



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, AUGUST 20, 2018**

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

WORK SESSION – 6:30 P.M.

Call to Order

A. Discuss regular session agenda items

Adjourn

REGULAR SESSION - 7:00 P.M.

ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS

Call to Order

Invocation

Pledge of Allegiance

Mayor's Report

Citizens Public Comment Period- *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone 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 August 6, 2018 (City Secretary)**

REGULAR AGENDA-

- 2. Discuss and consider the appointment of two (2) members of the community to the Downtown Corridor Advisory Group (City Secretary)**

3. **Conduct a public hearing to receive citizen input on the proposed tax rate of \$0.743800 per \$100 valuation, which exceeds the effective tax rate calculated by the Dallas County Tax Assessor/Collector of \$0.691994 or 7.49%. This rate will raise more revenue from property taxes than last year's budget by an amount of \$524,043 (Finance Director)**
4. **Conduct a public hearing to receive citizen input on the proposed FY 2018-2019 budget for all City funds. This budget will raise more property taxes than last year's budget by \$524,043 or 11.47%, and of that amount, \$208,100 is tax revenue to be raised from new property added to the tax roll this year (Finance Director)**
5. **Conduct a public hearing to receive citizen input on the proposed increase of drainage rates (Finance Director)**
6. **Receive presentation from Chamber of Commerce in support of their request for FY 2019 funding for community events from the City's hotel/motel tax (Chamber of Commerce)**
7. **Conduct public hearing to receive input on the proposed FY 2018-2019 hotel/motel tax budget; and direct Staff on the proposed grant application(s) for FY 2018-2019 hotel/motel occupancy tax funds (Finance Director)**
8. **Direct Staff concerning the scheduling of Council Meetings for the month of September (City Secretary)**
9. **Approve Resolution No. 34-R-2018 ratifying the City Manager executing a Professional Services Agreement by and between the City of Seagoville and C&M Concrete, for the emergency repairs to a public street, to wit: Seagoville Road, on both sides of the street beginning at the 2300 block and extending through the 2800 block, in an amount not to exceed one hundred sixty-nine thousand, seven hundred twenty-eight dollars and twenty-eight cents (\$169,728.28) (City Manager)**
10. **Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.**
11. **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, August 16, 2018 by 5:00 P.M.



Kandi Jackson, 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, August 27, 2018 is the next City Council Meeting.**

Consent Session Agenda Item: 1

Meeting Date: **August 20, 2018**

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes for August 6, 2018.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for August 6, 2018

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

EXHIBITS

August 20, 2018 City Council Work Session Meeting minutes
August 20, 2018 City Council Regular Session Meeting minutes



**MINUTES OF CITY COUNCIL
WORK SESSION
AUGUST 6, 2018**

The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:00 p.m. on Monday, August 6, 2018, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Robert Hager, Junior Planner Jennifer Bonner, Sergeant Karl Bailey, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

A. Discuss Planned Development Regulations

City Manager Stallings stated Director of Administrative Services Brown, Community Development Director Barr, and Junior Planner Bonner put together information concerning Planned Developments.

Community Development Barr and Director of Administrative Services Brown explain the regulations concerning Planned Developments.

Adjourned at 6:22 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL
REGULAR SESSION
AUGUST 6, 2018**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, August 6, 2018, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Asst. Water Utilities Director Chris Ryan, Community Development Director Ladis Barr, City Attorney Robert Hager, Finance Director Patrick Harvey, Senior Finance Accountant Gail Lawrence, Sergeant Karl Bailey, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

Invocation – *Invocation was led by Councilmember Magill.*

Pledge of Allegiance – *Pledge of Allegiance was led by Mayor Childress.*

Mayor's Report – *Mayor Childress stated the Health Fair will be September 26, 2018 from 10:00 a.m. to 2:00 p.m. and Leadership Seagoville will be held every Thursday night beginning October 4, 2018 through November 15, 2018.*

Citizens Public Comment Period- *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone wishing to speak shall submit a Speaker Request Form to the City Secretary.*

None

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 July 23, 2018 (City Secretary)**

2. Discuss and consider calling a public hearing on August 20, 2018 and August 21, 2018 to receive citizen input on the proposed FY 2018-2019 budget and tax rate (Finance Director)

Motion to approve Consent Agenda as read – Magill, seconded by Epps; motion passed with all ayes. 5/0

REGULAR AGENDA-

3. Discuss and consider a Resolution of the City of Seagoville, Texas, accepting the Certified Tax Roll of Dallas and Kaufman County Appraisal Districts; and providing an effective date (Finance Director)

Motion to approved a Resolution of the City of Seagoville, Texas, accepting the Certified Tax Roll of Dallas and Kaufman County Appraisal Districts; and providing an effective date – Hernandez, seconded Howard; motion passed with all ayes. 5/0

4. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, accepting the proposed property tax rate for fiscal year 2018-2019; accepting the calculation of the effective tax rate; and providing for the publication as provided by the Texas Property Tax Code (Finance Director)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, accepting the proposed property tax rate for fiscal year 2018-2019; accepting the calculation of the effective tax rate; and providing for the publication as provided by the Texas Property Tax Code – Magill, seconded by Howard. Mayor Childress called for a vote as follows: Hernandez – yes, Howard – yes, Magill – yes, Fruin – yes, Epps-yes. Motion passed with all ayes. 5/0

5. Discuss and consider an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, Kaufman County, Texas, as heretofore amended, by granting a change in zoning from Planned Development-13-01-Amended 1 (PD-13-01-A1) to Planned Development-13-01-Amended 2 (PD-13-01-A2) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as Lots 1, 2A, 2B, and 3, Block A, of the Sudduth Addition and being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)

(Councilmember Fruin recused himself at 7:03 p.m.)

