



**SEAGOVILLE, TEXAS  
CITY COUNCIL MEETING AGENDA  
MONDAY, MAY 6, 2019**

**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**
- B. Police Department & Animal Control Update – Police Chief**

**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 April 15, 2019 (City Secretary)**

2. **Discuss and consider approval of a Resolution finding that Oncor Electric Delivery Company LLC's application for approval to amend its Distribution Cost Recovery Factor pursuant to 16 TEX. ADMIN. CODE § 25.243 to increase distribution rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; 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; and providing an effective date (Director of Administrative Services)**

### **REGULAR AGENDA-**

3. **Presentation of City of Seagoville's First Quarter Financial Report for Fiscal Year 2019 (Finance Director)**
4. **Discuss and consider approval of a Resolution of the City Council of the City of Seagoville, Texas approving an amendment to the Professional Engineering Service Agreement for the Crestview Lane Reconstruction with Halff Associates, Inc. by extending the reconstruction to East Malloy Bridge Road from its point of intersection with Crestview Lane to its point of intersection with US Highway 175, as set forth in the Supplemental Scope of Services attached hereto as Exhibit "A", in an amount not to exceed One Hundred Twenty Four Thousand Dollars and No Cents (\$124,000); authorizing the City Manager to execute said Agreement; providing for a repealing clause; providing for a severability clause; and providing an effective date (Community Development)**
5. **Conduct a public hearing on a request to grant a Special Use Permit ("SUP") subject to specified conditions authorizing a residential dwelling and a religious institution on property zoned "LM", Light Manufacturing, being approximately 12.4± acres of real property commonly referred to as 112 West Farmers Road, in the City of Seagoville, Dallas County, Texas and being legally described as Lot 1 of Sang B. Han Addition (Community Development)**
6. **Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of City of Seagoville, as amended, by granting a Special Use Permit ("SUP") subject to specified conditions authorizing a residential dwelling and a religious institution on property zoned "LM", Light Manufacturing, being approximately 12.4± acres of real property commonly referred to as 112 West Farmers Road, in the City of Seagoville, Dallas County, Texas and being legally described as Lot 1 of Sang B. Han Addition; providing for the approval of the concept plan, which is attached hereto and incorporated herein as Exhibit "A"; providing for a repealing clause; providing a savings clause; providing a severability 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)**

7. **Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.**
8. **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, May 2, 2019 by 5:00 P.M.

  
Kandi Jackson, City Secretary



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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, May 20, 2019 Regular City Council Meeting**
- **Monday, June 3, 2019 Regular City Council Meeting**
- **Monday, June 17, 2019 Regular City Council Meeting**

**SEAGOVILLE POLICE DEPARTMENT  
POLICE CHIEF'S MONTHLY REPORT**

	March 2019	March 2018	% CHANGE	2019 YTD	2018 YTD	% CHANGE
PART I OFFENSES	36	38	-5%	118	105	12%
CRIME INDEX RATE	2.24	2.36	-5%	7.33	6.52	12%
TOWN POPULATION	16100	15580	3%	16100	15580	3%
CLEARANCE INDEX	3	4	-25%	15	21	-29%
CLEARANCE INDEX RATE	0.19	0.26	-27%	0.93	1.35	-31%
VALUE PROPERTY STOLEN	\$ 98,978	\$ 90,061	10%	\$ 485,707	\$ 294,731	65%
VALUE PROPERTY RECOVERED	\$ 60,755	\$ 26,506	129%	\$ 277,805	\$ 175,285	58%

**ACTUAL OFFENSES PER 1,000 POPULATION AND CLEARANCE RATE**

CRIMINAL HOMICIDE RATE	0 0.00	0 0.00	0% 0%	0 0.00	0 0.00	0% 0%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	0 0.00	0 0.00	0% 0%
FORCIBLE RAPE RATE	0 0.00	0 0.00	0% 0%	0 0.00	0 0.00	0% 0%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	0 0.00	0 0.00	0% 0%
ROBBERY RATE	1 0.06	0 0.00	100% 100%	2 0.124	0 0.00	100.00% 100.00%
CASES CLEARED CLEARANCE RATE	1 100.00	0 0.00	100% 100%	1 50.00	0 0.00	100.00% 100.00%
AGGRAVATED ASSAULT RATE	3 0.19	0 0.00	100% 0%	4 0.25	1 0.06	300% 0%
CASES CLEARED CLEARANCE RATE	1 0.06	0 0.00	100% 0%	2 50.00	0 0.00	100% 100%
BURGLARY RATE	5 0.31	9 0.58	-44% -46%	17 1.06	17 1.09	0% -3%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	0 0.00	3 17.65	-100% -100%
LARCENY RATE	22 1.37	16 1.03	38% 33%	64 3.98	57 3.66	12% 9%
CASES CLEARED CLEARANCE RATE	1 4.55	2 12.50	-50% -64%	9 14.06	14 24.56	-36% -43%
AUTO THEFT RATE	5 0.31	13 0.83	-62% -63%	31 1.93	30 1.93	3% 0%
CASES CLEARED CLEARANCE RATE	0 0.00	2 15.38	-100% -100%	3 9.68	4 13.33	-25% -27%
ARSON RATE	0 0.00	0 0.00	0% 0%	0 0.00	0 0.00	0% 0%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	0 0.00	0 0.00	0% 0%

**SEAGOVILLE POLICE DEPARTMENT  
POLICE CHIEF'S MONTHLY REPORT**

	March 2019	March 2018	% CHANGE	2019 YEAR TO DATE	2018 YEAR TO DATE	% CHANGE
<b>TRAFFIC</b>						
ACCIDENTS INVESTIGATED	7	12	-42%	30	37	-19%
NON-INJURY ACCIDENTS	4	7	-43%	20	25	-20%
INJURY ACCIDENTS	3	5	-40%	10	12	-17%
FATAL ACCIDENTS	0	0	0%	0	0	0%
<b>CITATIONS</b>						
TOTAL CITATIONS ISSUED	110	52	112%	386	231	67%
TOTAL VIOLATIONS	163	79	106%	603	365	65%
MOVING VIOLATIONS	40	18	122%	131	89	47%
NON-MOVING VIOLATIONS	123	61	102%	472	276	71%
<b>ARRESTS</b>						
FELONY	3	2	50%	6	4	50%
MISDEMEANOR	2	1	100%	18	9	100%
ALCOHOL RELATED	5	0	100%	11	2	450%
DWI ARRESTS	0	0	0%	0	1	-100%
PUBLIC INTOXICATION	5	0	100%	11	1	1000%
MINOR POSSESSION	0	0	0%	0	0	0%
JUVENILE CUSTODY	2	1	100%	5	3	67%
TOTAL ARRESTS	25	26	-4%	116	119	-3%
<b>POLICE RESPONSE DATA</b>						
POLICE CALLS FOR SERVICE	1484	1036	43.2%	3333	3028	10%
<b>AVERAGE RESPONSE TIMES</b>						
PRIORITY II, III, & IV	10.61	9.67	9.7%	12.14	10.14	19.7%
PRIORITY I	7.49	6.07	23.4%	6.18	6.28	-1.6%
<b>EMERGENCY COMMUNICATIONS</b>						
ALL DISPATCHED CALLS FOR SERVICE	1914	2501	-23%	5380	7200	-25%
9-1-1 CALLS (PHONE CALLS)	1124	1169	-4%	2888	3473	-17%
<b>PERSONNEL DATA</b>						
AUTHORIZED SWORN		24				
AUTHORIZED SWORN ACTUAL		22				
AUTHORIZED SWORN VACANCIES		2				
ACTUAL SWORN (PT)		3				
AUTHORIZED RESERVE STRENGTH		5				
ACTUAL RESERVE STRENGTH		0				
SUPPORT SERVICE MANAGER (FT)		1				
SUPPORT SERVICE MANAGER (FT) VACANCIES		0				
DISPATCH SUPERVISOR (FT)		1				
DISPATCH SUPERVISOR (FT) VACANCIES		0				
AUTHORIZED CIVILIAN PST (FT)		6				
AUTHORIZED CIVILIAN PST (FT) VACANCIES		2				
AUTHORIZED CIVILIAN PST (PT)		4				
AUTHORIZED CIVILIAN PST (PT) VACANCIES		2				
AUTHORIZED CIVILIAN SST (FT)		3				
AUTHORIZED CIVILIAN SST VACANCIES		0				
SCHOOL CROSSING GUARD (PT)		3				
SCHOOL CROSSING GUARD (PT) VACANCIES		0				
AUTHORIZED OFFICERS PER 1000 POP.		1.61				
TOTAL EMPLOYEES PER 1000		1.93				

**SEAGOVILLE POLICE DEPARTMENT  
POLICE CHIEF'S MONTHLY REPORT**

	March	March	%	2019	2018	%
	2019	2018	CHANGE	YEAR TO DATE	YEAR TO DATE	CHANGE
<b>ALARM CALLS FOR SERVICE</b>						
TOTAL ALARMS RECEIVED	115	111	4%	369	350	5%
TRUE ALARMS	0	0	0%	2	0	100%
FALSE ALARMS	115	111	4%	367	350	5%
<b>VEHICLES IMPOUNDED</b>						
INCIDENTAL TO ARREST	5	4	25%	22	21	5%
ABANDONED ROADWAY	3	4	-25%	9	11	-18%
RECOVERED STOLEN	4	11	-64%	13	24	-46%
UNLICENSED DRIVER	2	0	100%	4	3	33%
ACCIDENT	6	14	-57%	16	45	-64%
<b>WARRANTS SERVED</b>						
SEAGOVILLE COURTS	29	34	-15%	165	150	10%
OTHER COURTS	29	42	-31%	135	181	-25%
<b>CRIMINAL INVESTIGATIONS</b>						
NUMBER OF CASES RECEIVED	111	146	-24%	374	392	-5%
CASES CLEARED BY ARREST	16	25	-36%	72	92	-22%
FALSE REPORTS	0	0	0%	0	0	0%
EXCEPTIONAL MEANS	11	16	-31%	28	40	-30%
SUSPENDED / NO LEADS	38	45	-16%	119	118	1%
OTHER / CLOSED	16	36	-56%	66	83	-20%
UNFOUNDED	4	1	300%	7	2	250%
REVENUE FRONT WINDOW	22934.69	21725.55	5.6%	49501.43	52633.48	-6.0%

**2019 Crime Statistics**  
**Seagoville Police Department**

**SEAGOVILLE POLICE DEPARTMENT**  
**CONSOLIDATION OF MONTHLY CRIMINAL ACTIVITY**

UNIFORM CLASSIFICATION OF OFFENSES	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	This year to date	Last year to date		%+- For Same Period Last Year
1A. CRIMINAL HOMICIDE: MURDER	0	0	0										0	0	0	0.00%
1B. MANSLAUGHTER BY NEGLIGENCE	0	0	0										0	0	0	0.00%
2. FORCIBLE RAPE	0	0	0										0	0	0	0.00%
3. ROBBERY	0	0	1										1	0	1	0.00%
4. AGGRAVATED ASSAULT	1	0	3										4	1	3	300.00%
5. BURGLARY-BREAKING OR ENTERING	5	7	5										17	20	-3	-15.00%
6. THEFT - LARCENY	17	25	22										64	59	5	8.47%
7. MOTOR VEHICLE THEFT	14	12	5										31	30	1	3.33%
8. ARSON	0	0	0										0	0	0	0.00%
TOTAL - PART I OFFENSES													117	110	7	6.36%



# City of Seagoville Police Department

600 North US Highway 175  
Seagoville, Texas 75159  
Phone 972.287.2999 Fax 972.287.2917  
www.seagoville.us



## Seagoville Police Department City Council Presentation

Seagoville Animal Services Stats for the 1<sup>st</sup> quarter 2019

### Canine Intakes, Adoptions, Rescues, and Return to Owner

Description	Jan	Feb	March	Total	YTD Total
Stray	44	32	36	112	112
Surrenders	3	2	2	7	
Adoptions	30	26	23	79	79
Rescues	10	2	1	13	13
Return to Owner	7	12	12	31	31

### Feline Intakes, Adoptions, Rescues, and Return to Owner

Stray	10	11	4	25	25
Surrenders	0	0	0	0	0
Adoptions	11	12	3	26	26
Rescues	0	0	0	0	0
Return to Owner	0	0	0	0	0

### Animal Services Activity for the 1<sup>st</sup> quarter of 2019

Calls for Service	205	202	200	607	607
After Hour Calls	60	75	66	201	201
Volunteer Hours	289	293	301	883	883
Verbal Warnings	4	2	6	12	12
Written Warning	0	0	0	0	0
Citations	1	0	0	1	1

# *Consent Session Agenda Item: 1*

**Meeting Date: May 6, 2019**

**ITEM DESCRIPTION:**

Consider approving City Council Meeting minutes for April 15, 2019.

**BACKGROUND OF ISSUE:**

Approve City Council Meeting minutes for April 15, 2019

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval.

**EXHIBITS:**

April 15, 2019 Work Session Minutes  
April 15, 2019 Regular Meeting Minutes



**MINUTES OF CITY COUNCIL  
WORK SESSION  
APRIL 15, 2019**

**The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, April 15, 2019, 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: Police Chief Ray Calverley, City Attorney Victoria Thomas, Library Director Liz Gant, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

**A. Discuss Regular Session Agenda Items**

- 1. Consider approving City Council Meeting minutes for April 1, 2019 (City Secretary)**

*No questions.*

- 2. Consider and approve a Resolution of the City of Seagoville, Texas approving and ratifying the City Manager's execution of a contract change order for the increase in the width of construction base and asphalt pavement for the east Malloy Bridge Road Rehabilitation of 7300 linear feet full depth reclamation in an amount not to exceed twenty three thousand seven hundred twenty four dollars and fifty cents (\$23,724.50); and providing an effective date (Community Development)**

*No questions.*

4. **Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of City of Seagoville, as amended, by granting a Special Use Permit ("SUP") for a monopole communications tower to be located on property zoned "C", Commercial, being approximately 13.3± acres of real property located at 2737 North Highway 175, in the City of Seagoville, Dallas County, Texas and being legally described as Tract 39 of Herman Heider Abstract 541; providing for the approval of the site plans, which is attached hereto and incorporated herein as Exhibits "A" and "B", respectively; providing for a repealing clause; providing a savings clause; providing a severability clause; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development)**

*Councilmember Fruin asked if the applicant for the Special Use Permit will be present during Regular Session. Junior Planner stated yes, there will be a representative present during Regular Session.*

5. **Discuss and consider approving a Resolution of the City of Seagoville, Texas approving the terms and conditions of an interlocal agreement between the Cities of Garland and Mesquite and the City of Seagoville, Texas for Seagoville's participation in a shared public safety radio system, which is attached hereto as Exhibit A and approving the terms and conditions of an interlocal radio system usage agreement between the same parties governing the City of Seagoville's use of the shared public safety radio system; authorizing the City Manager to execute these agreements; repealing all Resolutions in conflict; providing an effective date (Police Chief)**

*In response to a question by Councilmember Fruin, Police Chief Calverley stated Seagoville is not required to install a new tower. He stated the water tower is sufficient to use for the system.*

*Councilmember Fruin asked if we are just waiting on installation before the system is operational. Police Chief Calverley stated we are waiting on the Federal Communications Commission (FCC).*

- 6. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, creating a Census 2020 Complete Count Committee for the purpose of planning and implementing local outreach efforts to increase community awareness and participation in census 2020; and providing for an effective date (Library Director)**

*Library Director Gant stated Mr. Stallings asked her to serve as the Staff liaison for the 2020 Census. She introduced Nancy Guerrero, United States Census Bureau Partnership Specialist.*

*Partnership Specialist Guerrero present the 2020 Census and explained the importance of obtaining an accurate count for 2020.*

**Adjourned at 7:02 p.m.**

**APPROVED:**

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Mayor Dennis K. Childress

**ATTEST:**

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Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
APRIL 15, 2019**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:15 p.m. on Monday, April 15, 2019, 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: Police Chief Ray Calverley, Library Director Liz Gant, City Attorney Victoria Thomas, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

**Invocation** – *Invocation was led Councilmember Magill.*

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

**Proclamation – Telecommunications Week** – *Mayor Childress presented a Proclamation to the Telecommunicators. Communications Supervisor Becky Vrzak presented dispatchers with a sweatshirt provided by North Central Texas Council of Governments (NCTCOG). Police Chief Calverley thanked the dispatcher for a job well done.*

**Mayor’s Report** – *Mayor Childress stated early voting begins Monday, April 22, 2019 and ends Tuesday April 30, 2019. He also stated Saturday, May 4, 2019 is Election Day.*

**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 April 1, 2019 (City Secretary)**

*Motion to approve City Council Meeting minutes for April 1, 2019 – Howard, seconded by Magill; motion passed with all ayes. 5/0*

**REGULAR AGENDA-**

- 2. Consider and approve a Resolution of the City of Seagoville, Texas approving and ratifying the City Manager's execution of a contract change order for the increase in the width of construction base and asphalt pavement for the east Malloy Bridge Road Rehabilitation of 7300 linear feet full depth reclamation in an amount not to exceed twenty three thousand seven hundred twenty four dollars and fifty cents (\$23,724.50); and providing an effective date (Community Development)**

*Motion to approve a Resolution of the City of Seagoville, Texas approving and ratifying the City Manager's execution of a contract change order for the increase in the width of construction base and asphalt pavement for the east Malloy Bridge Road Rehabilitation of 7300 linear feet full depth reclamation in an amount not to exceed twenty three thousand seven hundred twenty four dollars and fifty cents (\$23,724.50); and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 5/0*

- 3. Conduct a public hearing on a request to grant a Special Use Permit ("SUP") for a monopole communications tower to be located on property zoned "C", Commercial, being approximately 13.3± acres of real property located at 2737 North Highway 175, in the City of Seagoville, Dallas County, Texas and being legally described as Tract 39 of Herman Heider Abstract 541 and approval of the site plans (Community Development)**

*Mayor Childress opened the public hearing at 7:24 p.m.*

*Applicant Bill Bauman at 2300 Springmere Dr., Arlington, Texas stated this is a tower for cell phones. He stated this tower is for T-Mobile and as many as three (3) or four (4) carriers can utilize the tower. He also stated the tower will be one hundred ninety-five feet (195) high.*

*Mayor Childress closed the public hearing at 7:25 p.m.*

4. **Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map of City of Seagoville, as amended, by granting a Special Use Permit (“SUP”) subject to specified conditions authorizing a monopole communications tower to be located on property zoned “C”, Commercial, being approximately 13.3± acres of real property located at 2737 North Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally described as Tract 39 of Herman Heider Abstract 541; providing for the approval of the site plan, which is attached hereto and incorporated herein as Exhibits “A” and “B”, respectively; 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)**

*Councilmember Hernandez stated he counted four (4) towers in a short distant and there are only 4 carriers. He asked why would another tower need to be erected. Applicant Bauman stated towers to support 5g network for the cell phone carriers will need to be in place for the arrival of 5g. He also stated 5g is denser.*

*Councilmember Magill asked if lesser poles would serve as a repeater. Applicant Bauman stated yes, and the speed is two (2) times faster than LTE.*

*Motion to approve Agenda Item #3 – Fruin, seconded by Hernandez. Mayor stated this is Agenda Item #4. Councilmember Hernandez rescinded his second. Councilmember Fruin rescinded his motion.*

*Motion to approve an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map of City of Seagoville, as amended, by granting a Special Use Permit (“SUP”) subject to specified conditions authorizing a monopole communications tower to be located on property zoned “C”, Commercial, being approximately 13.3± acres of real property located at 2737 North Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally described as Tract 39 of Herman Heider Abstract 541; providing for the approval of the site plan, which is attached hereto and incorporated herein as Exhibits “A” and “B”, respectively; 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– Fruin, seconded by Hernandez; motion passed with all ayes. 5/0*

- 5. Discuss and consider approving a Resolution of the City of Seagoville, Texas approving the terms and conditions of an interlocal agreement between the Cities of Garland and Mesquite and the City of Seagoville, Texas for Seagoville’s participation in a shared public safety radio system, which is attached hereto as Exhibit A and approving the terms and conditions of an interlocal radio system usage agreement between the same parties governing the City of Seagoville’s use of the shared public safety radio system; authorizing the City Manager to execute these agreements; repealing all Resolutions in conflict; providing an effective date (Police Chief)**

*Motion to approve a Resolution of the City of Seagoville, Texas approving the terms and conditions of an interlocal agreement between the Cities of Garland and Mesquite and the City of Seagoville, Texas for Seagoville’s participation in a shared public safety radio system, which is attached hereto as Exhibit A and approving the terms and conditions of an interlocal radio system usage agreement between the same parties governing the City of Seagoville’s use of the shared public safety radio system; authorizing the City Manager to execute these agreements; repealing all Resolutions in conflict; providing an effective date – Fruin, seconded by Magill; motion passed with all ayes. 5/0*

- 6. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, creating a Census 2020 Complete Count Committee for the purpose of planning and implementing local outreach efforts to increase community awareness and participation in census 2020; and providing for an effective date (Library Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, creating a Census 2020 Complete Count Committee for the purpose of planning and implementing local outreach efforts to increase community awareness and participation in census 2020; and providing for an effective date – Epps, seconded by Howard; motion passed with all ayes. 5/0*

- 7. Discuss security measures for public meetings at City Hall (Councilmember Hernandez)**

*Mayor Childress stated this item will be tabled to a future Agenda.*

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

*Councilmember Hernandez stated Starbucks is open.*

*Mayor Pro Tem Epps stated Starbucks has good drinks.*

- 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.

