditiously as possible. If the City does not act to either suspend the effective date for 90 days or take a final action prior to the effective date of April 21, 2017, the rates would be considered approved by operation of law. It is Oncor's intent to have system-wide rates in effect and towards that end intends to appeal to the Commission any action taken by the City, and request consolidation into one proceeding at the Commission. Once the appeal is granted, the City would have standing as a party to participate fully in the proceeding at the Commission.

Should you have any questions concerning this filing, or would like to request a copy of the full 13 volume rate filing package, please contact your Oncor local area manager.

Very truly yours,

A handwritten signature in black ink that reads "Stephen N. Ragland". The signature is written in a cursive style with a large, prominent 'S'.

Oncor  
1616 Woodall Rodgers Freeway  
Dallas, Texas 75202  
Tel: 214.486.5255  
steve.ragland@oncor.com

Receipt Acknowledged by:

Christie Wilson

Title: City Secretary

Date: 3-17-17

City of Seagoville

Petition and Statement of Intent of Oncor Electric Delivery Company LLC for Authority  
to Change Rates

**APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC FOR AUTHORITY TO CHANGE RATES**      §  
   §      **BEFORE THE GOVERNING BODY OF THE CITY OF SEAGOVILLE**  
   §

**PETITION AND STATEMENT OF INTENT OF ONCOR ELECTRIC DELIVERY COMPANY LLC FOR AUTHORITY TO CHANGE RATES**

**TO THE HONORABLE GOVERNING BODY OF THE CITY OF SEAGOVILLE:**

COMES NOW Oncor Electric Delivery Company LLC (“Oncor” or “Company”), an electric utility within the terms of the Public Utility Regulatory Act, Texas Utilities Code Title 2 (“PURA”),<sup>170</sup> and hereby submits this Petition and Statement of Intent (“Petition”), respectfully showing the following:

**I. INTRODUCTION AND REQUESTED ACTION**

In accordance with PURA § 36.102 and P.U.C. PROC. R. 22.243, Oncor hereby files this Petition and related materials demonstrating that Oncor’s existing rates do not permit the Company to recover its reasonable cost of service and earn a reasonable return.

The Company has prepared its filing on a system-wide basis using actual January 1, 2016 through December 31, 2016 test year books and records, adjusted for known and measurable changes, and using traditional and widely-accepted ratemaking principles. The proposed revenue requirement and rate design are factually supported, and the Company strongly believes that an increase is appropriate and justified. Therefore, Oncor is hereby requesting that the Honorable Governing Body approve the changes in the Company’s rates proposed in this proceeding. A detailed Summary of Proposed Rates by Customers and Rate Class is included as Exhibit 1 to this Petition. Simultaneous with this filing, Oncor is filing a system-wide rate case and related Rate Filing Package (“RFP”) with the Public Utility Commission of Texas (“Commission”), *Application of Oncor Electric Delivery Company LLC for Authority to Change Rates* (“Commission Petition”).

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<sup>170</sup> Tex. Util. Code Ann. §§ 11.001-66.017 (Vernon 2007 & Supp. 2010).

## **II. CONTACT INFORMATION AND AUTHORIZED REPRESENTATIVES**

Oncor's business address and telephone numbers are:

Oncor Electric Delivery Company LLC  
1616 Woodall Rodgers Freeway  
Dallas, Texas 75202-1234  
(888) 313-6862

Oncor's authorized representative is:

E. Allen Nye, Jr  
Oncor Electric Delivery Company LLC  
1616 Woodall Rodgers Freeway  
Dallas, Texas 75202-1234  
Telephone: (214) 486-3008  
Facsimile: (214) 486-3221

Oncor's legal representatives in this proceeding are:

Matthew C. Henry  
JoAnn Biggs  
Vinson & Elkins LLP  
Trammell Crow Center  
2001 Ross Avenue, Suite 3700  
Dallas, Texas 75201-2975  
Telephone: (214) 220-7700  
Facsimile: (214) 486-3221

and

Howard V. Fisher  
Oncor Electric Delivery Company LLC  
1616 Woodall Rodgers Freeway  
Dallas, Texas 75202-1234  
Telephone: (214) 486-3026  
Facsimile: (214) 486-3221

General inquiries concerning this filing should be directed to Mr. Stephen Ragland at the above-stated Oncor address and 214-486-5255. All pleadings, motions, orders, and other documents filed in this proceeding should be served upon Mr. Henry at the above-stated address.