Mayor Childress invited applicant Sudduth to speak concerning the zoning for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas.

Applicant James Sudduth at 2402 Cloverhill stated this request is designed to allow his business to change as the market changes. He also stated he will obtain any required permits as needed when changes occur for his business.

Motion to approve an Ordinance of City of Seagoville, Dallas and Kaufman Counties, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, Kaufman County, Texas, as heretofore amended, by granting a change in zoning from Planned Development-13-01-Amended 1 (PD-13-01-A1) to Planned Development-13-01-Amended 2 (PD-13-01-A2) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as Lots 1, 2A, 2B, and 3, Block A, of the Sudduth Addition and being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date. Also, amending Section 2, Definition 5 to "...and /or similar activities not associated with, or taking place during, the flea market as defined herein;..." and Section 3, Regulation 5(i) Public Safety Requirements "...as defined herein, a Medical Aid Station shall be required. A Medical Aid Station may be an enclosed building, enclosed booth or tent, clearly marked as a Medical Aid Station. The Medical Aid Station shall be stocked with adequate supplies. In addition, an Automated External Defibrillator ("AED") shall be required on the grounds and at least one (1) personnel certified in CPR by the American Red Cross and one (1) personnel certified in CPR by the American Heart Association shall be required to be present during market days and at special events. At least one (1) cart shall be available for use in getting to and for the transport of patients." – Hernandez, seconded by Epps; motion passed with all ayes. 4/0

(Councilmember Fruin returned at 7:16 p.m.)

6. Discuss service dogs in restaurants and stores (Councilmember Hernandez)

Councilmember Hernandez stated he requested this item because he noticed a person in a store with a dog in the shopping cart but he also noticed the store had a sign posted concerning service dogs. After some discussion, he asked Staff to remind local businesses that service animals are not allowed to be in carts and they need to enforce the postings.

7. Conduct a public hearing on a zoning request Z2018-11 to change zoning from R-5 (Residential-5 Single Family) to C (Commercial) on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as Lot 17 and Lot 18, Block A, of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 209 and 211 Avenue B (Community Development Director)

Mayor Childress opened the public hearing at 7:23.

Jack Wilson a property owner in Seagoville spoke in favor due to generating tax revenue.

Donna Martin at 301 Ave C, Max Noel at 209 Ave C, Robert Schwartz at 114 Ave B, Lola Wilson on 204 E. Farmers Road, and Priscilla Duncan at 204 Ave B all spoke against due to traffic and crime rate increasing when businesses are allowed in the neighborhood.

Mayor Childress closed the public hearing at 7:33 p.m.

8. Discuss and consider an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas, amending the Comprehensive Zoning Ordinance and map, as heretofore amended, by granting a change in zoning from R-5 (Residential-5 Single Family) to C (Commercial) on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as Lot 17 and Lot 18, Block A, of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 209 and 211 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in Exhibit “A”, which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Community Development Director)

Motion to deny an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas amending the Comprehensive Zoning Ordinance and map, as heretofore amended, by granting a change in zoning from R-5 (Residential-5 Single Family) to C (Commercial) on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as Lot 17, and Lot 18, Block A, of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 209 and 211 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in Exhibit “A”, which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date – Hernandez, seconded by Magill. In response to a question by Mayor Pro Tem Epps, Community Development Director stated yes there is residential along U.S. Highway 175 other than this particular area. After some discussion, Mayor Childress called for a vote, motion passed 3/2. Hernandez, Magill, and Epps in favor, Howard and Fruin against.

9. Conduct a public hearing on a zoning request Z2018-12 to change zoning from R-5 (Residential-5 Single Family) to C (Commercial) on three (3) tracts of land being a combined total of approximately 0.7- acres of real property described as Lot 8, Lot 9 and Lot 9A, Block B, of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 208, 210 and 212 Avenue B (Community Development Director)

Mayor Childress opened the public hearing at 7:41 p.m.

City Attorney Hager stated there is no need for citizens to speak again if the City Secretary will apply the comments from the previous zoning case in Agenda Item # 7 to this zoning case.

Jack Wilson a property owner in Seagoville spoke in favor due to generating tax revenue.

Donna Martin at 301 Ave C, Max Noel at 209 Ave C, Robert Schwartz at 114 Ave B, Lola Wilson on 204 E. Farmers Road, and Priscilla Duncan at 204 Ave B all spoke against due to traffic and crime rate increasing when businesses are allowed in the neighborhood.

Mayor Childress closed the public hearing at 7:41 p.m.

10. Discuss and consider an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas amending the Comprehensive Zoning Ordinance and map, as heretofore amended, by granting a change in zoning from R-5 (Residential-5 Single Family) to C (Commercial) on three (3) tracts of land being a combined total of approximately 0.7-acres of real property described as Lot 8, Lot 9 and Lot 9A, Block B, of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 208, 210 and 212 Avenue B, Seagoville, Dallas County, Texas as described and depicted in Exhibit “A”, which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Community Development Director)

Motion to deny an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas amending the Comprehensive Zoning Ordinance and map, as heretofore amended, by granting a change in zoning from R-5 (Residential-5 Single Family) to C (Commercial) on three (3) tracts of land being a combined total of approximately 0.7-acres of real property described as Lot 8, Lot 9 and Lot 9A, Block B, of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 208, 210, and 212 Avenue B, Seagoville, Dallas County, Texas as described and depicted in Exhibit “A”, which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date – Hernandez, seconded by Magill; motion passed 4/1. Hernandez, Howard, Magill, and Epps in favor, Fruin against.

11. Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.

Councilmember Magill thanked Chief Calverley for resolving an issue with a leaning power pole.

Councilmember Howard thanked everyone that participated in and helped make the Back to School Bash successful.