*Councilmember Magill stated he would like to revisit the noise abatement Ordinance. He stated Ms. Taylor’s daughter has complained and he has issues at his home. He also stated this is becoming a real problem in some sections of the City.*

**Adjourned at 7:46 p.m.**

**APPROVED:**

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Mayor Dennis K. Childress

**ATTEST:**

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Kandi Jackson, City Secretary

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

**Meeting Date:**                   **May 6, 2019**

### **ITEM DESCRIPTION:**

Discuss and consider approval of a Resolution finding that Oncor Electric Delivery Company LLC's application for approval to amend its Distribution Cost Recovery Factor pursuant to 16 TEX. ADMIN. CODE § 25.243 to increase distribution rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; 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; and providing an effective date.

### **BACKGROUND OF ISSUE:**

On April 8, 2019, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an Application for Approval to Amend its Distribution Cost Recover Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in distribution revenues of \$29,433,804. This is Oncor's second DCRF filing under a law adopted in 2011 allowing electric utilities to file limited issue, limited review cases.

Oncor Cities Steering Committee (hereinafter "OCSC") has engaged the services of a consultant to review the Company's filing. The consultant will review the filing and identify adjustments that should be made to the Company's request. Lloyd Gosslink, legal counsel for the OCSC, are recommending that Cities retaining original jurisdiction deny the requested relief.

The Public Utility Commission of Texas's rules allow cities 60 days to act on this application. That deadline is June 7, 2019.

Staff recommends approving this Resolution denying Oncor Electric Delivery Company LLC's application for approval of a distribution cost recovery factor pursuant to 16 TEX. ADMIN. CODE §25.243 to increase distribution rates within the City.

### **FINANCIAL IMPACT:**

N/A

### **EXHIBITS:**

Resolution denying Oncor Electric Delivery Company LLC's application for approval of a distribution cost recovery factor pursuant to 16 TEX. ADMIN. CODE §25.243 to increase distribution rates within the City.

**THE CITY OF SEAGOVILLE, TEXAS**

**RESOLUTION NO. \_\_-R-2019**

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; 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; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Seagoville, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

**WHEREAS**, the City is a member of the Steering Committee of Cities Served by Oncor ("OCSC" or "Cities"), a membership of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

**WHEREAS**, on or about April 8, 2019 Oncor filed with the City an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 49427, seeking to increase electric distribution rates by approximately \$29,433,804; and

**WHEREAS**, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

**WHEREAS**, Cities are coordinating its review of Oncor's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

**WHEREAS**, Cities' members and attorneys recommend that members deny the DCRF.

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

**Section 1.** That the City is authorized to participate with OCSC in PUC Docket No. 49427.

**Section 2.** That subject to the right to terminate employment at any time, the City of Seagoville hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

**Section 3.** That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

**Section 4.** That the Company shall continue to charge its existing rates to customers within the City.

**Section 5.** That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of presentation of an invoice to Oncor.

**Section 6.** 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.

**Section 7.** That a copy of this Resolution shall be sent to Matthew C. Henry, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Legal Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

**Section 8.** This resolution shall take effect from and after its passage as the law and the City Charter in such cases provides.

**PASSED AND APPROVED** by the City Council of the City of Seagoville, Texas this 6<sup>th</sup> day of May, 2019.

**APPROVED:**

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Dennis K. Childress, Mayor

**ATTEST:**

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Kandi Jackson, City Secretary

**APPROVED AS TO FORM:**

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Victoria W. Thomas, City Attorney  
(:cdb04.25.2019)

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

**Meeting Date:**           **May 6, 2019**

**ITEM DESCRIPTION:**

Presentation of City of Seagoville's First Quarter Financial Report for Fiscal Year 2019.

**BACKGROUND OF ISSUE:**

Patrick Harvey, Director of Finance presents the City's financial report for the second quarter of FY 2019.

**FINANCIAL IMPACT:**

N/A

**EXHIBITS:**



# Memo

Date: April 25, 2019  
To: Pat Stallings, City Manager  
From: Patrick Harvey, Director of Finance  
Subject: March 2019 Financial Reports

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This memo accompanies the March 2019 Revenue and Expense Reports for the City of Seagoville, and highlights selected financial activities for the first six months of FY 2019. The first six months of the fiscal year represents 50% of the total fiscal year, and this memo provides an explanation of variances from that standard.

## General Fund

**Revenues: General fund total revenue for the first six months of the fiscal year is above budget expectations (actual 76.8% vs. expected 50.0%).** The current year fiscal **Property tax** revenue collections are slightly below last year's collection rate (94.8% vs. 103.7%) – I anticipate property tax revenue collections should be within the budget estimate. **Sales Tax** revenue collections are above budget expectations (59.4%). This is due to the State Comptroller collection of overdue use taxes from a local business. This remittance is transmitted to us over several months. In **Franchise Fee** revenue, the comparative collection trend for the first six months of FY 2019 vs. FY 2018 appears below:

Description	FY 2019 Amount	FY 2018 Amount	Increase (Decrease)
ONCOR	\$ 217,264	\$ 192,988	\$ 24,277
ATMOS Gas	83,794	76,511	7,284
Suddenlink Cable	9,325	8,945	380
Telephone	10,838	20,705	(9,867)
Republic Services	16,659	19,126	(2,467)

Cable television franchise fee is generally received quarterly. The telephone franchise fee is also received quarterly.

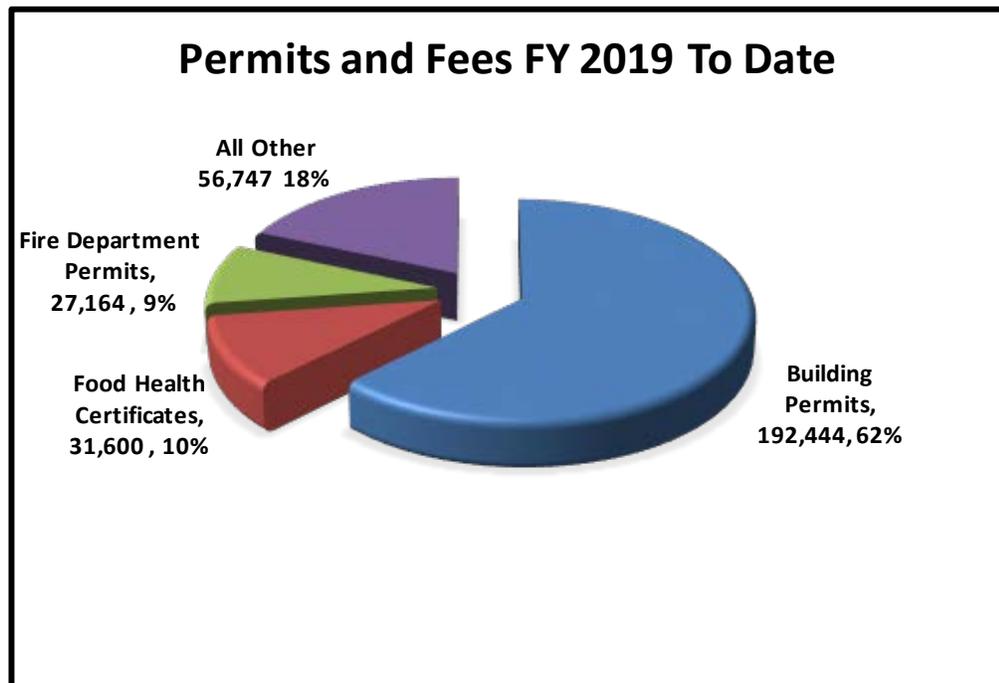
**Permits & Fees** The first quarter of FY 2019, the City received \$17,242.70 for issuing 10 permits in Brook Valley #7 subdivision and \$16,362.60 for issuing six permits in other parts of the City for Residential Building permits. This compares to the first quarter of FY 2018, in which the City received \$2,547.50 for issuing 2 permits in Priest Acres subdivision, \$3,283.65 for

issuing 3 permits in the Sandy Hill subdivision, \$1,072.15 for issuing a permit in the Stafford Addition subdivision, and \$4,563.25 for issuing six permits in other parts of the City.

The second quarter of FY 2019, the City received \$10,436.40 for issuing 8 permits in Brook Valley #7 subdivision, \$2,883.50 for issuing two permits for the Super One renovation project, \$2,858.55 for issuing a permit to Starbucks, \$9,510.50 for issuing 7 permits in other parts of the City, \$4,000.00 in plan review fees for Seagoville Farms, and \$73,729.90 for issuing 66 permits for Highland Meadows Phase 3.

The following is a comparison of FY 2019 revenue vs. FY 2018:

Description	FY2019 Amount	FY2018 Amount	Increase (Decrease)
Building Permits	\$ 192,444	\$ 64,243	\$ 128,201
Inspection Fees	3,350	166,774	(163,424)
Food Health Certificates	31,600	45,940	(14,340)
Fire Department Permits	27,164	24,103	3,060
All Other	53,397	32,603	20,794



**Sanitation** revenue is up compared to budget (55.4% actual vs. 50.0% expected). This is in line with last year's revenue of 55.4%. **Senior Activities** revenue has approximately a 45-day lag between the end of the month and actual revenue received from the Dallas Council on Aging. **Fines** revenue reflects increased court enforcement activity from public safety contacts.

**Total revenues for the first six months of the fiscal year are \$7,314,647 or 76.8% of budget.** This compares favorably to total General Fund revenues for the first six months of the previous fiscal year (\$6,780,293).

**Expenditures: Total General Fund expenditures are within budget expectations (49.1% actual vs. 50.0% expected).**

**City Secretary** is above expectations due to the payment to Dallas County for the May 2019 election.

**Finance** is above expectations due to the payment for the annual audit and 3 of 4 payments to Dallas Central Appraisal District for appraisal services.

**Streets** department is above budget expectations due to an increase in uniform purchases, minor equipment purchases such as LED lamps, tools and supplies for the sign shop (129.9% vs 50.0%), and Other Contract Maintenance which includes Asphalt for Sunnyvale and Motor Grader for Elizabeth Lane and Tunnell St, pest control services for Bearden Park and concrete medians, providing asphalt for Central Park as well as street sweeping various streets.

**Information and Technology** is above expectations due to the Annual Transfer to the Technology Replacement Fund and Civic Plus Annual Fees for Recurring Redesign fee increase and Custom Mobile App Annual Fee Renewal.

**Non departmental** is above expectations mainly due to the annual premium payment to TML for workers' compensation and property/casualty insurance. There was also an increase above budget of **67.6% vs 50%** expected in **Legal fees** for Nichols, Jackson, Dillard, Hager.

**Debt Payment (Quint)** is the third annual payment of fifteen on the financing to acquire the quint fire vehicle.

**Transfers and Reserves** reflect the annual transfer to the Street Maintenance fund to provide resources for ongoing street projects (\$431,850). This transfer is made at the beginning of the fiscal year.

#### **Water and Sewer Fund (Fund 20)**

**Revenues: Total Water and Sewer Fund revenues are within budget expectations (52.9% vs. 50.0%).** **Water** sales usually accelerate during the summer depending upon the weather conditions. **Penalties and Interest** is generated from late customer payment. **Pretreatment Sewer Revenue** is charged to a few of our industrial customers to cover the cost of wastewater pretreatment required by the state to ensure the prevention of harmful materials entering the water system. **Reconnection Fees** are higher than anticipated due to a renewed commitment to enforcement activities against delinquent customers.

**Expenditures: The year to date expenditure trend is within expectations (42.2% actual vs. 50.00% expected).**

**Non departmental** is above expectations due to the annual premium payment to TML for workers' compensation and property/casualty insurance.

**Water and Sewer Fund (Fund 20)  
Expenditures (continued)**

Also in the category of non-departmental, the Halff engineering firm continues to work toward the completion of the City's Water Master Plan, budgeted in last fiscal year. The total amount paid under the contract is within the Council approval amount while the amounts paid began last fiscal year and will final this fiscal year.

**Cityworks System Renewal payment plus** added 4 standard logins and web hooks to current licensing. This system represents a major element of compliance with the EPA's administrative order.

**Vehicles** reflect insurance reimbursement from our insurance carrier TML for vehicle damage.

**Other Funds**

**W&S Improvements (Fund 22)** Expenditures reflect progress payments on the Highway 175 sewer line replacement project.

**Street Maintenance (Fund 43)** The expenditures include payment to C & M Concrete for Seagoville Road Repair project (\$143,754.68). Other expenditures include \$14,903.53 for East Malloy Bridge Road engineering services and \$37,555.83 for various projects throughout the City.

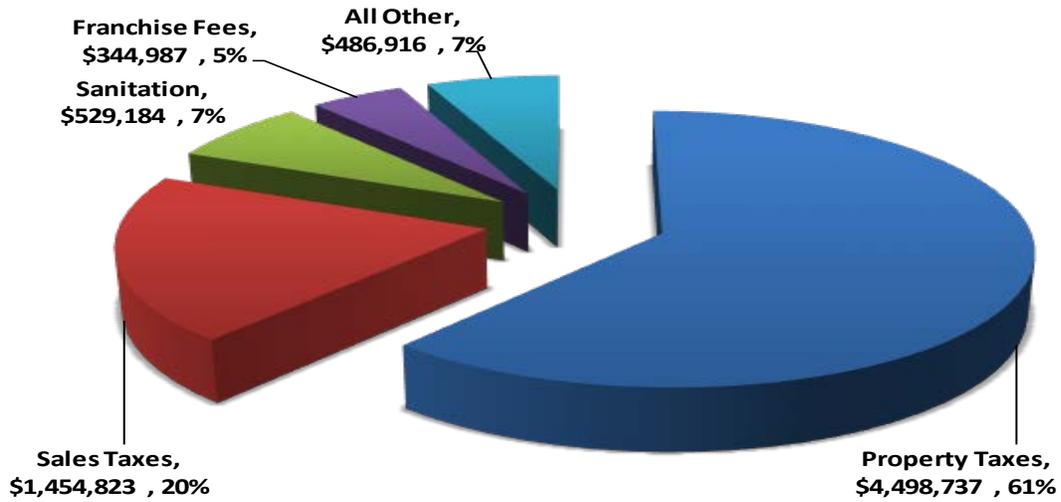
**GENERAL FUND  
SUMMARY OF REVENUES AND EXPENDITURES  
AS OF 3/31/19  
50% OF BUDGET YEAR**

	<b>Adopted Budget</b>	<b>Year to Date</b>	<b>% tage of Budget</b>
<b>REVENUES:</b>			
Property Taxes	\$4,745,438	\$4,498,737	94.8%
Sales Taxes	2,447,978	1,454,823	59.4%
Franchise Fees	614,525	344,987	56.1%
Sanitation	954,350	529,184	55.4%
All Other	<u>757,595</u>	<u>486,916</u>	64.3%
<b>TOTAL REVENUES</b>	<b>\$9,519,886</b>	<b>\$7,314,647</b>	<b>76.8%</b>
Transfers In:	379,904	203,752	53.6%
<b>EXPENDITURES:</b>			
Public Safety	\$5,053,217	\$2,416,495	47.8%
Community Development	1,277,016	618,949	48.5%
Community Services	1,417,000	634,103	44.7%
General Government	962,302	519,377	54.0%
Non departmental	<u>391,055</u>	<u>277,881</u>	71.1%
<b>TOTAL EXPENDITURES</b>	<b>\$9,100,590</b>	<b>\$4,466,806</b>	<b>49.1%</b>
One Time Use of Fund Balance	1,920,413	768,333	40.0%

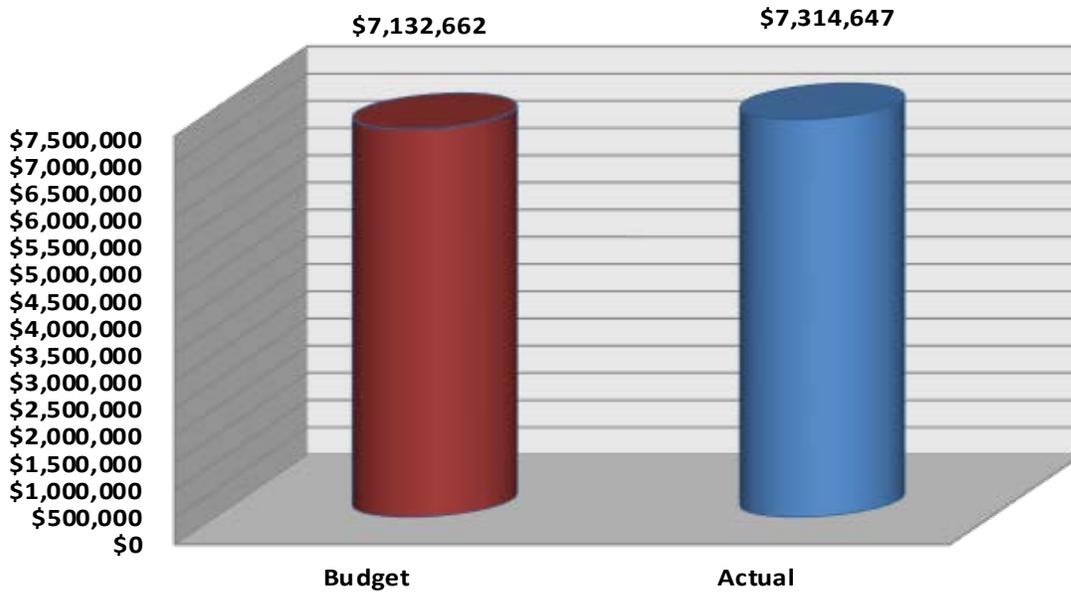
**GENERAL FUND  
SUMMARY OF REVENUES AND EXPENDITURES  
FOR FISCAL YEAR 2018-19  
AS OF 3/31/19  
50.00 % OF BUDGET YEAR**