## **III. JURISDICTION**

Each municipality in Oncor's service area that has not ceded jurisdiction to the Commission has exclusive original jurisdiction over the rates, operations, and services of Oncor in such municipality pursuant to PURA § 33.001. Oncor is filing this Petition

with all of its original jurisdiction cities, a list of which is included as Exhibit 3 to the Commission Petition included in this package. The Commission has exclusive jurisdiction over the rates, operations, and services of Oncor in areas outside municipalities pursuant to PURA § 32.001(a)(1) and for those municipalities that have ceded jurisdiction to the Commission pursuant to PURA § 33.002(b). A list of such municipalities is included as Exhibit 2 to the attached Commission Petition.

Oncor anticipates that it will appeal the actions of its original jurisdiction cities to the Commission and that it will seek consolidation of those appeals with the pending Commission Petition. It is Oncor's intention to seek one set of system-wide rates for all customer classes served on the Oncor system.

#### **IV. EFFECTIVE DATE**

The proposed effective date of the requested rate change is April 21, 2017 which is 35 days after the filing of this Petition as allowed under PURA § 36.102.

#### **V. TEST YEAR**

The test year upon which this filing is based is the 12-month period from January 1, 2016 through December 31, 2016.

#### **VI. FILING OVERVIEW**

This filing consists of a cover letter, this Petition (including Exhibit 1 - Summary of Proposed Rates by Customers and Rate Class), table of contents, the Petition filed with the Commission and the Exhibits thereto, proposed tariffs, and testimony summaries.

WHEREFORE, PREMISES CONSIDERED, Oncor respectfully prays that this Honorable Governing Body approve and authorize the changes in the Company's rates proposed herein and grant Oncor such other and further relief to which it may be justly entitled.

Respectfully submitted,

**Oncor Electric Delivery Company LLC**

By:  \_\_\_\_\_

Matthew C. Henry  
State Bar No. 00790870  
JoAnn Biggs  
State Bar No. 02312400  
Vinson & Elkins LLP  
Trammell Crow Center  
2001 Ross Avenue, Suite 3700  
Dallas, Texas 75201-2975  
Telephone: (214) 220-7700  
Facsimile: (214) 486-3221

Howard V. Fisher  
State Bar No. 07051500  
Oncor Electric Delivery Company LLC  
1616 Woodall Rodgers Freeway  
Dallas, Texas 75202-1234  
Telephone: (214) 486-3026  
Facsimile: (214) 486-3221

**ATTORNEYS FOR ONCOR ELECTRIC  
DELIVERY COMPANY LLC**

Mr. Brocato's Direct Line: (512) 322-5857  
Email: tbrocato@lglawfirm.com

## MEMORANDUM

TO: Steering Committee of Cities Served by Oncor Members  
FROM: Geoffrey Gay  
Thomas Brocato   
DATE: March 17, 2017  
RE: Oncor Electric Delivery Company's Statement of Intent to Increase Rates  
Suspension Packet

### ACTION REQUIRED TO SUSPEND THE EFFECTIVE DATE BY APRIL 21, 2017

Earlier today, Oncor filed a Statement of Intent to Increase Rates with all cities in its service area that retain original jurisdiction. The Company is seeking to increase rates by approximately \$317 million over rates currently in place, or approximately 7.5% over present revenues. Residential customers would see an 11.8% increase in rates. If approved, a residential customer using 1000 kWh per month would see a bill increase of about \$6.68 per month. Additionally, the Company proposes to increase street lighting rates by 0.5%.

The rate increase requested by Oncor will become effective on April 21, 2017, unless the city takes action to suspend the effective date. The statute permits cities to extend the effective date by up to 90 days in order to study the filing. **The city must take action to suspend the effective date by April 21, 2017.** If your city does not have a regular council meeting scheduled before April 21<sup>st</sup> or is otherwise unable to take action on the suspension resolution by April 21<sup>st</sup>, please contact me as soon as possible.

Attached to this memo is a model suspension resolution and staff report. In the past, Oncor local managers have provided cities with a model denial resolution and may recommend that the city immediately deny the rate request. If this occurs, we do not recommend that you deny the request at this time. Suspending the effective date allows cities more time to review the application and decide on the final action, including settlement or denial of Oncor's requested rate increase.