Councilmember Hernandez agreed with Councilmember Howard that the Back to School Bash was successful and he was thankful to everyone involved.

Mayor Childress invited Billy Chasteen to report concerning the Back to School Bash. Billy Chasteen at 732 Jack stated he was thankful for the help of City making the Back to School Bash successful. He also stated Seven Thousand Seven Hundred Ten Dollars (\$7710.00) was raised for school supplies and about Three Thousand Dollars (\$3,000.00) in supplies was donated.

12. 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.

Councilmember Fruin stated he would like an item to discuss and take action to require any City Sporting Events on City owned property to require the event holder to have Emergency Medical Service personnel on site.

13. Recessed into Executive Session at 7:48 p.m.

- A. § 551.074 Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: Economic Development Director**
- B. §551.075. Deliberation regarding the purchase, exchange, lease, or value of real property located on Simonds Road**

14. Reconvene Into Regular Session at 8:31 p.m.

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

No action taken.

Adjourned at 8:31 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Regular Session Agenda Item: 2

Meeting Date: August 20, 2018

ITEM DESCRIPTION:

Discuss and consider the appointment of two (2) members of the community to the Downtown Corridor Advisory Group

BACKGROUND OF ISSUE:

On June 18, 2018, City Council passed a Resolution establishing and creating a Downtown Corridor Advisory Group. The group shall be composed of ten (10) members, consisting of two (2) members of the SEDC, two (2) members of the Planning & Zoning Commission, and six (6) members of the community to meet a minimum of three (3) times over a period of seven (7) months or until such time as the DCAG has satisfactorily performed the duties.

The DCAG held the first meeting on Tuesday, August 14, 2018 with a total of five (5) appointees in attendance. While half of the appointees were in attendance, Staff feels it in the best interest of the group to appoint two (2) alternates.

Two (2) applications have been received for Council to consider for appointments to the DCAG. Robert Knight who is a business owner in downtown Seagoville and Elsa Morales, who voluntarily attended the meeting on Tuesday, August 14, 2018, and is a building owner in downtown Seagoville.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS

N/A

Regular Session Agenda Item: 3

Meeting Date: **August 20, 2018**

ITEM DESCRIPTION:

Conduct a public hearing to receive citizen input on the proposed tax rate of \$0.743800 per \$100 valuation, which exceeds the effective tax rate calculated by the Dallas County Tax Assessor/Collector of \$0.691994 or 7.49%. This rate will raise more revenue from property taxes than last year's budget by an amount of \$524,043.

BACKGROUND OF ISSUE:

This is the first public hearing to receive citizen input on the proposed tax rate of \$0.743800 per \$100 valuation, which exceeds the effective tax rate calculated by the Dallas County Tax Assessor/Collector of \$0.691994 or 7.49%.

FINANCIAL IMPACT:

N/A

Regular Session Agenda Item: 4

Meeting Date: **August 20, 2018**

ITEM DESCRIPTION:

Conduct a public hearing to receive citizen input on the proposed FY 2018-2019 budget for all City funds. This budget will raise more property taxes than last year's budget by \$524,043 or 11.47% and of that amount, \$208,100 is tax revenue to be raised from new property added to the tax roll this year.

BACKGROUND OF ISSUE:

This is the first public hearing that provides an opportunity for the City Council to receive public input on the proposed FY 2019 budget.

FINANCIAL IMPACT:

N/A

Regular Session Agenda Item: 5

Meeting Date: **August 20, 2018**

ITEM DESCRIPTION:

Conduct a public hearing to receive citizen input on the proposed increase of drainage rates.

BACKGROUND OF ISSUE:

This public hearing allows Council to receive public input on the proposed increase of drainage rates. The proposed increase in drainage rates is to provide resources for debt service for the Woodside Drainage Project.

FINANCIAL IMPACT:

The increase in drainage rates is projected to provide an additional \$73,335. The debt service on the proposed FY 2019 bonds is \$77,606.

Regular Session Agenda Item: 6

Meeting Date: **August 20, 2018**

ITEM DESCRIPTION:

Receive presentation from Chamber of Commerce in support of their request for FY 2019 funding for community events from the City's hotel/motel tax

BACKGROUND OF ISSUE:

The Chamber of Commerce has submitted three (3) grant applications requesting funding in the amount of \$26,500.00 for the following:

Mayfest / Cinco de Mayo	\$11,000.00
Seagofest	\$11,000.00
4th of July Celebration	\$ 4,500.00

FINANCIAL IMPACT:

\$26,500 payable from hotel/motel taxes

RECOMMENDATION:

N/A

EXHIBITS

Application for Mayfest
Application for 4th of Celebration
Application for Seagofest

Application

Date: August 1, 2018

Organization Information

Name of Organization: **Seagoville Chamber of Commerce Information and Tourism Bureau**

Address: **107 Hall Road**

City, State, Zip: **Seagoville, Texas 75159**

Contact Name: **Ritha Edwards**

Contact Phone Number: **(972) 287-5184**

Web Site Address for Event or Sponsoring Entity: **www.seagovillecoc.org**

Non-Profit or For-Profit status: **Non-Profit** Tax ID #: **47-2234629**

Entity's Creation Date: **December 10, 1979**

Purpose of your organization: **To promote local businesses and tourism for Seagoville, Texas.**

Event Information

Name of Event or Project: **Mayfest**

Date of Event or Project: **May 2, 3, 4, & 5**

Primary Location of Event or Project: **C.O. Bruce Central Park**

Amount Requested: **\$11,000.00**

How will the funds be used: **Planning, promoting, and advertisement for the event. Securing entertainment, lighting, staging, and sound. Secure signs and barriers. Acquire carnival, craft and food vendors. Three nights and four days of fun for our community and surrounding areas.**

Primary Purpose of Funded Activity/Facility:

To promote tourism for Seagoville and our area.