	LAST YEAR			THIS YEAR		
	Annual Budget	Year-to-Date	% of Budget	Annual Budget	Year-to-Date	% of Budget
<b>Revenues:</b>						
Property Taxes	<b>\$4,011,440</b>	\$4,159,781	103.7%	<b>\$4,745,438</b>	\$4,498,737	94.8%
Sales Taxes	<b>\$2,293,470</b>	\$1,214,597	53.0%	<b>\$2,447,978</b>	\$1,454,823	59.4%
Franchise Fees	<b>\$637,500</b>	\$316,855	49.7%	<b>\$614,525</b>	\$344,987	56.1%
Permits & Fees	<b>\$411,395</b>	\$333,663	81.1%	<b>\$368,595</b>	\$307,954	83.5%
Sanitation	<b>\$934,920</b>	\$517,593	55.4%	<b>\$954,350</b>	\$529,184	55.4%
Senior Activities	<b>\$29,000</b>	\$20,308	70.0%	<b>\$42,500</b>	\$12,064	28.4%
Fines	<b>\$192,500</b>	\$117,926	61.3%	<b>\$227,500</b>	\$136,091	59.8%
Interest	<b>\$2,500</b>	\$11,081	443.2%	<b>\$13,000</b>	\$19,883	152.9%
Grants		\$79,865		<b>\$100,000</b>		0.0%
Miscellaneous	<b>\$6,000</b>	\$8,624	143.7%	<b>\$6,000</b>	\$10,923	182.1%
<b>Total Revenues</b>	<b>\$8,518,725</b>	\$6,780,293	79.6%	<b>\$9,519,886</b>	\$7,314,647	76.8%
<b>Transfers In:</b>	<b>\$379,904</b>	\$203,752	53.6%	<b>\$379,904</b>	\$203,752	53.6%

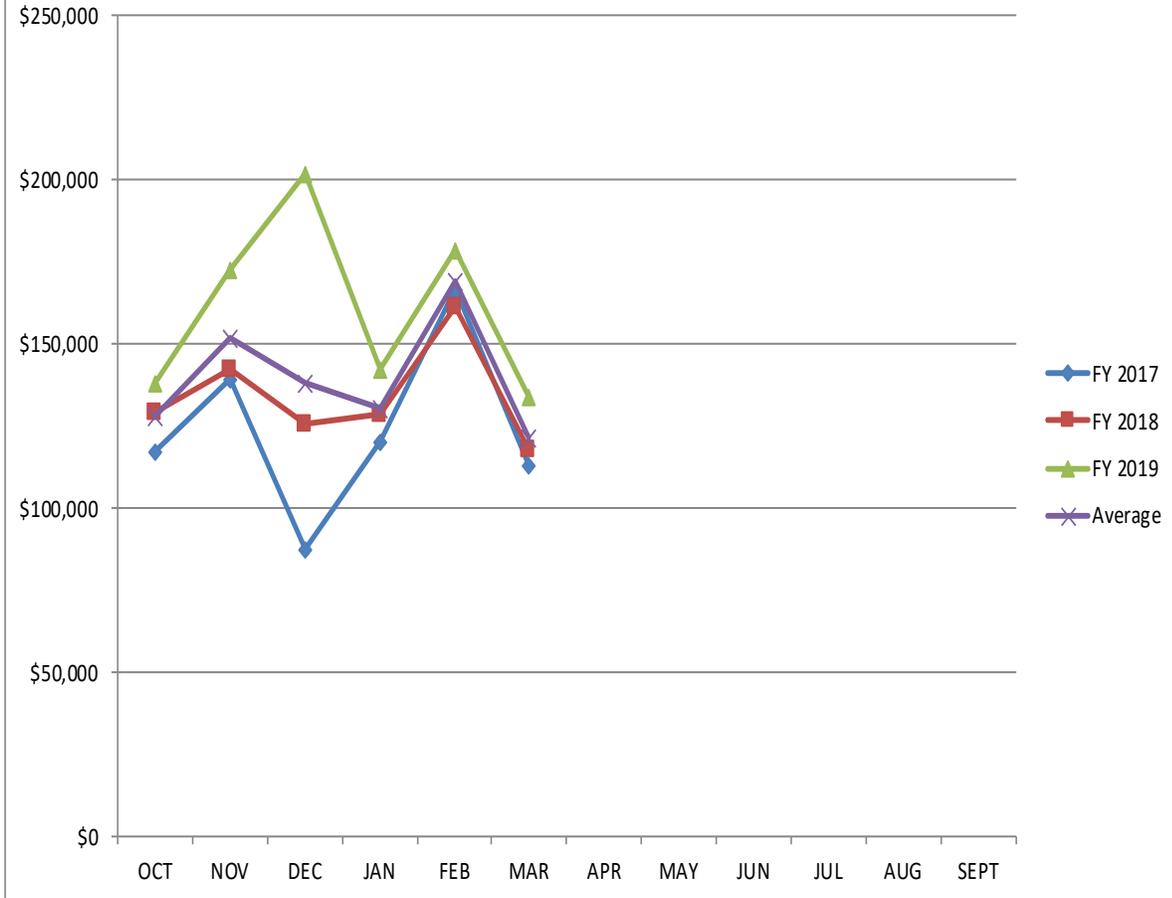
**General Fund Revenues  
2nd Quarter, FY 2019  
Total \$7,314,647**



**Year to Date Revenue Comparison  
General Fund**

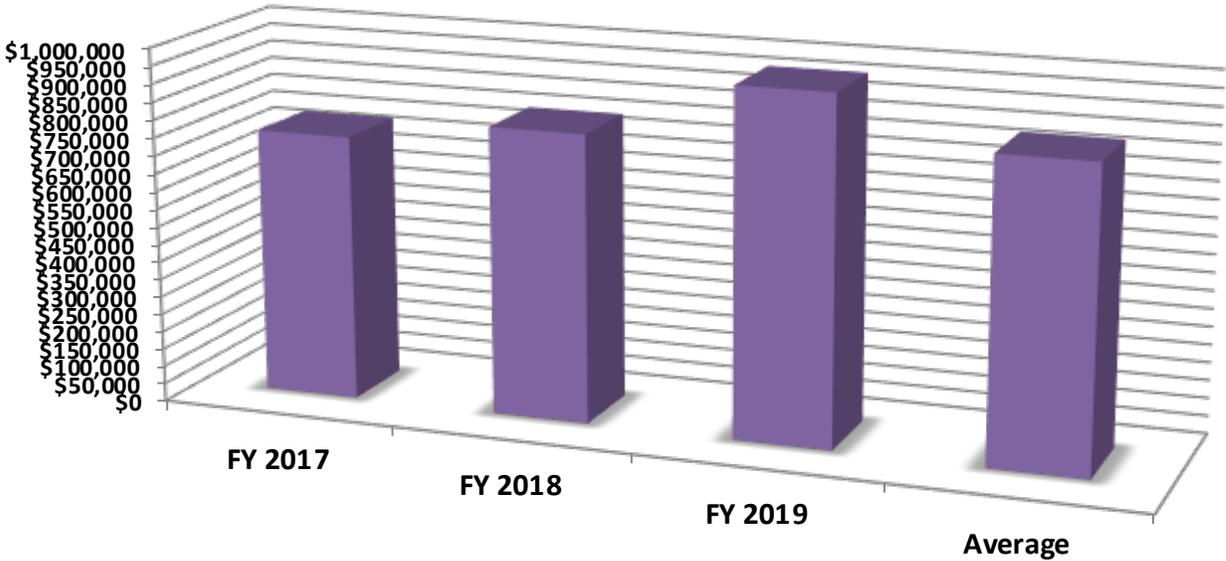


## General Fund Sales Tax Comparison



	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>Three Year Average</b>
OCT	117,255.97	129,581.47	138,378.74	128,405.39
NOV	139,335.95	142,707.74	173,057.45	151,700.38
DEC	87,836.00	125,490.04	201,730.66	138,352.23
JAN	120,436.32	128,533.63	142,638.91	130,536.28
FEB	167,079.94	161,739.81	178,469.13	169,096.29
MAR	113,468.05	117,942.89	134,151.31	121,854.08

### Fiscal Year to Date Comparison - Sales Tax



	FY 2017	FY 2018	FY 2019	Three Year Average
Fiscal Year				
To Date	745,412.21	805,995.57	968,426.19	839,944.65



## Sales & Use Tax Monthly Summary General Fund

March, 2019

<b>History by Month</b>					
Month	FY 16-17	FY 17-18	FY 18-19	Inc/(Dec) From Last Year	Percent +/-
October	\$ 117,255.97	\$ 129,581.47	\$ 138,378.74	\$ 8,797.27	6.8%
November	\$ 139,335.95	\$ 142,707.74	\$ 173,057.45	\$ 30,349.71	21.3%
December	\$ 87,836.00	\$ 125,490.04	\$ 201,730.66	\$ 76,240.62	60.8%
January	\$ 120,436.32	\$ 128,533.63	\$ 142,638.91	\$ 14,105.28	11.0%
February	\$ 167,079.94	\$ 161,739.81	\$ 178,469.13	\$ 16,729.33	10.3%
March	\$ 113,468.05	\$ 117,942.89	\$ 134,151.31	\$ 16,208.42	13.7%
April	\$ 115,183.31	\$ 110,613.83	-		0.0%
May	\$ 154,902.01	\$ 159,370.18	-		0.0%
June	\$ 123,730.29	\$ 125,678.24	-		0.0%
July	\$ 131,020.10	\$ 138,665.29	-		0.0%
August	\$ 143,683.22	\$ 155,884.05	-		0.0%
September	\$ 122,944.19	\$ 137,130.49	-		0.0%
<b>Total General Fund</b>	<b>\$ 1,536,875.32</b>	<b>\$ 1,633,337.63</b>	<b>\$ 968,426.19</b>	<b>\$ 162,430.62</b>	<b>21.3%</b>

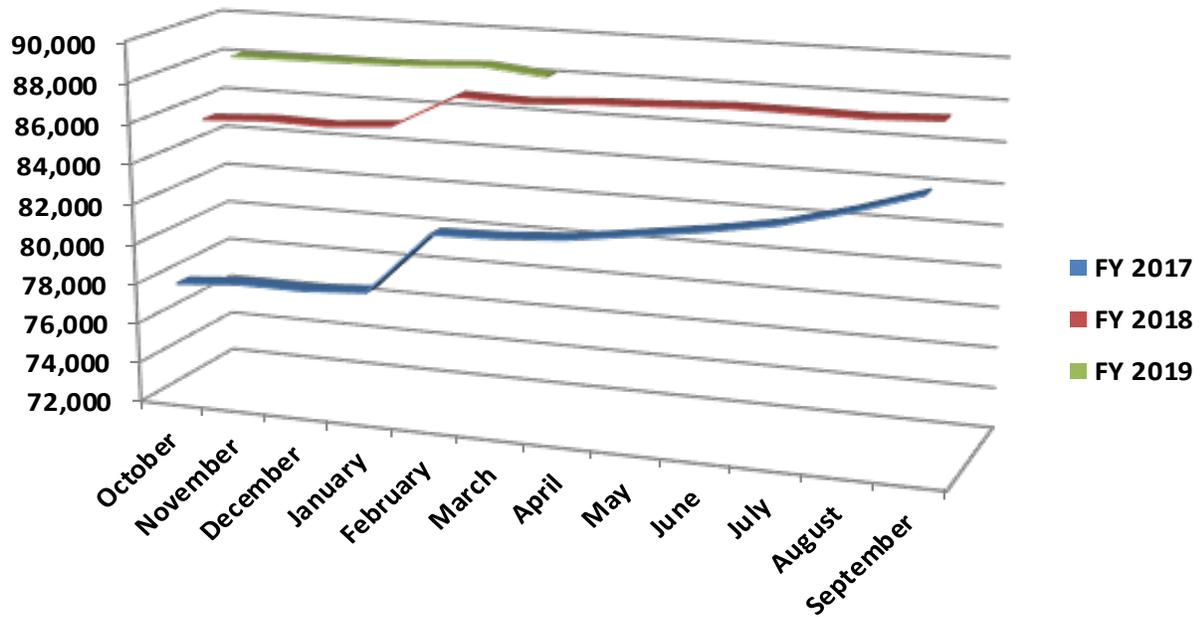
<b>Actual to Budget</b>					
<b>GF Budget FY 2019</b>				<b>\$ 1,621,842</b>	
	<u>PERCENT YTD</u>	<u>AMOUNT YTD</u>			
Target to Budget	50.00%	\$ 810,921.00			
Actual to Budget	59.71%	\$ 968,426.19			
Amount Over/(Under)		\$ 157,505.19			
Percent +/-		9.71%		<u>OVER/(UNDER)</u>	<u>% +/-</u>
September 30 Forecast			<b>\$ 1,980,448</b>	<b>\$ 358,606</b>	<b>22.1%</b>

<b>Actual to Actual</b>					
	FY 16-17	FY 17-18	FY 18-19	Inc/(Dec) From Last Year	Percent +/-
<b>Year to Date</b>	<b>\$ 631,944.17</b>	<b>\$ 688,052.68</b>	<b>\$ 834,274.88</b>	<b>\$ 146,222.20</b>	<b>21.3%</b>

<b>Total Sales Tax &amp; Distribution</b>				
	General Fund	PTR	4B	Total
<b>This Month</b>	<b>\$ 134,151.31</b>	<b>\$ 67,075.65</b>	<b>\$ 67,075.65</b>	<b>\$ 268,302.61</b>
<b>Year to Date</b>	<b>\$ 968,426.19</b>	<b>\$ 484,213.09</b>	<b>\$ 484,213.08</b>	<b>\$ 1,936,852.37</b>

NOTE: SALES TAX IS RECEIVED FROM THE STATE TWO MONTHS AFTER THE ACTUAL SALE DATE.

## Three Year Comparison of Sanitation Revenue



**GENERAL FUND  
SUMMARY OF REVENUES AND EXPENDITURES  
FOR FISCAL YEAR 2018-19  
AS OF 3/31/19  
50.00 % OF BUDGET YEAR**

	LAST YEAR			THIS YEAR		
	Annual Budget	Year-to-Date	% of Budget	Annual Budget	Year-to-Date	% of Budget
<b>Expenditures:</b>						
City Council	\$9,450	\$1,561	16.5%	\$9,450	\$931	9.9%
City Manager	\$213,681	\$109,094	51.1%	\$221,111	\$111,611	50.5%
City Secretary	\$100,410	\$47,885	47.7%	\$114,379	\$63,114	55.2%
Finance	\$361,436	\$219,905	60.8%	\$367,824	\$207,291	56.4%
Animal Control	\$114,339	\$54,168	47.4%	\$115,976	\$50,781	43.8%
Code Enforcement	\$181,758	\$93,739	51.6%	\$187,386	\$83,501	44.6%
Bldg Inspection/Services	\$342,274	\$166,100	48.5%	\$410,175	\$192,567	46.9%
Police	\$2,024,940	\$996,839	49.2%	\$2,155,240	\$1,044,527	48.5%
Planning	\$84,023	\$27,728	33.0%	\$96,428	\$44,233	45.9%
Fire	\$1,698,473	\$823,683	48.5%	\$1,860,266	\$893,712	48.0%
Municipal Court	\$169,508	\$78,807	46.5%	\$170,800	\$84,159	49.3%
Library	\$185,613	\$88,458	47.7%	\$224,275	\$110,324	49.2%
Senior Center	\$202,459	\$100,284	49.5%	\$214,645	\$99,056	46.1%
Streets	\$317,080	\$171,292	54.0%	\$325,862	\$200,016	61.4%
Sanitation	\$747,680	\$328,686	44.0%	\$807,280	\$340,564	42.2%
Support Services	\$662,229	\$301,548	45.5%	\$754,373	\$343,793	45.6%
Parks	\$241,985	\$92,876	38.4%	\$257,165	\$98,632	38.4%
Emergency Medical Service	\$164,080	\$82,040	50.0%	\$167,362	\$83,681	50.0%
Information Technology	\$81,679	\$43,953	53.8%	\$121,294	\$73,948	61.0%
Human Resources	\$114,584	\$56,121	49.0%	\$128,244	\$62,483	48.7%
Non Departmental	\$347,598	\$229,025	65.9%	\$391,055	\$277,881	71.1%
<b>Total Expenditures</b>	<b>\$8,365,279</b>	<b>\$4,113,792</b>	<b>49.2%</b>	<b>\$9,100,590</b>	<b>\$4,466,806</b>	<b>49.1%</b>
<b>Debt Payment (Quint)</b>	<b>\$72,000</b>	<b>\$67,054</b>	<b>93.1%</b>	<b>\$72,000</b>	<b>\$67,054</b>	<b>93.1%</b>
<b>Grant Equipment</b>		<b>\$79,865</b>				
<b>Christmas Toy Drive</b>		<b>\$175</b>				
<b>Transfers and Reserves</b>	<b>\$461,350</b>	<b>\$449,350</b>		<b>\$443,850</b>	<b>\$431,850</b>	<b>97.3%</b>
<b>Use of Fund Balance Projects</b>	<b>\$976,456</b>	<b>\$662,185</b>	<b>67.8%</b>	<b>1,404,563</b>	<b>\$269,429</b>	<b>19.2%</b>

**General Fund  
Use of Fund Balance Projects  
FY 2019**

	<u>Budget</u>	<u>Actual</u>
Patrol Vehicle Purchases	110,490.00	60,287.15
Police Equipment	23,333.00	17,865.39
Animal Services Interior Lighting	6,550.00	4,837.78
City Hall LED Sign	100,000.00	
New Fire Station	935,000.00	4,791.21
Firefighting Equipment	36,500.00	18,572.10
Planning Equipment	17,795.00	
Building Inspection & Services Vehicle	30,425.00	2,454.33
Emergency Siren Placement	25,000.00	5,300.00
Vehicle Replacement Transfer	42,000.00	42,000.00
Tuition Reimbursement Program	15,000.00	
Debt Payment - Roof Repair	47,470.00	23,734.92
Bruce Park Restroom Facility ( <b>NOTE</b> )		89,586.14
Election Officers	15,000.00	
<b>Total</b>	<u><u>1,404,563.00</u></u>	<u><u>269,429.02</u></u>

**Police Equipment**

Handguns, Shotguns & Patrol Rifles	15,398.00	14,430.39
Three X-26P Tasers	3,435.00	3,435.00
New Detective Computer and CJIS Compliant Tablet	4,500.00	
	23,333.00	17,865.39

**NOTE**

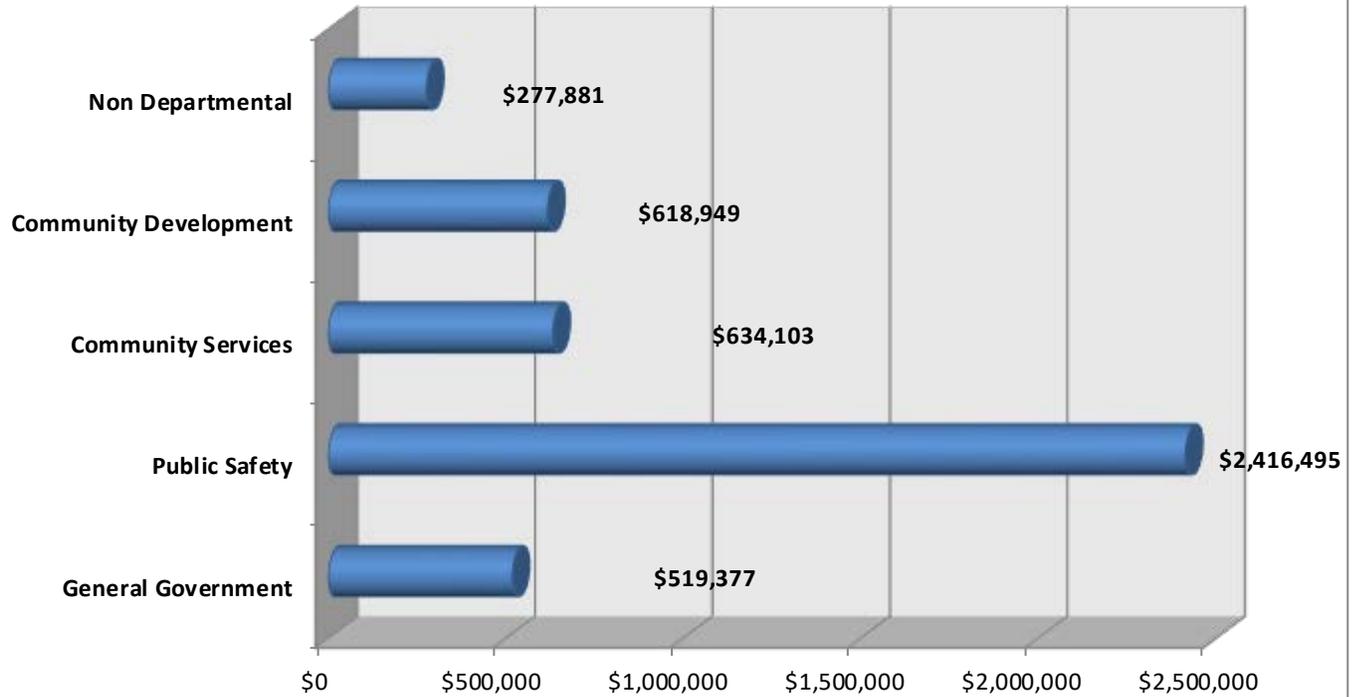
Construction of restroom facility planned for completion in FY 2018.  
Operational March 1, 2019.