The Steering Committee of Cities Served by Oncor will hold a conference call of all Steering Committee members later this month to discuss Oncor's rate request. During the call there will also be an opportunity for Steering Committee members to discuss strategy with Steering Committee consultants and attorneys.

If you have any questions, please feel free to contact Thomas (512/322-5857, tbrocato@lglawfirm.com).

**STEERING COMMITTEE CITIES SERVED BY ONCOR (Total 156)**

|                        |                      |                  |
|------------------------|----------------------|------------------|
| Addison                | Fate                 | Oak Leaf         |
| Allen                  | Flower Mound         | Oak Point        |
| Alvarado               | Forest Hill          | Odessa           |
| Andrews                | Fort Worth           | O'Donnell        |
| Anna                   | Frisco               | Ovilla           |
| Archer City            | Frost                | Palestine        |
| Argyle                 | Gainesville          | Pantego          |
| Arlington              | Garland              | Paris            |
| Azle                   | Glenn Heights        | Plano            |
| Bedford                | Grand Prairie        | Pottsboro        |
| Bellmead               | Granger              | Prosper          |
| Belton                 | Grapevine            | Ranger           |
| Benbrook               | Haltom City          | Rhome            |
| Beverly Hills          | Harker Heights       | Richardson       |
| Big Spring             | Haslet               | Richland         |
| Breckenridge           | Heath                | Richland Hills   |
| Bridgeport             | Henrietta            | River Oaks       |
| Brownwood              | Hewitt               | Roanoke          |
| Buffalo                | Highland Park        | Robinson         |
| Burkburnett            | Honey Grove          | Rockwall         |
| Burleson               | Howe                 | Rosser           |
| Caddo Mills            | Hurst                | Rowlett          |
| Cameron                | Hutto                | Sachse           |
| Canton                 | Iowa Park            | Saginaw          |
| Carrollton             | Irving               | Sansom Park      |
| Cedar Hill             | Jolly                | Seagoville       |
| Celina                 | Josephine            | Sherman          |
| Centerville            | Justin               | Snyder           |
| Cleburne               | Kaufman              | Southlake        |
| Coahoma                | Keller               | Springtown       |
| Colleyville            | Kennedale            | Stephenville     |
| Collinsville           | Kerens               | Sulphur Springs  |
| Colorado City          | Killeen              | Sunnyvale        |
| Comanche               | Krum                 | Sweetwater       |
| Commerce               | Lake Worth           | Temple           |
| Coppell                | Lakeside             | Terrell          |
| Copperas Cove          | Lamesa               | The Colony       |
| Corinth                | Lancaster            | Trophy Club      |
| Crowley                | Lewisville           | Tyler            |
| Dallas                 | Lindale              | University Park  |
| Dalworthington Gardens | Little Elm           | Venus            |
| DeLeon                 | Little River Academy | Waco             |
| De Soto                | Malakoff             | Watauga          |
| Denison                | Mansfield            | Waxahachie       |
| Duncanville            | McKinney             | Westover Hills   |
| Early                  | Mesquite             | White Settlement |
| Eastland               | Midland              | Wichita Falls    |
| Edgecliff Village      | Midlothian           | Willow Park      |
| Ennis                  | Murchison            | Woodway          |
| Eules                  | Murphy               | Wylie            |
| Everman                | New Chapel Hill      |                  |
| Fairview               | North Richland Hills |                  |
| Farmers Branch         | Northlake            |                  |

## STAFF REPORT

**\*\*\*ACTION MUST BE TAKEN TO SUSPEND THE EFFECTIVE DATE ON OR BEFORE APRIL 21, 2017\*\*\***

### PURPOSE

Oncor Electric Delivery Company ("Oncor" or "the Company") filed an application on or about March 17, 2017 with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by \$317 million or approximately 7.5% over present revenues. The Company asks the City to approve an 11.8% increase in residential rates and a 0.5% increase in street lighting rates. If approved, a residential customer using 1000 kWh per month would see a bill increase of about \$6.68 per month.

The resolution suspends the April 21, 2017 effective date of the Company's rate increase for the maximum period permitted by law to allow the City, working in conjunction with the Steering Committee of Cities Served by Oncor, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, Oncor's rate request is deemed administratively approved.**

### DISCUSSION

The City of Seagoville is a member of a 156-city coalition known as the Steering Committee of Cities Served by Oncor ("Steering Committee"). The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s when cities served by the former TXU gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments. Empowered by city resolutions and funded by *per capita* assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters for the last 30 years.