Percentage of Hotel Tax Support of Related Costs

30% Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

N/A Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

35% Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities **30%**

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ **a) Convention Center or Visitor Information Center:** construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both. Amount requested under this category: \$ _____
- ☐ **b) Registration of Convention Delegates:** furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- X** **c) Advertising, Solicitations, Promotional programs to attract tourists and convention delegates** or registrants to the municipality or its vicinity. Amount requested under this category: **\$5,500.00**
- X** **d) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms : **\$3500.00**

☐ e) Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____

☐ f) Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

☐ g) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

X h) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: **\$2,000.00**

What tourist attractions will be the subject of the signs? Carnival, vendors, live music, car show, and motorcycle show. Local restaurants will be promoted.

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: **9**
2. Expected Attendance: **18,000 to 20,000 over four days**
3. How many people attending the Event or Project will use Seagoville hotels?
Number of nights will they stay: **3**
4. Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels: **Negotiations are ongoing with all Hotels and Motels.**
5. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from HOT and the number of hotel rooms used:

Month/Year Held	Assistance Amount	Number of Hotel Rooms Used
2016	\$10,000.00	
2017	\$10,000.00	
2018	\$11,000.00	

6. How will you measure the impact of your event on area hotel activity (e.g.; room block usage information, survey of hoteliers, etc.)? **Survey Hoteliers and restaurants. Interview attendees at live remotes with KSGV 95.5 FM radio, working on blocking rooms.**
7. Please list other organization, government entities, and grants that have offered financial support to your project: **None**
8. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?
No admission charged. If there is profit it will be used for the next event.
9. Please list all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Newspaper: X
Radio: X 25 +
TV: _____
Other Paid Advertising: X

Number of Press Releases to Media: **25+**

Number Direct Mailings to out-of-town recipients: **19,000**

Other Promotions: **Flyers, Posters, direct mailings, Promotion on 95.5 FM and signage.**

10. Will you include a link to the CVB or other source on your promotional handouts and in your website for booking hotel nights during this event? **Yes**

11. Will you negotiate a special rate or hotel/event package to attract overnight stays? **Yes**

12. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

Our own radio station and signage

13. What geographic areas does your advertising and promotion reach: **State wide**

14. How many individuals will your proposed marketing reach who are located in another city or county? **The broadcast radius is to include 500,000 potential listeners, 3000 social media views**

15. If the funding requested is related to a permanent facility (e.g. museum, visitor center):

Expected Attendance Monthly/Annually: **N/A**

Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit no later than August 15th to:

City of Seagoville
City Secretary's Office
702 N. Highway 175
Seagoville, TX 75159
(P) (972) 287-2819 (F) (972) 287-3891



Hotel Occupancy Tax Grant Funds

2019 MAYFEST

Entertainment	\$2300.00
Staff Costs	\$4500.00
Printing and Signs	\$600.00
Advertising	\$700.00
Supplies/Postage	\$400.00
Event Insurance	\$700.00
Barriers	\$750.00
Port a Potty's	\$1050.00

\$11,000.00

Application

Date: **August 1, 2018**

Organization Information

Name of Organization: **Seagoville Chamber of Commerce Information and Tourism Bureau**

Address: **107 Hall Road**

City, State, Zip: **Seagoville, Texas 75159**

Contact Name: **Ritha Edwards**

Contact Phone Number: **(972) 287-5184**

Web Site Address for Event or Sponsoring Entity: **www.seagovillecoc.org**

Non-Profit or For-Profit status: **Non-Profit** Tax ID #: **47-2234629**

Entity's Creation Date: **December 10, 1979**

Purpose of your organization: **To promote local businesses and tourism for Seagoville, Texas.**

Event Information

Name of Event or Project: **Seagofest**

Date of Event or Project: **October 3, 4, 5, & 6**

Primary Location of Event or Project: **C.O. Bruce Central Park**

Amount Requested: **\$11,000.00**

How will the funds be used: **Securing live entertainment, lighting, staging, street barricades, and sound. Promoting the event with flyers, posters, signage and announcements on 95.5 FM. Use of a portable stage. Securing carnival, food and craft vendors and a Car and Motorcycle Show.**

Primary Purpose of Funded Activity/Facility:

To promote tourism for Seagoville and the surrounding areas.

Percentage of Hotel Tax Support of Related Costs

30% Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

N/A Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

30% Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities **30%**

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

☐ **a) Convention Center or Visitor Information Center:** construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both. Amount requested under this category: \$ _____

☐ **b) Registration of Convention Delegates:** furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____

X **c) Advertising, Solicitations, Promotional programs to attract tourists and convention delegates** or registrants to the municipality or its vicinity. Amount requested under this category: **\$5,500.00**

X **d) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording,

and other arts related to the presentation, performance, execution, and exhibition of these major art forms : **\$3,500.00**

☐ e) Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____

☐ f) Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

☐ g) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

X h) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: **\$2,000.00**

Carnival, live music, Car and Motorcycle Show along with food and craft vendors. Local restaurants will be promoted along with local attractions.

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: **25**
2. Expected Attendance: **20,000 to 25,000 over three nights four days**
3. How many people attending the Event or Project will use Seagoville hotels? **75-100**
Number of the people many nights will they stay: **3**
4. Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels: **Negotiation in process**
5. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from HOT and the number of hotel rooms used:

Month/Year Held	Assistance Amount	Number of Hotel Rooms Used
10/2016	\$10,000.00	
10/2017	\$10,000.00	
10/2018	\$11,000.00	

6. How will you measure the impact of your event on area hotel activity (e.g.; room block usage information, survey of hoteliers, etc.)? **Interview hoteliers, restaurants, attendees, and live remotes done by 95.5 FM**
7. Please list other organization, government entities, and grants that have offered financial support to your project: **None**
8. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?
No admission charged. Profits vary and will be used for the next event.