**Patrol Vehicle Purchases** represent the planned replacement of a patrol vehicle and the acquisition of a new vehicle for the detective position authorized in the FY 2019 budget.

**Firefighting Equipment** includes funding for the refurbishment of Engine 1 (\$32,500), acquisition of bunker gear (\$3,000) and technical rope rescue gear (\$1,000).

**Debt Payment - Roof Repair** provides funding for the monthly repayment for the roof repair at City Hall. Final payment is October 2019.

**General Fund Expenditures  
2nd Quarter FY 2019  
Total \$4,466,806**



**General Government**

City Council, City Manager, City Secretary, Information Technology, Human Resources and Finance

**Community Development**

Building Services, Code Enforcement, Streets, Parks, Planning

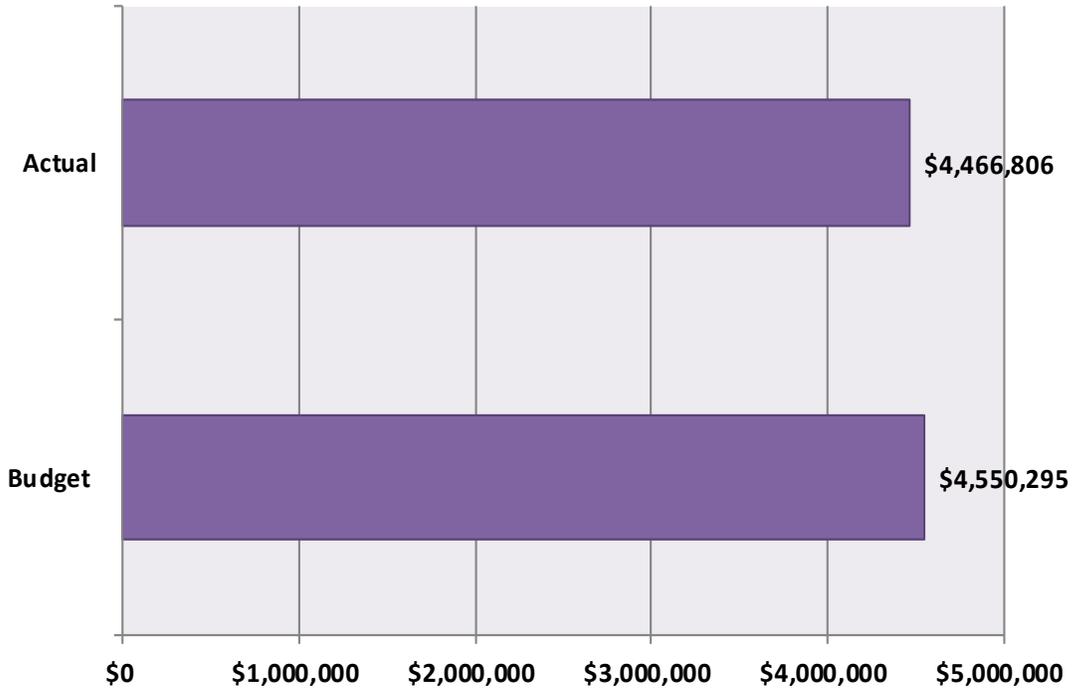
**Community Services**

Municipal Court, Library, Senior Center, Sanitation

**Public Safety**

Police, Fire, Ambulance, Support Services, Animal Control

## Year to Date Expenditure Comparison General Fund



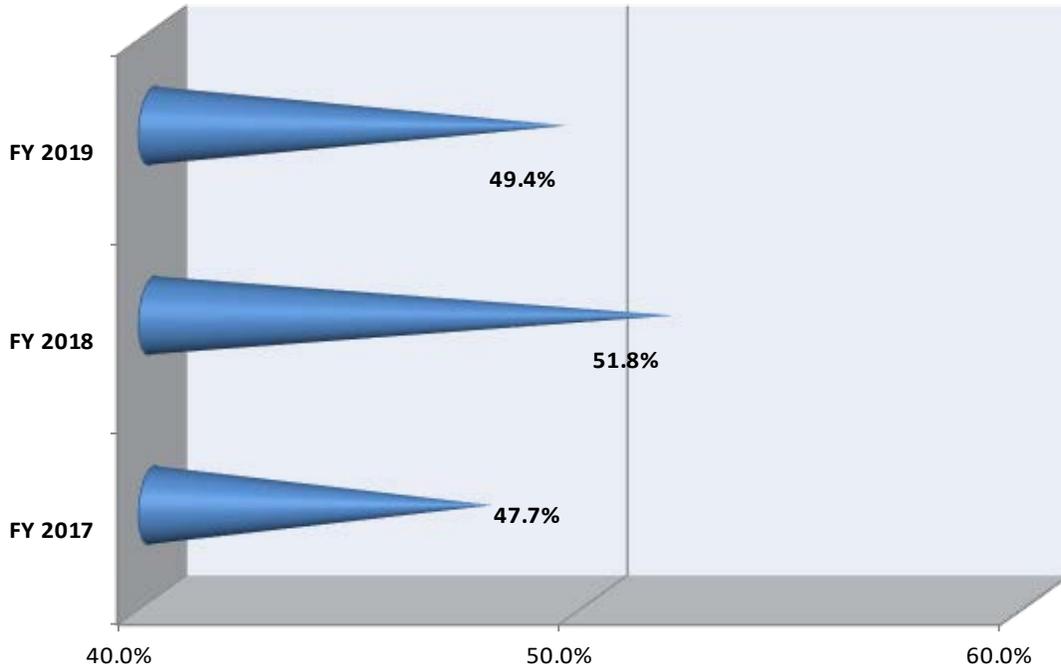
**WATER AND SEWER FUND  
SUMMARY OF REVENUES AND EXPENDITURES  
AS OF 3/31/19  
50% OF BUDGET YEAR**

	<b>Budget</b>	<b>Year to Date</b>	<b>% tage of Budget</b>
<b>REVENUES:</b>			
Water Sales	\$3,517,634	\$1,736,442	49.4%
Sewer Sales	3,120,468	1,706,915	54.7%
All Other	<u>209,125</u>	<u>177,089</u>	84.7%
<b>TOTAL REVENUES</b>	<b>\$6,847,227</b>	<b>\$3,620,446</b>	<b>52.9%</b>
<b>EXPENDITURES:</b>			
Water Services	\$2,319,402	\$805,568	34.7%
Sewer Services	2,422,788	1,049,417	43.3%
Debt Service Transfer	516,559	271,644	52.6%
Non Departmental	98,363	101,706	103.4%
All Other	<u>395,309</u>	<u>200,657</u>	50.8%
<b>TOTAL EXPENDITURES</b>	<b>\$5,752,421</b>	<b>\$2,428,994</b>	<b>42.2%</b>
Use of Reserve	\$1,015,580	\$182,120	17.9%
Transfers Out	420,304	176,152	41.9%

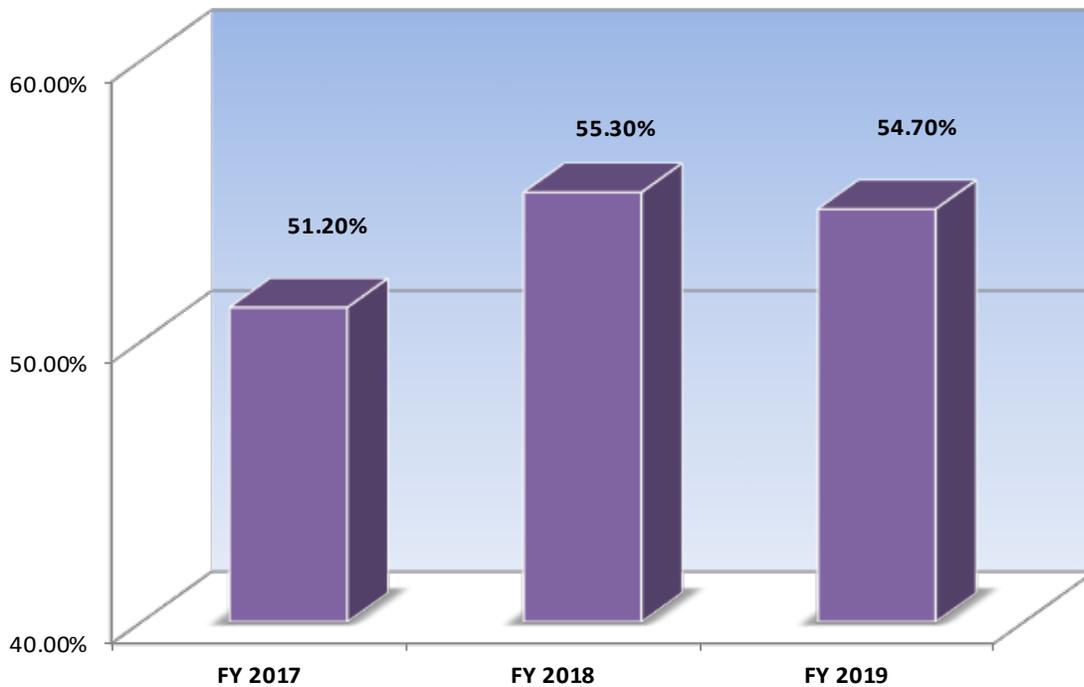
**WATER AND SEWER FUND  
SUMMARY OF REVENUES AND EXPENDITURES  
FOR FISCAL YEAR 2018-19  
AS OF 3/31/19  
50.00 % OF BUDGET YEAR**

	LAST YEAR			THIS YEAR		
	Annual Budget	Year-to-Date	% of Budget	Annual Budget	Year-to-Date	% of Budget
<b>Revenues:</b>						
Water Sales	\$3,517,634	\$1,822,569	51.8%	\$3,517,634	\$1,736,442	49.4%
Sewer Service	\$3,120,468	\$1,724,377	55.3%	\$3,120,468	\$1,706,915	54.7%
Penalties and Interest	\$110,000	\$70,812	64.4%	\$110,000	\$84,081	76.4%
Pretreatment Sewer Revenue	\$46,388	\$20,164	43.5%	\$46,388	\$22,499	48.5%
Reconnection Fees	\$35,000	\$28,810	82.3%	\$35,000	\$27,840	79.5%
Meter Installation	\$1,600	\$4,000	250.0%	\$1,600	\$6,250	390.6%
Online Payment Fee	\$4,500	\$3,881	86.2%	\$4,500	\$3,297	73.3%
Interest Earnings	\$2,000	\$9,877	493.9%	\$10,000	\$18,757	187.6%
Miscellaneous	\$450	\$56	12.5%	\$625	(\$643)	-102.8%
Bank and NSF Fees	\$1,012	\$600	59.3%	\$1,012	\$709	70.1%
Water Tap Fees		\$11,940	0.0%		\$4,800	0.0%
Sewer Tap Fees		\$6,385	0.0%		\$3,000	0.0%
Outside Contractor Tap Fees			0.0%		\$6,500	0.0%
<b>Total Revenues</b>	<b>\$6,839,052</b>	<b>\$3,703,472</b>	<b>54.2%</b>	<b>\$6,847,227</b>	<b>\$3,620,446</b>	<b>52.9%</b>
<b>Expenditures:</b>						
Utility Administration	\$171,194	\$85,404	49.9%	\$172,809	\$87,796	50.8%
Water Services	\$2,291,917	\$938,316	40.9%	\$2,319,402	\$805,568	34.7%
Sewer Services	\$2,410,063	\$1,054,837	43.8%	\$2,422,788	\$1,049,417	43.3%
Customer Services	\$212,384	\$106,246	50.0%	\$222,500	\$112,861	50.7%
Non Departmental	\$109,036	\$66,612	61.1%	\$98,363	\$101,706	103.4%
Debt Service Transfer	\$547,970	\$276,326	50.4%	\$516,559	\$271,644	52.6%
<b>Total Expenditures</b>	<b>\$5,742,564</b>	<b>\$2,527,740</b>	<b>44.0%</b>	<b>\$5,752,421</b>	<b>\$2,428,994</b>	<b>42.2%</b>
<b>Transfers Out</b>	<b>\$352,304</b>	<b>\$176,152</b>	<b>50.0%</b>	<b>\$420,304</b>	<b>\$176,152</b>	<b>41.9%</b>
Zero Turn Mower				\$16,435	\$16,435	100.0%
Cityworks System	\$30,000	\$26,474	88.2%	\$15,250	\$16,515	108.3%
Ace Hrdwr Sewer Maj Repair				\$0	\$120,313	
Vehicles	\$68,000		0.0%	\$48,000	(\$5,797)	-12.1%
Ard Road Pump Station Upgrades				\$300,000		0.0%
Capital Projects	\$750,000	\$50,380	6.7%	\$532,000		0.0%
Lift Station Condition Assess				\$103,895	\$34,655	
Glenn Road Lift Station	\$70,125	\$8,145	11.6%			0.0%
Professional Engineering	\$115,200	\$26,271	22.8%			0.0%

### Water Revenue as a % of Budget 50% of the Fiscal Year



### Sewer Revenue as a % of Budget 50% of the Fiscal Year



**OTHER FUNDS: FINANCIAL SUMMARY**

**FOR FISCAL YEAR 2018-19**

**AS OF 3/31/19**

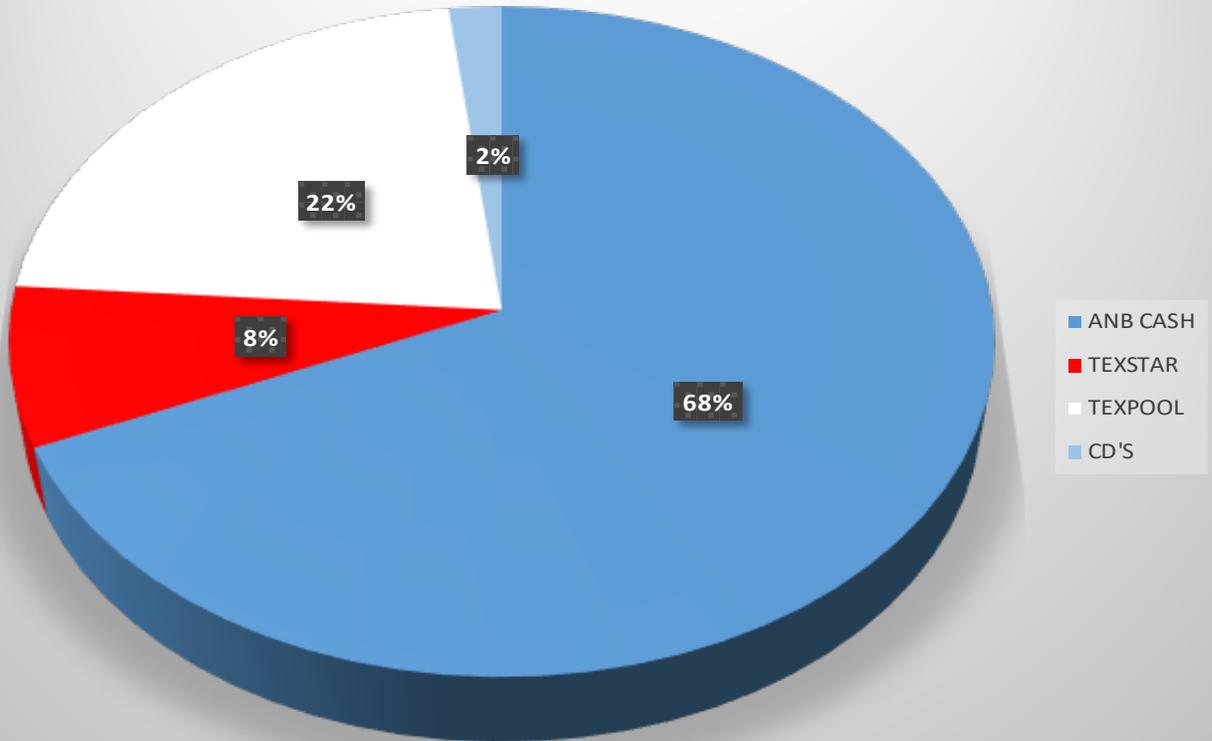
**50.00% of Budget Year**

FUND #	FUND NAME	FY 2018 ACTUAL YEAR-TO-DATE REVENUES	FY 2019 ANNUAL REVENUE BUDGET	FY 2019 ACTUAL YEAR-TO-DATE REVENUES	FY 2018 ACTUAL YEAR-TO-DATE EXPENDITURES	FY 2019 ANNUAL EXPENDITURE BUDGET	FY 2019 ACTUAL YEAR-TO-DATE EXPENDITURES
<b>ENTERPRISE FUNDS</b>					<b>ENTERPRISE FUNDS</b>		
21	W&S Debt Service	\$276,643		\$272,246	\$63,144	\$516,559	\$56,281
22	W&S Improvements		\$832,000		\$50,380	\$1,037,000	\$380,998
61	Storm Water	\$54,509	\$213,585	\$109,662	\$48,367	\$1,213,585	\$61,183
<b>SPECIAL REVENUE FUNDS</b>					<b>SPECIAL REVENUE FUNDS</b>		
29	Police Seizure State				\$1,779		
32	Miscellaneous Grants	\$949	\$2,000	\$820	\$803	\$2,500	\$256
35	Recycle Revenue Fund		\$500	\$710	\$27	\$500	\$376
36	Municipal Court	\$4,712	\$9,500	\$6,289	\$6,468	\$7,972	\$6,717
38	Park Development			\$2,320			
39	Hotel Motel Fund	\$11,860	\$27,500	\$19,386	\$11,860	\$27,500	\$13,829
42	Park Maintenance	\$1,340	\$2,000	\$137,210			
45	Animal Shelter	\$2,079	\$3,000	\$1,400	\$2,709	\$3,000	
46	Animal Shelter Bldg		\$2	\$1			
47	Vehicle Replacement Fund	\$42,547	\$44,600	\$49,566			
48	Technology Replacement	\$17,500	\$17,500	\$17,500	\$10,880	\$17,500	\$5,791
50	TLEOSE	\$2,076	\$2,000	\$2,053	\$73	\$1,000	\$80
52	InterAgency PS Training		\$2,500			\$2,000	
<b>DEBT SERVICE FUND</b>					<b>DEBT SERVICE FUND</b>		
2	General Debt Service	\$215,407	\$242,525	\$232,696	\$56,908	\$175,928	\$35,512
<b>CAPITAL PROJECTS</b>					<b>CAPITAL PROJECTS</b>		
43	Street Maintenance	\$740,843	\$4,061,850	\$444,987	\$561,262	\$2,680,000	\$192,745