Although Oncor has increased rates many times over the past few years, this is the first comprehensive base rate case for the Company since January, 2011.

### **Explanation of "Be It Resolved" Paragraphs:**

Section 1. The City is authorized to suspend the rate change for 90 days after the date that the rate change would otherwise be effective for any legitimate purpose. Time to study and investigate the application is always a legitimate purpose. Please note that the resolution refers to the suspension period as "the maximum period allowed by law" rather than ending by a specific date. This is because the Company controls the effective date and can extend the

deadline for final city action to increase the time that the City retains jurisdiction if necessary to reach settlement on the case. If the suspension period is not otherwise extended by the Company, the City must take final action on Oncor's request to raise rates by April 21, 2017.

Section 2. This provision authorizes the Steering Committee, consistent with the City's resolution approving membership in the Steering Committee, to act on behalf of the City at the local level in settlement discussions, in preparation of a rate ordinance, on appeal of the rate ordinance to the PUC, and on appeal to the Courts. Negotiating clout and efficiency are enhanced by the City cooperating with the Steering Committee in a common review and common purpose. Additionally, rate case expenses are minimized when the Steering Committee hires one set of attorneys and experts who work under the guidance and control of the Executive Committee of the Steering Committee.

Section 3. The Company will reimburse the Steering Committee for its reasonable rate case expenses. Legal counsel and consultants approved by the Executive Committee of the Steering Committee will submit monthly invoices that will be forwarded to Oncor for reimbursement. No individual city incurs liability for payment of rate case expenses by adopting a suspension resolution.

Section 4. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

Section 5. This section provides that both Oncor and Steering Committee counsel will be notified of the City's action by sending a copy of the approved and signed resolution to certain designated individuals.

**SEAGOVILLE, TEXAS**  
**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS SUSPENDING THE APRIL 21, 2017, EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE**

**WHEREAS**, on or about March 17, 2017, Oncor Electric Delivery Company (Oncor), pursuant to PURA §§ 33.001 and 36.001 filed with the City of Seagoville a Statement of Intent to increase electric transmission and distribution rates in all municipalities exercising original jurisdiction within its service area effective April 21, 2017; and

**WHEREAS**, the City of Seagoville is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee") and will cooperate with the 156 similarly situated city members and other city participants in conducting a review of the Company's application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company prior to getting reasonable rates and direct any necessary litigation; and

**WHEREAS**, PURA § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days after the date the rate change would otherwise be effective; and

**WHEREAS**, PURA § 33.023 provides that costs incurred by Cities in ratemaking proceedings are to be reimbursed by the regulated utility.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:**

1. That the April 21, 2017 effective date of the rate request submitted by Oncor on or about March 17, 2017, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

2. As indicated in the City's resolution approving membership in the Steering Committee, the Executive Committee of Steering Committee is authorized to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations regarding reasonable rates, and to intervene and direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Public Utility Commission.

3. That the City's reasonable rate case expenses shall be reimbursed by Oncor.

4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

5. A copy of this Resolution shall be sent to Oncor, Care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

**PASSED AND APPROVED** this the 3<sup>RD</sup> day of April, 2017.

---

Dennis K. Childress, Mayor  
City of Seagoville, Texas

ATTEST:

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Christie Wilson, Interim City Secretary

## ***Regular Agenda Item: 7***

**Meeting Date:** April 3, 2017

### ***Receive Councilmember Reports/ Items of Community Interest***

#### **ITEM DESCRIPTION**

Section 551.0415 of the Texas Government Code authorizes a quorum of the governing body of a municipality or county to receive reports about items of community interest during a meeting without having given notice of the subject of the report if no action is taken. Section 551.0415 defines an "item of community interest" to include:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

## ***Regular Agenda Item: 8***

**Meeting Date:** April 3, 2017

***Receive Citizen Comments***

### **ITEM DESCRIPTION**

Citizens may speak 6 minutes each on any matter not on the agenda, other than personnel matters or matters under litigation. The council may not discuss these items, but may respond with factual data or policy information, or place the item on a future agenda. Those wishing to speak shall submit a Speaker Request Form to the City Secretary.

## ***Regular Agenda Item: 9***

**Meeting Date:** April 3, 2017

### ***Future Agenda Items***

#### **ITEM DESCRIPTION:**

Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.