9. Please list all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Newspaper: X
Radio: X
TV: _____
Other Paid Advertising: X

Number of Press Releases to Media: **25** +

Number Direct Mailings to out-of-town recipients': **19,000**

Other Promotions: **Flyers, Posters, Signage, P.S.A. from 95.5 FM and Festivals of Texas ads.**

10. Will you include a link to the CVB or other source on your promotional handouts and in your website for booking hotel nights during this event? **Yes**

11. Will you negotiate a special rate or hotel/event package to attract overnight stays?
In the process

12. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

There will be announcements on 95.5 FM, live remotes from the event, and Signage.

13. What geographic areas does your advertising and promotion reach: **State Wide**

14. How many individuals will your proposed marketing reach who are located in another city or county? **500,000 + potential listeners.**

15. If the funding requested is related to a permanent facility (e.g. museum, visitor center):

Expected Attendance Monthly/Annually: **N/A**

Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit no later than August 15th to:

City of Seagoville
City Secretary's Office
702 N. Highway 175
Seagoville, TX 75159
(P) (972) 287-2819 (F) (972) 287-3891



Seagoville

CHAMBER OF COMMERCE
INFORMATION
— 6 —
TOURISM BUREAU

Hotel Occupancy Tax Grant Funds

**2019
SEAGOFEST**

Entertainment	\$3000.00
Staff Costs	\$3800.00
Printing and Signs	\$1500.00
Tables and Chairs	\$175.00
Advertising	\$1000.00
Supplies	\$150.00
Car Show	\$300.00
Event Insurance	\$735.00
Trophies	\$150.00
Postage and Mailing	\$190.00

\$11,000.00

Application

Date: **August 1, 2018**

Organization Information

Name of Organization: **Seagoville Chamber of Commerce Information and Tourism Bureau**

Address: **107 Hall Road**

City, State, Zip: **Seagoville, Texas 75159**

Contact Name: **Ritha Edwards**

Contact Phone Number: **(972) 287-5184**

Web Site Address for Event or Sponsoring Entity: **www.seagovillecoc.org**

Non-Profit or For-Profit status: **Non-Profit** Tax ID #: **47-2234629**

Entity's Creation Date: **December 10, 1979**

Purpose of your organization: **To promote local businesses and tourism for Seagoville, Texas.**

Event Information

Name of Event or Project: **4th of July Celebration**

Date of Event or Project: **June 29, 2019**

Primary Location of Event or Project: **C.O. Bruce Central Park**

Amount Requested: **\$4,500.00**

How will the funds be used: **Planning, promoting, and advertising the event. Paying for the entertainment, secure staging, lighting, and sound. Stage and radio station announcements.**

Primary Purpose of Funded Activity/Facility:

To promote tourism for Seagoville. To spend money in order to bring people to our event that will spend money at our hotels/motels, our restaurants and buy their gas and necessity's in Seagoville!

Percentage of Hotel Tax Support of Related Costs

20% Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

N/A Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

30% Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities **30%**

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ **a) Convention Center or Visitor Information Center:** construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both. Amount requested under this category: \$ _____
- ☐ **b) Registration of Convention Delegates:** furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☒ **c) Advertising, Solicitations, Promotional programs to attract tourists and convention delegates** or registrants to the municipality or its vicinity. Amount requested under this category: **\$2,500.00**
- ☒ **d) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms : **\$1,000.00**

☐ e) Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____

☐ f) Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

☐ g) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

X h) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$1,000.00

Live entertainment that includes a patriotic program. Tourist will also receive information about local attractions.

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: **7**
2. Expected Attendance: **18,000 to 20,000**
3. How many people attending the Event or Project will use Seagoville hotels? **25-50**
Number of the people many nights will they stay: **1**
4. Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels: **Not yet but continue to dialogue with hoteliers about how this benefits them.**
5. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from HOT and the number of hotel rooms used:

Month/Year Held	Assistance Amount	Number of Hotel Rooms Used
7/16	\$4,000.00	
7/17	\$4,000.00	
7/18	\$4,500.00	

6. How will you measure the impact of your event on area hotel activity (e.g.; room block usage information, survey of hoteliers, etc.)? **Survey Hoteliers and restaurants. Interview attendees and live remotes with 95.5 FM radio. Block rooms with hotels. Chamber tent will hold raffle and tickets will include information.**
7. Please list other organization, government entities, and grants that have offered financial support to your project: **None**
8. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?
No admission charged. This event has never produced net profit it is done as a service and if there were profit it would go to the next event.

9. Please list all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Newspaper: X
Radio: X
TV: _____
Other Paid Advertising: X

Number of Press Releases to Media: **30 +**

Number Direct Mailings to out-of-town recipients': **19,000**

Other Promotions: **Flyers, Posters, Festivals of Texas ads, Radio announcements on 95.5 FM, Signage.**

10. Will you include a link to the CVB or other source on your promotional handouts and in your website for booking hotel nights during this event? **Yes**

11. Will you negotiate a special rate or hotel/event package to attract overnight stays?
Continuing to try.

12. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

95.5 FM will be running hourly ads and information. More media information. Signage.

13. What geographic areas does your advertising and promotion reach: **Mesquite, Forney, Crandall,**

Terrell, Kaufman, Pleasant Grove, Dallas, Lancaster, Hutchins and Ferris.