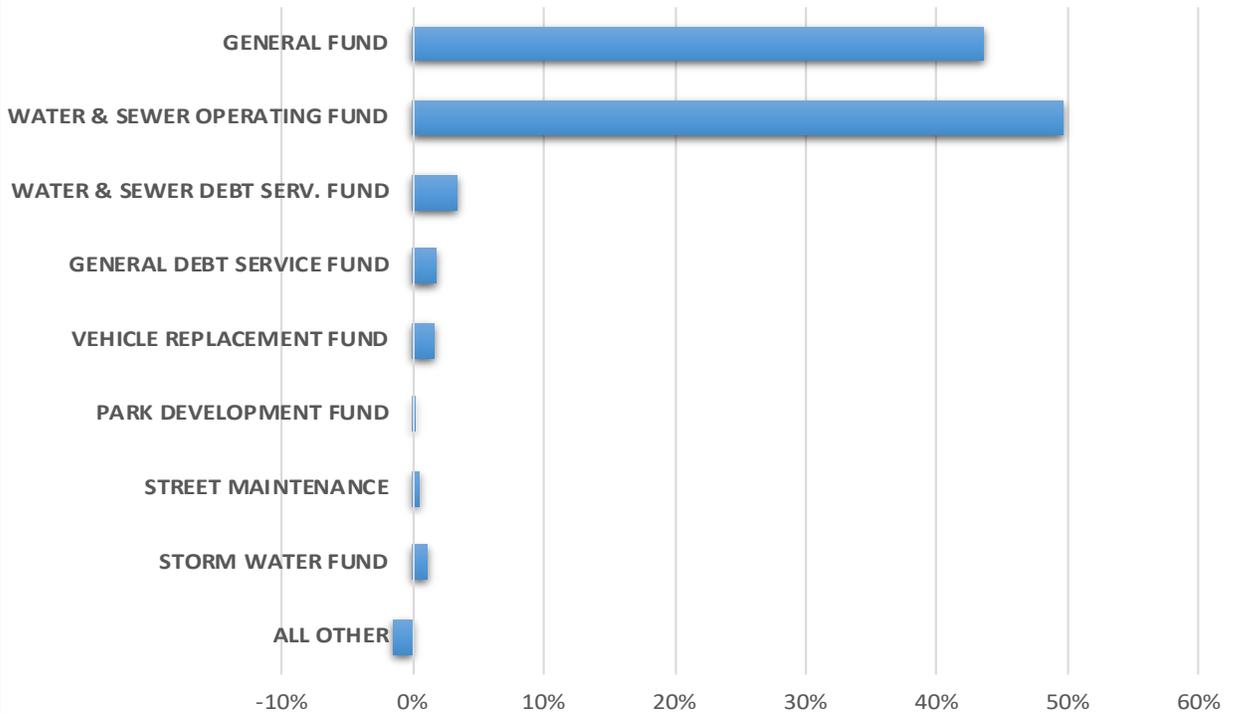
**CITY OF SEAGOVILLE  
CASH REPORT  
2nd QUARTER FY 2019**

<b>Bank Acct#</b>	<b>Bank Account Name</b>	<b>ACCT BALANCE AS OF DEC 31, 2018</b>	<b>CHANGES</b>	<b>ACCT BALANCE AS OF MAR 31, 2019</b>
800008997	ANB Group Insurance Trust Bank	53.58	0.68	54.26
800000838	ANB PAYROLL FUND	14,854.05	(758.17)	14,095.88
4600130068	ANB ROOF	72,245.59	(11,859.42)	60,386.17
4600016705	ANB PEG	100,774.73	12.42	100,787.15
800007205	ANB PRIMARY	8,106,880.80	1,913,877.12	10,020,757.92
800013104	ANB ANIMAL SHELTER OPERATIONS	4,492.88	0.55	4,493.43
<b>TOTALS</b>	<b>CASH ACCOUNTS</b>	<b>8,299,301.63</b>	<b>1,901,273.18</b>	<b>10,200,574.81</b>
572915620	TEXSTAR	1,139,400.56	6,760.74	1,146,161.30
449/1291300001	TEXPOOL-GENERAL FUND	1,552,276.94	12,143.66	1,564,420.60
449/1291300003	TEXPOOL-WATER AND SEWER	1,313,966.20	10,279.24	1,324,245.44
449/1291300004	TEXPOOL-WATER DEPOSIT FUND	316,081.00	2,472.68	318,553.68
449/1291300006	TEXPOOL-GOVT DEBT SVC	11,426.57	89.37	11,515.94
449/1291300007	TEXPOOL-WATER AND SEWER DEBT SVC	52,267.00	408.92	52,675.92
CD# 9660135	CERTIFICATE OF DEPOSIT -PARK DEV	115,074.78	283.75	115,358.53
CD# 9660143	CERTIFICATE OF DEPOSIT- VEH REP	165,828.29	408.90	166,237.19
<b>TOTALS</b>	<b>INVESTMENT ACCOUNTS</b>	<b>4,666,321.34</b>	<b>32,847.26</b>	<b>4,699,168.60</b>
<b>GRAND TOTAL</b>		<b>\$ 12,965,622.97</b>	<b>\$ 1,934,120.44</b>	<b>\$ 14,899,743.41</b>

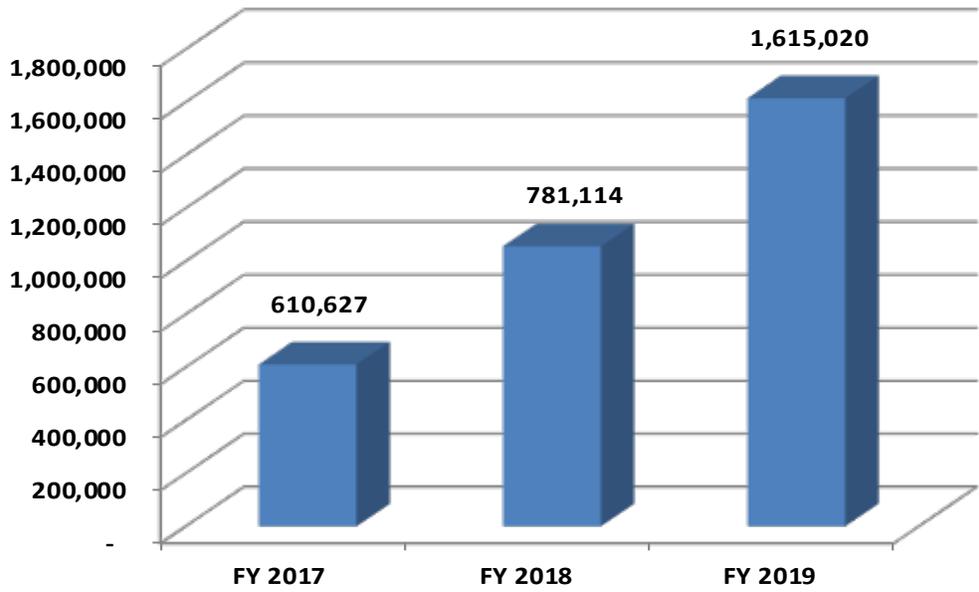
## % OF TOTAL CASH



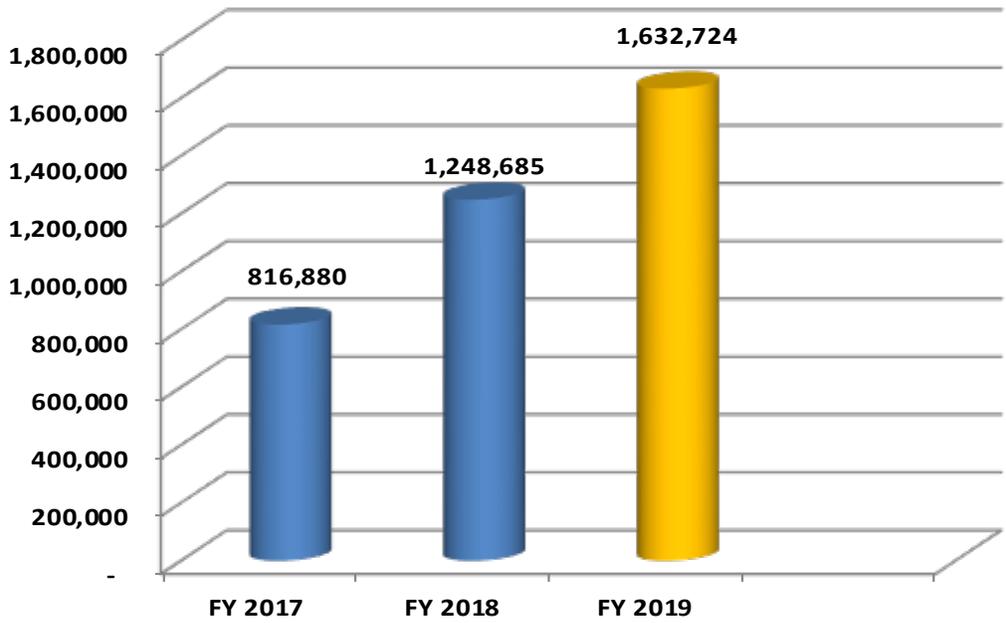
### % OF CASH BALANCE



### SEDC Cash Position



### SEDC Financial Reserve



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

**Meeting Date: May 6, 2019**

### **ITEM DESCRIPTION:**

Discuss and consider approval of a Resolution of the City Council of the City of Seagoville, Texas approving an amendment to the Professional Engineering Service Agreement for the Crestview Lane Reconstruction with Halff Associates, Inc. by extending the reconstruction to East Malloy Bridge Road from its point of intersection with Crestview Lane to its point of intersection with US Highway 175, as set forth in the Supplemental Scope of Services attached hereto as Exhibit "A", in an amount not to exceed One Hundred Twenty Four Thousand Dollars and No Cents (\$124,000); authorizing the City Manager to execute said Agreement; providing for a repealing clause; providing for a severability clause; and providing an effective date

### **BACKGROUND OF ISSUE:**

On January 8, 2018 City Council passed a Resolution entering into an agreement for Professional Engineering Services on a Task Order Basis with Halff Associates, Inc., to perform the services related to the reconstruction of Crestview Lane. Staff has determined that East Malloy Bridge Road, from its point of intersection with Crestview Lane to its point of intersection with US Highway 175 needs to be reconstructed and has reached out to Halff Associates, Inc. for an assessment and cost estimate. Halff Associates, Inc. has agreed to amend the agreement for the reconstruction of Crestview Lane by amending the scope of services and compensation to include the reconstruction of East Malloy Bridge Road.

### **FINANCIAL IMPACT:**

\$124,000

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS:**

Resolution  
Exhibit "A" Scope of Services  
Exhibit "B" Compensation Schedule

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AN AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE CRESTVIEW LANE RECONSTRUCTION WITH HALFF ASSOCIATES, INC. BY EXTENDING THE RECONSTRUCTION TO EAST MALLOY BRIDGE ROAD FROM ITS POINT OF INTERSECTION WITH CRESTVIEW LANE TO ITS POINT OF INTERSECTION WITH US HIGHWAY 175, AS SET FORTH IN THE SUPPLEMENTAL SCOPE OF SERVICES ATTACHED HERETO AS EXHIBIT "A", IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY FOUR THOUSAND DOLLARS AND NO CENTS (\$124,000); AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Halff Associates, Inc., (“Engineer”) provides professional engineering services to the City of Seagoville (“City”) on an “as needed” or “task order” basis as determined by the City; and

**WHEREAS**, on or about January 8, 2018, the City of Seagoville City Council passed Resolution Number 02-R-2018 entering into an Agreement for Professional Engineering Services on a Task Order Basis (“Agreement”) with Engineer to perform the services related to the reconstruction of Crestview Lane; and

**WHEREAS**, the City has determined that East Malloy Bridge Road, from its point of intersection with Crestview Lane to its point of intersection with US Highway 175, needs to be reconstructed and has reached out to Engineer for an assessment and cost estimate; and

**WHEREAS**, Engineer has agreed to amend the Agreement for the Reconstruction of Crestview Lane by amending the scope of services and compensation to include the reconstruction of East Malloy Bridge Road from its point of intersection with Crestview Lane to its point of intersection with US Highway 175; and

**WHEREAS**, the City Council hereby finds that it is in the best interest of the City to approve the amendment to the Agreement with the Engineer to perform the supplemental scope of services set forth in Exhibit "A", in an amount not to exceed One Hundred Twenty Four Thousand Dollars and no cents (\$124,000), and authorizes the City Manager to execute 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 amendment to the Professional Engineering Services Agreement for the Crestview Lane Reconstruction with Halff Associates, Inc., by extending the reconstruction to East Malloy Bridge Road from its point of intersection with Crestview Lane to its point of intersection with US Highway 175, as set forth in the supplemental scope of services attached hereto as Exhibit "A", in an amount not to exceed One Hundred Twenty Four Thousand Dollars and no cents (\$124,000), and hereby authorizes the City Manager to execute 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 6<sup>th</sup> day of May, 2019.

APPROVED:

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DENNIS K. CHILDRESS, MAYOR

ATTEST:

---

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

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VICTORIA THOMAS, CITY ATTORNEY

(/cdb 04/22/2019)

**EXHIBIT "A"**  
**SCOPE OF SERVICES**

**PROFESSIONAL ENGINEERING SERVICES AGREEMENT  
BETWEEN CITY OF SEAGOVILLE, TEXAS, AND HALFF ASSOCIATES, INC.  
E. MALLOY BRIDGE ROAD RECONSTRUCTION  
(U.S. 175 TO CRESTVIEW LANE)  
(AN AMENDMENT TO CRESTVIEW LANE)**

**I. PROJECT DESCRIPTIONS**

**E. Malloy Bridge Road – US 175 to Crestview Lane**

The project involves improvements for the reconstruction of approximately 750 linear feet of E. Malloy Bridge Road, an existing 4-lane asphalt roadway, from the western curb line of US 175 northbound frontage road to Crestview Lane. The new pavement section will be a 4-lane rural concrete roadway and will be reconstructed to generally the same lines and grades as the existing roadway. The transition from 4-lane to 2-lane road will be corrected with a transition of approximately 360 linear feet in length. The project also includes new concrete paving for driveway/cross street adjustments, sidewalks, drainage, pavement markings, signing, erosion control, and traffic control.

Services provided by the Engineer include preparation of construction documents for the aforementioned improvements; geotechnical investigation and design recommendations for new roadway pavements; and conditional traffic counts within the project corridor.

**II. TASK SUMMARY**

Task 2 –70% Construction Plans to be added to the Crestview contract

- Topographic Survey: Halff will provide topographic surveying services along E. Malloy Bridge Road from the northbound frontage road of US 175 to a point 600 feet northeast of the intersection of E. Malloy Bridge Road and Crestview Lane. Limits of topographic ties along E Malloy Bridge Road will be from right-of-way line to right-of-way line with a 25' buffer on each side of the corridor. See project attachment.
- Boundary Survey: Halff will provide boundary surveying services along E. Malloy Bridge Road of the same limits as the topographic survey. Services will include deed and plat research, reconstruction of property lines in CADD, property corner searches in the field, and limited boundary analysis to establish right-of-way and property lines to a tolerance of 0.5 foot plus/minus.
- Preliminary Construction Plans: Prepare 70% design plans including cover sheet, general notes, quantity sheets, typical sections, removal plans, paving plan/profiles, grading plans, drainage area map, runoff computations, storm drain plan/profiles for driveways (as necessary), municipal utility adjustment plans, traffic control plans, construction sequencing plans, signing and marking plans, erosion control plans, standard details, and cross sections every 50 feet; ; submit PDF plans for franchise utility companies.
- Contact franchise utility companies and obtain record drawing information (SUE Quality Level D); Provide recommendations for remediation of Franchise Utility conflicts. **Franchise utility relocation plans and permitting to be provided by the respective utility. Design of Franchise Utility recollection plans, and associated permitting, is excluded.**

- Geotechnical Pavement Design Recommendations (CMJ Engineering): Perform two (2) sample borings to a depth of 8 feet below existing grade; perform laboratory testing on sample borings to determine soil characteristics; prepare pavement subgrade and pavement section (rigid and flexible) recommendations for E. Malloy Bridge Road corridor.
- Preliminary Engineer's Opinion of Probable Construction Cost.

Task 3 – 90% Construction Plans (Final) to be added to the Crestview contract

- Final Construction Plans: Address the City's comments from the 70% Construction Plan Submittal; prepare 90% design plans including updated cover sheet, general notes, quantity sheets, typical sections, removal plans, paving plan/profiles, grading plans, drainage area map, runoff computations, storm drain plan/profiles for driveways (as necessary), municipal utility adjustment plans, traffic control plans, construction sequencing plans, signing and marking plans, erosion control plans, standard details, and cross sections every 50 feet.
- Prepare Draft Construction Contract Documents and Specifications for review.
- Update Engineer's Opinion of Probable Construction Cost

Task 4 – 100% Construction Plans (Bid Set) to be added to the Crestview contract

- Construction Documents: Address the City's comments from the 90% Construction Plan Submittal; Prepare Signed and Sealed Bidding Documents; submit PDF plans for franchise utility companies.
- Preparation and Distribution of Bid Sets: Plans, Specifications and Bidding documents will be provided in an electronic format for advertisement and distribution.
- Submittal to ADA/TDLR and addressing comments as required.
- Final Engineer's Opinion of Probable Cost.

Task 5 – Bidding Services to be added to the Crestview contract

- Services to provided with Crestview Lane project

Task 6 – Construction Administration and Record Drawings to be added to the Crestview contract

- Construction Site Visits – 1 site visit per month for a 4-month construction duration by Project Engineer.
- Review and recommendation to the City of Contractor Submittals
- Coordination with the City during construction for design modifications
- Meetings with the City and Contractor as requested
- Electronic Record Plan Set: Incorporate the Contractor, City Inspector, and Engineer's as-built mark-ups; Prepare PDF and AutoCAD files of the record drawings for the City
- Total man-hours for Construction Administration tasks shall not exceed 80 hours without fee adjustment.

Task 7 – Construction Inspection to be added to the Crestview contract

- A Part-Time Construction Inspector will provided for this project; estimated effort is an average of three (3) days a week (or twenty-four (24) hours a week) for a four (4) month period for a total of 48 days (or 384 hours). Half Associates will furnish personnel and equipment as required to perform on-site inspections.

- Construction Inspection tasks include: Communication with the contractor as to the work schedule; prepare site observation reports including a summary of the contractor's activities with photos, construction progress on completed work, schedule changes, and plan modifications, no less than bi-weekly; verify monthly construction progress and quantity estimates as the basis of payment to the contractor; attend on-site meetings as necessary or required including when requested by the Halff project manager or City staff, or to meet franchise utilities when necessary to discuss issues regarding the project; interpret the contract plans and specifications to determine construction compliance; determine the suitability of on-site materials to be used in the construction; reject work and materials that do not conform to the contract documents; conduct a final walk-through with City staff and the contractor to facilitate the preparation of a final punch list; coordination of construction material testing and/or schedule.

Task 8 – Traffic Signal Modification Plans

- Prepare plans and details to modify to the existing traffic signal at E. Malloy Bridge Road and Crestview Lane. Modifications will include pedestrian crosswalks on the east line of Crestview and the south line E. Malloy Bridge Road.

**III. ADDITIONAL SERVICES**

Any items requested that are not outlined in the above scope will be considered additional services and will be provided as requested and authorized by City of Seagoville. Halff Associates Inc. can provide the following services; however, these services are excluded from the scope of this agreement:

- Changes to plans due to City design criteria changes after the 70% plan review and notice to proceed on the 90% plans.
- Submittal, Review, Platting, and Permitting Fees or other Fees associated with adjacent commercial and/or residential development.
- Franchise utility infrastructure design.
- Legal Descriptions for vacation of utility easements and/or ROW.
- Right-of-Way appraisal and acquisition services.
- Construction Inspection and Resident Engineering services beyond that described in Task 6.
- Construction Material Testing services.
- CLOMR/LOMR studies and/or applications and field survey for as-built verification.
- Individual Section 404 Permitting and site specific mitigation plans.
- Preparation of Construction related SWPPP, NOI, NOT, etc.
- Construction layout staking.
- Hazardous material site assessment.
- Development of signal timing plans for the intersections.
- Items not specifically included in the Scope of Services.

#### **IV. DELIVERABLES**

Deliverables are for each project part.

<b>Task</b>	<b>Deliverables</b>
Task 1 – 70% Construction Plans	<ul style="list-style-type: none"><li>• Two (2) of 22" x 34" Construction plans</li><li>• Two (2) Sets of 11" x 17" Construction plans</li><li>• One (1) copy of Final Geotechnical Report</li><li>• PDF copies of all deliverables</li></ul>
Task 2 – 90% Construction Plans	<ul style="list-style-type: none"><li>• Two (2) of 22" x 34" Construction plans</li><li>• Two (2) Sets of 11" x 17" Construction plans</li><li>• Three (3) Sets of Construction Contract Documents and Specifications</li><li>• PDF copies of all deliverables</li></ul>
Task 3 – 100% Construction Plans	<ul style="list-style-type: none"><li>• Two (2) Sets of 11" x 17" construction plans prior to bidding</li><li>• Two (2) Sets of Construction Contract Documents and Specifications prior to bidding</li><li>• PDF copies of all deliverables</li></ul>
Task 4 – Bidding Services	<ul style="list-style-type: none"><li>• To supplement Crestview scope</li></ul>
Task 5 – Construction Administration	<ul style="list-style-type: none"><li>• To supplement Crestview scope</li></ul>

**EXHIBIT B  
COMPENSATION SCHEDULE**

**PROFESSIONAL ENGINEERING SERVICES AGREEMENT  
BETWEEN CITY OF SEAGOVILLE, TEXAS, AND HALFF ASSOCIATES, INC.  
E. MALLOY BRIDGE ROAD RECONSTRUCTION  
(U.S. 175 TO CRESTVIEW LANE)  
(AN AMENDMENT TO CRESTVIEW LANE)**

**I. COMPENSATION SCHEDULE – E. MALLOY BRIDGE ROAD**

Task	Completion Schedule	Compensation Schedule
Notice-to-Proceed	April 2019	
The following supplements to Tasks 1-7 from the Crestview Contract		
Task 2 – E. Malloy 70% Construction Plans	June 2019	\$62,200
<i>Adding a sidewalk to Crestview design</i>	<i>June 2019</i>	<i>\$8,000</i>
<i>Field Survey</i>	<i>May 2019</i>	<i>\$16,500</i>
<i>Geotechnical Engineering</i>	<i>June 2019</i>	<i>\$4,500</i>
<i>70% Engineering</i>	<i>June 2019</i>	<i>\$33,200</i>
Task 3 – E. Malloy 90% Construction Plans	August 2019	\$11,700
Task 4 – 100% Construction Plans	September 2019	\$7,6000
Task 8 – Traffic Signal Modification Plans	Concurrent with Tasks 8-10	\$6,000
Task 5 – Bidding Services (to be completed under the existing Crestview Contract)	October 2019	-
Task 6 – Construction Administration	February 2020	\$5,000
Task 6 – Record Drawings	March 2020	-
Task 7 – Construction Inspection	February 2020	\$31,500
<b>Total Compensation</b>		<b>\$124,000</b>

**II. COMPENSATION SUMMARY – E. MALLOY BRIDGE ROAD**

<b>Basic &amp; Special Engineering Services (Lump Sum)</b>	<b>Amount</b>
Task 2 – 70% Construction Plans	\$62,200
Task 3 – 90% Construction Plans	\$11,700
Task 4 – 100% Construction Plans	\$7,600
Task 8 – Traffic Signal Modification Plans	\$6,000
<b>Total Basic &amp; Special Engineering Services:</b>	<b>\$87,500</b>

<b>Special Construction Services (Hourly Not-to-Exceed)</b>	<b>Amount</b>
Task 5 – Construction Administration & Record Drawings (to be added to Crestview existing budget)	\$5,000
Task 6 – Construction Inspection (to be added to Crestview existing budget)	\$31,500
<b>Total Special Construction Services:</b>	<b>\$36,500</b>

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

**Meeting Date: May 6, 2019**

### **ITEM DESCRIPTION:**

Conduct a public hearing on a request to grant a Special Use Permit ("SUP") subject to specified conditions authorizing a residential dwelling and a religious institution on property zoned "LM", Light Manufacturing, being approximately 12.4± acres of real property commonly referred to as 112 West Farmers Road, in the City of Seagoville, Dallas County, Texas and being legally described as Lot 1 of Sang B. Han Addition.

### **BACKGROUND OF ISSUE:**

The applicant Oneness Meditation Temple (represented by Jason Kim) is requesting a zoning change from LM, Light Manufacturing, to LM-SUP, Light Manufacturing with a Special Use Permit, on about 12.4-acres of Lot 1 of Sang B. Han Addition (commonly known as 112 West Farmers Road) to allow both residential and an institution of religious uses on the property.

The property has been used as a home and temple for several years under a different director. When Mr. Kim arrived in Seagoville last fall, one of his first stops was at City Hall to make sure that everything at the site complied with city codes and ordinances. When he was informed that some items were not in compliance, he worked with Staff and Director Barr to identify those items so that each could be timely addressed or corrected. The barn which was being used as living quarters was found to be sub-standard and will need to be demolished prior to the issuance of any other permits being obtained for the site. This SUP request is one of other items to be completed.

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report.

### **FINANCIAL IMPACT:**

N/A

## **RECOMMENDATION:**

Besides the parcels in question, there are forty (40) properties, and four (4) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance for the Planning and Zoning Commission meeting with the 200-foot rule by mail on Tuesday, April 2, 2019. A legal ad was also published per the Texas Local Government Code in the Monday, April 1, 2019, edition of the Daily Commercial Record newspaper. Five (5) letters were returned against the request. One (1) letter was returned in favor of the request. Some of those responded against but then commented on children in the neighborhood or no truck traffic wanted, so Junior Planner Bonner believes that the responders did not pick-up on the fact that the neighborhood is not changing to manufacturing – it already is. Copies of the responses were provided to the Commissioners at the meeting. No one spoke for the item at the P&Z meeting. One (1) person spoke against the item at the P&Z meeting because they felt this was not the correct location for it.

For the City Council meeting, the owners of each parcel were again notified in compliance with the 200-foot rule by mail on Tuesday, April 16, 2019. A legal ad was also published per the Texas Local Government Code in the Monday, April 15, 2019, edition of the Daily Commercial Record newspaper. As of the date of this report, Monday, April 29, 2019, three (3) letters have again responded against the request. One (1) additional property owners have responded in favor the request in writing. One (1) letter has been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Commissioners will be available at the meeting for review.

On April 9<sup>th</sup>, the Planning and Zoning Commission voted four (4) to zero (0) in favor of recommending approval of the request with conditions to amend the zoning on about 12.4-acres of Lot 1 of Sang B. Han Addition located at 112 West Farmers Road from LM, Light Manufacturing, to LM-SUP, Light Manufacturing with a Special Use Permit for both multi-family residential and an institution of religious, educational or philanthropic use. The conditions of approval were:

- Any additional uses not shown in this concept plan shall be reviewed and approved by the Planning & Zoning Commission as well as City Council prior to the start of such an activity.
- Expansion of parking for any use shown in this concept plan shall require upgrading the existing driveway and parking to all concrete. Fire lane requirements shall also be met at the time of these improvement.
- That the existing barn which is and/or has been utilized as a living quarters has been deemed sub-standard and shall be required to be demolished prior to the issuance of any other permits being obtained for this site.

Staff reviewed the application with an assumed single family residential because that is the type of housing in the neighborhood. We recommend approval of the application with the conditions listed and with single family residential regulations for non-religious land uses on the property.

**EXHIBITS:**

1. Staff Report (4 pages)
2. 2017 aerial photograph from DCAD website
3. Dimensional map from DCAD website
4. Zoning map reference (dimensional map with zoning added)
5. Zoning application (4 pages)
  - a. Application
  - b. Concept
  - c. Emails requesting April 9th P&Z meeting and signed time waiver (2 pages)
6. Public hearing notice to newspaper for City Council
7. Public hearing notice to property owners within 200 feet for City Council (total of 9 pages)
  - a. Copies of notices (2 pages)
  - b. Copies of notices returned (7 pages)
8. List of property owners within 200 feet of subject parcel (2 pages)
9. Special Use Permit section of municipal code for reference (3 pages)



COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

**DATE:** MAY 6, 2019  
**AUTHOR:** JENNIFER BONNER, JUNIOR PLANNER  
**OWNERS:** ONENESS MEDITATION TEMPLE  
**PARCEL:** 65042608510200000  
**LOCATION:** LOT 1 OF SANG B. HAN ADDITION

**REQUEST SUMMARY:**

The applicant Oneness Meditation Temple (represented by Jason Kim) is requesting a Special Use Permit (SUP) to allow both residential and institution of religious uses at the location under the 2 yellow stars. The parcel is also outlined in yellow in the map.

The property has been used as a home and temple for several years under a different director. When Mr. Kim arrived in Seagoville last fall, one of his first stops was at City Hall to make sure that everything at the site complied with city codes and ordinances. When he was informed that some items were not in compliance, he worked with Staff and Director Barr to identify those items so that each could be timely addressed or corrected. This request is one of the items needing to be completed.



REQUEST LOCATION: Inside City, Dallas County

SIZE OF PROPERTY	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
12+acres	LM, Light Manufacturing	<p><b>Northwest:</b> R-5, Single Family Residential and PD, Planned Development</p> <p><b>Southwest:</b> R-5, Single Family Residential</p> <p><b>Northeast:</b> R-4, Single Family Residential and R-5, Single Family Residential</p> <p><b>Southeast:</b> R-5, Single Family Residential and LM, Light Manufacturing</p>	Medium Density Residential	<p><b>Northwest:</b> Low Density Residential and Medium Density Residential</p> <p><b>Southwest:</b> Low Density Residential</p> <p><b>Northeast:</b> Low Density Residential</p> <p><b>Southeast:</b> Low Density Residential and C, Commercial</p>

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

On April 9<sup>th</sup>, the Planning and Zoning Commission voted four (4) to zero (0) in favor of recommending approval of the request with conditions to amend the zoning on about 12.4-acres of Lot 1 of Sang B. Han Addition located at 112 West Farmers Road from LM, Light Manufacturing, to LM-SUP, Light Manufacturing with a Special Use Permit for both multi-family residential and an institution of religious, educational or philanthropic use. The conditions of approval were:

- Any additional uses not shown in this concept plan shall be reviewed and approved by the Planning & Zoning Commission as well as City Council prior to the start of such an activity.
- Expansion of parking for any use shown in this concept plan

Detailed explanations follow on the attached pages.	
STANDARD:	ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application Requirements	Has Met
Zoning Code	Has Met

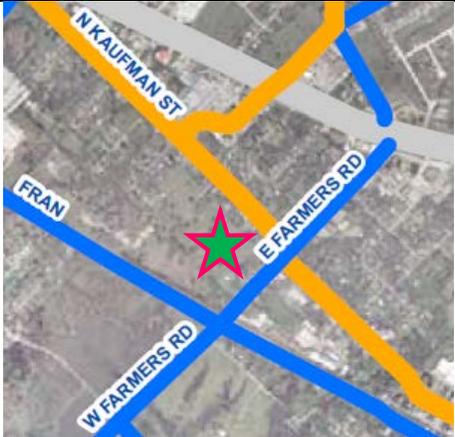
**STAFF REPORT  
Z2019-07**

shall require upgrading the existing driveway and parking to all concrete. Fire lane requirements shall also be met at the time of these improvement.

- The sub-standard barn being used as living quarters needs to be demolished prior to the issuance of any other permits being obtained for the site.

Staff reviewed the application with an assumed single family residential because that is the type of housing in the neighborhood. We recommend approval of the application with the conditions listed with single family residential regulations for non-religious land uses on the property.

**COMPARISON TO ADOPTED CITY MASTER PLANS**

STAFF ANALYSIS	PLAN GOALS OR GUIDELINES
<b>2002 Future Land Use Plan and Map</b>	
<p>The request is for the location under green star outlined in pink. This parcel is in a planned area of Medium Density Residential (orange color) as shown in the map to the right.</p> <p>All light yellow colored areas are planned to be Low Density Residential. The dark brown colored area to the southeast was expected to become Commercial when the map was created. The light brown colored areas to the west were expected to become High Density Residential. The blue areas were Public or Semi-Public while the red areas were expected to become Retail.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 
<b>2006 Thoroughfare Plan and Map</b>	
<p>The site for this request (green star outlined in pink) only has access to West Farmers Road. The blue line in the map indicates that the road is planned to become a Minor Collector.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 
<b>2009 Zoning Plan and Map</b>	
<p>The 3 green stars outlined in pink shows the parcel in this request. The purple color indicates the LM, Light Manufacturing, zoning district. The blue area is a 1998 Planned Development for senior citizens on the end of Mathis Street. All of the mustard yellow areas are zoned R-5, Residential Single Family. The light green area along the bottom edge of the map is zoned AG, Agriculture. All the zoning changes in this neighborhood have changed to R-5 and are outlined in blue ink. The yellowish area labeled LM should be purple in color as it was not part of the R-4, Residential Single Family, zoning change in Ordinance 01-99.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 

REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the use conform to off-street parking and loading requirements?	N/A	These items have code-defined minimums. As the site has an existing gravel driveway, Staff cannot confirm that sufficient parking is existing. If any future buildings or other development occurs on the site, these items will be reviewed by Staff at that time to confirm that code minimums are met or exceeded. Any shortages would be required to be corrected before any permit could be issued.
2. Has a site plan been submitted showing the layout of the proposed development and use?	Yes	A concept plan of the existing site with additional proposed uses has been submitted for the request for this SUP.
3. Are all of the ingress and egress ways adequate?	Yes	The site currently has a gravel driveway onto Farmer Road, which does not have enough dedicated right-of-way at this location. Any future development will require the dedication of any right-of-way shortage. It may also require the widening of the existing driveway to meet the requirements of a fire lane.
4. Are the size and shape of the site as well as the arrangement of the proposed structure(s) in keeping with the intent of the Code?	Yes	The application requests a Special Use Permit for the entire parcel (12+acres) to better match the actual land uses surrounding the property.
5. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	There are no plans at this time to change or add to the buildings on the property so height, area, setbacks, and parking requirements have been met. Depending on the type of future structures, additional landscaping may be required at that time.
6. Are there any outside lighting or screening controls that needs to be installed?	No	There are existing mature trees on the property along the northern and southern boundaries and a large portion of the western boundary. There is also some fencing along parts of the boundary. There is currently no planned outdoor lighting. If the property maintains its current uses, the typical screening of commercial or industrial uses will not be required.
7. Will the proposed landscaping and screening be compliant with all City regulations?	Yes	There are no planned changes to the site in the immediate future. Even if this zoning request is approved, any changes at the site would be reviewed by Staff to determine if changes to landscaping or screening would be required at that time.
8. Are there any special setbacks that are needed between this use and adjoining properties?	No	Most of the existing structures are within 300-feet of the edge of Farmers Road, which is similar to the approximate 250-foot lot depth of the adjoining properties on that street. The closest structure to this property is about 40-feet away on the property addressed 108 West Farmers Road.
9. What type of surfacing will be applied to parking areas and drives?	Yes	The existing gravel drive will be allowed to remain until some addition building or development occurs on the site. When development occurs, the driveway will be required to upgrade to concrete and meet the City's fire lane requirements.
10. Will curbs and drainage structures be installed as part of the project?	No	The existing gravel drive will be allowed to remain for now. Until the driveway is upgraded or Farmers Road is widened, no curb, gutter, or drainage improvement will be required.
11. Will granting the permit be authorizing any use that is not allowed or that defies the intent of the district it will be located in?	No	The Special Use Permit portion of the code allows institutions of religious, educational or philanthropic nature in any zoning district. It also allows single-family and multi-family dwelling units in non-residential zoning districts.

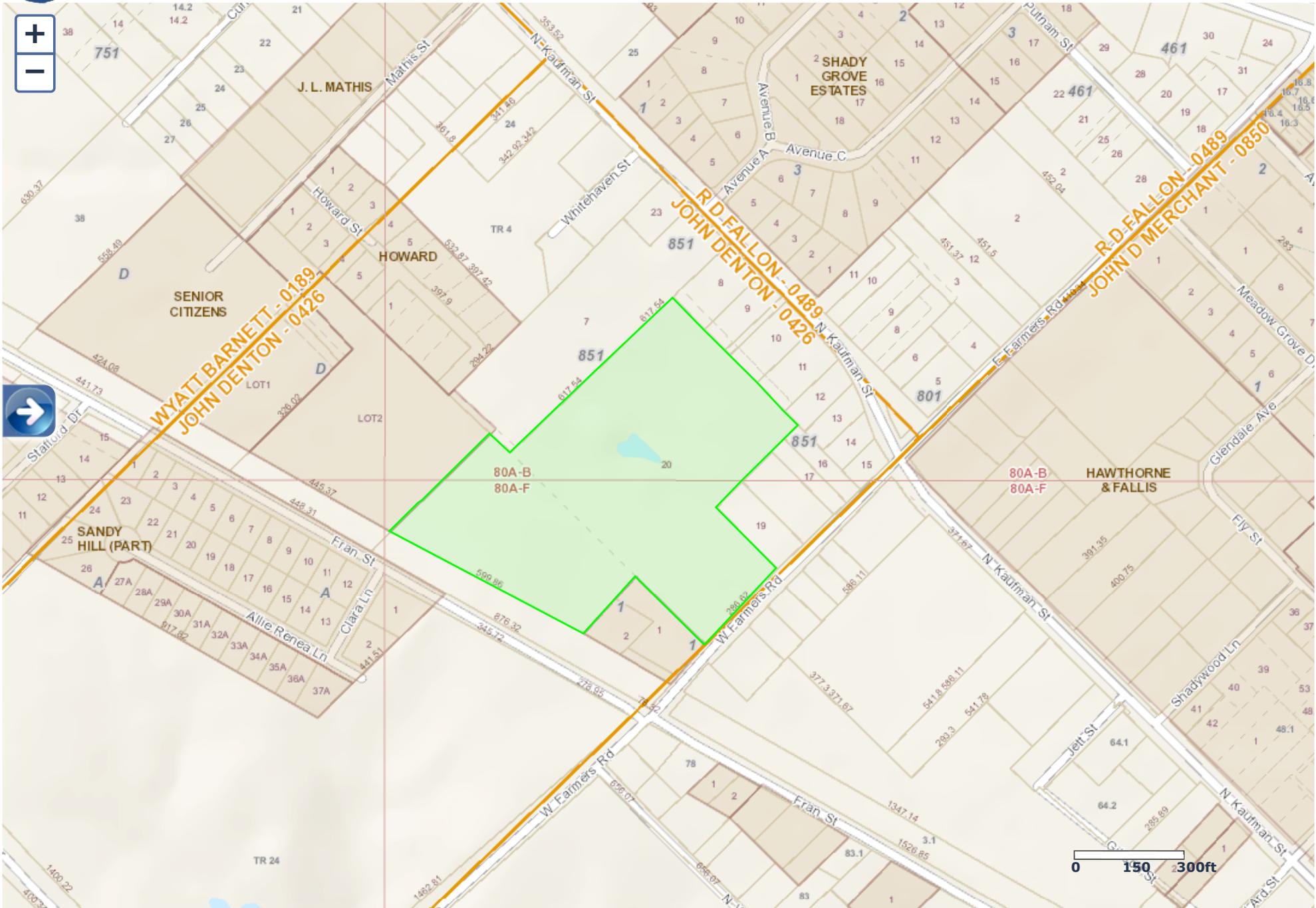
**STAFF REPORT  
Z2019-07**

REVIEW CRITERIA	STAFF ANALYSIS	
12. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	Farmer Road is classified as a Minor Collector on the Thoroughfare Plan, which currently requires a total right-of-way of 60-feet. The owner at the time of future development will be required to provide the shortage of his share of the road right-of-way when development occurs. City water and sewer already serve the site.
13. Will the land use be compatible with other area properties located nearby?	Yes	This request will bring the site into zoning compliance. The site has used in the manners requested in the application for years, but has not been a legal conforming use.
14. Will the use conform to all provisions in the Code for the district in which the use is to be located?	Yes	The Special Use Permit portion of the code allows institutions of religious, educational or philanthropic nature in any zoning district. It also allows single-family and multi-family dwelling units in non-residential zoning districts.
15. Will the use facilitate public convenience at that location?	Yes	The site has plenty of public street frontage along Farmers Road.
16. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	N/A	There are no planned changes to the site in the immediate future. Even if this zoning request is approved, any changes at the site would be reviewed by Staff to determine if changes to landscaping or screening would be required at that time. There are existing mature trees on the property along the northern and southern boundaries and a large portion of the western boundary which already limit interaction between this property's users and its neighbors.
17. Will the signage conform to those portions of the Municipal Code?	Yes	There will be limited signage on-site. Any public signage will be required to meet the City's sign code - usually located along a public right-of-way.
18. Will the open space be maintained by the owner/developer?	Yes	The current property owner will continue to maintain all areas.