14. How many individuals will your proposed marketing reach who are located in another city or county? **The broadcast radius is to include 500,000 + potential listeners, 3000 views on social media**

15. If the funding requested is related to a permanent facility (e.g. museum, visitor center):

Expected Attendance Monthly/Annually: **N/A**

Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit no later than August 15th to:

City of Seagoville
City Secretary's Office
702 N. Highway 175
Seagoville, TX 75159

(P) (972) 287-2819 (F) (972) 287-3891



Hotel Occupancy Tax Grant Funds

2019 4th of July Celebration

Entertainment	\$2000.00
Staff Costs	\$1700.00
Advertising	\$500.00
Supplies	\$300.00

\$4,500.00

Regular Session Agenda Item: 7

Meeting Date: August 20, 2018

ITEM DESCRIPTION:

Conduct public hearing to receive input on the proposed FY 2018-2019 hotel/motel tax budget; and direct staff on the proposed grant application(s) for FY 2018-2019 hotel/motel occupancy tax funds.

BACKGROUND OF ISSUE:

Hotel/Motel tax revenues for FY 2018-2019 are estimated at \$27,500.00.

The Chamber of Commerce has submitted three (3) grant applications requesting funding in the amount of \$26,500.00 for the following:

Mayfest / Cinco de Mayo	\$11,000.00
Seagofest	\$11,000.00
4th of July Celebration	\$ 4,500.00

Following all discussions, Staff seeks Council direction on the preparation of Hotel/Motel Fund Grant(s) to be considered at the September 10, 2018, Council Meeting.

FINANCIAL IMPACT:

Hotel Occupancy Tax funding is available for this expenditure.

Regular Session Agenda Item: 8

Meeting Date: **August 20, 2018**

ITEM DESCRIPTION

Direct staff concerning the scheduling of Council Meetings for the month of September.

BACKGROUND OF ISSUE:

The first regularly scheduled Council Meeting for the month of September falls on the Labor Day holiday. Staff is seeking Council's direction to schedule the meetings for the month of September on Monday, September 10, 2018 and Monday, September 17, 2018.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff proposes scheduling the Council Meetings for the month of September on Monday, September 10, 2018 and Monday, September 17, 2018.

EXHIBITS

N/A

Regular Session Agenda Item: 9

Meeting Date: August 20, 2018

Item Description

Approve Resolution No. 34-R-2018 ratifying the City Manager executing a Professional Services Agreement by and between the City of Seagoville and C&M Concrete, for the emergency repairs to a public street, to wit: Seagoville Road, on both sides of the street beginning at the 2300 block and extending through the 2800 block, in an amount not to exceed one hundred sixty-nine thousand, seven hundred twenty-eight dollars and twenty-eight cents (\$169,728.28).

BACKGROUND OF ISSUE:

The City of Seagoville's Interlocal Agreement ("ILA") with the City of Lancaster allowed the City to obtain an estimate from C&M Concrete in August of 2017 for the paving repairs to Seagoville Road under the pricing contained in Lancaster's contract for concrete improvements. At the time of receiving the estimate, we realized that while the work was needed, other public streets in worse condition prohibited the City from acting on Seagoville Road. However, Seagoville Road reached the point wherein emergency repair services had to be done for the health, safety and welfare of those traveling said road. Upon making the determination that the repairs to Seagoville Road had reached an "emergency" status, staff contacted C&M Concrete to obtain an estimate. Without hesitation, C&M not only agreed to do the work immediately since it was an emergency but also agreed to honor the estimate provided to the City a year ago.

Based on the foregoing and the City's knowledge of the quality of work performed by C&M Concrete, a Professional Services Agreement was prepared and executed so the work could begin immediately. Staff felt the decision to execute the Agreement so the work could begin immediately and then bring said Agreement forth for ratification was in the best interest of the City. Therefore, staff recommends approval of Resolution No. 34-R-2018.

FINANCIAL IMPACT:

\$ 169,728.28

EXHIBITS

Resolution No. 34-R-2018
Professional Services Agreement, with the Estimate attached thereto

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 34-R-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, RATIFYING THE CITY MANAGER EXECUTING A PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN THE CITY OF SEAGOVILLE AND C&M CONCRETE, FOR THE EMERGENCY REPAIRS TO A PUBLIC STREET, TO WIT: SEAGOVILLE ROAD, ON BOTH SIDES OF THE STREET BEGINNING AT THE 2300 BLOCK AND EXTENDING THROUGH THE 2800 BLOCK, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY-NINE THOUSAND, SEVEN HUNDRED TWENTY-EIGHT DOLLARS AND TWENTY-EIGHT CENTS (\$169,728.28), WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS ATTACHMENT 1; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about August 12, 2017, the City of Seagoville ("City") received an estimate from C&M Concrete for concrete work on Seagoville Road; and

WHEREAS, the City did not follow through on having the work done at that time; and

WHEREAS, Seagoville Road has now reached a point wherein the paving repair services are an emergency and require immediate work to be performed; and

WHEREAS, C&M Concrete has agreed to honor the prices set forth in the estimate provided last year; and

WHEREAS, the City desires to contract with C&M Concrete for the purpose of providing emergency pavement repair services to Seagoville Road, on both sides of the street beginning at the 2300 block and extending through the 2800 block, as set forth in the Professional Services Agreement, attached hereto as Attachment 1 ("Agreement"); and

WHEREAS, the Agreement provides for the Scope of Services to be performed in an amount not to exceed one hundred sixty-nine thousand, seven hundred twenty-eight dollars and twenty-eight cents (\$169,728.28); and

WHEREAS, the City Council hereby finds that it is in the best interest of the City to approve the Agreement with C&M Concrete, and to ratify the City Manager's execution of the same.

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

SECTION 1. The City Council approves an Agreement, with the Exhibit(s) thereto, by and between the City and C&M Concrete in an amount not to exceed one hundred sixty-nine thousand, seven hundred twenty-eight dollars and twenty-eight cents (\$169,728.28), which is attached hereto and incorporated herein as Attachment 1, and hereby authorizes and ratifies the City Manager's execution of said Agreement.