**Public Comments Received:** Besides the parcels in question, there are forty (40) properties, and four (4) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance for the Planning and Zoning Commission meeting with the 200-foot rule by mail on Tuesday, April 2, 2019. A legal ad was also published per the Texas Local Government Code in the Monday, April 1, 2019, edition of the Daily Commercial Record newspaper. Five (5) letters were returned against the request. One (1) letter was returned in favor of the request. Some of those responded against but then commented on children in the neighborhood or no truck traffic wanted, so Planner Bonner believes that the responders did not pick-up on the fact that the neighborhood is not changing to manufacturing - it already is. Copies of the responses were provided to the Commissioners at the meeting. No one spoke for the item at the P&Z meeting. One (1) person spoke against the item at the P&Z meeting because they felt this was not the correct location for it.

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RECEIVED 1/30/19

# ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: 4/9/19 City Council: 5/6/19  
DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): \_\_\_\_\_

**Application Type:**

- Initial Zoning (newly annexed or Agricultural property)
- Rezoning (property currently zoned)
- Planned Development (PD) – see Zoning Ordinance for special requirements and procedures
- Specific Use Permit (SUP) – see Zoning Ordinance for special requirements and procedures

Name of Subdivision or Project: Oneness Meditation

Physical Location of Property: 112 W. Farmers Rd. Seagoville TX 75159  
[General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description): \_\_\_\_\_

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: 12.41 Existing Zoning: LM Requested Zoning: SUP - Residence & Religion  
[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: Oneness Meditation Temple Applicant or Owner? (circle one)

Contact Person: Jin S. Kim Title: Director/Manager

Company Name: \_\_\_\_\_

Street/Mailing Address: 112 W. Farmers Rd City: Seagoville State: TX Zip: 75159

Phone: (310) 743-7050 Fax: ( ) Email Address: jasonkim@hotmail.com

Engineer / Representative's Name: \_\_\_\_\_

Contact Person: Kyungrae Chung Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Street/Mailing Address: 112 W. Farmers Rd City: Seagoville State: TX Zip: 75159

Phone: (469) 732-1547 Fax: ( ) Email Address: mitri356@gmail.com

**SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE.** (All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 200 feet of the subject property. Please contact City staff in advance for submittal deadlines.)

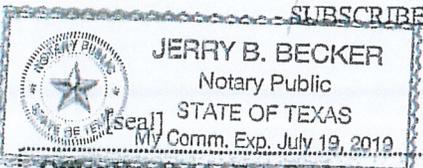
**All applications must be COMPLETE before they will be scheduled for P&Z agenda.** It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements.

**All application materials (one copy) must be delivered to the City's Planner.** The name, address, phone number, etc. of the City's Planner can be obtained from City staff. Failure to submit all materials to the City's Planner may result in delays scheduling the zoning application for a P&Z agenda.

**Notice of Public Records.** The submission of plans/drawings with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

I hereby certify that I am the Owner, or the duly authorized agent of the Owner (proof of authorization attached), for the purposes of this application, and that all information submitted herein is complete, true and correct to the best of my knowledge. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Signed: [Signature] Title: Director/Manager Date: Jan 30 2019



SUBSCRIBED AND SWORN TO before me, this the 30<sup>th</sup> day of January, 2019.  
Notary Public in and for the State of Texas: [Signature]  
My Commission Expires On: July 19 2019

Office Use Only: Date Rec'd: 1/30/19 Fees Paid: \$ 1/30/19 Check #: Visa Receipt #: 553985  
Zoning Case # 22019-07 Accepted By: CP Official Submittal Date: 1/30/19



PLACE	USE
①	MAIN GATE
②	OFFICE
③	OFFICIAL RESIDENCE
④	ABODE & DINING HOUSE
⑤	BUDDHA HALL
⑥	MEDITATION CULTURE MUSEUM
⑦	PERSONAL MEDITATION ROOM
⑧	OUTDOOR MEDITATION PLACE
⑨	YOGA TRAINING HALL
⑩	BUDDHA PAGODA
⑪	SPIRITUAL MUSIC CONCERT PLACE
⑫	MAIN MEDITATION HALL
⑬	PARKING SPACE
⑭	WALK MEDITATION TRAIL

ONENESS MEDITATION TEMPLE BIRD'S-EYE VIEW PLAN

112 W · FARMERS RD · SEAGOVILLE · TX 75159

**Jennifer Bonner**

---

**From:** Kim Jason <jasonkim@hotmail.com>  
**Sent:** Sunday, February 10, 2019 7:20 AM  
**To:** Jennifer Bonner; mitri356@gmail.com  
**Subject:** Re: 112 West Farmers Road; Seagoville, TX

Dear Ms. Jennifer Bonner,

I thank you for your prompt responding to our application for SUP.

As you know, I am now visiting Korea. I am not for sure when I am going to be back to Seagoville. I should know the returning schedule by the end of February.

Is there a possibility that a meeting is rescheduled later than March 12th if my departure time would be set in March?

Once again, I appreciate it for your concern on our SUP application.

Jason Jinsong Kim

---

**Jennifer Bonner**

---

**From:** Kim Jason <jasonkim@hotmail.com>  
**Sent:** Monday, February 18, 2019 7:42 AM  
**To:** Jennifer Bonner  
**Subject:** Re: 112 West Farmers Road; Seagoville, TX

Ms. Jennifer Bonner,

I'd like to request a P&Z meeting on April 9th.

Thanks,  
Jin S Kim

**Items for Planning and Zoning (P&Z) Commission:**

**Submittal Deadline** is at least 30 days prior to a tentative P&Z public hearing date.

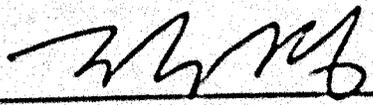
All initial zonings, zoning changes, Planned Developments, Special Use Permits, etc. must be advertised in the newspaper and notices mailed to all property owners with 200-feet of the boundary of the subject area. Please speak with City Staff in advance to confirm submittal deadlines and meeting dates.

All applications must be **COMPLETE** before they will be scheduled for a P&Z meeting's agenda. It is the applicant's responsibility to be familiar with - and to comply with - all submittal requirements (including as listed in the Municipal Code plus any separate submittal policies, requirements, checklists, ordinances, etc.) including the number of plans to be submitted, application fees, etc. Please contact City Staff in advance to confirm submittal requirements.

All applications materials must be delivered directly to the City of Seagoville's planner located in the Community Development portion of City Hall. The name, address, and all contact information can be obtained from anyone on City Staff. Failure to submit all materials (including a completed application form, all fees, and/or the required number of full engineering plans, traffic studies, drainage report, geotechnical reports, etc. as applicable) to the Planner **WILL** result in a delay in placing an item on a P&Z agenda. Please contact the Planner in advance to confirm submittal requirements - including the type and number of copies for each required item.

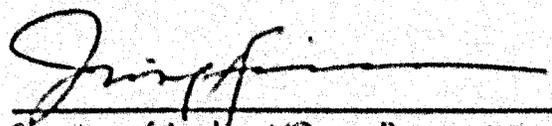
**Notice of Public Record:** The submission of any and all plans, drawings, elevations, reports, studies, photographs, and/or other data submitted with any application for the P&Z make such items part of the public record. The applicant understands that these items may be viewed by the general public at any time. Unless the applicant specifically and expressly states otherwise in writing, the submission of this application (and associated documents) will be considered consent by the applicant that the general public may view and/or reproduce (i.e. copy) such documents at any time.

**Acknowledgement:**

  
\_\_\_\_\_  
Signature of Applicant (Owner)

Printed Name: Sang B Han

Date: Feb. 15<sup>th</sup>, 2019

  
\_\_\_\_\_  
Signature of Applicant (Owner Representative)

Printed Name: Jin S. Kim

Date: Feb 15<sup>th</sup> 2019





April 15, 2019

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

**NOTICE OF PUBLIC HEARING  
SEAGOVILLE PLANNING AND ZONING COMMISSION  
ZONING CASE Z2019-07**

The Seagoville City Council will hold a public hearing on Monday, May 6, 2019, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request to change the current zoning on about 12.4-acres of Lot 1 of Sang B. Han Addition located at 112 West Farmers Road from LM, Light Manufacturing, to LM-SUP, Light Manufacturing with a Special Use Permit for both residential and an institution of religious, educational or philanthropic use.

Individuals may appear at the public hearing to state their opinions or may send a written notice prior to 4:30 PM on the day of the public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

As an adjoining property owner, this is the second opportunity to voice your opinion about this project. The third opportunity will be at the public hearings listed above.

*Please indicate your opinion in this matter by checking the appropriate box below.  
Please provide any additional comments that you might have in the provided space.  
Please also sign and complete the name and address portion below.*

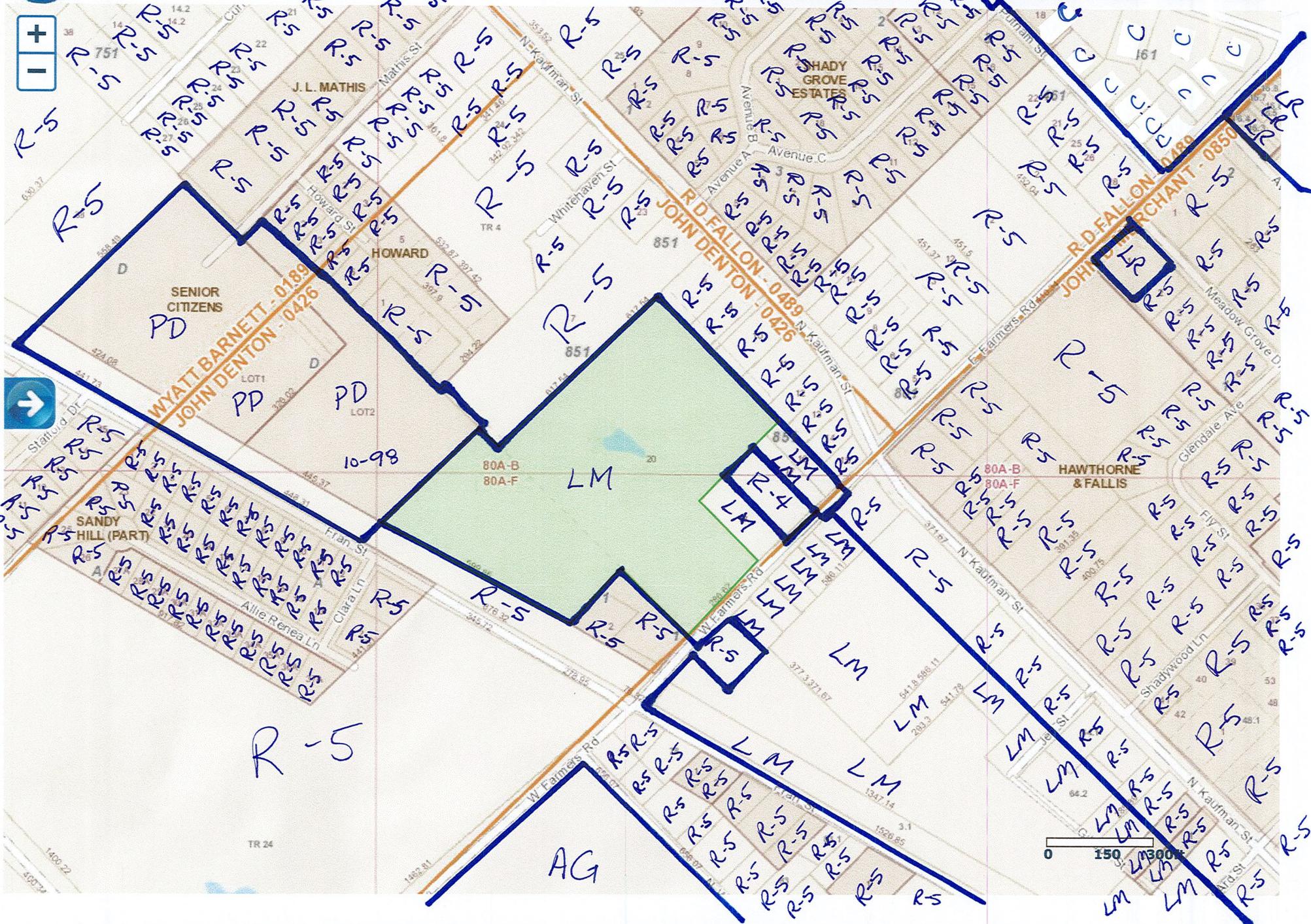
I am in favor of  against  Zoning Request Z2019-07 as it is described herein.

Additional Comments (attach additional sheets as necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature(s): \_\_\_\_\_  
Printed Name(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State & Zip code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_



# DCAD Property Map





April 1, 2019

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

NOTICE OF PUBLIC HEARING  
SEAGOVILLE PLANNING AND ZONING COMMISSION  
ZONING CASE Z2019-07

The Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, April 9, 2019, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request to change the current zoning on about 12.4-acres of Lot 1 of Sang B. Han Addition located at 112 West Farmers Road from LM, Light Manufacturing, to LM-SUP, Light Manufacturing with a Special Use Permit for both residential and an institution of religious, educational or philanthropic use.

Individuals may appear at the public hearing to state their opinions or may send a written notice prior to 4:30 PM on the day of the public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

As an adjoining property owner, this is the first opportunity to voice your opinion about this project. The second opportunity will be at the public hearings listed above.

*Please indicate your opinion in this matter by checking the appropriate box below.  
Please provide any additional comments that you might have in the provided space.  
Please also sign and complete the name and address portion below.*

I am in favor of  against  Zoning Request Z2019-07 as it is described herein.

Additional Comments (attach additional sheets as necessary): \_\_\_\_\_

FAMILIES LIVE HERE WITH  
CHILDREN.

Signature(s): Martha Eunice Stone  
Printed Name(s): MARTHA E. STONE  
Address: 104 WEST FARMERS RD.  
City, State & Zip code: SEAGOVILLE, TEXAS 75159  
Phone Number: 972-287-1015

RECEIVED  
APR 08 2019  
gib

APRIL 1, 2019  
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April 1, 2019

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

NOTICE OF PUBLIC HEARING  
SEAGOVILLE PLANNING AND ZONING COMMISSION  
ZONING CASE Z2019-07

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Please also sign and complete the name and address portion below.*

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Additional Comments (attach additional sheets as necessary):  
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Signature(s): Martha L. Douglass Billy Douglass  
Printed Name(s): MARTHA L. DOUGLASS BILLY DOUGLASS  
Address: 106/108 W. Farmers  
City, State & Zip code: Seagoville TX 75159  
Phone Number: 972-287-3465

RECEIVED  
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BY: JLB

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April 1, 2019

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
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Additional Comments (attach additional sheets as necessary):  
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\_\_\_\_\_  
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Signature(s): Martha L. Boone  
Printed Name(s): MARTHA L. BOONE  
Address: 108 W. Farmers  
City, State & Zip code: Seagoville, Tx 75159  
Phone Number: 972-287-3465

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BY: gls

APRIL 1, 2019



April 1, 2019

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
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PHONE: (972) 287-2050

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Please also sign and complete the name and address portion below.*

I am in favor of  against  Zoning Request Z2019-07 as it is described herein.

Additional Comments (attach additional sheets as necessary): NO TRUCK  
Truck in & out?