SECTION 2. That any prior Resolutions of the City Council of the City of Seagoville, Texas, in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 3. That if any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgement or holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Seagoville, Texas, and it is accordingly resolved.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 20th day of August, 2018.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

ALEXIS G. ALLEN, CITY ATTORNEY

(/cdb 08/10/2018)

PROFESSIONAL SERVICES AGREEMENT

This Agreement for Professional Services ("Agreement") is made by and between the City of Seagoville, Texas ("CITY") and C & M Concrete ("Professional") (each a "Party" and collectively the "Parties"), acting by and through their authorized representatives.

RECITALS:

WHEREAS, CITY desires to engage the services of the Professional as an independent contractor, and not as an employee, to make emergency repairs to a public street, to wit: Seagoville Road, on both sides of the street beginning at the 2300 block and extending through the 2800 block (the "Project"); and

WHEREAS, the Professional desires to render professional services for CITY to make the emergency repairs to Seagoville Road set forth in this Agreement;

NOW THEREFORE, in exchange for the mutual covenants set forth herein, and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

Article I Term

1.1 This Agreement shall commence on the last date of execution hereof ("Effective Date") and continue until completion of the services, unless sooner terminated as provided herein.

Article II Scope of Service

2.1 The Professional shall perform the services in connection with the Project as set forth below:

- (a) Saw cut the street;
- (b) Tear out concrete;
- (c) Form up the street with #5 smooth greased cap dowels;
- (d) Add #4 at 18" o.c. steel;
- (e) Chair steel (commercial chairs); and
- (f) Pour concrete 7" thick at 3600 PSI.

2.2 The Parties acknowledge and agree that any and all opinions provided by the Professional in connection with the Scope of Services represent the professional judgment of the Professional, in accordance with the professional standard of care applicable by law to the services performed hereunder.

Article III Schedule of Work

The Professional agrees to complete the required services as set forth herein within three (3) months of beginning the Project.

Article IV Compensation and Method of Payment

4.1 Professional will be compensated in accordance with the costs set forth in the Estimate dated August 12, 2017, which is attached hereto and incorporated herein as Exhibit A, in an amount not to exceed one hundred sixty nine thousand, seven hundred twenty-eight dollars and twenty-eight cents (\$169,728.28).

4.2 Unless otherwise provided in the Scope of Services the Professional shall be responsible for all other expenses related to the services provided pursuant to this Agreement including, but not limited to, copying and facsimile charges, telephone, internet and email charges.

Article V Devotion of Time; Personnel; and Equipment

5.1 The Professional shall devote such time as reasonably necessary for the satisfactory performance of the services under this Agreement. Should CITY require additional services not included under this Agreement, the Professional shall make reasonable effort to provide such additional services within the time schedule without decreasing the effectiveness of the performance of services required under this Agreement, and shall be compensated for such additional services as agreed between the Parties.

5.2 The Professional shall furnish the facilities, equipment and personnel necessary to perform the services required under this Agreement unless otherwise provided herein.

Article VI Miscellaneous

6.1 Entire Agreement. This Agreement constitutes the sole and only agreement between the Parties and supersedes any prior understandings written or oral agreements between the Parties with respect to this subject matter.

6.2 Assignment. The Professional may not assign this Agreement without the prior written consent of CITY. In the event of an assignment by the Professional to which the CITY has consented, the assignee shall agree in writing with CITY to personally assume, perform, and be bound by all the covenants, and obligations contained in this Agreement.

6.3 Successors and Assigns. Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the Parties to it and their respective heirs, executors, administrators, legal representatives, successors and assigns.

6.4 Governing Law. The laws of the State of Texas shall govern this Agreement without regard to any conflict of law rules; and venue for any action concerning this Agreement shall be in the State District Court of Dallas County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

6.5 Amendments. This Agreement may be amended by the mutual written agreement of the Parties.

6.6 Severability. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

6.7 Independent Contractor. It is understood and agreed by and between the Parties that the Professional, in satisfying the conditions of this Agreement, is acting independently, and that CITY assumes no responsibility or liabilities to any third party in connection with these actions. All services to be performed by Professional pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of CITY. Professional shall supervise the performance of its services and shall be entitled to control the manner and means by which its services are to be performed, subject to the terms of this Agreement.

6.8 Notice. Any notice required or permitted to be delivered hereunder may be sent by first class mail, overnight courier or by confirmed telefax or facsimile to the address specified below, or to such other Party or address as either Party may designate in writing, and shall be deemed received three (3) days after delivery set forth herein:

If intended for CITY:

Patrick Stallings
City of Seagoville
702 N. Hwy. 175
Seagoville, Texas 75159

With a copy to:

Alexis G. Allen
Nichols, Jackson, Dillard, Hager & Smith,
LLP
500 North Akard, 1800 Ross Tower
Dallas, Texas 75201

If intended for Professional:

Attn: Chris
C & M Concrete
362 Linkview Drive
Duncanville, Texas 75137

6.9 Insurance.

- (a) Professional shall during the term hereof maintain in full force and effect the following insurance: (i) a comprehensive general liability policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the Professional's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$1,000,000.00 per occurrence for injury to persons (including death), and for property damage; (ii) statutory Worker's Compensation Insurance at the statutory limits and Employers Liability covering all of Professional's employees involved in the provision of services under this Agreement with policy limit of not less than \$500,000.00; and (iii) Professional Liability covering negligent acts, errors and omissions in the performance of professional services with policy limit of not less than \$1,000,000.00 per claim and \$1,000,000.00 in the aggregate.
- (b) All policies of insurance shall be endorsed and contain the following provisions: (1) name CITY, its officers, and employees as additional insureds as to all applicable coverage with the exception of Workers Compensation Insurance and Professional Liability; and (2) provide for at least thirty (30) days prior written notice to the CITY for cancellation of the insurance; (3) provide for a waiver of subrogation against the CITY for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance, except for Professional Liability Insurance. The Professional shall provide written notice to the CITY of any material change of or to the insurance required herein.
- (c) A certificate of insurance and copies of the policy endorsements evidencing the required insurance shall be submitted prior to commencement of services and upon request by CITY.