Signature(s): [Handwritten Signature]  
Printed Name(s): Ricky Kirby  
Address: PO Box 696  
City, State & Zip code: Seagoville TX 75158  
Phone Number: 214 802 7453

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BY: [Signature]

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April 1, 2019

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
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Additional Comments (attach additional sheets as necessary): \_\_\_\_\_  
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Signature(s): Chrystell L. Howard  
Printed Name(s): Chrystell L Howard  
Address: 709 N Kaufman St  
City, State & Zip code: Seagoville, TX 75159  
Phone Number: 972-287-6569

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BY: gob

APRIL 1, 2019  
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April 1, 2019

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
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701 N. KAUFMAN

*Please indicate your opinion in this matter by checking the appropriate box below.  
Please provide any additional comments that you might have in the provided space.  
Please also sign and complete the name and address portion below.*

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Additional Comments (attach additional sheets as necessary): \_\_\_\_\_

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Signature(s): Charlie W. Shepherd  
Printed Name(s): CHARLIE W. SHEPHERD  
Address: 785 MARTIN LANE  
City, State & Zip code: SEAGOVILLE  
Phone Number: 972-358-8685

RECEIVED  
APR 09 2019  
BY: JLB e6:10 PM

APRIL 1, 2019  
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April 1, 2019

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

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Additional Comments (attach additional sheets as necessary): \_\_\_\_\_

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\_\_\_\_\_  
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\_\_\_\_\_

Signature(s): Richard Stealy  
Printed Name(s): Richard Stealy  
Address: 101 W. Farmers Rd  
City, State & Zip code: Seagoville TX 75159  
Phone Number: 972 506 7766

RECEIVED  
APR 15 2019

BY: AJB

APRIL 1, 2019  
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**Property Owners List  
SUP at 112 West Farmers**

Mailed out a total of 41 certified letters on Monday, April 1, 2019, before 5:00 PM

Subject or adjainer?	Site Address	DCAD Account	Owner	Mailing Address 1	Address 2	City	State	Zip
Subject	112 West Farmers Road	65042608510200000	Oneness Meditation Temple	112 West Farmers Road		Seagoville	TX	75159
Adjoiner		Fran Street ROW	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	300 West Farmers Road	65042630010270000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	706 North Railroad Avenue	50020610010020000	Gary A. & Teresa G. Vaden	706 North Railroad Avenue		Seagoville	TX	75159
Adjoiner	116 West Farmers Road	50020610010010000	Linda Johnson	116 West Farmers Road		Seagoville	TX	75159
Adjoiner	400 Fran Street	65085007510030100	HRG Investments LLC	519 Gibson Street		Seagoville	TX	75159
Adjoiner		West Farmers ROW	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	117 West Farmers Road	65085009510600000	HRG Investments LLC	519 Gibson Street		Seagoville	TX	75159
Adjoiner	113 West Farmers Road	65085009510830000	Life Estate of Louise Morris	REM: James Morris et al	113 West Farmers Road	Seagoville	TX	75159
Adjoiner	111 West Farmers Road	65085009510580000	Richard T. & Carole A. Martin	111 West Farmers Road		Seagoville	TX	75159
Adjoiner	109 West Farmers Road	65085009510560000	Teddy K. & Nila Sides	109 West Farmers Road		Seagoville	TX	75159
Adjoiner	107 West Farmers Road	65085009510550000	Georgina Mariano & Daniel Bueno	107 West Farmers Road		Seagoville	TX	75159
Adjoiner	105 West Farmers Road	65085009510540000	Ricky B. & Nova M. Kirby	P.O. Box 696		Seagoville	TX	75159
Adjoiner	103 West Farmers Road	65085009510840000						
Adjoiner	101 West Farmers Road	65085009510530000	Contract Resolve Group	101 West Farmers Road		Seagoville	TX	75159
Adjoiner	108 West Farmers Road	65042608510190000	Martha L. Boone	108 West Farmers Road		Seagoville	TX	75159
Adjoiner	106 West Farmers Road	65042608510180000	Billy & Martha Douglass	108 West Farmers Road		Seagoville	TX	75159
Adjoiner	104 West Farmers Road	65042608510170000	Life Estate of Martha E. Stone	REM: Marilyn A. Mayes et al	104 West Farmers Road	Seagoville	TX	75159
Adjoiner	102 West Farmers Road	65042608510160000	Gudelia Monterrosa	102 West Farmers Road		Seagoville	TX	75159
Adjoiner		Kaufman Street ROW	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	701 North Kaufman Street	65042608510150000	Charlie W. Shepherd et al	785 Martin Lane		Seagoville	TX	75159
Adjoiner	703 North Kaufman Street	65042608510140000	Dee Thompson	1918 Seagoville Road		Seagoville	TX	75159
Adjoiner	705 North Kaufman Street	65042608510130000	Elizabeth L. Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	707 North Kaufman Street	65042608510120000	Jimmy J. & Sally J. Abbott	707 North Kaufman Street		Seagoville	TX	75159
Adjoiner	709 North Kaufman Street	65042608510110000	Chrystell L. Howard	709 North Kaufman Street		Seagoville	TX	75159
Adjoiner	711 North Kaufman Street	65042608510100000	Williamson Revocable Living Trust	711 North Kaufman Street		Seagoville	TX	75159

## Property Owners List

Exhibit 8

Subject or adjointer?	Site Address	DCAD Account	Owner	Mailing Address 1	Address 2	City	State	Zip
Adjoiner	717 North Kaufman Street	65042608510090000	Socrates Hernandez & Claudia Escobar	717 North Kaufman Street		Seagoville	TX	75159
Adjoiner	721 North Kaufman Street	65042608510080000		721 North Kaufman Street				
Adjoiner	725 North Kaufman Street	65042608510070000	Heather R. Kirby	725 North Kaufman Street		Seagoville	TX	75159
Adjoiner	803 North Kaufman Street	65042608510230000	Javier H. Villegas & Lorena A. S. Ceja	803 North Kaufman Street		Seagoville	TX	75159
Adjoiner		Howard Street ROW	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	112 West Farmers Road	500205000D0020000	Seagoville Senior Citizens Home Inc.	205 Mathis Street		Seagoville	TX	75159
Adjoiner	205 Mathis Street	65042630010270200						
Adjoiner	805 Fran Street	500422700A0100000	Ronit Properties LLC	7308 A Bandera Ranch Trail		Austin	TX	78750
Adjoiner	803 Fran Street	500422700A0110000	Saul & Rosa I. Gonzales and Mariana Y. Corde	803 Fran Street		Seagoville	TX	75159
Adjoiner	801 Fran Street	500422700A0120000	Joyce A. Parker	801 Fran Street		Seagoville	TX	75159
Adjoiner	721 Fran Street	500422700B0010000	Jose M. Patino	721 Fran Street		Seagoville	TX	75159
Adjoiner	1010 Fran Street	65042630010240000	Leslie Klingman	4041 Creekdale Drive		Dallas	TX	75229
Adjoiner								
Adjoiner								

## CHAPTER 25 - ZONING

### ARTICLE 25.02 ZONING ORDINANCE

#### Division 26. Special Uses

##### Sec. 25.02.631 Uses which may be authorized by ordinance

The city council may, after public hearing and proper notice to all parties affected, and, after recommendation from the planning and zoning commission containing such requirements and safeguards as are necessary to protect adjoining property, authorize by ordinance the location of any of the following in the specified districts:

- 1) Any use of the public building or buildings to be erected or used by the city, county, state, or federal government in any district.
- 2) Private schools, kindergartens and nurseries teaching the same subjects as public elementary and high schools in the district, provided the building or buildings are set back from all required yard lines in the district in which they are to be located two feet for each foot of building height and provided off-street parking facilities are provided. For schools and kindergartens, a minimum building area of 30 square feet per pupil and minimum site area of 200 square feet per pupil shall be provided.
- 3) Institutions of religious, educational or philanthropic nature in any district.
- 4) Private housing projects and shopping center consisting of not less than three acres and when accompanied by a site plan drawn to scale and showing the arrangement of the project in detail together with essential requirements such as parking facilities, location of buildings and the uses to be permitted, and means of egress and ingress in any district.
- 5) Airport or landing field or airport facilities in any district.
- 6) Day nurseries in any district keeping more than four children.
- 7) Dog kennels and veterinarian hospitals in the Commercial District or on a farm five acres or more in any district.
- 8) Temporary commercial amusement enterprises such as circuses, carnivals, driving ranges, miniature golf courses, pony rides, miniature train rides and rodeos in any district.
- 9) Riding academy or public stable on a site of five acres or more in any district.
- 10) Radio broadcasting towers and stations, television towers and television transmitting stations in any district.
- 11) Any installation of a public utility either privately or publicly owned in any district.
- 12) Gas and electrical public utility regulating stations in any district.
- 13) Hospitals, children's homes, convalescent homes, old people's homes, maternity homes in the "A" District or in any district where a site of five acres or more is provided.
- 14) Homes for the insane, alcoholic, feeble-minded and narcotics in the "C" District or in any district where a site of 20 acres or more is provided.
- 15) Lodges, boarding houses, rooming houses in the "A" District.
- 16) Community buildings in an "A" district or on a site of three acres or more in any district.
- 17) Drive-in theatres in the Local Retail District or on sites of ten acres or more in any district.
- 18) Greenhouses and nurseries in any district.
- 19) Reserved.
- 20) Rock quarries, sand, gravel, and earth excavations. At the time the permit is granted, the city council may impose reasonable conditions for the protection of public health and safety, any may provide for the restoration of such property to a usable condition after uses have been terminated.
- 21) Dental and medical offices and clinics in the "A" District.
- 22) Feed stores in the "LR" District.
- 23) Automobile wrecking yard in the Heavy Manufacturing District.
- 24) Junkyard in the Heavy Manufacturing District.
- 25) Temporary and seasonal sales establishments, such as flea market or produce stand in any district.
- 26) Cemetery in any district.
- 27) Roller skating rink in "LR" District.

- 28) Motor raceway in “LR” or “AG” District.
- 29) Travel trailer park in any district.
- 30) Sewage treatment plant in any district.
- 31) Concrete batch plant in any district.
- 32) Single-family and multifamily dwelling units in nonresidential districts.
- 33) Used car lots in “LR” District.
- 34) Sale of mobile/manufactured homes, subject to the following conditions:
  - (A) “C” Commercial zoned property of 3.5 acres or more.
  - (B) Underpinning must be furnished for all homes parked within 100 feet of any public street;
  - (C) Full landscape plan must be submitted and approved as part of SUP;
  - (D) Decorative frontal fencing (such as wrought iron) shall be required; and
  - (E) No alterations may be made to any home parked within the first 100 feet of any public street.
- 35) Wind energy conversion system (WEC) in any district, provided that such device is in accordance with the definitions of such devices in division 37 (Definitions), as amended, and in accordance with all special regulations for such devices in division 32 (Regulations Applicable to all Districts), section 25.02.713 (Wind Energy Conversion Systems).
- 36) Bakery, commercial in “C” District.
- 37) Bar, beer tavern, lounge in “C,” “LM” and “HM” Districts.
- 38) Brewery, distillery in “LM” and “HM” Districts.
- 39) Cargo container in “LM” and “HM” Districts.
- 40) Convenience store/mini-mart (1,000–5,000 square feet) in “LR,” “C,” “LM” and “HM” Districts.
- 41) Tobacco shop in “LR,” “C,” “LM” and “HM” Districts.
- 42) Drive-in service in “LR,” “C,” “LM” and “HM” Districts.
- 43) Drive-through service in “LR,” “C,” “LM” and “HM” Districts.
- 44) Walk-up service in “LR,” “C,” “LM” and “HM” Districts.
- 45) Microbrewery/brewpub in “LR,” “C,” “LM” and “HM” Districts.
- 46) Night club/dance hall in “C,” “LM” and “HM” Districts.
- 47) Outside display, used materials, in “C,” “LM” and “HM” Districts.
- 48) Outside storage, new materials in “C” District.
- 49) Outside storage, used materials in “C,” “LM” and “HM” Districts.
- 50) Outside storage of any type of materials exceeding eight feet (8') in height in “C,” “LM” and “HM” Districts.
- 51) Restaurant, dine-in only ( $\leq$  4,000 square feet) in “LR,” “C,” “LM” and “HM” Districts.
- 52) Restaurant, dine-in/convenience ( $\leq$  4,000 square feet) in “LR,” “C,” “LM” and “HM” Districts.
- 53) Restaurant, fast food in “LR,” “C,” “LM” and “HM” Districts.
- 54) Restaurant, outdoor/patio dining in “LR,” “C,” “LM” and “HM” Districts.
- 55) Restaurant/private club in “LR,” “C,” “LM” and “HM” Districts.
- 56) Travel center in “C,” “LM” and “HM” Districts.
- 57) Winery in “LM” and “HM” Districts.
- 58) Winery, boutique in “C,” “LM” and “HM” Districts.
- 59) Wine-tasting room in “LR,” “C,” “LM” and “HM” Districts.
- 60) Addition of the sale of prepackaged food or beverages to the operation of a retail or business operation already in existence on the effective date of this section (May 2010) in any district.
- 61) Sales of prepackaged food and/or beverages, in combination, that exceeds 10% of an establishment’s gross annual sales revenues in any district.
- 62) Mortuary uses, only in stand-alone buildings, in local retail districts.
- 63) Wedding services and event center uses, only in stand-alone buildings, in local retail districts.
- 64) Hotel and motel in a “C” District. A special use permit in a commercial district for a hotel or motel use may be approved only when there is a finding and determination by the city council, following a favorable

recommendation by the planning and zoning commission, that the type of hotel or motel proposed is compatible and consistent with and will have no adverse affect on existing uses in the area, that the proposed use is equal to or exceeds development standards of other uses and that the proposed use will not adversely affect the ability to locate, in the future, additional uses that are allowed within the zoning district of the area.

Hotel and motel developments shall be subject to the following development standards:

- (A) A minimum lot size for a hotel or motel development shall be no less than four acres, with the exception that a lot size less than four acres may be permitted provided the city council, following a favorable recommendation by the planning and zoning commission, and after review of submitted data and facts, finds and determines that such facility is an appropriate use, design and lay-out for the site and area. Under no circumstance shall a lot of less than two acres be utilized for this use.
- (B) Shall provide staff on-site 24 hours a day;
- (C) Shall contain a lobby with a minimum of 150 square feet;
- (D) Shall provide a minimum of three (3) amenities from the list below:
  - (1) Indoor/outdoor pool.
  - (2) Spa/sauna.
  - (3) Weight room/fitness center.
  - (4) Playground.
  - (5) Sports court.
  - (6) Plaza/atrium.
  - (7) Game room.
  - (8) Jogging trail.
  - (9) Conference room (1,000 square foot minimum).
  - (10) Full service restaurant (minimum seating capacity of 35).

(Ordinance 467, sec. 1, adopted 6/20/78; Ordinance 17-89, sec. 2, adopted 10/19/89; Ordinance 07-91, sec. 1, adopted 5/2/91; Ordinance 33-03, sec. 1, adopted 8/21/03; Ordinance 40-03, sec. 1, adopted 10/16/03; Ordinance 24-08, sec. 1, adopted 9/17/09; Ordinance 04-10 adopted 5/6/10; Ordinance 03-2017, sec. 2, adopted 3/6/17; Ordinance 22-2017 adopted 10/2/17)

## ***Regular Session Agenda Item: 6***

**Meeting Date: May 6, 2019**

### **ITEM DESCRIPTION:**

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of City of Seagoville, as amended, by granting a Special Use Permit ("SUP") subject to specified conditions authorizing a residential dwelling and a religious institution on property zoned "LM", Light Manufacturing, being approximately 12.4± acres of real property commonly referred to as 112 West Farmers Road, in the City of Seagoville, Dallas County, Texas and being legally described as Lot 1 of Sang B. Han Addition; providing for the approval of the concept plan, which is attached hereto and incorporated herein as Exhibit "A"; providing for a repealing clause; providing a savings clause; providing a severability 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.

### **BACKGROUND OF ISSUE:**

The applicant Oneness Meditation Temple (represented by Jason Kim) is requesting a zoning change from LM, Light Manufacturing, to LM-SUP, Light Manufacturing with a Special Use Permit, on about 12.4-acres of Lot 1 of Sang B. Han Addition (commonly known as 112 West Farmers Road) to allow both residential and an institution of religious uses on the property.

The property has been used as a home and temple for several years under a different director. When Mr. Kim arrived in Seagoville last fall, one of his first stops was at City Hall to make sure that everything at the site complied with city codes and ordinances. When he was informed that some items were not in compliance, he worked with Staff and Director Barr to identify those items so that each could be timely addressed or corrected. The barn which was being used as living quarters was found to be sub-standard and will need to be demolished prior to the issuance of any other permits being obtained for the site. This SUP request is one of other items to be completed.

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report.

### **FINANCIAL IMPACT:**

No city funds will be used for the development of this project.

## **RECOMMENDATION:**

Besides the parcels in question, there are forty (40) properties, and four (4) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance for the Planning and Zoning Commission meeting with the 200-foot rule by mail on Tuesday, April 2, 2019. A legal ad was also published per the Texas Local Government Code in the Monday, April 1, 2019, edition of the Daily Commercial Record newspaper. Five (5) letters were returned against the request. One (1) letter was returned in favor of the request. Some of those responded against but then commented on children in the neighborhood or no truck traffic wanted, so Planner Bonner believes that the responders did not pick-up on the fact that the neighborhood is not changing to manufacturing – it already is. Copies of the responses were provided to the Commissioners at the meeting. No one spoke for the item at the P&Z meeting. One (1) person spoke against the item at the P&Z meeting because they felt this was not the correct location for it.

For the City Council meeting, the owners of each parcel were again notified in compliance with the 200-foot rule by mail on Tuesday, April 16, 2019. A legal ad was also published per the Texas Local Government Code in the Monday, April 15, 2019, edition of the Daily Commercial Record newspaper. As of the date of this report, Monday, April 29, 2019, three (3) letters have again responded against the request. One (1) additional property owners have responded in favor the request in writing. One (1) letter has been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Commissioners will be available at the meeting for review.

On April 9<sup>th</sup>, the Planning and Zoning Commission voted four (4) to zero (0) in favor of recommending approval of the request with conditions to amend the zoning on about 12.4-acres of Lot 1 of Sang B. Han Addition located at 112 West Farmers Road from LM, Light Manufacturing, to LM-SUP, Light Manufacturing with a Special Use Permit for both multi-family residential and an institution of religious, educational or philanthropic use. The conditions of approval were:

- Any additional uses not shown in this concept plan shall be reviewed and approved by the Planning & Zoning Commission as well as City Council prior to the start of such an activity.
- Expansion of parking for any use shown in this concept plan shall require upgrading the existing driveway and parking to all concrete. Fire lane requirements shall also be met at the time of these improvement.
- The sub-standard barn being used as living quarters needs to be demolished prior to the issuance of any other permits being obtained for the site.

Staff reviewed the application with an assumed single family residential because that is the type of housing in the neighborhood. We recommend approval of the application with the conditions listed and with single family residential regulations for non-religious land uses on the property.

**EXHIBITS:**

1. Ordinance (4 pages)

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

**ORDINANCE NO. \_\_\_\_-2019**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A SPECIAL USE PERMIT ("SUP") SUBJECT TO SPECIFIED CONDITIONS AUTHORIZING A RESIDENTIAL DWELLING AND A RELIGIOUS INSTITUTION ON PROPERTY ZONED "LM", LIGHT MANUFACTURING, BEING APPROXIMATELY 12.4± ACRES OF REAL PROPERTY COMMONLY REFERRED TO AS 112 WEST FARMERS ROAD, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED AS LOT 1 OF SANG B. HAN ADDITION; PROVIDING FOR THE APPROVAL OF THE CONCEPT PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; 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.**

**WHEREAS**, the property located at 112 West Farmers Road, which is zoned Light Manufacturing, has been used as a single family residence and a religious temple for a number of years; and,

**WHEREAS**, the current owner desires to bring the property in compliance with all applicable City codes and has submitted an application for a Special Use Permit to permit both the residential and religious temple use; and

**WHEREAS**, the Planning and Zoning Commission of the City of Seagoville and the City Council of the City of Seagoville, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes have given requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Seagoville is of the opinion and finds that a zoning change should be granted with certain conditions, and that the Comprehensive Zoning Ordinance and Map should be accordingly amended.

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

**SECTION 1:** That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, be and the same is hereby amended by granting a Special Use Permit authorizing a residential dwelling and a religious institution on property zoned "LM", Light Manufacturing, being approximately 12.4± acres of real property commonly referred to as 112 West Farmers Road, in the City of Seagoville, Dallas County, Texas, and being legally described as Lot 1 of Sang B. Han Addition, subject to the following conditions:

- A. That any additional uses not currently depicted on the approved concept plan, which is attached hereto and incorporated herein as Exhibit A, shall require review and approval by the Planning and Zoning Commission and the City Council.
- B. That the expansion of parking for any use depicted in the approved concept plan shall require upgrading the existing driveway and parking area to all concrete and all fire lane requirements shall be met.
- C. That the existing barn which is and/or has been utilized as a living quarters has been deemed sub-standard and shall be required to be demolished prior to the issuance of any other permits being obtained for this site.

**SECTION 2:** That the concept plan, which is attached hereto and incorporated herein as Exhibit "A", is hereby approved.

**SECTION 3.** That the property described shall be used only for the purposes set out in accordance with the City of Seagoville's Zoning Ordinance and all other ordinances, codes, and policies of the City of Seagoville, as amended.

**SECTION 4:** That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 5:** That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

**SECTION 6:** That any person, firm, or corporation violating, disobeying, neglecting, refusing to comply with, or resisting the enforcement of any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty of two thousand dollars (\$2,000.00) for each offense as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended. Each and every day such a violation continues or is allowed to exist shall constitute a separate offense.

**SECTION 7:** That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Seagoville, Texas this 6<sup>th</sup> day of May, 2019.

**APPROVED:**

\_\_\_\_\_  
DENNIS, K. CHILDRESS, MAYOR

**ATTEST:**

\_\_\_\_\_  
KANDI JACKSON, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
VICTORIA THOMAS, CITY ATTORNEY  
(/cdb 04/27/2019)

EXHIBIT "A"



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

**Meeting Date: May 6, 2019**

### **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

### **RECOMMENDATION:**

N/A

### **EXHIBITS:**

N/A

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

**Meeting Date:** May 6, 2019

**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

**RECOMMENDATION:**

N/A

**EXHIBITS:**

N/A