6.10 Indemnification. CITY SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE SERVICES OF THE PROFESSIONAL PURSUANT TO THIS AGREEMENT. PROFESSIONAL HEREBY WAIVES ALL CLAIMS AGAINST CITY, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "CITY") FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE NEGLIGENCE OR WILLFUL MISCONDUCT OF CITY OR BREACH OF CITY'S OBLIGATIONS HEREUNDER. PROFESSIONAL AGREES TO INDEMNIFY AND SAVE HARMLESS CITY FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, ATTORNEYS' FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY THE PROFESSIONAL'S NEGLIGENT PERFORMANCE OF SERVICES UNDER THIS AGREEMENT OR BY REASON OF ANY NEGLIGENT ACT OR OMISSION ON THE PART OF PROFESSIONAL, ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR

PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO NEGLIGENCE OF THE CITY, IN WHOLE OR IN PART, IN WHICH CASE PROFESSIONAL SHALL INDEMNIFY CITY ONLY TO THE EXTENT OR PROPORTION OF NEGLIGENCE ATTRIBUTED TO PROFESSIONAL AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION). THE PROFESSIONAL'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY PROFESSIONAL UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

6.11 Counterparts. This Agreement may be executed by the Parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the Parties hereto.

6.12 Exhibits. The exhibits attached hereto are incorporated herein and made a part hereof for all purposes.

6.13 Business Prohibitions. By executing this contract, the Professional verifies that it does not Boycott Israel, and agrees that during the term of this Contract will not Boycott Israel as that term is defined in Texas Government Code Section 808.001, as amended. The Professional further verifies that, pursuant to Texas Government Code, Chapter 2252, Section 2252.152 and Section 2252.153, it does not appear on the Comptroller of the State of Texas listing of companies which do business with Iran, Sudan or any Foreign Terrorist Organization, as identified under Section 806.051, Section 807.051 or Section 2253.253, listing of companies.

[Signature Page to Follow]

EXECUTED this 16 day of August, 2018.

City of Seagoville

By: 

Name: Patricia Stadler

Title: CITY MANAGER

EXECUTED this _____ day of _____, 2018.

C & M Concrete

By: _____

Name: _____

Title: _____

EXHIBIT A ESTIMATE



Number: E1318

Date: 8/12/2017

Bill To:

Patrick Stalling
City Of Seagoville
702 N HWY 175
Seagoville, TX, 75159

Ship To:

Seagoville road

PO Number

Terms

Customer #

Project

streets

Description	Quantity	Rate	Amount
133' x 12'-6" x 8" = 186.2 = sq yards	186.20	\$84.00	\$15,640.80
74' x 12'-6" x 8" = 103.6 = sq yards	103.60	\$84.00	\$8,702.40
74' x 12'-6" x 8" = 103.6 sq yards	103.60	\$84.00	\$8,702.40
140' x 12'-6" x 8" = 196.0	196.00	\$84.00	\$16,464.00
164 lf curb	164.00	\$20.00	\$3,280.00
151' x 12'-6" x 8" = 211.4 sq yards	211.00	\$84.00	\$17,724.00
151 lf curb	151.00	\$20.00	\$3,020.00
10' x 12'-6" x 8" = 14.0 sq yards	14.00	\$84.00	\$1,176.00
10 lf curb	10.00	\$20.00	\$200.00
125' x 12'-6" x 8" = 175.0 sq yards	175.00	\$84.00	\$14,700.00
73' x 12'-6" x 8" = 102.2 sq yards	102.20	\$84.00	\$8,584.80
33' x 5' x 8" = 18.3 yards	18.30	\$84.00	\$1,537.20
90' x 12'-6" = 126 sq yards	126.00	\$84.00	\$10,584.00



Number: E1318

Date: 8/12/2017

Bill To:

Patrick Stalling
City Of Seagoville
702 N HWY 175
Seagoville, TX, 75159

Ship To:

Seagoville road

PO Number

Terms

Customer #

Project

streets

Description	Quantity	Rate	Amount
90 lf curb	90.00	\$20.00	\$1,800.00
7' x 39' x 8" = 30.00 sq yard	30.00	\$84.00	\$2,520.00
120' x 25' x 8" = 333.33 sq yards	333.33	\$84.00	\$27,999.72
240 lf curb	240.00	\$20.00	\$4,800.00
88' x 25' x 8" = 244.44 sq yards	244.44	\$84.00	\$20,532.96
88 lf curb	88.00	\$20.00	\$1,760.00

This estimate is submitted under the terms, Conditions, specifications and pricing of the City of Lancaster Contract for Concrete Improvements

SubTotal	\$169,728.28
0.00% on \$0.00	\$0.00
0.00% on \$0.00	\$0.00

Total	\$169,728.28
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Regular Session Agenda Item: 10

Meeting Date: **August 20, 2018**

ITEM DESCRIPTION

Receive Councilmember Reports/ Items of Community Interest

BACKGROUND OF ISSUE:

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 salutory 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 salutory 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.

FINANCIAL IMPACT:

N/A

EXHIBITS

N/A

Regular Session Agenda Item: 11

Meeting Date: **August 20, 2018**

ITEM DESCRIPTION:

Future Agenda Items

BACKGROUND OF ISSUE:

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

FINANCIAL IMPACT:

N/A

EXHIBITS

N/A